

# Horowhenua District Plan

## Section 32 Report

### Proposed Plan Change 2

*(Review of Residential Development Provisions –  
Amendments relating to the extent of the Medium Density Overlay  
and infill subdivision; provision for second residential dwelling units  
and Integrated Residential Development; minor corrections or  
amendments)*

July 2017

## Contents

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<b>1</b>	<b>Introduction</b> .....	<b>1</b>
1.1	Background .....	1
1.2	Scope .....	2
<b>2</b>	<b>Regulatory and Policy Context</b> .....	<b>3</b>
2.1	Legislative and National Policy Context .....	3
2.2	Regional Regulatory and Policy Context.....	4
<b>3</b>	<b>Proposed Plan Change 2</b> .....	<b>5</b>
3.1	Consultation .....	6
<b>4</b>	<b>Section 32 Evaluation</b> .....	<b>7</b>
4.1	Amendments to residential infill subdivision and extension of the Medium Density Overlay in Levin .....	7
4.2	Increase in the number of permitted residential dwelling units on a site ....	12
4.3	Provision for large-scale, integrated residential development .....	15
4.4	Minor amendments/deletions.....	19
4.5	Risk of Acting or Not Acting Where There is Uncertain or Insufficient Information .....	21
4.6	Conclusion.....	21

# 1 Introduction

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The purpose of Proposed Plan Change Two (Proposed PC2) is to amend a limited range of rules relating to residential development in the Operative Horowhenua District Plan. It also seeks to extend the spatial extent of the Medium Density Overlay in Levin, and to make specific provision for larger-scale, more complex residential development proposals to establish in the district.

This report outlines the background, scope, statutory context and proposed amendments relating to Proposed PC2, and provides an evaluation of the proposed amendments in accordance with the requirements of section 32 of the Resource Management Act (RMA) 1991.

## 1.1 Background

### ***1.1.1 District Plan Review – Residential Zone Provisions***

A full review of the former District Plan (1999) was undertaken between 2009 and 2013, with the Horowhenua District Council (the Council) making its second generation District Plan (the Plan) operative on 1 July 2015.

The objectives, policies and rules currently included in the Residential chapter of the Plan represent the outcome of this review process.

### ***1.1.2 Rationale for the Proposed Plan Change***

In 2016 the Council confirmed a revised set of population and housing growth assumptions for the district. These assumptions anticipate a population increase of 8,600, and a 4,900 increase in households, by 2036 largely as a result of increased accessibility brought about by central government investment in the Roads of National Significance, and in particular the Wellington Northern Corridor (e.g. Transmission Gully Motorway, Mackays Crossing to Peka Peka Expressway and Peka Peka to Otaki Expressway).

To help realise and maximise these growth assumptions the Council is actively seeking to ensure that appropriate infrastructure, policy and planning provisions are in place to enable the district to fully leverage off its competitive and comparative advantages. This planning has included investigating whether the residential development provisions in the Plan adequately cater for the growth projected, particularly in terms of encouraging more efficient utilisation of existing urban land and infrastructure and a range of housing type and living environments that effectively respond to future needs (e.g. aging population).

In addition, since the Plan was made operative a small number of issues have been identified by representatives of the development community and Council staff regarding the workability of some of the current residential provisions. These workability issues include:

- The small nature and spatial extent of the area earmarked for medium density development in Levin (i.e. the area covered by the Medium Density Overlay);

- The current minimum net site area for residential infill subdivision and development of 330m<sup>2</sup> limits the potential of lots between 500m<sup>2</sup> and 900m<sup>2</sup> to be subdivided in an efficient way;
- The inconsistent and restrictive approach applied to placing a second dwelling relative to a family flat on a residential site (i.e. discretionary vs permitted activity);
- The lack of flexibility/agility in the Plan to enable larger-scale, more complex residential development proposals to be addressed in a more integrated manner (e.g. retirement villages); and
- The effectiveness and necessity of the title date pre-requisite condition relating to the creation of residential infill allotments.

## 1.2 Scope

The scope of Proposed PC2 is limited to the following range of amendments to the Residential Chapter:

- Provision for sites of 500m<sup>2</sup> to 900m<sup>2</sup> in Levin, Foxton, Foxton Beach and Shannon to be subdivided and create infill lots of 250m<sup>2</sup> as a restricted discretionary activity, and consequential changes to relevant bulk and location controls;
- Provision for up to two residential dwelling units on a site as a permitted activity;
- Specific provision to enable large-scale, integrated residential developments to be assessed in a comprehensive manner as a restricted discretionary activity;
- Minor corrections relating to the application of private outdoor living area and accessory building provisions, and removal of the title date pre-requisite condition relating to residential infill subdivision; and
- Extension of the area to which the Medium Density Overlay applies in Levin.

As a consequence of these proposed changes, amendments to three policies in the Urban Environment chapter are also proposed, along with the inclusion of two additional definitions to the Definitions chapter. Relevant Planning Maps are also to be amended to reflect proposed changes to the extent of the Medium Density Overlay within Levin.

As a full evaluation of the costs, benefits, efficiency, effectiveness and appropriateness of the operative objectives, policies and rules was undertaken as part of the 2012/2013 District Plan Review process, no further re-evaluation of existing provisions that are unaffected by Proposed PC2 will be conducted for the purposes of this evaluation report.



## 2 Regulatory and Policy Context

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This section identifies the regulatory and policy context relating to Proposed PC2, including relevant legislation and national and regional level policies.

### 2.1 Legislative and National Policy Context

#### 2.1.1 Resource Management Act 1991

Under section 5, the purpose of the RMA is *‘to promote the sustainable management of natural and physical resources’*.

Sustainable management means *“the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health while:*

- a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;*
- b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

Section 6 of the RMA identifies seven matters of national importance which need to be recognised and provided for in policies and plans, noting that none of these matters are of particular relevance to Proposed PC2.

Section 7 of the RMA requires particular regard to be given to a range of ‘other matters’. Of the matters identified, the most relevant to this change are as follows:

- (b) the efficient use and development of natural and physical resources; and*
- (c) the maintenance and enhancement of amenity values.*

Section 8 of the RMA further requires that in managing the use, development, and protection of natural and physical resources the principles of the Treaty of Waitangi are taken into account.

In addition to the above sections, in preparing a District Plan (or Plan Change) the Council is also obliged to satisfy a number of further requirements set out in the RMA, including:

- Section 31 - Functions of Territorial Authorities;
- Section 32 - Duty to consider alternatives, assess benefits and costs;
- Section 72 - Purpose of district plans;
- Section 73 - Preparation and change of district plans;
- Section 74 - Matters to be considered by territorial authorities; and
- Section 75 - Contents of district plans.

#### 2.1.2 Resource Legislation Amendment Act 2017

In April 2017 the Resource Legislation Amendment Act (RLAA) came into force. Amongst the range of amendments introduced that take immediate effect are a number relating to the plan-making process.

In terms of these amendments the following have been identified as relevant to Proposed PC2:

- A functional requirement for all Councils to establish, implement and review objectives, policies and methods to ensure there is sufficient land for residential and business development capacity to meet expected demand (s.31(1)(aa), RMA);
- A requirement to supply iwi authorities with a copy of any draft proposed policy statement or plan (including a proposed change) prior to notification and to have particular regard to any advice received (Schedule 1, cl.4A, RLAA); and
- A requirement to summarise, in the associated s.32 evaluation report prepared for any proposed statement, plan or change, all relevant iwi authority advice received along with the Council's response (s.32(4A), RMA).

### **2.1.3 National Policy Statements**

Under Section 75(3)(a) of the RMA a District Plan must also give effect to any National Policy Statement (NPS) that has been issued. Of the five NPSs currently in place, the only one of relevance to this proposed change is the National Policy Statement on Urban Development Capacity (NPS-UDC).

The NPS-UDC provides direction to Councils on planning for urban environments. Under this NPS all Councils are required to give effect to the full range of objectives identified, including:

- *OA2*: Urban environments that have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.

These objectives are further underpinned by a series of policies that apply in any urban environment where growth is anticipated, including:

- *PA1*: Ensuring sufficient housing and business land development capacity in the short, medium and long term; and
- *PA3*: Providing for dwelling type and locational choice; promoting efficient use of land and infrastructure; limiting adverse effects on competition.

## **2.2 Regional Regulatory and Policy Context**

### **2.2.1 Horizons Regional Council's One Plan**

Under Section 75(3)(c) of the RMA, a District Plan must give effect to any Regional Policy Statement which, in this instance, is the Horizons Regional Council's 'One Plan' (which comprises a combined Regional Policy Statement and Regional Plan).

Chapter 4 of the One Plan sets out the regionally significant issues, objectives, policies and methods relating to land management, with a particular focus on accelerated erosion including large-scale earthworks. These are considered to be largely immaterial to Proposed PC2 as the amendments proposed are unlikely to result in major development involving large-scale earthwork activities.

## 3 Proposed Plan Change 2

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**(Review of Residential Development Provisions – Amendments relating to the extent of the Medium Density Overlay and infill subdivision; provision for second residential dwelling units and Integrated Residential Development; minor corrections or amendments)**

Proposed PC2 comprises the following packages of associated changes to the Residential chapter, including consequential changes to the Urban Environment and Definitions chapters:

- Provision for residential infill subdivision on sites between 500m<sup>2</sup> and 900m<sup>2</sup> in Levin, Foxton, Foxton Beach and Shannon that allows for a minimum net site area of 250m<sup>2</sup> as a restricted discretionary activity, and consequential amendments to bulk and location requirements;
- Extension of the Medium Density Overlay area in Levin township, including amendments to the following Planning Maps:
  - Planning Map 7;
  - Planning Map 24;
  - Planning Map 25;
  - Planning Map 27;
  - Planning Map 27A;
  - Planning Map 27B;
  - Planning Map 28;
  - Planning Map 28A;
  - Planning Map 28B;
  - Planning Map 29; and
  - Planning Map 30.
- Increase in the number of residential dwelling units permitted on a site from one to two, more than two being treated as a discretionary activity and inclusion of an associated definition of notional net site area;
- Provision for large-scale, integrated residential development, including associated amendments as follows:
  - Inclusion of a specific policy relating to this form of development, along with an explicit reference to this form of development within an existing policy;
  - Inclusion of this form of development as a restricted discretionary activity; and
  - Inclusion of a definition of integrated residential development.
- Minor amendments relating to the location of accessory buildings relative to a principal residential dwelling unit and the deletion of the title date pre-requisite condition relating to the residential infill subdivision standard.

With the exception of consequential amendments involving three policies in the Urban Environment chapter, no further changes to existing objectives and policies in the Plan are proposed. Instead the plan change involves a limited number of changes to specific rules and conditions in the Residential chapter, along with consequential changes to definitions, that are focussed on facilitating future residential growth opportunities and a

more responsive approach to changing residential trends and living requirements in the district. The proposed changes also respond to interpretive issues that have been identified by representatives of the development community and Council staff concerning the workability of some of the current residential provisions in the plan.

## 3.1 Consultation

As an input to Proposed PC2 a series of workshops was convened by the Council with representatives of the local development community and relevant Council staff. The purpose of these workshops was to explore provisions in the operative District Plan that were seen to be inhibiting residential growth and development opportunities in the district. The workshops were also used to test the scale and significance of the issues raised by participants, with the outcome of this engagement used to help frame and inform the matters addressed in this proposed change.

In addition, letters were sent to the Ministry for the Environment, the Manawatu-Wanganui (Horizons) Regional Council and Iwi Authorities in accordance with clauses 3(1) and 4A(1) of Schedule 1 of the RMA outlining the nature and scope of the proposed change and inviting comment. A copy of the draft plan change was also supplied to all parties including Iwi Authorities.

The only response received was from the Ministry for the Environment. In its response it noted that a proposed change to Rule 15.6.4(b) requiring the written approval of occupiers as well as landowners for any side or rear boundary encroachment by an accessory building appeared to be contrary to the intent of the 'boundary activity' provisions introduced by the Resource Legislation Amendment Act 2017 (i.e. only landowner approval required for any boundary activity infringement). Following further consideration of this matter the reference to 'occupiers' in Rule 15.6.4(b) was deleted from Proposed PC2 as publically notified.

## 4 Section 32 Evaluation

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Section 32 sets out the requirements for preparing and publishing plan change evaluation reports. A proposed plan change needs to be evaluated in terms of whether its stated objective/s is the most appropriate way to achieve the purpose of the RMA, and whether the proposed provisions are the most appropriate way to achieve this objective/s. For this Plan Change the existing objectives in the Operative District Plan are still considered to be the most appropriate way to achieve the purpose of the RMA. Therefore, the report only evaluates whether the proposed provisions are the most appropriate way to achieve the existing objectives. The primary objective relevant to this matter is Objective 6.3.1, which states as follows:

### **Objective 6.3.1 Residential Zone**

*To provide for a diversity of residential lifestyles and non-residential services and activities to meet the needs of the community while maintaining and enhancing the individual character and amenity values of the residential areas in each of the settlements of the District.*

In evaluating Plan provisions the Council is also required to identify other reasonably practicable options and to assess their efficiency and effectiveness; this includes identifying and assessing the benefits and costs of the environmental, economic, social and cultural effects that are anticipated. Where practicable, benefits and costs area to be quantified. Any identifiable opportunities for economic growth and employment (and whether these are anticipated to be provided or reduced by the change) also need to be assessed.

### **4.1 Amendments to residential infill subdivision and extension of the Medium Density Overlay in Levin**

Currently the Residential chapter of the Plan provides opportunities for medium density development to occur in Levin, Foxton Beach and Waitarere Beach, and for infill residential subdivision to be undertaken within all urban settlements across the district. Within the Medium Density Overlay areas there is provision for sites to be subdivided to a minimum average net site area of 225m<sup>2</sup> per dwelling unit and for residential infill sites in Levin, Foxton, Foxton Beach and Shannon a minimum site area of 330m<sup>2</sup> currently applies. Although medium density development is encouraged by the Plan, the extent of the area to which it applies within Levin is restricted to a relatively limited area bordering the central business district of the township.

Given revised growth assumptions that the Council has recently confirmed for the district the effectiveness of these current provisions to adequately cater for projected increases in population and household numbers appears uncertain, particularly in terms of encouraging more efficient utilisation of existing zoned residential land and associated infrastructure and offering current and future residents sufficient housing

flexibility and choice (e.g. to cater for the needs of an aging population). The adequacy of these provisions is also questionable in terms of meeting the expectations of the NPS-UDC, especially Policy PA3 (i.e. making provision for dwelling type and locational choice; promoting efficient use of land and infrastructure).

Further, in exploring the workability of current residential development provisions in the Plan with representatives of the development community and Council staff the following issues were noted:

- The extent of the area identified for medium density development in Levin is considered too constrained, with insufficient commercially viable opportunities currently available to meet development expectations due to such factors as lot size/shape and site amalgamation potential; and
- The ability to create lots less than 330m<sup>2</sup> in net site area is considered to be deterring some development due to the risks and uncertainty associated with seeking reductions to this minimum net site area requirement. Reductions are currently treated as a restricted discretionary activity, with minor departures from the minimum net site area requirement generally being treated as relatively straightforward applications, but with more substantial departures (e.g. proposing a lot, or lots, of less than 300m<sup>2</sup>) facing a more rigorous application process and increased potential for decline. This is further complicated by the fact that the majority of sites with infill potential in Levin, Foxton, Foxton Beach and Shannon are in the order of 500m<sup>2</sup> and 900m<sup>2</sup>.

In response, the Council is proposing changes to the Plan to provide for residential sites between 500m<sup>2</sup> and 900m<sup>2</sup> to be subdivided into lots with minimum net site area of 250m<sup>2</sup>. Although this type of infill subdivision is proposed to be a restricted discretionary activity the intention is to provide clear direction of the minimum net site area that is considered to be appropriate for most sites between 500m<sup>2</sup> and 900m<sup>2</sup>, subject to conditions being met. This activity status is also consistent with medium density development. Consequential amendments are proposed to the bulk and location provisions, being the private outdoor living area and the accessory building size provisions. These amendments aim to ensure that these provisions are reasonable for sites of this size. Council is also proposing to increase the spatial extent of the Medium Density Overlay within Levin.

#### **4.1.1 Evaluation of Other Reasonably Practicable Options:**

This part of the report evaluates the following alternative options:

*Option 1: Proposed Plan Change*

*Option 2: Status Quo*

	Option 1: Proposed Plan Change	Option 2: Status Quo
<p><b>Costs</b> (Environmental, Economic, Social, Cultural)</p>	<p><b>Environmental Cost:</b></p> <ul style="list-style-type: none"> <li>Potential for significant change in character within the expanded residential area identified for medium density development, and more broadly across the residential zone in Levin, Foxton, Foxton Beach and Shannon in relation to infill subdivision if widespread take up by landowners/developers occurs.</li> </ul> <p><b>Economic Cost:</b></p> <ul style="list-style-type: none"> <li>Costs associated with preparing and implementing a proposed plan change.</li> <li>Cost and time associated with triggering resource consents for infill subdivisions.</li> </ul> <p><b>Social Cost:</b></p> <ul style="list-style-type: none"> <li>Urban residents may be unreceptive to increased residential intensification due to its perceived effects (e.g. loss of neighbourhood amenity).</li> </ul> <p>No Cultural Costs have been identified.</p>	<p><b>Environmental Cost:</b></p> <ul style="list-style-type: none"> <li>Increased demand being exerted on available 'greenfields' sites and rural areas on the periphery of the district's urban settlements (i.e. pressure to open up new 'greenfield' areas).</li> </ul> <p><b>Economic Cost:</b></p> <ul style="list-style-type: none"> <li>Less efficient use of existing residentially zoned land and associated infrastructure.</li> <li>Unintended/unbudgeted infrastructure costs if demand for existing 'greenfield' sites outstrips supply and additional residential land needs to be released earlier than anticipated.</li> <li>Costs, time and uncertainty associated with triggering resource consents for infill subdivisions which propose lots with net site areas of less than 330m<sup>2</sup>, and medium density development outside the area covered by the Medium Density Overlay.</li> </ul> <p><b>Economic and Social Cost:</b></p> <ul style="list-style-type: none"> <li>Retention of provisions that are unresponsive to current and future development pressures and consumer need/demand.</li> </ul> <p><b>Social Cost:</b></p> <ul style="list-style-type: none"> <li>Limited diversity of housing flexibility and choice, and reduced opportunities to achieve a wider range of affordable housing offerings.</li> </ul> <p>No Cultural Costs have been identified.</p>



	Option 1: Proposed Plan Change	Option 2: Status Quo
<b>Benefits</b> (Environmental, Economic, Social, Cultural)	<p><b>Environmental Benefit:</b></p> <ul style="list-style-type: none"> <li>Reduces potential development pressures on ‘greenfield’ areas and encourages the regeneration of existing residential areas.</li> </ul> <p><b>Economic Benefit:</b></p> <ul style="list-style-type: none"> <li>Promotes utilisation of existing serviced residential land, thus minimising costs associated with future infrastructure provision.</li> </ul> <p><b>Economic and Social Benefit:</b></p> <ul style="list-style-type: none"> <li>Enables a wider range of housing type to be offered in the district at a variety of price points.</li> <li>Offers increased opportunities to provide affordable housing choices to people on lower incomes.</li> </ul> <p><b>Social and Environmental Benefit:</b></p> <ul style="list-style-type: none"> <li>Enables increased housing flexibility and choice through offering a diversity of lot sizes/densities.</li> </ul> <p><b>Social Benefit:</b></p> <p>No Cultural Benefits identified.</p>	<p><b>Environmental Benefit:</b></p> <ul style="list-style-type: none"> <li>Reduces the likelihood of significant changes in character for residential areas in Levin, Foxton, Foxton Beach and Shannon and within the proposed expanded area identified for medium density development.</li> </ul> <p><b>Economic Benefit:</b></p> <ul style="list-style-type: none"> <li>No costs associated with preparing and implementing a proposed plan change.</li> </ul> <p>No Social or Cultural Benefits identified.</p>
<b>Efficiency and Effectiveness</b> of Achieving Objectives	<p>The proposed changes are both efficient and effective as they would enable a broader mix and scale of residential density and living environment to be realised in the district, particularly in Levin. They would also help to encourage more efficient use of existing residentially zoned land and infrastructural capacity currently available.</p> <p>Providing for subdivision of sites between 500m<sup>2</sup> and 900m<sup>2</sup> to a minimum net site area of 250m<sup>2</sup> will enable a higher level of</p>	<p>This option would have limited effectiveness as it is unlikely to facilitate more efficient utilisation of existing zoned residential land and associated infrastructure, and to offer current and future residents sufficient housing flexibility and choice to meet the projected growth targets for the district.</p> <p>Consequently, this could inadvertently compromise the outcomes sought by Objectives 6.1.1 and 6.3.1, and the expectations set out in Policy PA3 of the NPS-UDC.</p>



	Option 1: Proposed Plan Change	Option 2: Status Quo
	<p>density to occur on these sites and to provide a greater variety of lot sizes. With larger sites ideally being retained, subdivided into lots with minimum net site areas of 330m<sup>2</sup> or more (to retain a diverse range of lot sizes), or developed in a more comprehensive manner.</p> <p>The changes align with the intent expressed within Objectives 6.1.1 and 6.3.1 (along with associated policies 6.1.16, 6.1.17, 6.3.4, 6.3.7 and 6.3.8), and provide an effective means to meet the growth projections recently confirmed by the Council and the expectations set out in Policy PA3 of the NPS-UDC (i.e. making provision for dwelling type and locational choice; promoting efficient use of land and infrastructure).</p> <p>The changes would also be effective in managing overall impacts on residential character and amenity. To construct a dwelling on a lot of 250m<sup>2</sup> you would need to satisfy relevant bulk and location conditions in the plan, while medium density residential development would be evaluated against a set of development specific assessment criteria and guidelines in the Medium Density Design Guide.</p>	
<b>Appropriateness</b>	<p>This option is considered to be the most appropriate option to achieve the objectives and policies in Chapter 6: Urban Environment of the Plan and to cater for projected population and household growth in the district.</p> <p>In particular, the proposed changes are intended to help facilitate a wider range of site size and housing type to cater for a diversity of residential lifestyle needs, as well as encouraging more efficient use and development of residentially zoned land</p>	<p>This option is not considered to be the most appropriate to achieve the relevant objectives and policies in Chapter 6: Urban Environment of the Plan or to cater for projected growth in the district. It would also be less effective in delivering on the relevant objectives and policies set out in the NPS-UDC.</p>

	Option 1: Proposed Plan Change	Option 2: Status Quo
	<p>in the district's existing urban settlements.</p> <p>This option also represents a more effective response to delivering on the relevant objectives and policies set out in the NPS-UDC.</p>	

## 4.2 Increase in the number of permitted residential dwelling units on a site

Currently provision is made in the plan for a single residential dwelling unit and an associated family flat to be situated on a site 'as of right' subject to meeting relevant permitted activity conditions. By contrast, establishment of two dwelling units on a site is treated as a discretionary activity, triggering the need for a resource consent to be sought and obtained.

As the net result of both of these provisions is two buildings on a site, the way in which the Plan currently treats these related residential building types appears to be inconsistent given that there is unlikely to be a significant, demonstrable difference in their impact on residential character and amenity if appropriately managed. Consequently, the manner in which second dwellings are addressed in the Plan appears to be overly restrictive and adds an unnecessary layer of complexity. Subject to appropriate controls being applied to manage any corresponding localised effects, adoption of a less restrictive approach to establishing a second dwelling on a site would help to unlock the utility of existing residentially zoned land in the district and assist in providing greater housing choice.

In response the Council is proposing changes to the Plan to permit the establishment of a second residential dwelling on sites of 330m<sup>2</sup> or more, subject to compliance with relevant bulk and location requirements and demonstration that a minimum notional net site area can be provided to ensure that subdivision requirements can be satisfied in the event that the dwelling is subdivided off in future.

### 4.2.1 Evaluation of Other Reasonably Practicable Options:

This part of the report evaluates the following alternative options:

*Option 1: Proposed Plan Change*

*Option 2: Status Quo*

	Option 1: Proposed Plan Change	Option 2: Status Quo
<b>Costs</b> (Environmental, Economic, Social, Cultural)	<p><b>Environmental Cost:</b></p> <ul style="list-style-type: none"> <li>Potential for low-moderate change in character and amenity of established residential neighbourhoods if there is wide uptake by landowners.</li> </ul> <p><b>Economic Cost:</b></p> <ul style="list-style-type: none"> <li>Costs associated with preparing and implementing a proposed plan change.</li> </ul> <p><b>Social Cost:</b></p> <ul style="list-style-type: none"> <li>Urban residents may be unreceptive to increased residential intensification due to its perceived effects (e.g. loss of neighbourhood amenity).</li> </ul> <p>No Cultural Costs have been identified.</p>	<p><b>Environmental Cost:</b></p> <ul style="list-style-type: none"> <li>Increased demand being exerted on available 'greenfields' sites and rural areas on the periphery of the district's urban settlements (i.e. pressure to open up new 'greenfield' areas).</li> </ul> <p><b>Economic Cost:</b></p> <ul style="list-style-type: none"> <li>Inefficient use of existing residentially zoned land and associated infrastructure.</li> <li>Unintended/unbudgeted infrastructure costs if demand for existing 'greenfield' sites outstrips supply and additional residential land needs to be released earlier than anticipated.</li> <li>Cost, time and uncertainty associated with triggering resource consents for second dwellings.</li> </ul> <p><b>Economic and Social Cost:</b></p> <ul style="list-style-type: none"> <li>Retention of provisions that are unresponsive to current and future development pressures and consumer need/demand.</li> </ul> <p><b>Social Cost:</b></p> <ul style="list-style-type: none"> <li>Limited diversity of housing flexibility and choice, and reduced opportunities to achieve a wider range of affordable housing offerings.</li> </ul> <p>No Cultural Costs have been identified.</p>
<b>Benefits</b> (Environmental, Economic, Social, Cultural)	<p><b>Environmental Benefit:</b></p> <ul style="list-style-type: none"> <li>Reduces potential development pressures on 'greenfield' areas.</li> </ul>	<p><b>Environmental Benefit:</b></p> <ul style="list-style-type: none"> <li>Reduces the likelihood of noticeable change in character and amenity within established residential</li> </ul>

	Option 1: Proposed Plan Change	Option 2: Status Quo
	<p><b>Economic Benefit:</b></p> <ul style="list-style-type: none"> <li>Promotes utilisation of existing serviced residential land, thus minimising costs associated with future infrastructure provision.</li> <li>Removes administrative costs associated with processing applications and assessing compliance.</li> </ul> <p><b>Economic and Social Benefit:</b></p> <ul style="list-style-type: none"> <li>Enables a wider range of housing type to be offered in the district at a variety of price points.</li> <li>Offers increased opportunities to provide affordable housing choices to people on lower incomes.</li> </ul> <p><b>Social and Environmental Benefit:</b></p> <ul style="list-style-type: none"> <li>Enables increased housing flexibility and choice through offering a diversity of lot sizes/densities.</li> <li>Extends the range of housing choice permitted and provides a greater degree of certainty to residential landowners.</li> </ul> <p>No Cultural Benefits identified.</p>	<p>neighbourhoods.</p> <p><b>Economic Benefit:</b></p> <ul style="list-style-type: none"> <li>No costs associated with preparing and implementing a proposed plan change.</li> </ul> <p>No Social or Cultural Benefits identified</p>
<b>Efficiency and Effectiveness of Achieving Objectives</b>	<p>The proposed changes are both efficient and effective as they would enable a broader range of residential opportunities to be realised in the district, while ensuring that neighbourhood character and amenity is not compromised. They would also help to encourage more efficient use of existing residentially zoned land and infrastructural capacity currently available.</p> <p>The changes align with the intent expressed within Objectives 6.1.1 and 6.3.1 (along with associated policies 6.1.16, 6.1.17,</p>	<p>This option would have limited effectiveness as it is unlikely to facilitate more efficient utilisation of existing zoned residential land and associated infrastructure, and to offer current and future residents sufficient housing flexibility and choice to meet the growth targets projected for the district as the need for a resource consent could act as a deterrent.</p> <p>Consequently, this could inadvertently compromise the outcomes sought by Objectives 6.1.1 and 6.3.1, and the</p>

	Option 1: Proposed Plan Change	Option 2: Status Quo
	6.3.4 and 6.3.7), and provide an effective means to meet the growth projections recently confirmed by the Council and the expectations set out in Policy PA3 of the NPS-UDC (i.e. making provision for dwelling type and locational choice; promoting efficient use of land and infrastructure).	expectations set out in Policy PA3 of the NPS-UDC.
<b>Appropriateness</b>	<p>This option is considered to be the most appropriate option to achieve the objectives and policies in Chapter 6: Urban Environment of the Plan and will also help to accommodate projected population and household growth in the district.</p> <p>In particular, the proposed changes are intended to provide greater residential choice to meet residential lifestyle needs, as well as encouraging more efficient use and development of residentially zoned land in the district's existing urban settlements. The requirement to demonstrate that a minimum notional net site area can be provided will also help to ensure that subdivision requirements can be satisfied if a future decision is made by a homeowner to subdivide.</p> <p>This option is also highly responsive to the relevant objectives and policies set out in the NPS-UDC.</p>	<p>This option is not considered to be the most appropriate to achieve the relevant objectives and policies in Chapter 6: Urban Environment of the Plan or to cater for projected growth in the district.</p> <p>It also represents a less responsive approach to delivering on the relevant objectives and policies set out in the NPS-UDC.</p>

### 4.3 Provision for large-scale, integrated residential development

Currently there is a lack of flexibility/agility in the Plan to address larger-scale, more complex residential development proposals such as retirement villages in an integrated manner, with this type of application likely to be treated as a restricted discretionary, discretionary or non-complying activity depending on the nature of the development and its associated scale and intensity. With the prospect of an increase in the age of those residing in the district in future it is anticipated that there will be emerging demand for a wider diversity of alternatives to the more conventional residential options that are currently on offer.

To enable the Plan to be more responsive to such demand, the Council is proposing changes that will enable Integrated Residential Development proposals to be comprehensively processed as a restricted discretionary activity based on a set of tailored assessment criteria.

### 4.3.1 Evaluation of Other Reasonably Practicable Options:

This part of the report evaluates the following alternative options:

*Option 1: Proposed Plan Change*

*Option 2: Status Quo*

	Option 1: Proposed Plan Change	Option 2: Status Quo
<b>Costs</b> (Environmental, Economic, Social, Cultural)	<p><b>Environmental Cost:</b></p> <ul style="list-style-type: none"> <li>Potential change in the character and amenity of established residential neighbourhoods.</li> </ul> <p><b>Economic Cost:</b></p> <ul style="list-style-type: none"> <li>Costs associated with preparing and implementing a proposed plan change.</li> <li>Administrative costs associated with processing consent applications and assessing compliance.</li> <li>Compliance costs associated with preparing consent applications and associated assessment of effects.</li> </ul> <p><b>Social Cost:</b></p> <ul style="list-style-type: none"> <li>Surrounding residents may be unreceptive to large-scale residential development occurring in their neighbourhood due to its perceived effects (e.g. loss of amenity).</li> </ul> <p>No Cultural Costs have been identified.</p>	<p><b>Environmental Cost:</b></p> <ul style="list-style-type: none"> <li>Potential change in the character and amenity of established residential neighbourhoods.</li> <li>Ad hoc approach to processing and assessing more complex, large-scale residential development has the potential to produce inconsistent environmental outcomes (i.e. lack of clarity/consistency regarding relevant matters to be assessed).</li> </ul> <p><b>Economic Cost:</b></p> <ul style="list-style-type: none"> <li>Administrative costs associated with processing consent applications and assessing compliance.</li> <li>Compliance costs associated with preparing consent applications and associated assessment of effects.</li> <li>Lack of clarity concerning the activity status of larger-scale residential developments may act as a disincentive to progressing such development.</li> </ul> <p><b>Economic and Social Cost:</b></p> <ul style="list-style-type: none"> <li>Retention of provisions that are unresponsive to current</li> </ul>

	Option 1: Proposed Plan Change	Option 2: Status Quo
		<p>and future development pressures and consumer need/demand.</p> <p><b>Social Cost:</b></p> <ul style="list-style-type: none"> <li>Limited diversity of housing flexibility and choice, and a reduced range of housing alternatives to accommodate an aging population.</li> </ul> <p>No Cultural Costs have been identified.</p>
Benefits (Environmental, Economic, Social, Cultural)	<p><b>Environmental Benefit:</b></p> <ul style="list-style-type: none"> <li>Enables more complex, larger-scale residential developments to be considered in an integrated, comprehensive manner.</li> <li>Provides clarity regarding the environmental considerations that need to be addressed.</li> <li>Ensures that large-scale residential development establishes on sites with sufficient land area to provide a suitable level of on-site amenity and an adequate buffer to protect the amenity of adjoining properties.</li> </ul> <p><b>Economic Benefit:</b></p> <ul style="list-style-type: none"> <li>Provides certainty to applicants regarding the status of the activity and would promote greater consistency in terms of consent processing.</li> <li>Offers potential to facilitate more co-ordinated and integrated provision of infrastructure (e.g. services, parking and communal facilities).</li> <li>Enables existing serviced residential land to be more efficiently utilised, thus minimising costs associated with future infrastructure provision.</li> </ul>	<p><b>Economic Benefit:</b></p> <ul style="list-style-type: none"> <li>No costs associated with preparing and implementing a proposed plan change.</li> </ul> <p>No Environmental, Social or Cultural Benefits have been identified.</p>

	Option 1: Proposed Plan Change	Option 2: Status Quo
	<p><b>Economic and Social Benefit:</b></p> <ul style="list-style-type: none"> <li>Enables a wider range of housing type to be offered in the district at a variety of price points.</li> <li>Offers increased opportunities to provide affordable housing choices to cater for an aging population.</li> </ul> <p><b>Social Benefit:</b></p> <ul style="list-style-type: none"> <li>Enables increased housing flexibility and choice.</li> </ul> <p>No Cultural Benefits have been identified.</p>	
<b>Efficiency and Effectiveness of Achieving Objectives</b>	<p>The proposed changes are both efficient and effective as they would enable a broader range of residential opportunities to be realised in the district, particularly for an aging population. They would also help to encourage more efficient use of existing residentially zoned land and infrastructural capacity.</p> <p>The changes align with the intent expressed within Objectives 6.1.1 and 6.3.1, as well as the expectations set out in Policy PA3 of the NPS-UDC (i.e. making provision for dwelling type and locational choice; promoting efficient use of land and infrastructure).</p>	<p>This option offers limited efficiencies as to how larger-scale residential development activities are to be treated and has the potential to impose unnecessary administrative and compliance costs. This, in turn could act as a deterrent to this form of development.</p> <p>This option would also have limited effectiveness as it is unlikely to encourage the realisation of wider residential opportunities for the district, and to facilitate more efficient utilisation of existing zoned residential land and associated infrastructure. This, in turn, would be contrary to the outcomes sought by Objectives 6.1.1 and 6.3.1, and the expectations set out in Policy PA3 of the NPS-UDC.</p>
<b>Appropriateness</b>	<p>This option is considered to be the most appropriate option to achieve the objectives in Chapter 6: Urban Environment of the Plan.</p> <p>In particular, the proposed changes are intended to help facilitate a wider range of housing type to cater for a diversity of residential lifestyle needs, as well as encouraging more efficient</p>	<p>This option is not considered to be the most appropriate to achieve the relevant objectives and policies in Chapter 6: Urban Environment of the Plan. It would also be less effective in delivering on the relevant objectives and policies set out in the NPS-UDC.</p>



	Option 1: Proposed Plan Change	Option 2: Status Quo
	<p>use and development of residentially zoned land in the district's existing urban settlements.</p> <p>This option is also highly responsive to the relevant objectives and policies set out in the NPS-UDC.</p>	

## 4.4 Minor amendments/deletions

Currently the Plan restricts accessory buildings from projecting forward of a principal dwelling unit on all residential sites. As this requirement is considered unnecessary in the context of rear sites the Council is proposing to clarify that it only applies to front and corner sites.

Additionally, the Plan contains a title date pre-requisite condition in Table 15-4 that relates to residential infill subdivision. Although the intent of this condition is to typically encourage infill development in older areas within the district's main settlements (i.e. Levin, Foxton, Foxton Beach, Shannon), thus avoiding infill occurring in more recently subdivided areas, the Council is proposing its deletion as infill subdivision tends to focus on these established areas in any event given their development potential (e.g. site availability/size) and market demand.

### 4.4.1 Evaluation of Other Reasonably Practicable Options:

This part of the report evaluates the following alternative options:

*Option 1: Proposed Plan Change*

*Option 2: Status Quo*

	Option 1: Proposed Plan Change	Option 2: Status Quo
<b>Costs</b> (Environmental, Economic, Social,	<p><b>Environmental and Social Cost:</b></p> <ul style="list-style-type: none"> <li>Potential risk of re-subdivision of recently, undeveloped</li> </ul>	<p><b>Economic Cost:</b></p> <ul style="list-style-type: none"> <li>Imposition of an unnecessary level of restriction on</li> </ul>

	Option 1: Proposed Plan Change	Option 2: Status Quo
Cultural)	<p>subdivisions into smaller lots, which results in poorer quality character and amenity in newer residential neighbourhoods.</p> <p><b>Economic Cost:</b></p> <ul style="list-style-type: none"> <li>Costs associated with preparing and implementing a proposed plan change.</li> </ul> <p>No Cultural Costs have been identified.</p>	<p>landowners wanting to undertake infill subdivision or construct an accessory building on a rear site.</p> <ul style="list-style-type: none"> <li>Compliance and administrative costs associated with any departure from these requirements.</li> </ul> <p>No Environmental, Social or Cultural Costs have been identified.</p>
<b>Benefits</b> (Environmental, Economic, Social, Cultural)	<p><b>Economic Benefit:</b></p> <ul style="list-style-type: none"> <li>Reduces restrictions on landowners wanting to undertake infill subdivision or construction of an accessory building on a rear site.</li> <li>Avoids the compliance and administrative costs associated with any departure from these requirements.</li> </ul> <p>No Environmental, Social or Cultural Benefits have been identified.</p>	<p><b>Economic Benefit:</b></p> <ul style="list-style-type: none"> <li>No costs associated with preparing and implementing a proposed plan change.</li> </ul> <p>No Environmental, Social or Cultural Benefits have been identified.</p>
<b>Efficiency and Effectiveness</b> of Achieving Objectives	<p>The proposed changes are both efficient and effective as they would reduce the level of restriction imposed on landowners and avoid unnecessary compliance and administrative costs being incurred for any departure from these requirements.</p> <p>The changes align with the intent expressed within Objectives 6.1.1 and 6.3.1.</p>	<p>Retention of these requirements would be ineffective as they impose unnecessary restrictions on landowners and create administrative inefficiencies in the event of non-compliance.</p>
<b>Appropriateness</b>	<p>This option is considered to be the most appropriate option to achieve the objectives and policies in Chapter 6 of the Plan as it will help ensure that the requirements relating to infill subdivision or construction of an accessory building on a rear site better reflect their intended purpose.</p>	<p>This option is not considered to be the most appropriate to achieve the relevant objectives and policies in Chapter 6: Urban Environment of the Plan as it imposes unnecessary restrictions on landowners wanting to subdivide an infill site or construct an accessory building on a rear site.</p>

## 4.5 Risk of Acting or Not Acting Where There is Uncertain or Insufficient Information

The proposed plan change primarily relates to Chapter 15 (Residential Zone), with some consequential amendments also proposed to Chapters 6 (Urban Environment) and 26 (Definitions). The issues discussed in this report are based on sound information and guidance from Council staff and representatives of the local development community. As the proposed changes are relatively narrow in focus and limited to a small range of discrete provisions in the Plan the degree of uncertainty and risk of acting is considered unlikely to outweigh the risk of not acting. The risks of not acting include the Plan being unresponsive to current and future residential development pressures, inefficient use of existing residentially zoned land and associated infrastructure and the potential economic impact on the district resulting from a loss of existing residents and/or an inability to attract new residents due to a restricted range of housing choice.

## 4.6 Conclusion

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs arising from Proposed PC2, and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that the proposed plan change is the most appropriate option as it:

- Provides an effective means to respond to anticipated growth in the district as well as the expectations set out in the NPS-UDC, particularly Policy PA3;
- Enables a broader range of residential housing opportunities/choice to be realised in the district, while ensuring that neighbourhood character and amenity is not compromised; and
- Encourages more efficient use of existing residentially zoned land and associated infrastructural capacity.

# Horowhenua District Plan

## Plan Text Amendments

### Proposed Plan Change 2

*(Review of Residential Development Provisions - Amendments relating to the extent of the Medium Density Overlay and infill subdivision; provision for second residential dwelling units and Integrated Residential Development; minor corrections or amendments)*

July 2017

## **Proposed Plan Change 2: Review of Residential Development Provisions** - Amendments relating to the extent of the Medium Density Overlay and infill subdivision; provision for second residential dwelling units and Integrated Residential Development; minor corrections or amendments

### **Plan Text Amendments**

Any new text that is proposed to be added is underlined, while any text to be deleted has been ~~struck through~~.

AMENDMENT 1: Urban Settlements – Residential Zone Policies; Rule 15.3(k) Restricted Discretionary Activities; Rule 15.4(l) Discretionary Activities; Rule 15.6.6 Private Outdoor Living Area; Rule 15.6.8 Accessory Buildings; Rule 15.8.15 Matters of Discretion and Conditions for Restricted Discretionary Activities

*1a. Remove Policy 6.3.6 Urban Settlements – Residential Zone*

~~Policy 6.3.6—~~

~~Encourage infill subdivision development to locate in close proximity to central town amenities, to enable “walkability” and promote less reliance on cars.~~

*1b. Insert a new clause in Rule 15.3 Restricted Discretionary Activities as follows:*

(k) Infill subdivision. (Refer Rule 15.8.15)

*1c. Insert a new clause in Rule 15.4 Discretionary Activities as follows:*

(l) Infill subdivision which does not comply with the restricted discretionary activity conditions in Rule 15.8.15.

*1d. Amend Rule 15.6.6 Private Outdoor Living Area as follows:*

(a) All residential dwelling units on sites 330m<sup>2</sup> or greater shall have a private outdoor living area which is at least 40m<sup>2</sup> in area and capable of containing a circle 4 metres in diameter that is oriented to the east, west or north of the unit and directly connects to a main living area.

(b) All residential dwelling units on sites smaller than 330m<sup>2</sup> shall have a private outdoor living area which is at least 20m<sup>2</sup> in area, and capable of containing a circle 2.5 metres in diameter that is oriented to the east, west or north of the unit and directly connects to a main living area.

*1e. Insert the following matters of discretion and conditions relating to Infill Subdivision in Rule 15.8 Matters of Discretion and Conditions for Restricted Discretionary Activities:*

**15.8.15 Infill subdivision (Refer Rule 15.3(k))**

(a) Matters of Discretion

(i) The design and layout of the subdivision, including the size, shape and position of any lot, as well as the future land use and development of each lot. In addition, the location of building sites, separation distances, orientation of buildings, and screening/landscape treatment.

(ii) The potential effects of the development and level of change to the character of the existing urban environment.

(iii) The amalgamation of any proposed allotments or balance areas to existing titles of land.

(iv) The provision of access to the site, passing bays, car parking and manoeuvring areas, and any necessary easements.

- (v) The management of traffic generated and potential adverse effects on the safety and efficiency of the street network.
- (vi) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, telecommunications and electricity.
- (vii) Provision of reserves, esplanade reserves, esplanade strips and access strips, including connections to existing and future reserves.
- (viii) Effects on significant sites and features, including natural, cultural, archaeological and historical sites.
- (ix) Site contamination remediation measures and works.
- (x) Avoidance or mitigation of natural hazards. (Note: Refer to the “Risks and Responsibilities: Report of the Manawatu-Wanganui Regional Lifelines Project” (No. 2005/EXT/622) prepared by the Manawatu-Wanganui CDEM Group for information about natural hazards that may be relevant to the subject site).
- (xi) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control.
- (xii) Staging of the subdivision.
- (xiii) In accordance with any applicable Structure Plan in Schedule 8.
- (xiv) Compliance with the Council’s Subdivision and Development Principles and Requirements (Version: July 2014).
- (xv) Those matters described in Sections 108 and 220 of the RMA.

**(b) Conditions**

(i) The allotment being subdivided must be located in Levin, Foxton, Foxton Beach or Shannon.

(ii) Pre-requisite Conditions, Minimum Allotment Area and Shape Factor

Each allotment shall comply with the following pre-requisite conditions, site area and shape factor standards set out in the table below.

**Table 15-5 Infill Subdivision Standards**

<b><u>Pre-requisite Conditions</u></b>	<b><u>Minimum Net Site Area</u></b>	<b><u>Minimum Shape Factor</u></b>
<u>The allotment being subdivided shall be greater than 500m<sup>2</sup> and no more than 900m<sup>2</sup>.</u>	<u>250m<sup>2</sup></u>	<u>10 metres diameter</u>

(iii) Water Supply, Wastewater Disposal, Surface Water Disposal and Other Services

All subdivisions shall comply with the requirements as specified set out in Chapter 24.

(iv) Roads, Access and Car Parking

All subdivisions shall comply with the requirements as specified in Chapter 21.

(v) Structure Plans

Where any land is within a Structure Plan area in Schedule 8, all subdivisions shall be in accordance with the requirements as specified in the Structure Plan.

Note: Council encourages applicants to submit building plans (i.e. site plan and floor plan) at the time of subdivision where lots of less than 330m<sup>2</sup> in net site area are proposed, to demonstrate that a complying dwelling unit can be sited on each proposed lot.

AMENDMENT 2: Rule 15.6.1 Number of Residential Dwelling Units and Family Flats; Rule 15.4 Discretionary Activities; Definition of Notional Net Site Area.

*2a. Amend Rule 15.6.1 Number of Residential Dwelling Units and Family Flats as follows:*

**Rule 15.6.1 Number of Residential Dwelling Units and Family Flats**

(a) On sites greater than 330m<sup>2</sup>

(i) Up to two ~~One~~ residential dwelling units per site, subject to demonstrating that a minimum notional net site area of 330m<sup>2</sup> can be provided for each unit;

or

(ii) One residential dwelling unit and one family flat of up to 50m<sup>2</sup> in maximum gross floor area plus a covered verandah up to 10m<sup>2</sup> per site.

*2b. Amend clause 15.4(c) Discretionary Activities as follows:*

(c) ~~Two or~~ On sites greater than 330m<sup>2</sup> more than two residential dwelling units, or one residential dwelling unit and one ~~family flats,~~ per site.

*2c. Insert the following definition of Notional Net Site Area in Chapter 26 General Provisions:*

**Notional Net Site Area** means that part of a site identified on a development plan for the exclusive use and occupation of each residential dwelling unit and associated accessory building/s, excluding any part of an access leg and/or any strip of land 6 metres or less in width.

AMENDMENT 3: Urban Settlements – Residential Zone Policies; Rule 15.3 Restricted Discretionary Activities; Rule 15.8 Matters of Discretion and Conditions for Restricted Discretionary Activities; Definition of Integrated Residential Development.

*3a. Amend Policy 6.1.17 Urban Settlements – Overall Form, Activities and Servicing of Urban Area as follows:*

**Policy 6.1.17**

Provide for the efficient use and development of existing urban settlements through intensification and redevelopment, including medium density residential development in



identified areas, integrated residential development, infill subdivision and reuse of commercial/industrial premises.

3b. *Insert new Policy 6.3.10A Urban Settlements – Residential Zone as follows:*

**Policy 6.3.10A**

Provide for integrated residential development where the design ensures that the site and built form function in a coherent and integrated way, and that the development complements the scale and character of the local area and does not significantly adversely affect local environmental amenities.

3c. *Insert a new clause in Rule 15.3 Restricted Discretionary Activities as follows:*

(l) Integrated Residential Development (Refer Rule 15.8.16)

3d. *Insert the following matters of discretion relating to Integrated Residential Development in Rule 15.8 Matters of Discretion and Conditions for Restricted Discretionary Activities:*

**15.8.16 Integrated Residential Development (Refer Rule 15.3(l))**

(a) Matters of Discretion

- i. The site layout and configuration of buildings, and the quality of the space between and around them.
- ii. The design, scale and appearance of buildings, fencing and hard surfacing, including the coherence between buildings and the integration of built form.
- iii. The potential visual effects of the development and level of change to the character of the existing urban environment, including streetscape and adjacent properties.
- iv. The design and ongoing maintenance of landscaping within the site.
- v. The management of stormwater, wastewater, water supply and other servicing.
- vi. The provision of adequate carparking, manoeuvring and safe access to the site.
- vii. The management of traffic generated and potential adverse effects on the safety and efficiency of the street network.

(b) Non-Notification

- i. Under Section 77D of the RMA, an activity requiring resource consent under Rule 15.8.15 shall not be publicly notified, except where:
  - The Council decides special circumstances exist (pursuant to Section 95A(4)), or
  - The applicant requests public notification (pursuant to Section 95A(2)(b)).

3e. *Insert the following definition in Chapter 26 General Provisions:*

**Integrated Residential Development** means a residential development on any site greater than 2000m<sup>2</sup> that:

- is designed to function and be managed as a single, integrated development;
- contains a mix of dwelling unit type (e.g. detached, semi-detached, multi-unit);
- includes provision for shared or communal facilities such as healthcare facilities, recreational/leisure facilities, open space, access, loading spaces, parking and manoeuvring, that are accessible from, and can be used by, the residents or tenants of the development and their visitors; and
- is constructed in one or more stages.

AMENDMENT 4: Rule 15.6.8 Accessory Buildings; Table 15-4 Standards Applying to Subdivision and Residential Dwelling Units – Pre-requisite Conditions.

4a. Amend Rule 15.6.8 Accessory Buildings as follows:

(d) Accessory buildings shall not project forward of a principal residential dwelling unit located on any front or corner site;

Except

(e) Where there is no demonstrable area to the side or rear of a principal residential dwelling unit to accommodate an accessory building, an accessory building with a maximum gross floor area of 36m<sup>2</sup> is permitted forward of the principal residential unit.

(e) On sites less than 330m<sup>2</sup> the total maximum gross floor area of all accessory buildings shall not exceed 30m<sup>2</sup>.

4b. Amend Table 15-4 in Rule 15.7.5 as follows:

Type of Allotment, or Subdivision	Pre-Requisite Conditions	Minimum Net Site Area/ Average Site Area	Minimum Shape Factor
Levin, Foxton, Foxton Beach and Shannon			
<b>Residential Infill Allotments</b>	<p><del>The allotment being subdivided: shall be contained in a certificate of title issued before 1.3.91; and</del></p> <ul style="list-style-type: none"> <li>• <del>Shall have no more than 1200 square metres area and contain no buildings; or</del></li> <li>• <del>Shall have no more than 2025 square metres area and shall contain a residential building or buildings.</del></li> </ul> <p>Subdivisions shall not create more than 3 infill allotments.</p>	330 square metres	13 metres diameter

AMENDMENT 5: Planning Maps – Medium Density Overlay

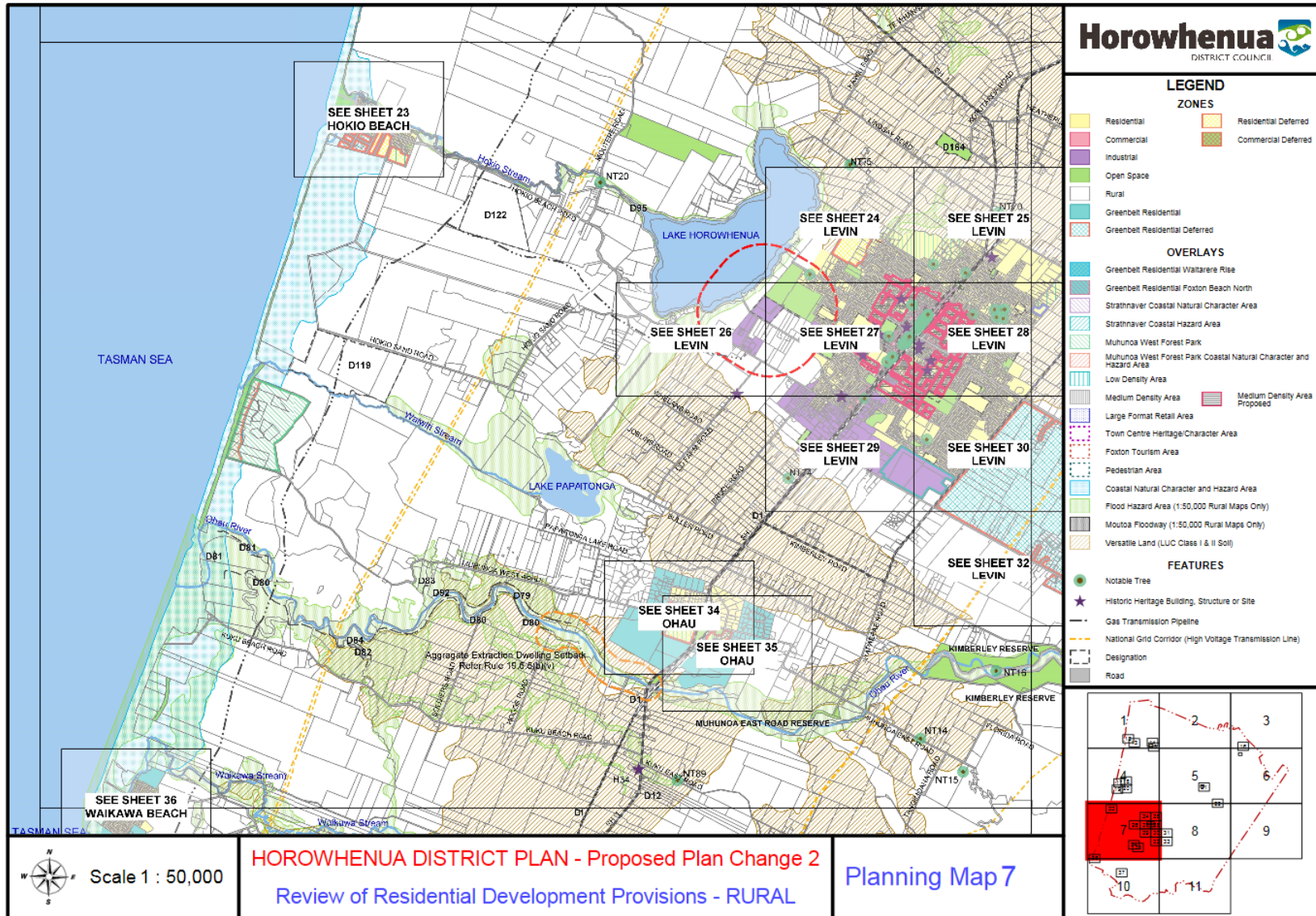
Amend the extent of the Medium Density Overlay on the following Planning Maps as shown in Appendix 1:

- Planning Map 7
- Planning Map 24

- Planning Map 25
- Planning Map 27
- Planning Map 27A
- Planning Map 27B
- Planning Map 28
- Planning Map 28A
- Planning Map 28B
- Planning Map 29
- Planning Map 30

# Appendix 1 – Proposed Amendments to the Planning Maps

## Planning Map 7

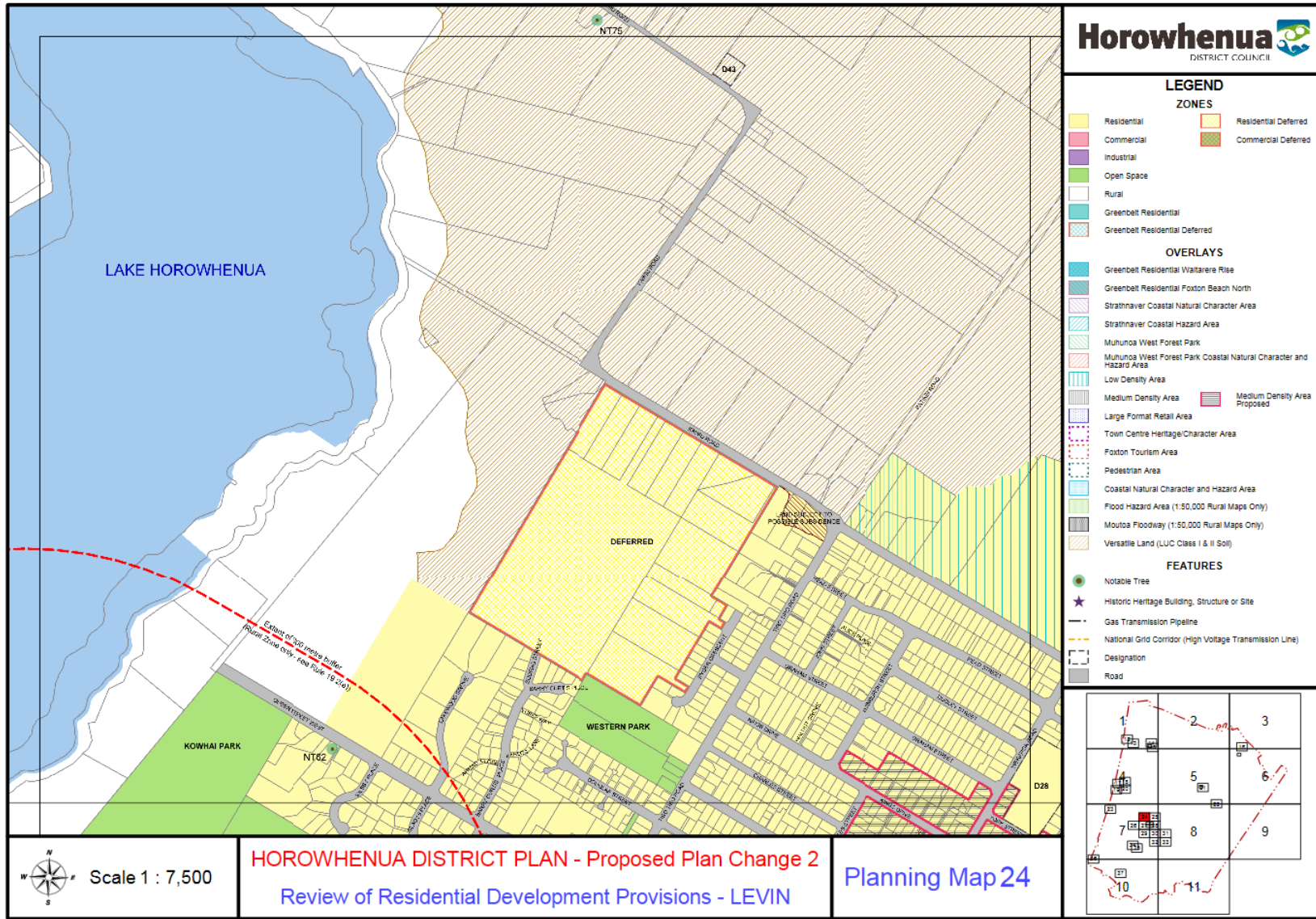


Proposed Plan Change 2 (Review of Residential Development Provisions)

Plan Text Amendments



# Planning Map 24

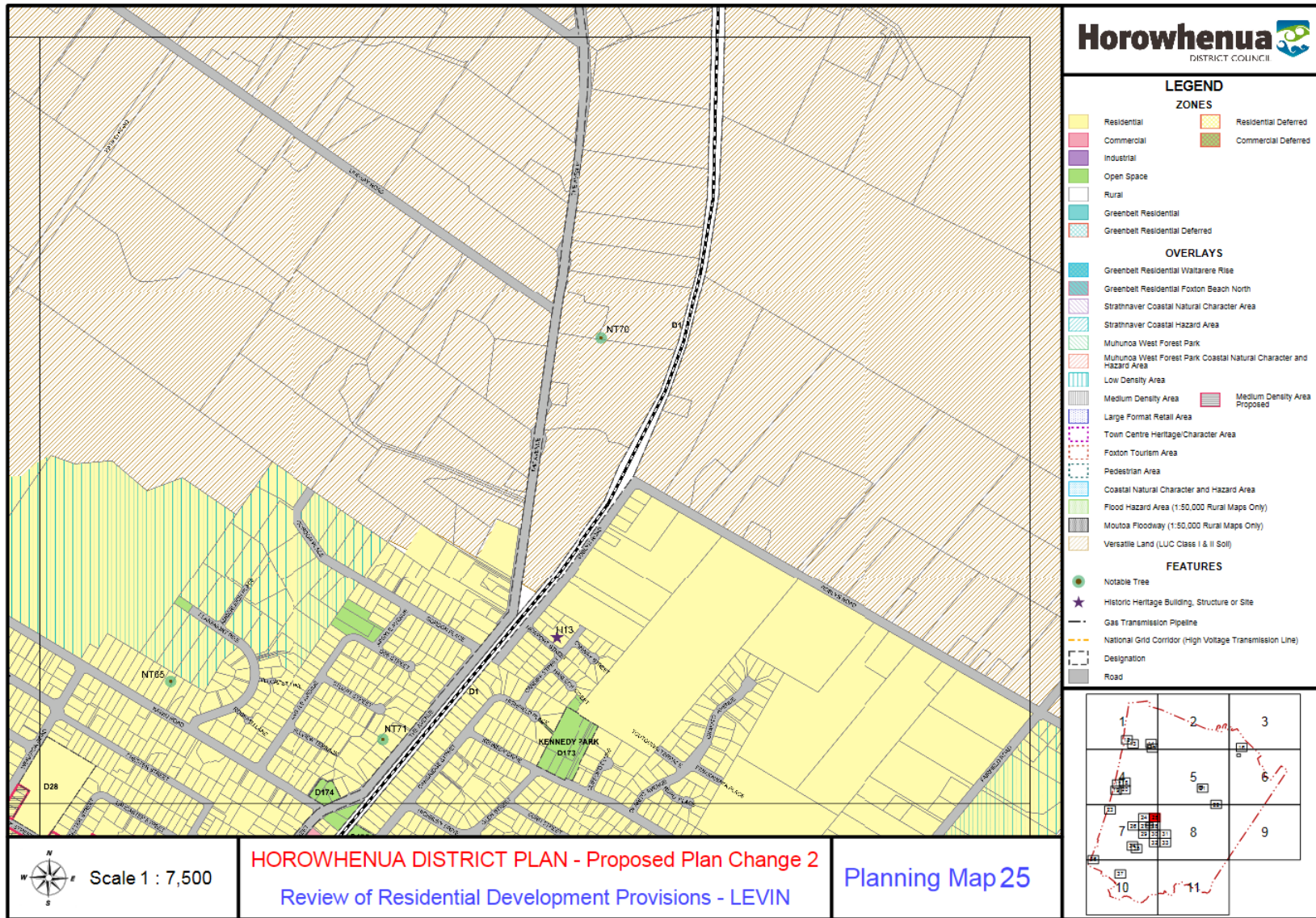


Proposed Plan Change 2 (Review of Residential Development Provisions)

Plan Text Amendments



# Planning Map 25

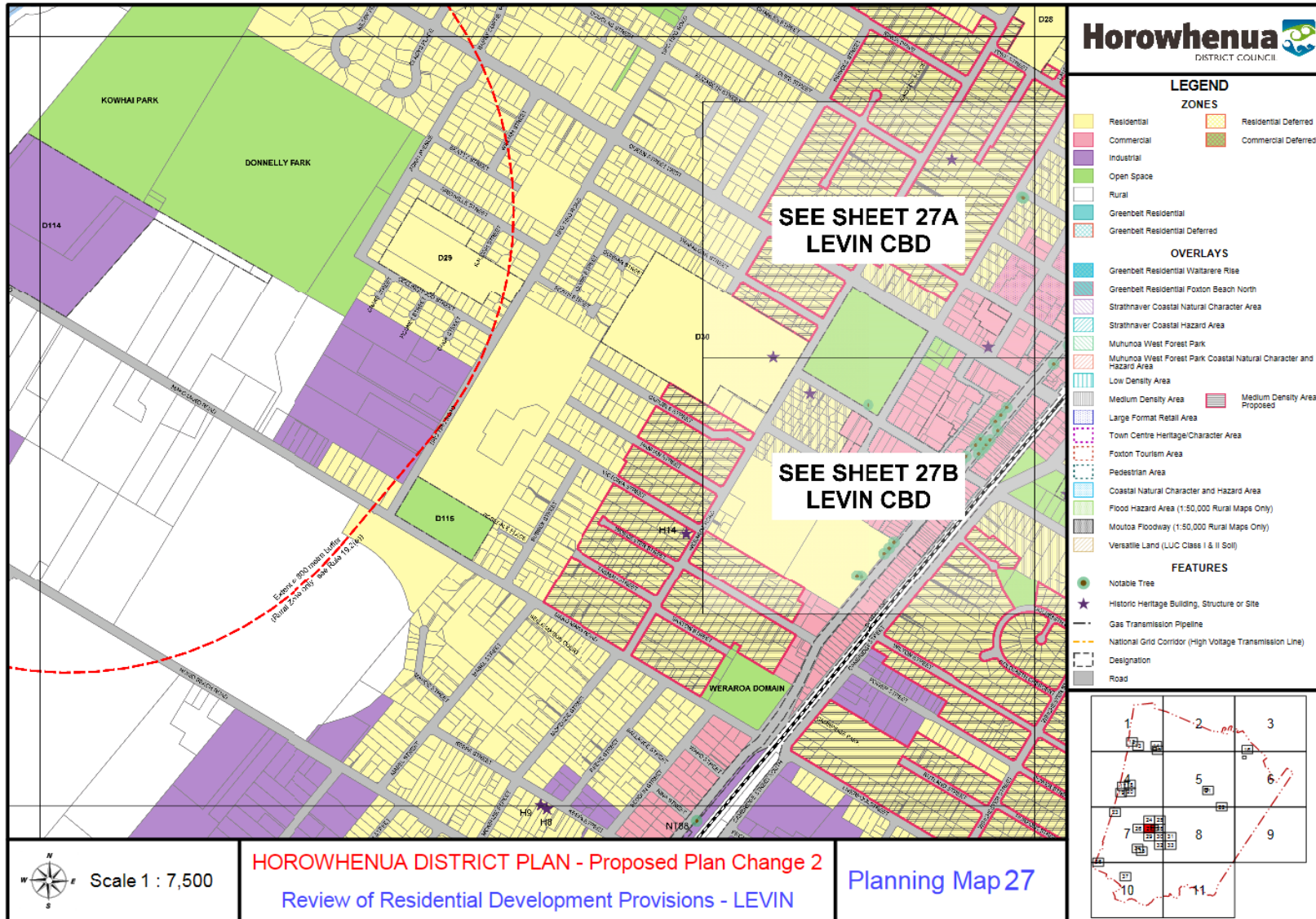


Proposed Plan Change 2 (Review of Residential Development Provisions)

Plan Text Amendments



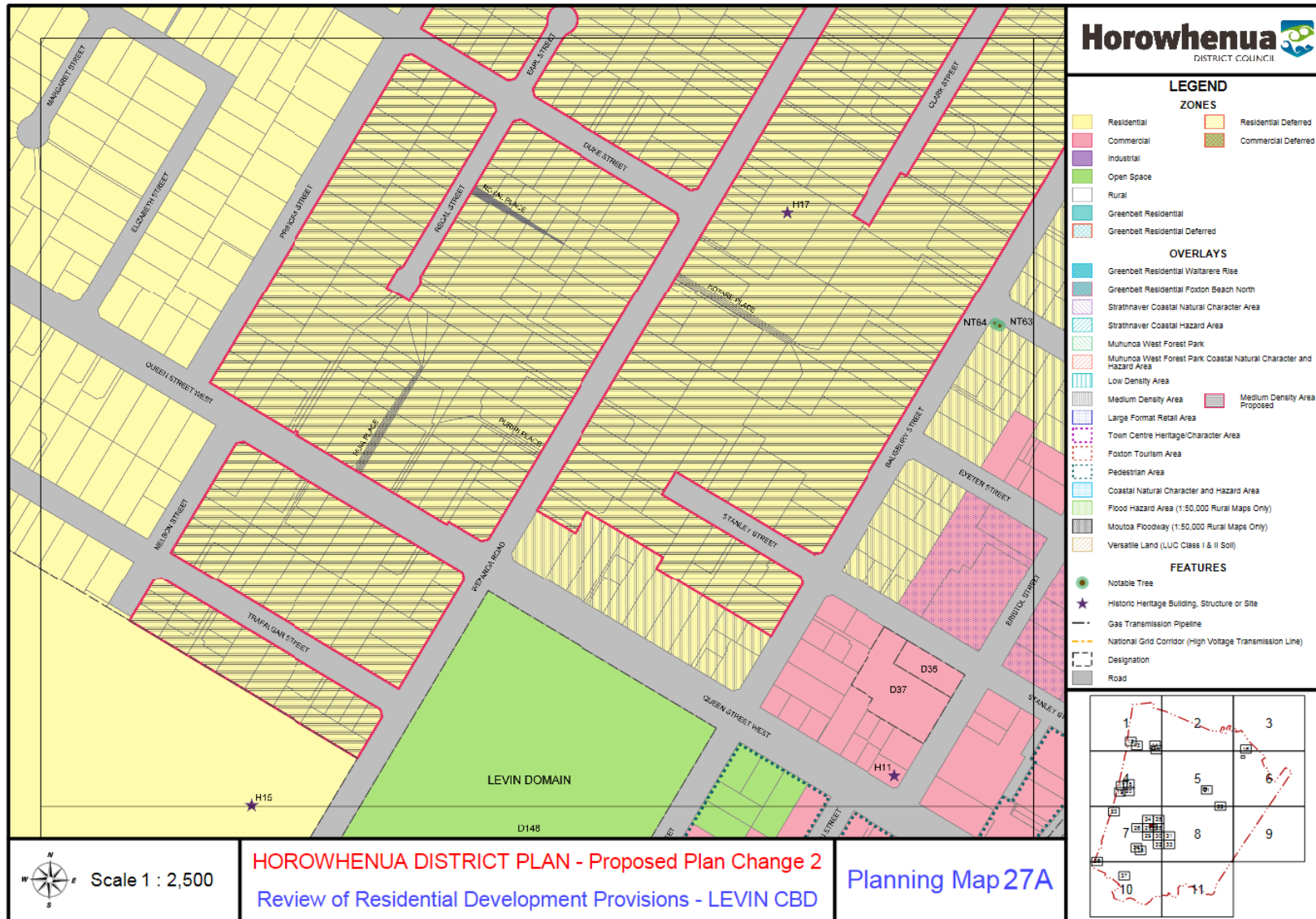
# Planning Map 27



Proposed Plan Change 2 (Review of Residential Development Provisions)

Plan Text Amendments

# Planning Map 27A

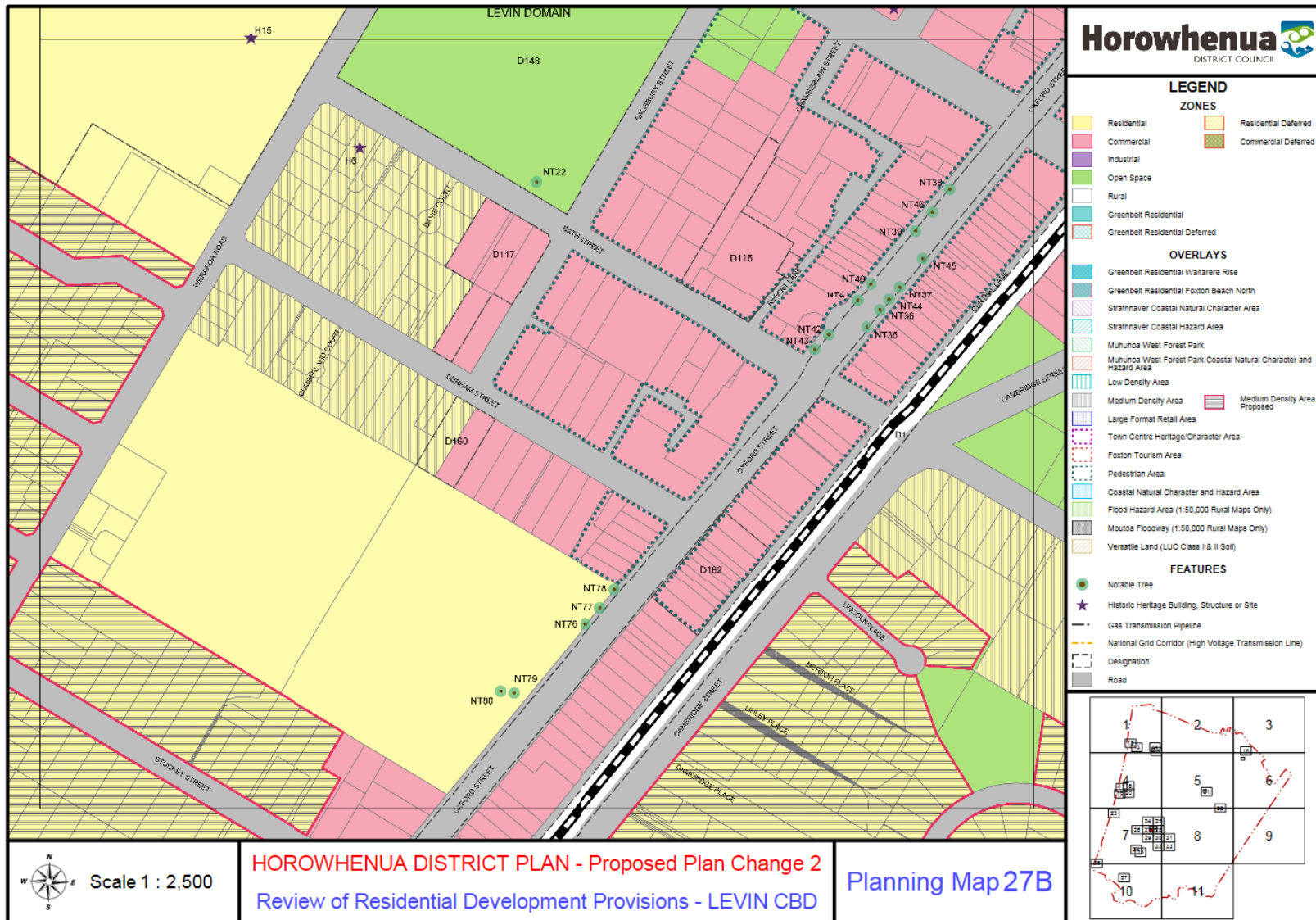


Proposed Plan Change 2 (Review of Residential Development Provisions)

Plan Text Amendments



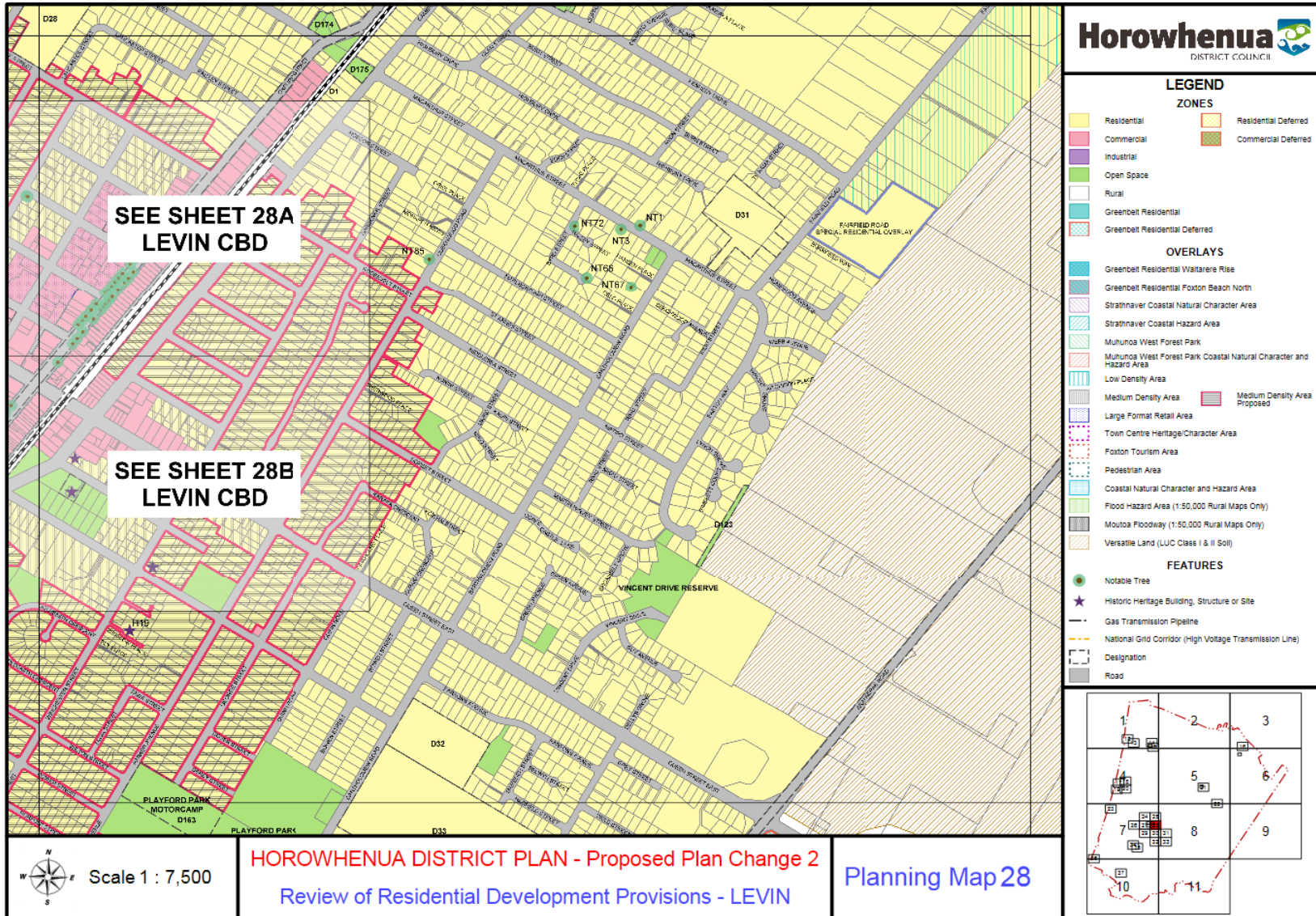
# Planning Map 27B



Proposed Plan Change 2 (Review of Residential Development Provisions)

Plan Text Amendments

# Planning Map 28

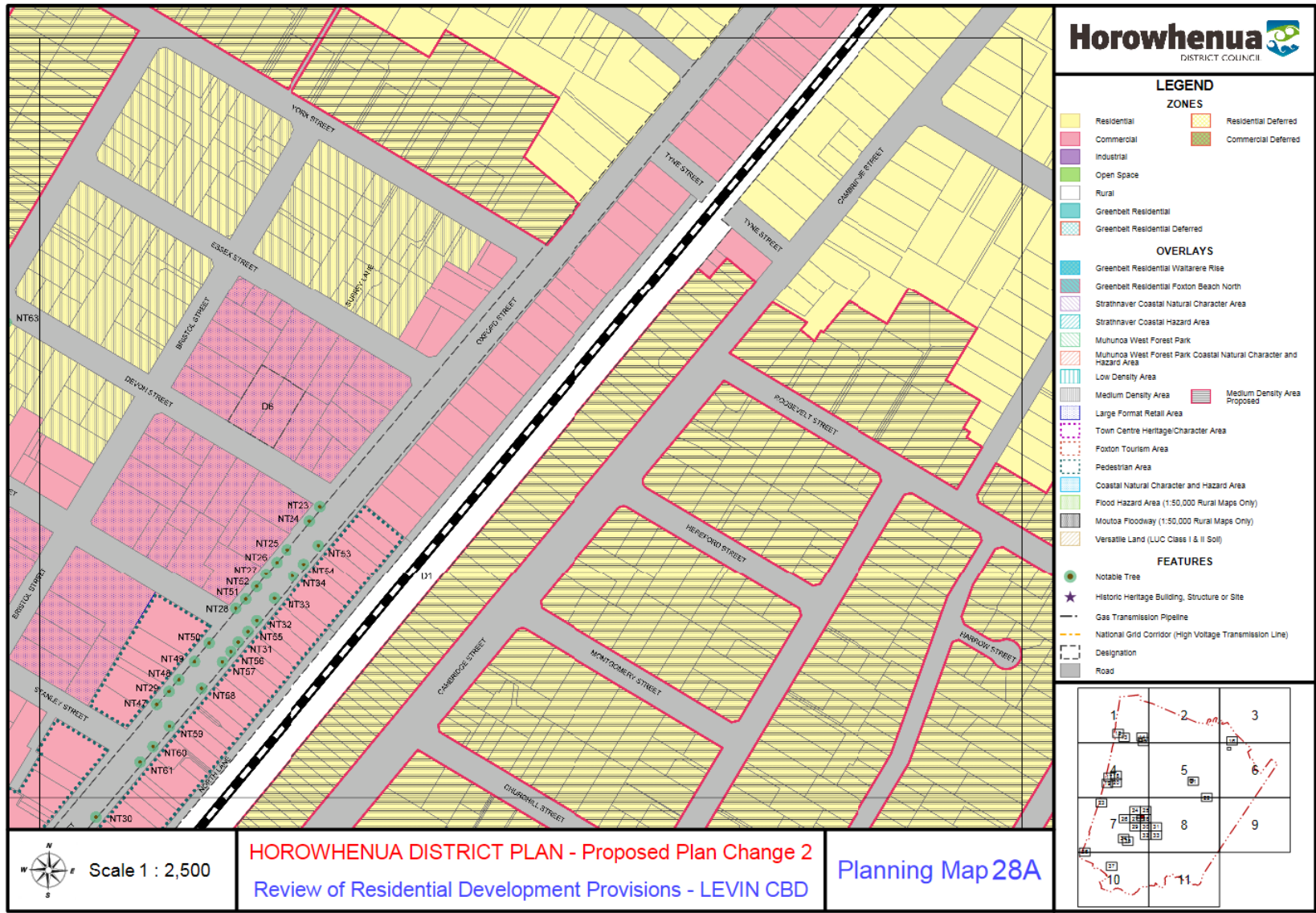


Proposed Plan Change 2 (Review of Residential Development Provisions)

Plan Text Amendments



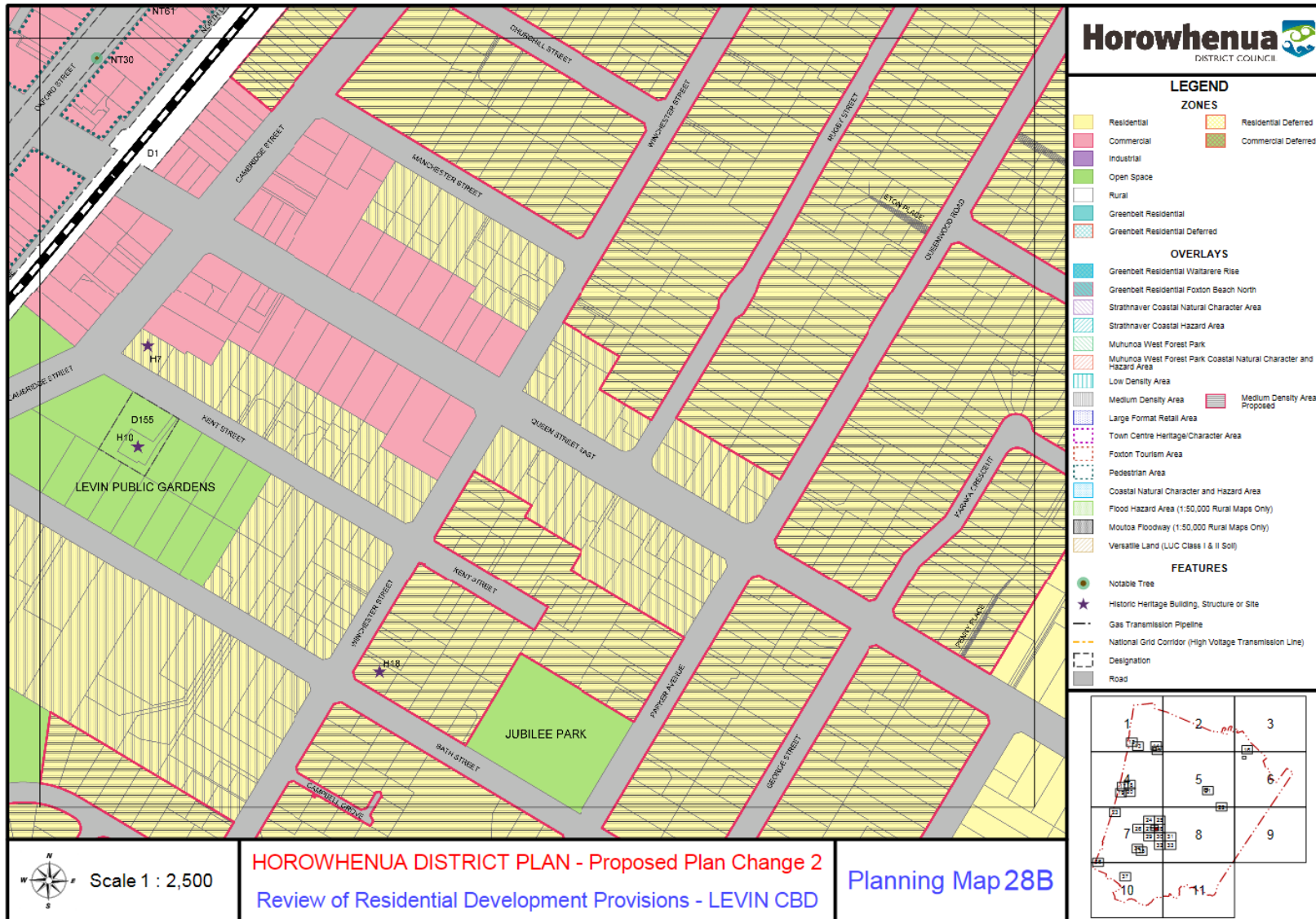
# Planning Map 28A



Proposed Plan Change 2 (Review of Residential Development Provisions)

Plan Text Amendments

# Planning Map 28B

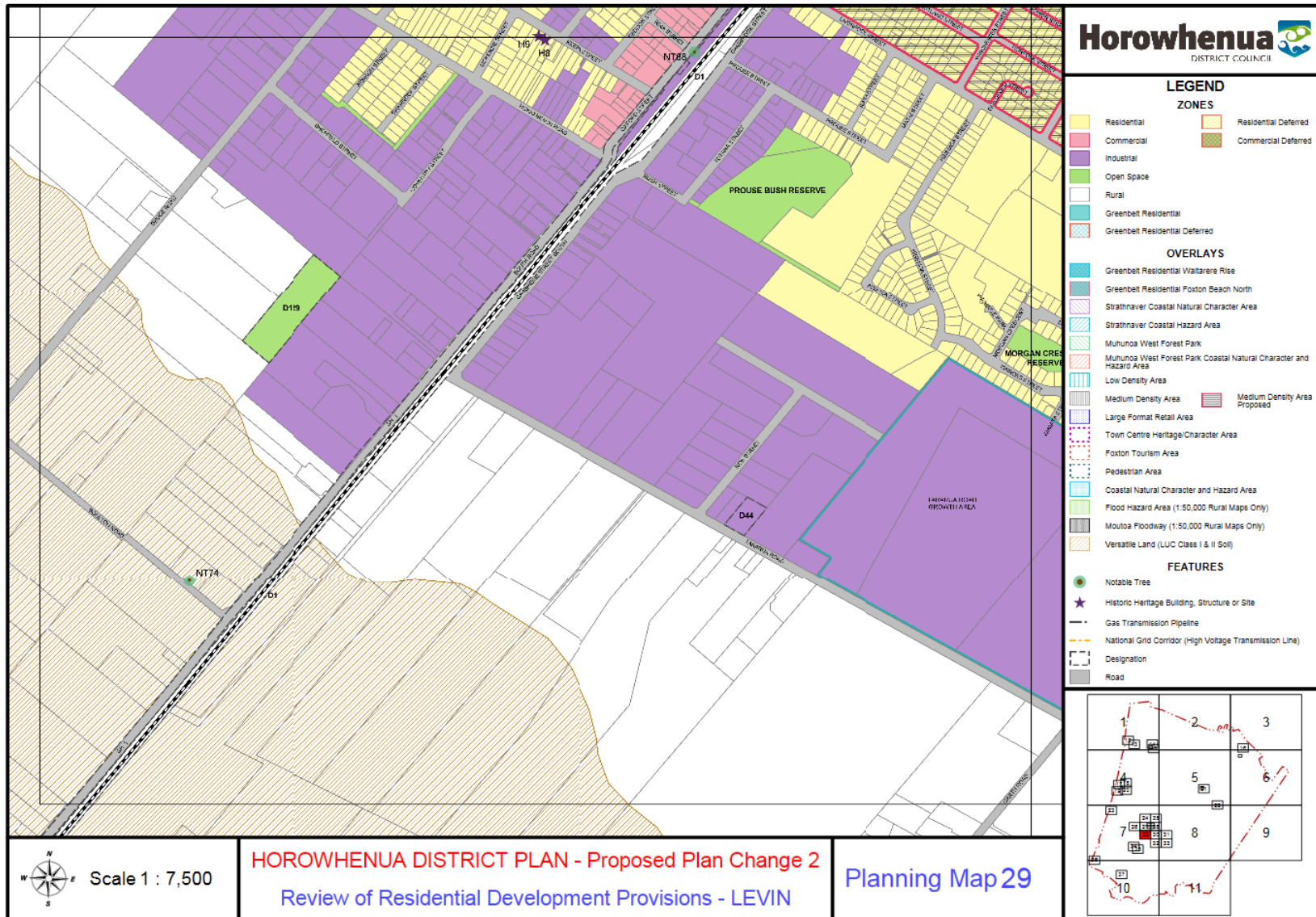


Proposed Plan Change 2 (Review of Residential Development Provisions)

Plan Text Amendments



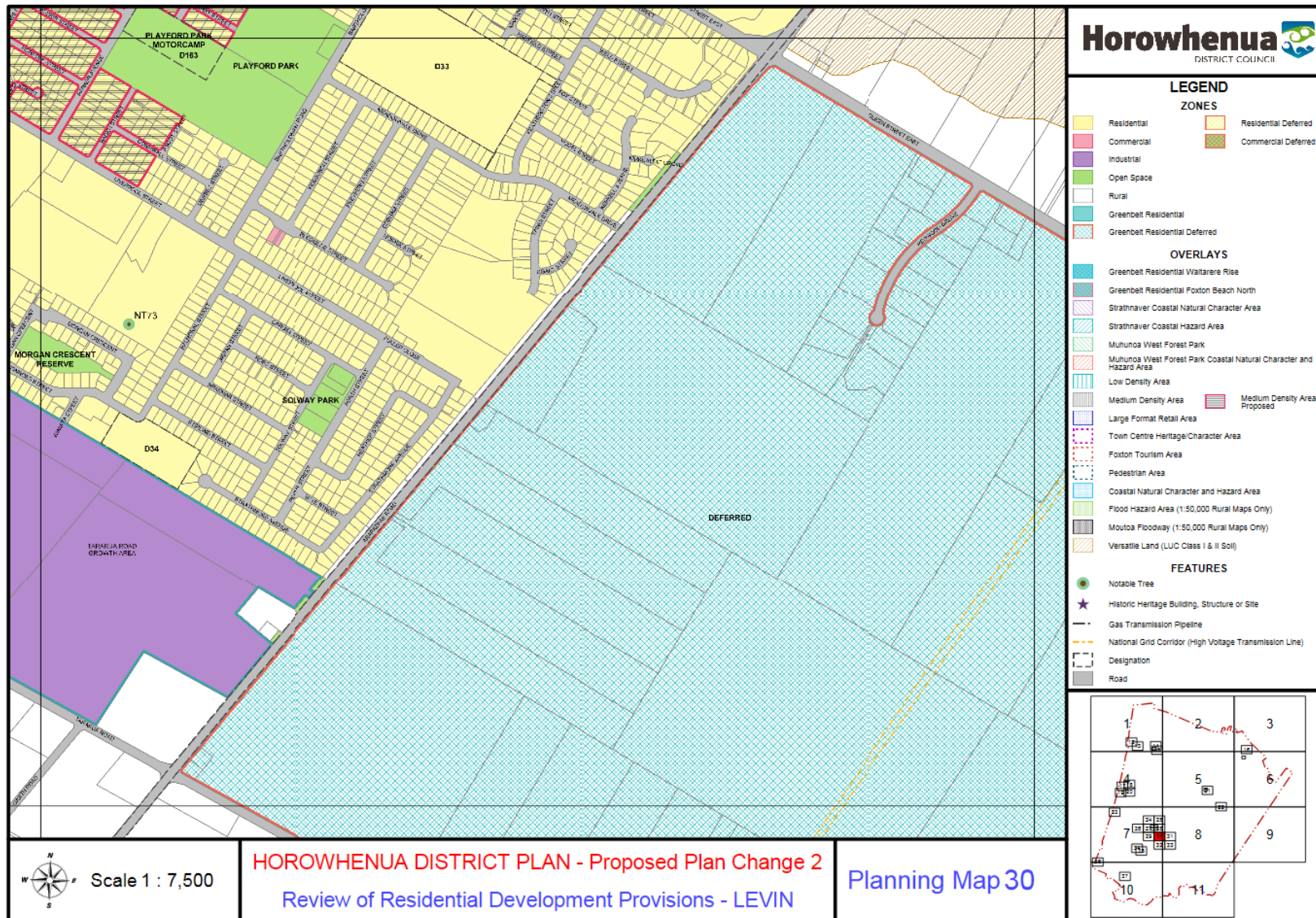
# Planning Map 29



Proposed Plan Change 2 (Review of Residential Development Provisions)



# Planning Map 30



Proposed Plan Change 2 (Review of Residential Development Provisions)

Plan Text Amendments

## 6 OBJECTIVES/POLICIES: Urban Environment

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### Plan Text Amendments

Any new text that is proposed to be added is underlined, while any text to be deleted has been ~~struck through~~.

## 6. Urban Environment

The urban environment of the Horowhenua District is comprised, in its main larger settlements (Levin, Foxton, Foxton Beach, Waitarere Beach and Shannon) and the smaller settlements (Mangaore Village, Tokomaru, Hokio Beach, Waikawa Beach, Ohau and Manakau). The urban environment is made up of the Residential, Commercial and Industrial Zones, as well as parts of the Open Space Zone.

Each of the settlements developed at different times in the District's history and for slightly different reasons. Each settlement is profiled below (from north to south of the District):

### Tokomaru

Tokomaru is a small service centre serving its surrounding rural area. Growth has been experienced in recent years as a result of Tokomaru's relatively close distance to Palmerston North and its attraction as a small community offering a semi-rural lifestyle.

Tokomaru has a reticulated water supply and a reticulated community sewerage system. The settlement has large sections with wide streetscape and a strong sense of being close to the surrounding rural area. There is serviced land available for a limited extent of additional development within the settlement should demand grow.

### Shannon

Shannon historically developed as a centre of settlement and employment based on the railway line. The town has hosted significant local industries including a dairy factory and fellmongery/tannery. As trends in farming have changed and rail activity has declined, economic activity in the town has declined. Recent new economic activity has been largely in smaller-scale local manufacturing and re-vitalisation of retail activities. Census population statistics indicate that the town's population grew steadily since the 1930's but has generally been declining since the mid-1980's.

The town has reticulated water supply and sewerage systems. Residential development is set out within a framework of grid-pattern streets and is low-medium density with a distinctly urban streetscape including wide grass berms, footpaths, streetlights, and drains. Residential buildings are generally low in height and density and follow a one-dwelling-per-section pattern.

Commercial and retail activity is centred around the shopping centre close to the railway station. There is an area of traditionally industrial development west of the railway line and separate from the balance of the town.

There are substantial areas, within the historical town boundary, which remain undeveloped for residential purposes. The result is a patchwork of open and "green" spaces within the residential area. This, together with generous open space in public parks, schools, and unformed roads, gives the town the sense of a low intensity of built development. There is

## 6 OBJECTIVES/POLICIES: Urban Environment

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land available for future development although localised surface-water ponding makes some of these areas less attractive without specific engineering design.

### **Mangaore Village**

The village was developed between 1922 and 1975, by the former New Zealand Electricity Department, and provided staff accommodation for the construction and operation of the Mangahao hydro-electricity power station project. The village is no longer administered as a "project" town. Land in the village is now available to the open market.

The village has its own reticulated water supply and sewage disposal, public parks, recreational facilities, mixed residential density, and narrow roads which combine to give Mangaore its unique "village" character.

### **Foxton (Te Awahou)**

Historically, the wider Foxton area was an area covered in thick bush and flax swamps. The Foxton locality, situated beside the Manawatu River was a convenient central point for the historically-busy waterway. The Government constructed a tramway between Palmerston North and Foxton in 1873 together with a wharf on the river bank. The tram line was later extended to Longburn, then Sanson. The settlement was an important stop for coach services on the early main road to Wellington with a ferry crossing of the river.

Up until about 1880, the main source of income for the area was timber and all freight from the Manawatu area was shipped from Foxton's riverside port. As a centre of economic activity, the town grew steadily. The population was estimated to have been in the order of 290 people in 1874; 563 in 1878; and 733 in 1881. Development of the hemp industry, based on the flax growing on the surrounding coastal plain, meant the town grew more rapidly and was declared a borough in 1888. Foxton was named after Sir William Fox.

The town has a strong legacy of history from this early period of European settlement, reflected in local architecture and special sites, which is a key feature of the town's current commercial area development and image and refurbishment of early period houses.

The town's growth slowed through the early part of the 20th century as use of the railway line, away from the town, meant a decline in shipping and the town's central transportation role. Population grew steadily but slowly through the period 1936 to 1966 (population peaked then at 2,819). Since this time, the population was relatively stable, but with the loss of some major industrial activities, the population has started to decline. Notwithstanding this population decline, a limited amount of residential development continues to occur.

Today the town is a service centre for the immediately surrounding rural area, which supports a number of rural based activities, notably those associated with the racing and poultry industries. Foxton is also a service centre to the beach settlement of Foxton Beach and is the site of Manawatu College which serves Foxton and the surrounding area.

Manufacturing has been and continues to be important to Foxton's economy. There are several medium-scale manufacturing, engineering, and food processing businesses in the town's industrial area.

Residential development is of low-medium density (averaging between 600 and 900m<sup>2</sup> section size) in a reasonably compact form based on a grid-pattern street layout. Residential streetscape is low-density, open, and "green" with wide grassed berms, generous public open space, a rural backdrop, low building height, and predominant one-



## **6 OBJECTIVES/POLICIES: Urban Environment**

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dwelling-per-section pattern of development. The town has reticulated water supply and sewerage systems. There remains land available for moderate additional growth within the settlement.

### **Foxton Beach (Te Wharangi)**

The early development of Foxton Beach is related to the river and coastal transportation of timber and hemp and other agricultural produce from the Manawatu which saw the development of Foxton. Post-war, the beach settlement has developed as a holiday destination and this trend has continued on, particularly in recent years, and Foxton Beach now supports a high proportion of holiday homes and baches.

Population growth has fluctuated but was rapid between 1966 (700 residents) and 1981 (1,000 residents). Although Foxton Beach remains predominantly a holiday and retirement township, it is also a dormitory "suburb" for Foxton and Levin and the proportion of retired people compared to younger age groups has reduced over time. The settlement's population and numbers of houses have grown steadily when other small towns have declined.

The settlement has a broad range of community facilities and public open space areas. Residential development is low-to-medium density (averaging 900 to 1,000m<sup>2</sup> section size) which results from the need, early in the settlement's development, to maintain sufficiently large sections to enable on-site disposal of sewage. Foxton Beach is now serviced by reticulated water supply and wastewater systems.

Streetscape is generally very open, with wide roads and grass berms incorporating "vee"-drains. Building height is generally low. Building quality and age is highly variable reflecting the settlement's growth as a seasonal holiday destination. The landscape is generally flat, with some variation where coastal sand dune formations have been retained, and distinctly coastal with the vegetation and sand blow reflecting the coastal situation.

### **Waitarere Beach**

Waitarere Beach has developed as a coastal settlement with a high proportion of semi-permanent or seasonal holiday residents in baches. More recently, the settlement's population has become more permanent-resident due to its appeal as a retirement location and that it is within reasonable commuting distance of Levin, Foxton and Palmerston North. There are still a large number of holiday homes and two camping grounds. The settlement has an overall linear shape, spread along three principal streets parallel to the coastline, with medium-density residential development on a grid-pattern of streets between those three principal feeders.

The settlement has a reticulated sewerage system. Water supply is from individual roof supply and groundwater bores. There are some areas of undeveloped land available for future residential development although the extent of future development may be constrained unless sufficient water supply and wastewater disposal can be guaranteed. The streetscape is urban, with formed and sealed carriageways and footpaths, wide grass berms, and streetlights. The landscape is generally flat behind the dune formations along the coastal margin and is distinctly coastal with considerable sand blow and coastal plants.

### **Levin (Taitoko)**

Levin is a rural service town for its surrounding agricultural and horticultural area. Its location on the main north-south highway and North Island Main Trunk Line secured its

## 6 OBJECTIVES/POLICIES: Urban Environment

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strategic role, historically, in the District. The town developed as a significant area of manufacturing and industry until the mid-1970's as a result of a combination of the available labour force and land and access to national transport arterials. Since that time, changes in the national economy and a general shift of population and economy to the north of the North Island have combined to erode Levin's traditional economic edge as a location for manufacturing industry. In spite of some economic decline after this period, the town's population has continued to grow slowly. Levin remains the administrative, cultural, social and recreational centre for the District and for the increasingly-diversifying rural economy surrounding the town.

The town has substantial areas of land developed for industrial manufacturing purposes, a distinct commercial core (centred on Oxford Street - the main highway), and urban residential areas. The town is collectively contained within a relatively compact shape adjacent to Waipunahau (Lake Horowhenua). Standards of road design in both industrial, commercial, and residential areas give the streetscape a formal, built, urban appearance (with sealed carriageways and footpaths, formed and grassed berms, streetlights, and kerb and channel). Streetscape in residential areas is softened by the grassed berms and occasional tree planting in berms.

The town has reticulated water supply and sewerage system and stormwater disposal from commercial and industrial areas and roads. Density of residential development is medium (average section size between 400 and 600m<sup>2</sup>).

### **Hokio Beach**

The settlement extends along the narrow valley of the Hokio Stream which discharges surplus waters from Waipunahau (Lake Horowhenua) out to sea. On the northern side of the stream mouth was Te Ua-mairangi, a high grassed hill on which stood the first of the tall carved posts (pou rahui) that defined the boundaries of the Mua-Upoko territory. One of the lagoons connected with the hydrographic system of Waipunahau (Lake Horowhenua) - Pakau-hokio, translates to "the wing of the Hiko". Hokioi (*Harpagornis moorei*) was a great bird of prey and it is thought that a breeding ground for the bird was located on the rockfaces of the Tararuas directly opposite Hokio.

The topography in this area is low-lying and surrounded by relatively young and unstable sand dunes. The nature of the coastal geology and location at the mouth of the Hokio Stream have confined the size of the settlement and high ground water means that surface-water ponding is a potential constraint on further development within the settlement.

Historically, the high water table was more of an advantage than a constraint for Māori, who dammed areas to enable wider transport by waka. Like other rivers and streams along the coastline, the Hokio Stream was used by Māori and pakeha settlers alike for loading, unloading, and the building of boats. Every 10 miles or so accommodation houses provided a place for the coach service to change horses and for passengers to refresh. The Hokio Accommodation House, was the largest of such houses along the Kapiti coast and provided an important link between colonial society and the Māori inhabitants of the immediate coastal area for trading and hospitality.

The settlement has developed as a beach holiday destination with a landscape character derived from the high proportion of baches, close proximity to the beach and sand soil, and coastal sand vegetation, with narrow roads and unformed berm areas. Water supply and sewage disposal are provided independently on each site. Average section size is therefore medium-large.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Ohau**

Ohau, at a cross-road on the main north-south highway, has developed as a low-density rural township. Residential sections, mostly located west of the highway, are larger than 1,000m<sup>2</sup> in area. In recent times, there has been an increase in residential and rural lifestyle development surrounding Ohau, which has changed the character and context in which Ohau is located.

The settlement has a school serving the immediate rural area and limited commercial activities (cafe, vehicle workshop) at the highway cross-roads. Underpass access for pedestrians connects the local school, east of the State Highway, with the residential area. The character and landscape of the township are distinctly low-density and semi-rural within the context of a flat, pastured, surrounding rural plain. Water supply and sewage disposal are generally provided independently on each site, with a limited reticulated water supply from Levin (although the quantity of water available is restricted and provides no fire fighting capacity). The settlement is largely a dormitory location for people employed in Levin who seek a semi-rural life-style.

### **Waikawa Beach**

Waikawa Beach is one of the smallest beach settlements along this part of the Manawatu-Wanganui coastline. The settlement is compact in form, with development following grid/pattern streets which stretch for a short distance parallel with the coastline but set back behind the coastal foredune area at the mouth of the Waikawa River. Development has been predominantly of a holiday home and bach nature reflecting the settlement's seasonal holiday character. There has been some recent rural-residential development to the south and south-east of the settlement in the mid-late 2000s. Streets are narrow and the landscape/streetscape is distinctly coastal estuarine with a low-density of built development. Water supply and sewage disposal are provided independently on each site.

### **Manakau**

Manakau developed, historically, as a centre close to the North Island Main Trunk Railway line then the main north-south highway. The small community is located east of the railway line and is characterised by low density of development in a semi-rural setting. The settlement's landscape character has a strong garden component with substantially-planted grounds around dwellings and wide grass berms either side of narrow roads. The settlement has a compact form, developed about a natural hill, which adds aspect and outlook to local character. There has been some recent rural-residential development to the south and south-east of the settlement in the mid-late 2000s.

The residential settlement is separated from the State Highway by underpass access beneath the railway line and a level crossing. Water supply and sewage disposal are provided individually on each site. The community's school and local hotel are located on flat land close to the railway line. The railway station area is dominated by the bulk lime fertiliser depot which established there many years ago. There are some residential and commercial properties spread out along the western side of State Highway 1.

### **Issue 6.1 OVERALL FORM, ACTIVITIES AND SERVICING OF URBAN SETTLEMENTS**

Sustainable management of urban settlements and particularly:

- The form, shape, and location of urban development;

## 6 OBJECTIVES/POLICIES: Urban Environment

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- The infrastructure services necessary to sustain urban communities;
- Natural factors which constrain the development of urban settlements (e.g. natural hazards);
- The mix of facilities, activities, and services that each community needs/wants and which enable urban settlements to function as vibrant and attractive urban communities;
- The efficient use and development of natural and physical resources.

### ISSUE DISCUSSION

In 2007/08 the Council completed the Horowhenua Development Plan and this was formally adopted as Council policy in July 2008. The purpose of this Development Plan was to provide the strategy to direct the future subdivision and development in the district for a 20 year planning period.

The Development Plan reflects the Council's desire to provide a proactive framework for managing growth in the future.

For the urban environment, the key features of the Development Plan include:

- Defines the location of different types of development clearly so its effects (positive and negative) can be better planned for.
- Encourage a range of housing types and living environments (e.g. townhouses) in specific locations and with a community based format to better meet changing needs;
- Increase density within settlements in defined locations focused around existing town centres to better utilise existing urbanised land and minimise future infrastructure costs;
- Place less emphasis on ad-hoc infill throughout residential neighbourhoods to avoid loss of residential amenity;
- Assist business and employment opportunities by providing new locations for growth;
- Limit development to where infrastructure can be readily expanded/upgraded, has good accessibility to transport connections and will avoid areas of natural hazards;
- Avoid ad-hoc spread of rural-residential development by identifying suitable locations for it and manage the efficiency of it with a new "greenbelt" residential format.
- Avoiding fragmentation of urban growth areas to provide for integrated and efficient land use in the long term.
- Protect the natural character of the coastal environment by limiting the expansion of settlements.
- Recognise the significant contribution of the natural environment – hills, rivers, lakes and coast - and heritage as essential elements of the District's identity.

The Development Plan details an implementation action list which will be progressively implemented, and includes actions such as changing the District Plan. The key contribution of the District Plan to the wider planning process is to provide an appropriate regulatory framework for managing urban growth.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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It is recognised that, while the Development Plan significantly underpins the planning approach set out in the District Plan, changes in knowledge or other circumstances since the Development Plan's adoption will also be integrated into the District Plan as appropriate.

### **Objectives & Policies**

#### **Objective 6.1.1 Overall Form, Activities and Servicing of Urban Areas**

Sustainable management of the District's natural and physical resources used and developed for urban purposes; and

Achievement of an appropriate mix of infrastructure services, and a range of urban activities to enable the District's settlements to function as vibrant attractive communities.

#### **Policy 6.1.2**

Ensure that there is sufficient serviceable urban land available to meet anticipated future urban growth demands.

#### **Policy 6.1.3**

Define the geographic extent of the District's urban settlements.

#### **Policy 6.1.4**

Ensure that all developments within the urban settlements provide:

- Water supply suitable for human consumption and fire fighting;
- Facilities for the collection, treatment, and disposal of sewage and other wastes in a manner that maintains community and environmental health;
- For the collection and disposal of surface-water run-off in a way which avoids worsening any localised inundation; and
- The ability to provide an energy supply, whether this is through connecting to a secure electricity or gas supply, or through an alternative method generated on-site.

#### **Policy 6.1.5**

Identify land suitable for new urban development and progressively rezone this land to facilitate development.

#### **Policy 6.1.6**

Prevent urban development in the rural environment outside of the identified urban growth areas.

#### **Policy 6.1.7**

Avoid the cumulative effect that incremental subdivision and consequent fragmented land ownership can have on the ability of the identified urban growth areas to provide for the future supply of land for urban development.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Policy 6.1.8**

Manage subdivision and development within the identified urban growth areas by way of a Structure Plan in the District Plan to ensure a structured and integrated pattern of development, with the environmental qualities of the land provided for and sustainably managed.

### **Policy 6.1.9**

Ensure that staging of development in the identified urban growth areas is efficient, consistent with and supported by adequate infrastructure and that development is otherwise deferred until the required upgrading of infrastructure has occurred.

### **Policy 6.1.10**

Allow all permitted rural activities to continue in the identified urban growth areas until urban development occurs.

### **Policy 6.1.11**

Allow new activities and development to connect to existing water and wastewater infrastructure where there is adequate capacity to be shared between existing users and future needs of the development.

### **Policy 6.1.12**

Allotments that are not serviced by an off-site wastewater disposal system are to be of an adequate size to ensure that the proposed land use can operate and maintain appropriate on-site effluent and waste water treatment systems.

### **Policy 6.1.13**

Ensure new activities and development adequately compensate for their impact on existing services, water and wastewater infrastructure through a contribution to ensure service delivery to existing users is not adversely affected.

### **Policy 6.1.14**

Ensure new activities and the development design contributes to the provision and standard of reserves and open space amenity to meet the needs of the community.

### **Policy 6.1.15**

Avoid, remedy or mitigate the adverse effects of new development and activities on the safe and efficient functioning of the existing and future roading networks.

### **Policy 6.1.16**

Recognise the demand for smaller residential units, and provide for this type of housing through infill subdivision development in existing urban settlements, including Levin, Foxton, Foxton Beach, Shannon and Waitarere Beach, in a way that maintains the residential character and a high level of residential amenity.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Policy 6.1.17**

Provide for the efficient use and development of existing urban settlements through intensification and redevelopment, including medium density residential development in identified areas, integrated residential development, infill subdivision and reuse of commercial/industrial premises.

### **Policy 6.1.18**

Enable the establishment and operation of a wide range of activities within the urban settlements whilst avoiding, remedying, or mitigating any adverse environmental effects, and conflicts between incompatible urban activities and environments.

### **Policy 6.1.19**

Ensure adequate provision and maintenance of public open space to meet the passive and recreation needs of the community.

### **Policy 6.1.20**

Ensure adequate provision and maintenance of civic buildings to meet the cultural, administrative and social needs of the community.

### **Explanation and Principal Reasons**

The extent of urban zoning on the District Plan's maps reflects the current size of the settlements. The policies and methods are designed to facilitate the change of existing rural land to urban use in the identified areas for each settlement. The identified growth areas are based on an evaluation process and community consultation, and they provide greater direction and integrated management of the growth areas to manage the effects from this future development.

A Council led Structure Plan process provides for a comprehensive approach to manage the overall framework for the identified growth areas, in particular, the location of key infrastructure, roads and open space. Subdivision and development are required to be undertaken in accordance with the Structure Plan to ensure efficient use of the land and physical resources. Subdivision and development should be avoided prior to any Structure Plan being adopted to avoid the long term future of the growth areas being compromised. Where upgrading of infrastructure is required to facilitate development, a series of deferrals will enable a staged provision of these services, rather than create a false expectation that all areas will be immediately available for development.

Existing community water and wastewater reticulation services have capacity constraints. As new development connects into the existing reticulation networks, the extra demand cumulatively reduces any surplus capacity, and could result in the inefficient use of this physical resource. Where a system has reached its capacity, or where new infrastructure is required to service the growth areas, it is reasonable for developers to contribute towards the cost of this infrastructure, either directly or through contributions.

Where urban areas have no reticulated servicing infrastructure, the growth areas are to be self-sufficient. At the time of subdivision and development, it is the responsibility of the developer to ensure the activity or development can adequately service the growth areas, such as individual or communal water supplies and wastewater treatment and disposal. It is

## 6 OBJECTIVES/POLICIES: Urban Environment

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important these systems are self-sustainable, reliable and do not adversely affect the environment, in particular, water bodies.

The road network is also an important part of the District's infrastructure. Its carrying capacity and safety can be adversely affected by new activity. Therefore, when new or upgraded roading is required to service the subdivision and development, contributions may also be necessary.

Open space, recreation facilities and the reserves network are currently provided for throughout the District to meet the needs of the community. New development and activities can place increased pressure on these existing facilities when they increase the number of users of this resource. Establishment of new residential areas may require the provision of new neighbourhood reserves to meet the recreational needs of the increase in population in these locations.

The historically low density pattern of the District's residential areas has narrowed the range of housing options across the District, enabled a greater area of urban footprint, and therefore a heavy reliance on the private motor car for mobility to/from home, work, school, and recreation.

The demand for smaller residential properties is anticipated to grow as the District responds to the increasing older population. Providing a range of lifestyle opportunities within the District enables people to continue to live in their communities as they 'downsize' from larger family properties to smaller properties with less maintenance.

Infill subdivisions and more intensive forms of residential development are a way of more efficiently utilising residential land and resources within existing settlements. This type of development produces a different residential amenity compared to a standard residential density (for example 800m<sup>2</sup>) or larger residential lots (for example 2,000m<sup>2</sup>). Smaller residential lots sizes (for example 350m<sup>2</sup>) appear compact with less open space separating each new dwelling, and a higher proportion of hard-surfacing as a result of parking and the internal circulation areas. In comparison, standard residential density and larger residential lot areas have one dwelling per residential property and properties are defined by spaciousness (green space, garden, boundary setbacks and curtilage) and the proportion of house to lot size (site coverage) appears lower.

The District Plan makes provision for more intensive forms of residential development (called 'medium density development') in Levin, Foxton Beach and Waitarere Beach, based on specific locations identified in the Horowhenua Development Plan. The density of this 'medium density development' in the Horowhenua context are sites between 225m<sup>2</sup> - 350m<sup>2</sup> and accommodate smaller detached or semi-detached (duplex) dwelling units. In summary, the areas identified for medium density development in the aforementioned settlements are in close proximity to existing or partially created community focal points. The benefits of providing for medium density development in these particular areas allow a more intensive residential activity to support the immediate town centre/focal point, and allow for a transition out to the standard/lower density of the established residential areas. However, it is recognised some sites may be constrained in being developed for medium density purposes due to their size, shape, topography and servicing requirements, particularly in Waitarere Beach.

The District Plan also clarifies the status of everyday activities which are necessary to sustain the economic and social needs of the communities. The District Plan endeavours to do so within the constraints of sustainable management and avoiding, remedying, and mitigating adverse environmental effects.



## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Methods for Issue 6.1 & Objective 6.1.1**

#### **District Plan**

Residential, Commercial, Industrial and Open Space Zones

- District Plan rules will set minimum standards for connection to and extension of infrastructure services.
- The District Plan will require protection from certain levels of natural hazard risk.
- Proposed subdivisions and developments will be assessed in terms of District Plan criteria and standards for new services and road connections.
- Proposed new roads will be considered, subject to resource consent applications for subdivision, in terms of the accepted roading hierarchy.
- The use of Structure Plans for urban growth areas to provide a framework for managing subdivision and development. Resource consent applications for subdivision and land use activities would be assessed for accordance with the Structure Plan for the growth area.
- District Plan rules to require subdivision and development is undertaken in accordance with Structure Plans for urban growth areas.
- District Plan rules for the Residential Zone (Deferred) to manage subdivisions prior to a Structure Plan for an urban growth area being adopted.
- District Plan rules to manage infill subdivision in main urban areas.
- District Plan rules to manage medium density residential development in identified areas within Levin, Foxton Beach and Waitarere Beach.

It is of considerable public interest that such standards be met consistently within the settlements. Plan rules are seen to be the most effective method of achieving this consistency.

- District Plan provisions will list permitted activities within each zone of the District - anticipating a broad range of activities which might usually be expected to establish their based on the usual nature of their effect; and permitted activities will be required to meet minimum environmental standards.
- Activities which fail to meet those conditions will be considered as applications for limited discretionary activity consent.
- Activities which do not fall within the description of activities permitted in the zone will be considered as applications for discretionary activity consent.
- The location of necessary public infrastructure will be recognised and provided for in the District Plan by way of designations.

A clear statement, in the District Plan, of the activities permitted and their performance standards will be important in providing certainty to residents and investors as to the status of any proposal.

#### **Long Term Plan/Annual Plan**

- Council will continue to maintain and develop public infrastructure services, recovering costs from users as appropriate over time.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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- Preparation of Structure Plans for the identified growth areas, and adopted through the District Plan Change process.

Council is operator of most public infrastructure services. Council led Structure Plan process would apply a consistent and proactive approach to facilitate subdivision and development in the growth areas. This process would consider a wide range of issues, including the provision of infrastructure/servicing, roading, open space and sites of significance. Landowner and community consultation would be undertaken as part of the preparation of the Structure Plan and during the Plan Change process.

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### **Issue 6.2 TARARUA ROAD GROWTH AREA**

The provision for and management of industrial growth in South East Levin.

#### **ISSUE DISCUSSION**

Between 1999 and 2006 Levin has seen considerable change in the demand for land for urban development. From a low growth situation in the late 1990s increasingly competitive land prices have seen a significant change in demand for both rural residential land and for urban density development. In addition there has been a growing demand for industrial land in Levin from both local and the wider region because of constrained land supply in competing centres such as Palmerston North and Wellington.

One of the appropriate means of providing opportunities for growth and further development of Levin is to zone additional land for industrial activities. One of the most suitable areas for peripheral urban growth is on the southern edge of the urban area north of Tararua Road and west of Arapaepae Road.

This is an area of approximately 50 hectares of flat land with no significant development constraints other than careful management of stormwater discharges to ground, protection of adjoining residential areas and adjacent rural areas and to some extent, road access. There is an opportunity to contribute to the provision of existing and future demand for industrial activities. It is proposed to enable the development of 50 hectares of this area which will contribute significantly to land supply over the next 10-15 years and potentially longer term.

This land forms a strategic growth node for Levin and the quality of development is important to the overall quality of the environment of the town. State Highway 57 is an important strategic transport corridor and currently forms the major route for Palmerston North to Wellington traffic. Therefore, development in the vicinity of this route will influence other activities within the District.

It is also important that development of this area is planned in a manner that avoids adverse effects on the safe and efficient functioning of the highway. The Tararua Road intersection has formerly had a poor safety record and recent design improvements have significantly reduced crashes at this intersection. Roading infrastructure will need to be upgraded as the area develops including upgrading of the intersections with State Highways.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Objectives & Policies**

#### **Objective 6.2.1 Tararua Road Growth Area**

To provide for efficient use and development in the Tararua Road Growth Area in an integrated, coordinated and cost effective way with the existing industrial area, while avoiding adverse effects on adjoining residential areas and adjacent rural areas, and maintaining the safety and efficiency of the local and State Highway roading networks.

#### **Policy 6.2.2**

Provide for industrial development in south-east Levin through an extended Industrial Zone with Arapaepae Road (State Highway 57) and Tararua Road forming the boundaries of this zoning and identify as a specific urban growth area (Tararua Road Growth Area).

#### **Policy 6.2.3**

Manage subdivision and development within the Tararua Road Growth Area through applying a specific management framework including a Structure Plan to ensure a structured and integrated pattern of development that is efficient and environmentally sustainable.

#### **Policy 6.2.4**

Ensure that development is of a high quality and that adverse effects on the State Highways are avoided.

#### **Policy 6.2.5**

Manage the actual and potential adverse effects on the environment from new industrial activity through the resource consent process using the Structure Plan and Design Guide to ensure the amenity of the industrial area reflects the outcomes set in the Design Guide and the Industrial Zone, as well as protecting the amenity values and character of the adjoining residential and adjacent rural areas.

#### **Policy 6.2.6**

Manage all stormwater generated from the Tararua Road Growth Area Overlay through use of low impact urban design principles, including the provision a dual purpose stormwater / recreation reserve buffer between the industrial area and adjoining residential area.

#### **Policy 6.2.7**

Ensure the safety and efficiency of Tararua Road is maintained as a result of new road connections and property access and the increased generation of traffic from the Tararua Road Growth Area Overlay, and discourage heavy vehicle movements through streets in the adjoining residential area.

#### **Policy 6.2.8**

Restrict access to Arapaepae Road (State Highway 57) from the Tararua Road Growth Area to protect the safety and efficiency of this road from the adverse effects of land use activities, subdivision and development.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Explanation and Principal Reasons**

The Tararua Road Growth Area located in south-east Levin and adjoins an existing industrial area to the west. The Tararua Road Growth Area is bounded by existing residential areas to the north, Arapaepae Road (State Highway 57) to the east, Tararua Road to the south, and the existing industrial area to the west which fronts Cambridge Street. Rural land is located adjacent to this area on the opposite side of Arapaepae Road (State Highway 57) and Tararua Road. This large area provides a substantial industrial land supply to meet future requirements, both in the short and long term. It is anticipated that a wide range of different forms of industrial activities could locate within this area, including light servicing activities (such as goods storage and distribution) and manufacturing.

To manage the effects of subdivision and development in this area, a specific management framework, which complements the underlying Industrial Zone provisions. This management framework is based on three key main features: 1. Resource consent for all development and subdivision; 2. Structure Plan; and 3. Design Guide. The resource consent process provides for a case-by-case assessment of each proposal to ensure the subdivision and development achieves the objectives for the growth area, and would be assessed against the Structure Plan and Design Guide. A Structure Plan has been prepared by the developer which provides a framework to ensure a coordinated and well designed pattern of development. A developer led Design Guide provides the basis for assessing the quality of the development to ensure the growth area achieves a certain level of amenity, as well as protecting the adjoining residential and adjacent rural areas.

Due to the flat topography of the area and the potentially high level of impervious surfaces from industrial development, the management of stormwater needs to be carefully planned. Low impact stormwater design principles are to be utilised in the Tararua Road Growth Area, including on-site techniques, on-road, and a dual purpose stormwater / recreation reserve area. This dual purpose stormwater / recreation reserve area would also form a buffer between the existing residential area and new industrial development. Each proposed subdivision and development would need to assess the quantity and quality of stormwater to ensure it is effectively managed.

Large traffic volumes are a necessary part of the functioning of the Industrial Zone. With such a large area zoned for industrial development, it enables the roading network, connections and access to be well planned and designed. Provision is made in the Tararua Road Growth Area Structure Plan and Design Guide for managing this network, connections and access. New access directly to main arterial roads, particularly Arapaepae Road (State Highway 57) is restricted, with alternative access to be provided through new roads connecting from Tararua Road. As some of the new roads connect to roads that traverse the adjoining residential area, measures are to be implemented to discourage heavy vehicles using these roads through the residential areas to protect their amenity values and safety in residential neighbourhoods.

### **Methods for Issue 6.2 & Objective 6.2.1**

#### **District Plan**

- Identification of Tararua Road Growth Overlay Area in south-east Levin and shown on the Planning Maps.
- Use of a Structure Plan and Design Guide for managing subdivision and development within the Tararua Road Growth Area.

## 6 OBJECTIVES/POLICIES: Urban Environment

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- The Industrial Zone permitted activities and conditions for activities are used for development of the Tararua Road Growth Area, as well as rules specific to the Tararua Road Growth Area including a "low Impact Industrial Area".
  - Rules will require resource consent for land use and subdivision activities, assessing against the Structure Plan (Pocock Zoning Master Plan) and Design Guide as to the form, character and amenity values of these areas, and the protection of adjoining residential and rural areas.
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### Issue 6.3 URBAN SETTLEMENTS - ZONES

Recognition and protection of the individual character and amenities of the District's urban settlements.

#### ISSUE DISCUSSION

Within each settlement it is possible to identify different types of environment which have a common identity determined by the characteristics of existing land use and the quality of local amenities. The amenities which are important within each of those environments include:

- Background noise conditions
- Level of traffic activity
- Sense of personal safety from crime in public areas
- Sunlight and shading of buildings and open spaces
- Night lighting conditions
- Fresh air
- Privacy
- Outlook and view from buildings and properties
- Overall building height
- Quality of built structures and presence of advertising signs
- Density of development
- Availability of and distribution of open space
- Quality of the landscape
- Presence of trees in the landscape

The characteristics, qualities and amenity values of each of the urban settlements are described in Appendix 1 of this Chapter.

The main settlements and the smaller settlements in the District all have residential areas which are similar in nature, albeit having differences in density characteristics and intensity of development. These residential areas are grouped in one Residential Zone. The other distinct "zones" of common character encapsulate 'Commercial' activities and 'Industrial' activities, and the respective levels of amenity and infrastructure anticipated in these zones.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Urban Settlements – Residential Zone**

#### **Objective 6.3.1 Residential Zone**

To provide for a diversity of residential lifestyles and non-residential services and activities to meet the needs of the community while maintaining and enhancing the individual character and amenity values of the residential areas in each of the settlements of the District.

#### **Policy 6.3.2**

Recognise and provide for the residential character and amenity values of the District's diverse residential environments through a single Residential Zone.

#### **Policy 6.3.3**

Within the Residential Zone, maintain and enhance the character and amenity values of the residential environments, recognising there are many common attributes, as well as distinguishing between the residential areas in the main settlements and smaller rural and coastal settlements.

#### **Policy 6.3.4**

Provide residential density for each urban settlement and smaller rural and coastal settlement, taking into consideration the urban and landscape character, existing level of residential amenity and level of infrastructure and its capacity, as well as enabling a range of section sizes and residential development across the Residential Zone.

#### **Policy 6.3.5**

Maintain the standard density and lower density with larger lot sizes reflecting the open character, spaciousness, and servicing, in the smaller rural and coastal settlements within the District, including Tokomaru, Mangaore Village, Ohau, Manakau, Hokio Beach and Waikawa Beach.

#### ~~**Policy 6.3.6**~~

~~Encourage infill subdivision development to locate in close proximity to central town amenities, to enable "walkability" and promote less reliance on cars.~~

#### **Policy 6.3.7**

Provide for infill subdivision and development in the main urban settlements in a way that maintains and enhances the surrounding residential character with good quality on-site amenities through good design and site layout.

#### **Policy 6.3.8**

Enable the consolidation and re-development of land and buildings within central locations in Levin, Foxton Beach and Waitarere Beach close to the town centre and community activities through the application of medium density overlays.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Policy 6.3.9**

Provide for higher density housing within the medium density overlay where the design is managed so that this type and density of development achieves the following:

- The scale, form and design of the higher density housing reflects the form of existing residential development (stand-alone and semi-attached (duplex) units) within the locality.
- Avoid, remedy and mitigate significant adverse effects on privacy and amenity of neighbouring residential properties.
- An efficient and functional use of space across the development site, where on-site amenity, storage, utility areas, car parking, vehicle access and manoeuvring are logically and safely positioned.
- Quality on-site outdoor space for individual units where there is adequate privacy, shelter, sunshine hours and the area can be used in isolation or in combination with the internal living areas of the residential units.
- The design and appearance of the development is complementary to the scale and character of the local area, using durable materials and landscaping to create a high quality development which adds to the local streetscape amenity.
- Ensure the on-site stormwater collection, storage and drainage system is provided and integrated into the site layout and design, and that mechanisms are in place to secure the ongoing performance and maintenance of the system.

### **Policy 6.3.10**

Encourage higher density residential development within the medium density overlays, where the site area is 1,600m<sup>2</sup> or greater (achieved through amalgamating sites and in particular the use of corner sites with greater road frontage), to enable optimal site layout and response to local character and amenity.

#### **Policy 6.3.10A**

Provide for integrated residential development where the design ensures that the site and built form function in a coherent and integrated way, and that the development complements the scale and character of the local area and does not significantly adversely affect local environmental amenities.

### **Policy 6.3.11**

Provide for greenfield development at standard and low densities throughout the main urban settlements.

### **Policy 6.3.12**

Provide for low density residential development in the identified growth areas.

### **Policy 6.3.13**

Within Levin, Shannon, Foxton, Foxton Beach and Waitarere Beach, maintain an overall low building form, with exceptions for any necessary community facilities and utility services where larger buildings and structures do not significantly adversely affect local environmental amenities.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Policy 6.3.14**

Within the District's smaller rural and coastal settlements, maintain an overall low building form, with exceptions for any necessary community facilities and utility services where larger buildings and structures do not significantly adversely affect local environmental amenities.

### **Policy 6.3.15**

Maximise opportunities for sunlight access to buildings and private areas of open space and minimise shading of private open space and buildings caused by structures on adjacent sites.

### **Policy 6.3.16**

Maintain an open and spacious residential character on standard and larger lot residential properties to achieve on-site amenity for residents and neighbours and capability to provide for on-site stormwater disposal by ensuring building size and footprint is proportional to the size of the lot. A greater proportion of building coverage is provided for smaller residential properties to enable the efficient use and development of these properties.

### **Policy 6.3.17**

Ensure the provision of private outdoor spaces within higher density residential properties, to ensure a high quality living environment and enhanced amenity values.

### **Policy 6.3.18**

Ensure residential development maintains and enhances streetscape (or any adjoining public space) amenity, in a way that reflects a sense of community and a positive pedestrian experience by:

- improving natural surveillance from houses and front yards.
- providing a safe and inviting street frontage that avoids high and long solid fences or walls.

### **Policy 6.3.19**

Recognise that residential dwellings are the principal buildings within the Residential Zone, and the building form and residential use of these principal buildings reflects the predominant character of the residential areas.

### **Policy 6.3.20**

Recognise the contribution that a family flat can make to a residential property and its role in supporting living arrangements provided it is in a secondary building that is minor in form and scale compared to the principal residential dwelling.

### **Policy 6.3.21**

Recognise the importance of accessory buildings to the community as they support a wide range of secondary uses which can be integral to the overall functioning of the main residential activity (storage, hobbies and home occupations).



## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Policy 6.3.22**

Provide for accessory buildings in the Residential Zone, in a way that ensures that the location and scale of the buildings do not dominate residential properties in that they are secondary and incidental to the principal residential dwelling that shares the site and avoid significant adverse effects on residential character and streetscape amenity.

### **Policy 6.3.23**

Recognise and provide for non-residential activities within the Residential Zone which are complementary in scale, nature and intensity to residential activities, in a way that avoids, remedies or mitigates actual and potential adverse effects on adjoining residential properties and the wider neighbourhood.

### **Policy 6.3.24**

Recognise and provide for small-scale home based child care facilities where they exhibit similar characteristics with a home occupation.

### **Policy 6.3.25**

Manage larger scale child-care facilities that operate independently from a residential activity to ensure the adverse effects on residential character and amenity (including but not limited to noise, traffic, carparking and drop off zones, buildings, structures and signs) are avoided, remedied or mitigated.

### **Policy 6.3.26**

Maintain residential environments that are safe from traffic hazards and have a high quality of streetscape amenity.

### **Policy 6.3.27**

Ensure that all activities and developments are provided with space, within the site, for vehicle access and manoeuvring, and that parking for vehicles belonging to occupiers, visitors, and customers is constructed in such a way as to avoid compromising the safety or efficiency of adjoining public roads.

### **Policy 6.3.28**

Minimise the display of remote advertising signs in the Residential Zone to ensure they do not adversely affect the urban character and amenity.

### **Policy 6.3.29**

Manage the display of on-site signage in the Residential Zone to ensure that the signs do not adversely affect the urban character and amenity.

### **Policy 6.3.30**

Maintain overall quiet daytime and night time noise conditions in the Residential Zone with few extraordinary loud noise events and minimal noise nuisance to residents and acknowledge that in the smaller rural and coastal villages seasonal rural activities can cause periodic machinery and stock noise louder than the usual background rural quiet conditions.

## 6 OBJECTIVES/POLICIES: Urban Environment

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### Explanation and Principal Reasons

Each settlement is dominated by residential environments, both in terms of land area and the predominant character and amenity values. The focus of the management of the residential environments is to provide for their ongoing use and development as residential areas in a way that maintains and enhances their character and amenity values in keeping with residential levels. To achieve this outcome, a single management framework (the Residential Zone) is applied that recognises and provides for the common environmental elements of the residential neighbourhoods – for example, activity mix, building scale, sunlight access, and noise levels.

However, it is recognised the character and amenity values can differ between residential environments in different settlements, particularly between the main and larger settlements (e.g. Levin, Foxton and Shannon) and the smaller coastal and rural settlements (e.g. Waitarere Beach, Waikawa Beach and Manakau). Therefore, standards differ between settlements (e.g. minimum lot area for density) to recognise the important characteristics and amenity values of the residential environments in each individual settlement.

Residential activity is the predominant land use and is permitted as of right. A range of development standards manage the adverse effects of activities throughout the residential environments, recognising the existing character and amenity values of residential areas. However, in some situations, it is also recognised there is potential for that character to change over time as development is on-going.

The housing needs and lifestyle preferences of the District's population can differ according to influences such as an individual's stage in life and socio-economic factors. Detached family homes are the predominant residential housing and property type in the District. However, in the future, different forms of housing would be required to meet the needs of the community as a whole, in particular the elderly or retired, disabled, or single person. Therefore, the District Plan must recognise and provide for diversity in living environments consistent with satisfying these needs. The differing residential needs of the population will be met through the provision of different densities of housing in certain locations. In addition, all forms of housing (including single and multi-units, town houses, retirement villages), are provided for, with emphasis being on the management of physical features such as building bulk and location, open space, coverage, parking, traffic generation and access, infrastructure servicing, noise and nuisance.

Family flats have a role in providing accommodation for persons who require a self-contained unit but share infrastructure and services with the principal residential dwelling on the same site. These family flats would typically be occupied by relatives or dependants of the principal dwelling, but may also be used by non-family members. The form and scale of a family flat will always be secondary compared to the principal residential dwelling on site. Larger family flats that provide greater occupancy, use of services and footprint are considered as a standard residential dwelling and will be managed due to their potential effects on the residential environment.

In the Horowhenua context, the standard residential density across all settlements is between 10–20 dwelling units per hectare (lot sizes of 500–1,000m<sup>2</sup>) with a single detached dwelling on each property. Higher density currently is typically around 20–30 dwelling units per hectare (30–500m<sup>2</sup> lot sizes), with detached single dwellings or semi-attached townhouses on infill lots. This higher density development is located within the main urban settlements. Low density is 5–10 dwelling units per hectare (lot sizes of 1,000–2,000m<sup>2</sup>) with a single detached dwelling on each property, with this low density within the smaller rural

## 6 OBJECTIVES/POLICIES: Urban Environment

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settlements of Ohau and Manakau. Maintaining these densities is considered to provide residents with the opportunity to choose between a diverse range of living environments.

The District Plan provides for a higher density in appropriate locations in the main urban areas of Levin, Foxton Beach and Waitarere Beach. This provision for increased density recognises the market demand and preferences for residential living environments and housing type, the character and amenity of these areas, and proximity and accessibility to commercial and community services and facilities. Consolidation of existing urban areas through providing for medium density development around existing centres, enables the more efficient utilisation of existing urbanised land and minimises future infrastructure costs.

To maintain and enhance the residential character and amenity values, minimum standards specifying requirements for site development and land use provide a consistent approach throughout the District, with such variations as necessary to recognise important differences in environmental characteristics and qualities. The standards cover such matters as building setback, height and coverage, residential density, outdoor living areas, parking and access, and noxious or nuisance elements, including noise, glare, and hazardous substances. Such standards should not prevent innovation and diversity in design or lifestyles, provided the external effects are acceptable within the residential context.

The standards seek to provide residents with a strong level of certainty about the nature and scale of land uses and development that can occur within the residential environment. Activities that cannot meet these standards will have to obtain resource consent from Council, at which time the merits and consequences of such use and development in a residential neighbourhood will be assessed.

The design and siting of development (e.g. building height, building coverage, daylight setback envelope, building setbacks, provision of outdoor living areas, etc) is such that:

- development will not unreasonably deprive neighbouring properties of privacy, outlook, sunlight or daylight;
- there is ample on-site provision of outdoor living space;
- an open and attractive street scene; and
- the character and scale of buildings, and availability of open space, is compatible with the anticipated residential environment.

The degree to which different residential areas are dominated by open space and landscape plantings rather than by buildings is a key factor in people's perception of the residential environment.

Provision is made for accessory buildings on residential properties as these types of buildings support a wide range of uses such as hobbies, or semi-independent rooms for teenagers or elderly parents, where these buildings are often integral to the overall running of the household. However, inappropriately located or sized accessory buildings can detract from the overall residential character and amenity values. The size and use of accessory buildings should be subordinate to the dwelling on a property. In addition, when viewed from the street, accessory buildings should not significantly obscure or detract from the streetscape due to its size and/or location.

Similarly, front fences contribute to the overall streetscape of residential areas. Fences contribute to the landowner's privacy and security by creating a distinction between public space (usually the footpath or grass berm) and private space. While high solid front fences can provide increased privacy and reduce traffic noise, they can also significantly detract

## 6 OBJECTIVES/POLICIES: Urban Environment

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from the character and amenity values, as well as reduce natural surveillance of the street, therefore increasing the potential for crime. Therefore, limits are placed on the height and design of front fences to ensure they maintain and enhance residential character and amenity values, as well as street safety.

There are a range of non-residential activities located in residential areas. Non-residential activities can include businesses such as dairies or home offices, and community and professional activities such as childcare facilities, medical facilities and places of assembly (e.g. churches). The scale and type of environmental effects resulting from these non-residential activities vary significantly. Some non-residential activities such as dairies, play an important role in their neighbourhoods where they supply goods and services to meet the needs of local residents. Therefore, provision is made for non-residential activities which have similar scale, intensity and character to residential activities and are compatible with the residential neighbourhood. Environmental standards are applied as thresholds to indicate the scale, intensity and character beyond which these non-residential activities may not be acceptable within a residential context.

For other types of non-residential activities that may not be generally acceptable within the residential area, they are controlled and assessed through the resource consent process to determine whether the adverse effects can be satisfactorily avoided, remedied or mitigated.

### Methods for Issue 6.3 & Objective 6.3.1

#### District Plan

- A Residential Zone will be identified on the Planning Maps.
- Rules will specify permitted activities and conditions and standards derived from the above policies to maintain and enhance the character, amenity values and function of the Zone.
- The District Plan will provide for areas of low density residential development by specifying minimum subdivision standards.
- Rules will specify the resource consent requirements for activities that do not meet standards.
- Assessment of environmental effects through the resource consent process for development and subdivision proposals that are not permitted, either because of non-compliance with environmental standards or because of the nature of the non-residential land uses.
- Use of conditions on resource consents to control the effects of activities to acceptable levels for the Residential Zone.
- Identification of Medium Density Development Overlay Areas in the residential areas, and apply specific development standards as appropriate to the form, character and amenity values of these areas. Council will produce and apply a Medium Density Residential Design Guide to assess resource consent applications for medium density development.

*Standards expressed as District Plan rules are considered to be the most appropriate and effective method of maintaining minimum standards for the matters over which the Council has jurisdiction. Rules provide certainty for resource users and for neighbours which is important for community understanding of what environmental quality is expected. The use of a Design Guide is effective in providing guidance on the matters and outcomes for achieving quality medium density developments.*

## 6 OBJECTIVES/POLICIES: Urban Environment

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### Education and Information

- Council will promote education, guidance and information about environmental standards and sustainable residential design.

### Long Term Plan/Annual Plan

- Council will undertake amenity improvement work including street planting and traffic management schemes within residential areas. Council will co-ordinate the provision of appropriate infrastructure to support residential development.
- Council will continue to maintain the landscape of streets (berms and sealed surfaces) and areas of public open space throughout the settlements.
- Council will require developers to contribute to the costs of new infrastructure and upgrading, reserves provision, community and recreational facilities and amenity improvements in residential areas through its Development Contributions Policy.

*There are a range of non-District Plan methods available to promote a good standard of residential design and development, particularly through the use of Codes and Guidelines, and through Council funded initiatives for community and residential amenities. Development Contributions from residential development will be used in the upgrading and expansion of the District's roads, reserves and other civic amenities and facilities.*

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## Urban Settlements – Commercial Zone

### Objective 6.3.2 Commercial Zone

Maintenance and enhancement of the individual character and amenity values of the commercial areas in each of the settlements of the District in a manner which provides for a wide range of complementary and compatible activities while avoiding or mitigating adverse effects on the environment within and adjoining the Commercial Zone.

#### Policy 6.3.31

Recognise and provide for the commercial character and amenity values of the District's diverse commercial environments through a single Commercial Zone.

#### Policy 6.3.32

Maintain and enhance the character and amenity values of the commercial environments, recognising there are many common attributes, as well as differences between the commercial areas in the main urban settlements and smaller rural and coastal settlements. The commercial areas in the main urban settlements have a relatively large scale with a high diversity of activities servicing the entire town and wider District, while the commercial areas in the smaller rural and coastal settlements are small scale with a limited number of activities servicing local area needs.

#### Policy 6.3.33

Provide for a range of activities within the Commercial Zone, provided their adverse effects are compatible with each other and the character and amenity values of the area.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Policy 6.3.34**

Restrict certain activities which may be incompatible with other activities and/or degrade the character and amenity values of the Commercial Zone.

### **Policy 6.3.35**

Recognise and protect the pedestrian environment within the core part of commercial areas in the main urban settlements by managing development to ensure an attractive and safe pedestrian focused environment with active, transparent and continual building frontages, shelter and limited on-site vehicle access.

### **Policy 6.3.36**

Recognise the smaller-scale and diverse character of commercial areas in the smaller rural and coastal settlements by managing development to ensure an attractive and safe environment is created and maintained with well designed and attractive frontages and limited on-site vehicle access.

### **Policy 6.3.37**

Manage the scale and location of larger scale retail activities to ensure they sustain the vitality and vibrancy of the commercial areas and contribute to an attractive and public focused commercial area, and are compatible with the character and amenity values of the local environment.

### **Policy 6.3.38**

Recognise and provide for supermarkets within the Large Format Retail Overlay in a way that ensures:

- The site layout and building design maintains and enhances an attractive streetscape and public focused environment;
- The traffic effects are managed so that the safety and efficiency of the road network is maintained;
- The vibrancy and vitality of the Levin town centre is not compromised.

### **Policy 6.3.39**

Protect the viability, vitality and vibrancy of the town centres in each settlement by controlling out-of-centre commercial and retail development. In particular, restrict commercial development extending further along Oxford Street/State Highway 1 in Levin and along Johnston and Russell Streets/State Highway 1 in Foxton to maintain the viability and vitality of the Levin and Foxton Town Centres and maintain the safety and efficiency of the highway.

### **Policy 6.3.40**

Provide for residential activities to support other activities in commercial areas provided quality living environments are created, meet the service needs of this type of activity, and adopt on-site measures to mitigate potential incompatibility issues with other activities.



## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Policy 6.3.41**

Restrict residential activities at ground floor level except in the smaller rural and coastal settlements, thereby retaining retail and commercial activities at street level to maintain a predominantly commercial character and amenity values and provides for efficient use of land and resources.

### **Policy 6.3.42**

Maintain and enhance the historic heritage character of the Foxton and Shannon town centres by controlling new development and additions/alterations to existing buildings to ensure development is in keeping with the existing character.

### **Policy 6.3.43**

Maintain and enhance the tourism focus of the central and southern part of the Foxton town centre by controlling new development and additions/alterations to existing buildings to ensure development creates an attractive, vibrant and safe tourism area.

### **Policy 6.3.44**

Maintain a low to moderate overall building height in commercial areas, with taller buildings provided for in pedestrian focused commercial areas of Levin.

### **Policy 6.3.45**

Ensure that buildings and developments are designed and located in a manner that recognises their local context and character and enhances the safety, convenience, accessibility and amenity.

### **Policy 6.3.46**

Manage activities and development to ensure the nature, scale and level of environmental effects originating from the Commercial Zone do not adversely affect the character and amenity values of properties in the adjacent Residential and Open Space Zones.

### **Policy 6.3.47**

Manage noise levels to an appropriate level which reflects business activity and movement and avoid noise effects, particularly loud noise events which detrimentally affect the amenities of nearby residential and rural areas.

### **Policy 6.3.48**

Require all activities and developments (except within pedestrian focused areas) to be provided with space, within the site, for vehicle access and manoeuvring, and parking for vehicles belonging to occupiers, visitors, and customers constructed in such a way as to avoid compromising the safety or efficiency of adjoining public roads.

### **Policy 6.3.49**

Encourage the use of service lanes for the delivery and collection of goods clear of public roads in commercial centres.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Policy 6.3.50**

Provide for the display of advertising signs within commercial areas to a level which ensures that the signs do not adversely affect the urban character and amenity values of the area.

### **Explanation and Principal Reasons**

Within each settlement is a commercial area which acts as the focal point for a broad range of commercial, professional and administrative activities, with their scale, function and character reflecting the needs of the local community and wider District they serve. The District Plan supports the continued vitality, pleasantness and convenience of these centres and their important role in the attractiveness and identity of the towns. The focus of the management of the commercial environments is to provide for their ongoing use and development as commercial and mixed use areas in a way that maintains and enhances their character and amenity values in keeping with commercial levels. To achieve this outcome, a single management framework (the Commercial Zone) is applied that recognises and provides for the common environmental elements of the commercial areas – for example, activity mix, building scale, public environment, and noise levels.

However, it is recognised the character and amenity values can differ between commercial environments in different settlements, particularly between the main and larger settlements (e.g. Levin, Foxton and Shannon) and the smaller coastal and rural settlements (e.g. Foxton Beach, Waitarere Beach and Manakau). In addition, the Foxton and Shannon Town Centres are valued for their distinct historic character. Therefore, rules and standards differ between settlements to recognise the important characteristics and amenity values of the commercial environments in each individual settlement.

Commercial and retail activities (and associated development) are the predominant land uses in the commercial areas and are permitted as of right. Certain activities, such as vehicle service stations and commercial garages in pedestrian focused areas, may be incompatible with other activities in these areas, in terms of their nature and intensity of use, traffic generation, noise and odour. Therefore, the District Plan restricts the establishment and operation of specific activities to manage their location, nature and scale, to ensure they do not detract from the values for people working, visiting and living within these areas.

The establishment and operation of commercial activities can result in adverse effects, such as noise, fumes, loss of visual amenity, lighting and traffic congestion. In order to make these areas pleasant and enjoyable to visit and work within, it is necessary to ensure that these adverse effects are avoided, remedied or mitigated. A range of development standards are applied to manage the adverse effects of activities and development throughout the commercial environments. These standards recognise the character and level of amenity values varies between different areas, depending upon the role of the area, its location, and its proximity to other activities, particularly residential areas. Furthermore, in some situations, it is also recognised there is potential for that character to change over time as development is on-going.

The main commercial areas in Levin, Foxton and Shannon are the main shopping streets which are focused on providing an attractive and enjoyable place for people to shop and congregate. In these pedestrian focused areas, the relationship of buildings to the street, particularly at ground level, makes an important contribution to the amenity and safety of these commercial areas. Therefore, the policies direct certain outcomes including verandahs to provide shelter/shade, active shop fronts, coherent and continuous façades and few conflict points with vehicle accessways.

## 6 OBJECTIVES/POLICIES: Urban Environment

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In the Levin central business district, the retail activities comprise a mix of larger format/anchor, speciality and comparative shops. They vary in size throughout the central business district, with a general pattern of small-scale speciality shops in the core and southern end, with larger-scale shops at the northern end. To protect the ongoing vitality and vibrancy of the central focus and main commercial heart of Levin and its attractiveness and amenity values, some control is placed on the scale of new retail activities through the use of overlays. These overlays recognise the difference in the location and scale of shops, which is an important characteristic in maintaining the vitality and vibrancy of the central business district.

Out of centre commercial or retail development with the dispersal of commercial activities to new locations (such as on Johnston Street/State Highway 1 in Foxton) or expanding existing areas in a linear manner (such as further along Oxford State/State Highway 1 in Levin) can leave existing areas vacant, under-utilised, unattractive, and unable to provide the services the community desires. The consolidation of commercial areas assists in making efficient use of public investment in roads and other services in the commercial areas, assists in retaining the vitality of commercial areas, and promotes the perception of the District's towns as prosperous and lively centres.

In order to maintain the vitality and pleasantness of existing commercial areas and to make efficient use of their resources and servicing, the ongoing occupation and redevelopment of existing sites is to be encouraged through enabling a broad range of activities to establish throughout the commercial areas of the District. Commercial activities in new locations, or further extension on the edges of existing commercial areas is restricted. Accordingly, it is anticipated that the majority of commercial activity will be accommodated within areas zoned for that purpose.

In addition to commercial activities, providing for residential activities in commercial areas can positively contribute to the vitality and vibrancy of these areas. Residents would have convenient access to retail, commercial, community and civic amenities, and in turn would support these activities are resulting in a more lively and active area contributing to the economic and social well-being of the residents. However, residential activities may be incompatible with some other activities in the commercial areas, in particular, they may be sensitive to noise from other activities. Rather than overly restricting other activities, it is appropriate that the residential activities mitigate this sensitivity by providing for external noise insulation. In addition, residential activities are restricted on the ground floor to ensure activities on the ground floor have a positive relationship to the street where they provide interest, visual connection and an active edge.

The core parts of Foxton and Shannon's town centres reflect the historic character and amenity of shopping and commercial streets. The scale and design elements of buildings, particularly the shop frontages, in these town centres collectively contribute to the special character. These design elements include parapet walls with traditional stepped and symmetrical shapes, verandahs following traditional forms (angled, curved and bullnose), and facades and entranceways at the traditional setback. This character should be enhanced to produce a high environmental quality, building on the public investment that has been made and planned within the town centres. Therefore, new buildings and additions/alterations to existing buildings are required to achieve particular design outcomes with reference to the existing building characteristics.

At the southern end of the main Foxton commercial area, opportunity is provided for this area to develop as a tourism focused area. Activities and development in this area would need to demonstrate how they contribute to creating a safe, attractive and vibrant area building on the existing tourism ventures in the area (e.g. windmill and flax museum).

## **6 OBJECTIVES/POLICIES: Urban Environment**

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To maintain and enhance the Zone's attributes and purpose, minimum performance standards have been specified. The function, character and amenity of the Commercial Zone can be adversely affected by an inappropriate scale, location and density of activities, buildings and structures. Some controls are necessary to protect the general amenity values and efficient functioning of the town centres, including height limits on buildings, noise, landscaping adjoining street frontages and advertising signs.

In addition, activities within the Commercial Zone may generate effects that are unacceptable in other zones. For instance, the acceptable levels of noise or artificial light in a shopping area will often exceed what is acceptable in the Residential Zone. Consequently, controls are applied at the interface between these zones to minimise potential conflict. These interface tools include building requirements, screening, and lower noise requirements at the zone boundary.

Traffic and pedestrian flows are imperative to the efficient functioning of the Commercial Zone, due to the large numbers of vehicles and people that come into the zone. Poorly sited vehicle crossings, excessive vehicle trips from service lanes or inadequate on-site parking can potentially disrupt traffic and pedestrian flows and increase congestion and conflict. These effects may compromise the zone's function and amenity, as could the effects of an inordinate amount of parking and other space dedicated to vehicles within the Horowhenua's town centres.

Due to access and site limitations, it is sometimes difficult to provide the necessary on-site vehicle parking for new developments. In such circumstances, provision for alternative parking arrangements should be made, such as a central parking area for multi activities. In addition, in the Levin pedestrian focused area, no on-site parking is required, to maintain the attractiveness and vibrancy of this area, and the availability of public carparking (on-street and long-term parking areas on the periphery).

Signage has a functional purpose to inform the public about the location and nature of businesses, the availability of goods and services, upcoming events and transport safety or directional purposes. Therefore, signage is a necessary and accepted part of commercial areas and is provided for with reasonable standards.

### **Methods for Issue 6.3 & Objective 6.3.2**

#### **District Plan**

- A Commercial Zone will be identified on the Planning Maps.
- Rules will specify permitted activities and conditions and standards derived from the above policies to maintain and enhance the character, amenity values and function of the Zone.
- Rules will specify the resource consent requirements for activities that do not meet standards.
- Assessment of environmental effects through the resource consent process for development and subdivision proposals that are not permitted, either because of non-compliance with environmental standards or because of the nature of the land uses.
- Use of conditions on resource consents to control the effects of activities to acceptable levels.

## 6 OBJECTIVES/POLICIES: Urban Environment

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- Identification of pedestrian focused and large format retail areas in the Levin commercial area, and application of specific development standards as appropriate to the form, character and amenity values of these areas.
- Identification of Foxton and Shannon Town Centre Character Areas in the commercial areas of Foxton and Shannon, and application of specific development standards as appropriate to the form, character and amenity values of these areas. Council will produce and apply a Foxton and Shannon Town Centre Design Guide to assess resource consent applications for development in these areas.

*Standards expressed as District Plan rules are considered to be the most appropriate and effective method of maintaining minimum standards for the matters over which the Council has jurisdiction. Rules provide certainty for resource users and for neighbours which is important for community understanding of what environmental quality is expected. The use of a Design Guide is effective in providing guidance on the matters and outcomes for achieving quality developments in keeping with the historic character of the Foxton and Shannon Town Centres.*

### **Education, Advice and Information**

- Council will promote education, guidance and information about environmental standards and sustainable commercial design.
- Council will consider establishing and facilitating an Urban Design Panel consisting of suitably qualified professionals to work with Council, individuals and developers to help improve the design, amenity and viability of development projects that have potentially significant urban design implications due to scale, public nature or location.

### **Long Term Plan/Annual Plan**

- Council will undertake amenity improvement work including street planting and traffic management schemes within commercial areas. Council will co-ordinate the provision of appropriate infrastructure to support commercial development.
- Council will continue to assist in the upgrading of commercial centres through participation in community initiatives such as Main Street programmes and funding of road and street furniture improvements.
- Council will continue to maintain the landscape of streets (berms and sealed surfaces) and areas of public open space throughout the settlements.
- Council will require developers to contribute to the costs of new infrastructure and upgrading, reserves provision, community and recreational facilities and amenity improvements in commercial areas through its Development Contributions Policy.

### **Other Legislation and Regulatory Tools**

- Other legislation and Council bylaws as appropriate, such as bylaws managing signage on footpaths and on-street/kerbside parking.

*There are a range of non-District Plan methods available to promote a good standard of commercial design and development, particularly through the use of Codes and Guidelines, and through Council funded initiatives for community, civic and commercial area amenities. Development Contributions from commercial development will be used in the upgrading and expansion of the District's' roads, reserves and other civic amenities and facilities.*

## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Urban Settlements – Industrial Zone**

#### **Objective 6.3.3 Industrial Zone**

Facilitate efficient use and development within the Industrial Zone by providing for a wide range of activities while ensuring the adverse effects on the quality of the environment and amenity within the Industrial Zone are managed, incompatibility issues are avoided, and the character and amenity values of adjoining areas are protected.

#### **Policy 6.3.51**

Provide sufficient land resources for the existing and future industrial development needs of the District.

#### **Policy 6.3.52**

Recognise and provide for the industrial character and amenity values of the District's industrial environments through a single Industrial Zone.

#### **Policy 6.3.53**

Maintain the character and amenity values of the industrial environments.

#### **Policy 6.3.54**

Enhance the visual appearance and amenity of the frontage of industrial activities on State Highway 1 as the main southern entrances to Levin and Foxton.

#### **Policy 6.3.55**

Provide for a range of activities within the Industrial Zone, provided their adverse effects are compatible with each other and the character and amenity values of the area.

#### **Policy 6.3.56**

Restrict certain activities which may be incompatible with other activities in the Industrial Zone and to protect the vitality and vibrancy of the town centres.

#### **Policy 6.3.57**

Maintain overall moderate building height in industrial zones.

#### **Policy 6.3.58**

Manage activities and development to ensure the nature, scale and level of environmental effects originating from the Industrial Zone do not adversely affect the character and amenity values of properties in the adjacent Residential, Greenbelt Residential, Open Space and Rural Zones.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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### **Policy 6.3.59**

Manage noise levels to an appropriate level which reflects industrial activity and movement and avoid noise effects, particularly loud noise events which detrimentally affect the amenities of nearby residential and rural areas.

### **Policy 6.3.60**

Require all activities and developments to be provided with space, within the site, for vehicle access and manoeuvring, and parking for vehicles belonging to occupiers, visitors, and customers constructed in such a way as to avoid compromising the safety or efficiency of adjoining public roads.

### **Policy 6.3.61**

Ensure that all buildings are located so as to minimise shading and disruption to privacy enjoyed on nearby residential, open space and rural properties.

### **Policy 6.3.62**

Provide for the display of advertising signs within industrial areas to a level which ensures the signs do not adversely affect the urban character or amenity values of the area.

### **Explanation and Principal Reasons**

A range of industrial and service activities are undertaken within the Industrial Zone which provide goods and services for the local, regional, national and international markets. These activities vary in scale, from small-scale service providers through to large-scale manufacturing and processing plants. Providing a sufficient supply of industrial land to meet current and future needs provides opportunities for existing activities to expand and new activities to establish, and gives the community certainty on the location of industrial development and where the character may change in the future.

The adverse effects of industrial activities on the environment can also vary reflecting the diverse nature and scale of these activities. A single Industrial Zone is applied to manage all industrial areas within the District as they have similar character and amenity values. This single Zone provides for and recognises the expectations for industrial development and use, and enables consistent rules and standards to be applied reflecting the existing character and amenity values. Where activities or development do not comply with the rules or performance standards, the resource consent process enables the effects of the proposal to be assessed.

Some activities may be unsuitable in industrial areas, as they may have different character and amenity expectations or detract from the vitality and vibrancy of the existing town centres. Retail activities not related to the industrial activities on the same site have the potential to displace industrial and service activities, and could undermine the vitality and vibrancy of the commercial/retail focused town centres, where there already is a high level of investment to maintain and enhance commercial/retail focused areas.

Residential activities (except for on-site living accommodation associated with industrial activities) within industrial areas are not provided for, as the anticipated level of effects created by industrial development and activities is not compatible with residential activities with respect to their height, proximity to the boundaries, potential noise, dust, odour and lighting effects and traffic generation which may create excessive noise or fumes. These

## **6 OBJECTIVES/POLICIES: Urban Environment**

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potential effects exceed the levels acceptable in a residential context and there is the potential that complaints over such effects may result in conflict over the operation of legitimate industrial activities. Excluding residential activities from industrial areas, therefore, has the effect of enabling industrial activities to be undertaken within an environment which has been established as appropriate for industrial activities, without being subject to complaints from residential occupants.

The character and amenity values of the industrial areas reflect their role, location, functioning attributes and general working environment conditions, as described in the explanation of each settlement above. Therefore, character and amenity values in different industrial areas are mixed, with a variety of building scale and forms, site layouts and visual appearance. Within the industrial areas, there is a level of expectation and acceptance for this variable character and amenity values, which is reflected in the performance standards.

However, part of the industrial area at the southern ends of Levin and Foxton have frontage to State Highway 1 and act as the main entrance to these towns. Past planning regimes treated this area the same as other industrial areas, with no particular consideration about the nature and quality of industrial development along this frontage, and the resultant lower level of attractiveness of this area. As the main entrances to Levin and Foxton with high visibility, these areas create opportunities to create a sense of identity and image of the town and District. The District Plan now includes additional requirements for industrial development along this frontage in relation to building frontages and landscaping. These requirements aim to improve the attractiveness of these areas over time as new development occurs and additions/alterations are made to existing activities, with the objective of enhancing the visual appearance and amenity of these main entrances.

There is potential for conflict between incompatible activities and different character and amenity values at zone boundaries. The industrial areas adjoin predominantly residential and rural environments, where the adverse effects of industrial activities may impact on the character and amenity values of residential and rural areas. These effects include noise, excessive light, heavy vehicle movements and the visual appearance of buildings. Therefore, at the interface between the Industrial Zone and other zones, effects will be managed to minimise the potential for conflict. These interface tools include building requirements, screening, and lower noise requirements at the zone boundary.

Signage has a functional purpose to inform the public about the location and nature of businesses, the availability of goods and services, upcoming events and transport safety or directional purposes. Therefore, signage is a necessary and accepted part of industrial areas and is provided for with reasonable standards.

### **Methods for Issue 6.3 & Objective 6.3.3**

#### **District Plan**

- An Industrial Zone will be identified on the Planning Maps.
- Rules will specify permitted activities and conditions and standards derived from the above policies to maintain and enhance the character, amenity values and function of the Zone.
- Rules will specify the resource consent requirements for activities that do not meet standards.
- Assessment of environmental effects through the resource consent process for development and subdivision proposals that are not permitted, either because of non-



## 6 OBJECTIVES/POLICIES: Urban Environment

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compliance with environmental standards or because of the nature of the non-industrial land uses.

- Use of conditions on resource consents to control the effects of activities to acceptable levels.
- Identification of the southern entrances as the main gateways to Levin and Foxton, and apply specific development standards as appropriate to the form, character and amenity values of these areas.

*Standards expressed as District Plan rules are considered to be the most appropriate and effective method of maintaining minimum standards for the matters over which the Council has jurisdiction. Rules provide certainty for resource users and for neighbours which is important for community understanding of what environmental quality is expected.*

### Education and Information

- Council will promote education, guidance and information about environmental standards and sustainable industrial development.

### Long Term Plan/Annual Plan

- Council will co-ordinate the provision of appropriate infrastructure to support industrial development.
- Council will continue to maintain the landscape of streets (berms and sealed surfaces) and areas of public open space throughout the settlements.
- Council will require developers to contribute to the costs of new infrastructure and upgrading and amenity improvements in industrial areas through its Development Contributions Policy.

*There are a range of non-District Plan methods available to promote a good standard of industrial design and development, particularly through the use of Codes and Guidelines, and through Council funded initiatives for community amenities. Development Contributions from industrial development will be used in the upgrading and expansion of the District's roads, reserves and other facilities.*

## ANTICIPATED ENVIRONMENTAL RESULTS

The environmental results for the urban environment which are anticipated to result from the combined implementation of the above policies and methods are as follows:

- 6(a) A planned, consolidated and coherent urban form which recognises the need to achieve:
- protection of highly versatile land on the urban fringe;
  - a well-defined edge between urban and rural activities;
  - residential accommodation close to employment and social services; and
  - efficiency in the provision of public infrastructure.
- 6(b) Urban settlements that comprise a mix of infrastructure services, community facilities, and activities able to sustain the needs of their residents long-term.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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- 6(c) Urban development which avoids worsening or accelerating any natural hazards long-term.
- 6(d) Retention and enhancement of the individual character and amenities of each of the District's urban settlements.
- 6(e) A diversity of residential environments and housing to meet the living needs of Horowhenua's residents.
- 6(f) Residential environments where the scale, character and amenity of new development is appropriate for the particular neighbourhood, demonstrated by:
- appropriate balance of open space and plantings to built form;
  - provision for areas of medium density housing;
  - a safe and efficient residential transport network; and
  - compatibility between activities, with the dominant activity being residential accommodation.
- 6(g) Residential neighbourhoods supported by a good range of services, facilities and amenities that maintain and enhance their character and environmental quality.
- 6(h) Maintenance and enhancement of the vitality, convenience, accessibility, character, and pleasantness of each of the commercial areas in the District's towns, particularly the historic character of the Foxton and Shannon town centres.
- 6(i) Retail environments that are attractive and pedestrian-friendly.
- 6(j) Enhanced street appearance in commercial areas through building design, site layouts and landscaping.
- 6(k) Increased utilisation of land and physical resources within existing commercial and industrial areas.
- 6(l) Safe and convenient commercial areas for the movement of people and goods, with minimal conflict between vehicles and pedestrians.
- 6(m) Protection of the amenity in adjacent zones from the adverse effects of activities and development in the Commercial and Industrial Zones.
- 6(n) A mix of activities in the urban environment which do not result in significant incompatibility issues.
- 6(o) The outcomes sought within the Tararua Road Growth Area are that opportunities for growth of residential and industrial activities are enabled and that the area is developed in an integrated manner with a high standard of design and amenity.

## 6 OBJECTIVES/POLICIES: Urban Environment

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### Appendix 1: Urban Environment – Character, Qualities and Amenity Values

#### Smaller Settlements: Tokomaru, Mangaore Village, Hokio Beach, Waikawa Beach, Ohau and Manakau

- The small size of the settlements results in some "mixing" of activities (e.g. residential + small retail + service station + school + hotel) within close proximity.
- Overall noise conditions are similar to the surrounding rural area. In most situations they are determined by vehicle noise on roads within the settlement or, in the case of Tokomaru, Ohau, and Manakau, the State Highway which passes by or through the township. There are occasionally louder noise events which might be related to the few servicing or repair activities within the settlement. For example, in Manakau the bulk fertiliser store and railway line generate periodically louder noises than the usual background level. In Tokomaru the railway line is the source of periodically loud train noise - although it may well be part of the "usual" background noise for residents.
- Local roads and traffic volumes and speeds reflect the small size of the townships except in Tokomaru, Ohau, and Manakau where the State Highway dominates access into and from the townships.
- Density of development is generally low with sections averaging between 600 and 2,000m<sup>2</sup> and generous open space between and about buildings. This is largely a reflection of historic planning requirements and the need to provide for on-site sewage disposal (most commonly by septic tanks requiring soakage fields). Given the rural surroundings and mix of residential activities there is a strong sense of vegetation and "greenness" of the landscape.
- Building age, style, and appearance are variable depending on uses on individual sites.
- Building height is generally low (single - double storey residential dwellings) with variation for non-residential activities (e.g. Steam Museum Tokomaru, other rural-industrial buildings). Given the small extent of the townships, these few instances of greater building height or bulk do not contribute significant detrimental effect in the landscape. In the predominantly residential coastal settlements, building height is seldom above two-storeys.
- Open aspect to the sun is a valued quality for residential properties and shading of buildings and private open space by large-scale structures and tree planting should be avoided.
- There is a strong sense of the privacy of residential buildings and spaces on individual properties and privacy between nearby properties is enhanced by the presence of planting and fences and the orientation of buildings and windows.
- There is very little night lighting or glare to interrupt the privacy of individual sections with the exception of vehicle and train lights on the main arterial routes.
- Buildings are generally set back from the street and the streetscape is open and "green" with trees and plantings on berms and on adjacent properties. The streetscape is not heavily "built" - although the carriageway is formed and sealed, drains are generally "vee"-type or ditch drains, and there is generally little kerb and

## 6 OBJECTIVES/POLICIES: Urban Environment

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channel formation. This low-key approach to engineering standards contributes positively to the semi-rural character of the townships.

- Advertising signs are not prominent and what few exist relate to public facilities and traffic, directional, and safety matters.
- Air quality is similar to that found in the surrounding rural area. Given the low density of development and high proportion of residential development, there is little problem with regular sources of odour in the environment. Instances of odour problems do however occur (according to the season and farming activity surrounding the townships). One notable exception would be the bulk fertiliser store at Manakau which periodically emits dust close to residential properties.

### Levin

Levin has quite distinct "sub-environments" - largely a result of past planning techniques and the grouping of similar activities together. Those "sub-environments" can be described as being:

#### Levin - Residential:

- The residential area surrounds most of the town centre and is defined within a generally grid-pattern of streets.
- Overall density of development is low to moderate with individual section size averaging 400-800m<sup>2</sup>. There is a greater density of residential development surrounding the town centre, with lower density further out from the town centre. For the majority of the residential area, there is generous open space surrounding residential dwellings and separation between buildings on adjoining sites, except near the town centre where there is less open space and separation between residential dwellings.
- There is a strong sense of the privacy of buildings and spaces on individual properties and privacy between nearby properties enhanced by the presence of planting and fences and the orientation of buildings and windows.
- The streetscape is distinctly suburban residential with formed kerb and channel, wide grass berms, formed and sealed vehicle crossings, footpaths, streetlights with some in-berm plantings.
- Vehicle traffic volumes are relatively low and are related to movements by householders to and from work, school, recreation, and shops in the normal course of the day.
- Pedestrian and cycle movements are a substantial proportion of all traffic flows.
- The road environment and traffic speed contribute to a sense of safety for pedestrians and cyclists. There is little kerb-side parking of vehicles and sites provide their own on-site parking spaces and garage structures.
- Background noise levels are quiet and are generally determined by the noise from passing vehicles on local roads or nearby State Highways. There are few loud noise disruptions.
- Open aspect to the sun is a valued quality for residential properties.
- There is generally free circulation of fresh air throughout the area with only occasional incidents of pollution or unpleasant odour. Continual ongoing efforts are being made to eliminate these odours as far as possible.

## 6 OBJECTIVES/POLICIES: Urban Environment

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- There is very little night lighting or glare (other than vehicle lights) to interrupt the privacy of individual sections although night lighting of some sports grounds is a feature for some areas.
- Overall building height is low (1-2 storeys) with few structures towering above the prevailing height. Little shading or intrusion into privacy therefore results.
- Buildings are predominantly domestic residential and of a consistent quality of design and appearance and area generally compatible in scale and architectural character. Buildings are generally set back from the street and the streetscape is open and "green" with trees and plantings on berms and on adjacent properties.
- Buildings have a sense of permanence. The predominant domestic residential use of sites means that there are people, generally familiar to each other, present both day and night which contributes to a sense of personal safety and security.
- Advertising signs are not prominent and the few that are present, relate to public facilities and traffic, directional, and safety matters.
- Schools and community facilities serving residents are often located close to residential areas and there is easy access to nearby open space, playing fields and parks. There are small retail dairies scattered throughout the residential area.

### **Levin - Commercial:**

- The entire commercial environment is heavily "built". The streetscape is predominantly one of hard surfaces and structures with a fully formed and sealed road, kerb-side parking, traffic lights and shop fronts.
- Building density is high. Buildings generally adjoin at the boundary, in a strip along Oxford Street and in side streets. Buildings cover a high proportion of sites. There are some areas of public car parking accessed from the side streets which are surrounded by higher density commercial development. There is little need for open space about buildings other than for goods storage, loading and parking.
- Overall building height is 1-2 storeys.
- Where pedestrian movements are significant the provision of a continuous overhead pedestrian verandah is an important feature.
- Buildings have character which follows their commercial function, and architectural styles and ages are mixed.
- Business activities require access for delivery vehicles as well as loading space and storage space for goods and materials delivered and wastes generated. Storage areas can be unsightly and every effort should be made to store these in a tidy state away from public view.
- There is limited activity outside usual business hours making it important that the design of buildings and spaces incorporates measures to assist crime prevention and to minimise creation of unpleasant and poorly-lit spaces.
- Daytime and night-time background noise levels are moderately high, reflecting the level of business activity, traffic movement on Oxford Street (the State Highway) and rail traffic.
- There are high levels of vehicle, cycle, and pedestrian movement. Vehicle speeds are generally low - largely because of heavy vehicle flows - and the road environment incorporates specific provision and safety features for cyclists and pedestrians.

## 6 OBJECTIVES/POLICIES: Urban Environment

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Heavy vehicles are a high proportion of daytime and night-time traffic flows and give rise to continuous noise and exhaust effects.

- There is a high demand for, and hourly turnover, in vehicle parking and deliveries made by service vehicles. There is heavy use of kerb-side vehicle parking which supplements on-site parking on individual sites where significant parking demand exists.
- Advertising signs are commonplace and of variable size, type, materials and quality.
- Within the Levin Town Centre two distinct activity areas can be identified:
  - i a central core pedestrian oriented area, and
  - ii a fringe vehicle oriented commercial area.

The Pedestrian Area is characterised by:

- Predominantly retail and commercial activities which attract significant numbers of people to the area.
- The public areas have generous pedestrian areas, continuous verandahs, planting, lighting, street furniture etc with higher environmental standards.
- In addition to being the economic focus of the Levin community, it is the social and civic focus of the Town and District.

The areas outside the Pedestrian Area are characterised by:

- A range of larger format retail, commercial, industrial, visitor accommodation and community activities.
- Activities tend to be vehicle oriented and less pedestrian oriented leading to:
  - i different parking needs and vehicle access.
  - ii generally lower environmental standards prevail as a result.

### **Levin - Industrial:**

- There are several localities having a predominantly manufacturing or industrial "flavour" in different parts of the town. The principal concentration is in the southern part of town, in the vicinity of the State Highway, Hokio Beach Road, Bruce Road, Tararua Road and Totara Street. There is also a small area in Tiro Tiro Road, Power Street, and in Queen Street West. The characteristic amenities and environmental quality of these areas depends on the intensity and type of manufacturing process undertaken. In the area centred on the State Highway, there is a mix of light manufacturing and processing with commercial services and bulk retail. In the Tararua Road vicinity there has historically been heavier industrial activity and large scale factory buildings.
- In each of the areas the landscape is heavily "built" and dominated by large-scale buildings of generally functional design with few windows, constructed of low-maintenance materials. There is almost no planted space within sites or on road berms.
- Building height varies but is generally moderate (under three storeys except for exceptional and necessary features such as chimneys or silos which are considerably taller).

## **6 OBJECTIVES/POLICIES: Urban Environment**

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- There is little need for open space about buildings other than for goods storage and parking. Access to sunlight is not as important an issue as in the residential area and shading of buildings and spaces within the industrial area is common.
- Advertising signs are commonplace.
- Background noise levels on industrial sites are moderate to high with frequent loud noise events. Noise levels have the potential to adversely affect nearby non-industrial properties and need to be contained within the industrial area so as not to cause nuisance or health problems nearby.
- Traffic volumes are moderate to high with a strong proportion of traffic being heavy vehicles. Easy access to arterial roads, manoeuvring space for heavy vehicles, and loading/unloading areas for delivery vehicles are important.
- There is moderate to strong demand for parking for vehicles of varying sizes. On-site parking and manoeuvring is important in order to avoid conflicts between vehicles on public roads.
- There is little activity outside usual business hours making it important that the design of buildings and spaces incorporates measures to assist crime prevention and to minimise creation of unpleasant and poorly-lit spaces.
- Business activities require access for delivery vehicles as well as loading space and storage space for goods and materials delivered and wastes generated. Storage areas can be unsightly and every effort should be made to store these in a tidy state away from public view.
- Air quality within the zone may be variable and affected by smoke, dust, sprays and other air discharges.

### **Waitarere Beach & Foxton Beach:**

- Waitarere Beach and Foxton Beach are predominantly residential settlements, with a small concentrated area of commercial activities.
- Commercial activities are located on main roads near community facilities and natural assets (reserves and beach). The commercial activities generally provide for the daily needs of residents, such as groceries, cafe and community facilities. The commercial buildings are generally of a scale which is similar and compatible with the surrounding residential environment.
- Residential density is generally low with sections averaging between 700 and 850m<sup>2</sup>. This is largely a reflection of historic planning requirements and the need to provide for on-site sewage disposal. This pattern was established in the years before a system was reticulated throughout the settlements. In Foxton Beach, since the installation of the reticulated water and waste water system, some infill subdivision and development has occurred.
- Overall building height is low (1-2 storeys) with few structures towering above the prevailing height. Little shading or intrusion into privacy therefore results.
- There is generous open space surrounding residential dwellings and separation between buildings on adjoining sites.
- There is a strong sense of the privacy of buildings and spaces on individual properties and privacy between nearby properties is enhanced by the presence of planting and fences and the orientation of buildings and windows.

## 6 OBJECTIVES/POLICIES: Urban Environment

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- Development is very much of a single-house-per-section type. Buildings are predominantly domestic residential but have a variable quality of design and appearance. Buildings are generally set back from the street and the streetscape is open.
- The streetscape in newer areas is distinctly suburban residential with formed kerb and channel, wide grass berms, formed and sealed vehicle crossings, footpaths and streetlights. In older areas there is a variable standard of kerb-side drainage and sealed road formation and footpaths.
- There is a distinct "coastal" flavour with sand dunes along the beachfront and sand blow a constant reminder of location and the sparsity and coastal variety of vegetation.
- Many of the buildings are holiday homes and are not occupied for much of the year.
- Vehicle, cycle, and pedestrian volumes are low and are related to movements by householders to and from work, school, recreation, and shops in the normal course of the day.
- The road environment and traffic speed contribute to a sense of safety for pedestrians and cyclists. There is little kerb-side parking of vehicles and sites provide their own on-site parking spaces and garage structures.
- Background noise levels are very quiet and are generally determined by vehicles on local roads and by the sound of the sea. There are few loud noise disruptions.
- Open aspect to the sun is a valued quality for residential properties.
- There is free circulation of fresh air throughout the area and few incidents of air pollution or unpleasant odour.
- There is very little night lighting or glare to interrupt the privacy of individual sections.
- Advertising signs are unusual in the landscape and the few that are present, relate to public facilities and traffic, directional, and safety matters.
- There are some areas of public open space and one or two small retail shop or service station operations located centrally to each settlement.

### Foxton

Foxton has three distinct "sub-environments":

#### **Foxton - Residential:**

- The residential area extends either side of the State Highway and, following early settlement patterns, the old Manawatu River bank in a generally grid-pattern of streets.
- Overall density of development is low to moderate with individual section size averaging 600 to 1,000m<sup>2</sup>. There is generous open space surrounding residential dwellings and separation between buildings on adjoining sites. Site development is generally of the one-dwelling-per-section type.
- There is a strong sense of the privacy of buildings and spaces on individual properties and privacy between nearby properties enhanced by the presence of planting and fences and the orientation of buildings and windows.



## 6 OBJECTIVES/POLICIES: Urban Environment

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- The streetscape is distinctly suburban residential with formed kerb and channel, wide grass berms, formed and sealed vehicle crossings, footpaths, streetlights with some in-berm plantings.
- Vehicle traffic volumes are relatively low and are related to movements by householders to and from work, school, recreation, and shops in the normal course of the day. Pedestrian and cycle movements are a substantial proportion of all traffic flows.
- The road environment and traffic speed contribute to a sense of safety for pedestrians and cyclists. There is little kerb-side parking of vehicles and sites provide their own on-site parking spaces and garage structures.
- Background noise levels are quiet and are generally determined by the noise from passing vehicles on local roads or on the nearby State Highway. There are few loud noise disruptions.
- Open aspect to the sun is a valued quality for residential properties.
- There is free circulation of fresh air throughout the area and few incidents of air pollution or unpleasant odour.
- There is very little night lighting or glare (other than vehicle lights) to interrupt the privacy of individual sections although night lighting of some sports grounds is a feature for some areas.
- Overall building height is low (1-2 storeys) with few structures towering above the prevailing height. Little shading or intrusion into privacy therefore results.
- Buildings are predominantly domestic residential and of a consistent quality of design and appearance and are generally compatible in scale and architectural character. Buildings are generally set back from the street and the streetscape is open and "green" with trees and plantings on berms and on adjacent properties.
- Buildings have a sense of permanence. The predominant domestic residential use of sites means that there are people, generally familiar to each other, present both day and night which contributes to a sense of personal safety and security.
- Advertising signs are not prominent and the few that are present, relate to public facilities and traffic, directional, and safety matters.
- Schools and community facilities serving residents are often located close to residential areas and there is easy access to nearby open space, playing fields and parks. There are small retail dairies scattered throughout the residential area.

### **Foxton - Commercial:**

- Foxton's retail shopping, commercial service and tourism core is located on Main Street.
- There are also scattered commercial properties along both sides of Johnston Street (the State Highway) which focus on serving Highway traffic and the residential areas east of the Highway.
- There is substantial land zoned for commercial development with potential for infill development within the town centre. The streetscape is predominantly one of hard surfaces and structures with a fully formed and sealed road, kerb-side parking, and shop fronts. The northern end of the Main Street commercial area has a strong heritage character contributing to Foxton's identity. The southern end of the Main

## 6 OBJECTIVES/POLICIES: Urban Environment

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Street commercial area has a more tourism focus associated with the De Molen Windmill which is a local landmark.

- There is a mix of activities in both areas including those which generate or rely on a high level of pedestrian movement.
- Building density is high. Buildings along Main Street and the nearby side streets generally adjoin at the boundary, whereas in Johnston Street, buildings tend to be more free-standing. Buildings cover a high proportion of sites. There is little need for open space about buildings other than for goods storage, loading, and parking.
- Overall building height is 1-2 storeys.
- Where pedestrian movements are significant the provision of a continuous overhead pedestrian verandah is an important feature.
- Business activities require access for delivery vehicles as well as loading space and storage space for goods and materials delivered and wastes generated. Storage areas can be unsightly and every effort should be made to store these in a tidy state away from public view.
- There is limited activity outside usual business hours making it important that the design of buildings and spaces incorporates measures to assist crime prevention and to minimise creation of unpleasant and poorly-lit spaces.
- Daytime and night-time background noise levels are moderately high reflecting the level of business activity and traffic movement - particularly on Johnston Street.
- There are moderate levels of vehicle, cycle, and pedestrian movement. Vehicle speeds are generally low. Heavy vehicles are a high proportion of daytime and night-time traffic flows on Johnston Street and give rise to some noise and exhaust effects.
- There is strong demand for kerb-side vehicle parking and deliveries made by service vehicles.
- Advertising signs are commonplace and of variable size, type, materials and quality.

### **Foxton - Industrial:**

- The principal areas are the former Feltex operation in Duncan Street and the engineering and processing industries at the southern entrance to the town. At the northern end of the town off Bergin Road is the Foxton Sawmill and associated industries including the Airfield developed in the 1970's. There are also one or two individual sites where engineering or vehicle repairs are undertaken. The characteristic amenities and environmental quality of these areas depends on the intensity and type of manufacturing process undertaken.
- In each of the areas, the landscape is heavily "built" and dominated by large-scale buildings of generally functional design with few windows, constructed of low-maintenance materials.
- Building height varies but is generally moderate (1-2 storeys except for occasional features such as chimneys and silos which are considerably taller).
- There is little need for open space about buildings other than for goods storage and parking. Access to sunlight is not as important an issue as in the residential area and shading of buildings and spaces within the industrial area is common.
- Advertising signs are commonplace - particularly near the Highway.

## 6 OBJECTIVES/POLICIES: Urban Environment

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- Background noise levels on industrial sites are moderate to high with frequent loud noise events. Noise levels have the potential to adversely affect nearby non-industrial properties and need to be contained within the industrial area so as not to cause nuisance or health problems nearby.
- Traffic volumes are moderate to high with a strong proportion of traffic being heavy vehicles. Easy access to arterial roads, manoeuvring space for heavy vehicles, and loading/unloading areas for delivery vehicles are important.
- There is moderate to strong demand for parking for vehicles of varying sizes. On-site parking and manoeuvring is important in order to avoid conflicts between vehicles on public roads.
- There is little activity outside usual business hours making it important that the design of buildings and spaces incorporates measures to assist crime prevention and to minimise creation of unpleasant and poorly-lit spaces.
- Business activities require access for delivery vehicles as well as loading space and storage space for goods and materials delivered and wastes generated. Storage areas can be unsightly and every effort should be made to store these in a tidy state away from public view.
- Air quality within the area may be variable and affected by smoke, dust, sprays and other air discharges.

### Shannon

Shannon also has three distinct "sub-environments":

#### Shannon - Residential:

- The area of residential extends east of the main road and town centre on a grid-pattern of streets.
- Overall density of development is low to moderate with individual section size averaging 600 to 1,000m<sup>2</sup>. There is generous open space surrounding residential dwellings and separation between buildings on adjoining sites. Site development is generally of the one-dwelling-per-section type. The low intensity of scale is highlighted, in parts of Shannon, by the large areas of undeveloped land which contribute a particular "green" and semi-rural character.
- There is a strong sense of the privacy of buildings and spaces on individual properties and privacy between nearby properties enhanced by the presence of planting and fences and the orientation of buildings and windows.
- The streetscape is distinctly suburban residential with wide grass berms, formed and sealed vehicle crossings, footpaths, streetlights with some in-berm plantings.
- Vehicle traffic volumes are relatively low and are related to movements by householders to and from work, school, recreation, and shops in the normal course of the day. Pedestrian and cycle movements are a substantial proportion of all traffic flows.
- The road environment and traffic speed contribute to a sense of safety for pedestrians and cyclists. There is little kerb-side parking of vehicles and sites provide their own on-site parking spaces and garage structures.

## 6 OBJECTIVES/POLICIES: Urban Environment

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- Background noise levels are quiet and are generally determined by the noise from passing vehicles on local roads or on the nearby State Highway. There are few loud noise disruptions.
- Open aspect to the sun is a valued quality for residential properties.
- There is free circulation of fresh air throughout the area and few incidents of air pollution or unpleasant odour.
- There is very little night lighting or glare (other than vehicle lights) to interrupt the privacy of individual sections.
- Overall building height is low (1-2 storeys) with few structures towering above the prevailing height. Little shading or intrusion into privacy therefore results.
- Buildings are predominantly domestic residential and of a consistent quality of design and appearance and area generally compatible in scale and architectural character. Buildings are generally set back from the street and the streetscape is open and "green" with trees and plantings on berms and on adjacent properties.
- Buildings have a sense of permanence. The predominant domestic residential use of sites means that there are people, generally familiar to each other, present both day and night which contributes to a sense of personal safety and security.
- Advertising signs are not prominent and the few that are present, relate to public facilities and traffic, directional, and safety matters.
- Schools and community facilities serving residents are often located close to residential areas and there is easy access to nearby open space, playing fields and parks.

### **Shannon - Commercial:**

- Shannon's retail shopping and commercial service core is concentrated in Plimmer Terrace, Grey Street to Ballance Street.
- The streetscape is heavily built - being predominantly one of hard surfaces and structures with a fully formed and sealed road, kerb-side parking, and shop fronts. The buildings within the commercial area influence the streetscape, where the buildings have a strong heritage character contributing to Shannon's identity.
- There is a mix of commercial, retail and service activities.
- Building density is medium to high and buildings generally adjoin at the boundary. There is little need for open space about buildings other than for goods storage, loading and parking.
- Overall building height is 1-2 storeys.
- Business activities require access for delivery vehicles as well as loading space and storage space for goods and materials delivered and wastes generated. Storage areas can be unsightly and every effort should be made to store these in a tidy state away from public view.
- There is limited activity outside usual business hours making it important that the design of buildings and spaces incorporates measures to assist crime prevention and to minimise creation of unpleasant and poorly-lit spaces.
- Daytime and night-time background noise levels are moderately high reflecting the level of traffic and rail movement.

## 6 OBJECTIVES/POLICIES: Urban Environment

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- There are moderate levels of vehicle, cycle, and pedestrian movement. Vehicle speeds are generally low. Heavy vehicles are a moderately high proportion of daytime and night-time traffic flows through the commercial area.
- Advertising signs are commonplace and of variable size, type, materials and quality.

### **Shannon - Industrial:**

- There is one main area of industrial processing west of the railway line.
- The landscape is heavily "built" and dominated by large-scale buildings of generally functional design with few windows, constructed of low-maintenance materials. The area is surrounded on three sides by undeveloped and rural land.
- Building height is generally moderate (1-2 storeys except for occasional features such as chimneys).
- There is a limited amount of advertising.
- Background noise levels are relatively high - but are reasonably distant from other areas of the town, and are separated from these areas by the railway and main road.
- Traffic volumes are relatively low. Easy access to arterial roads, manoeuvring space for heavy vehicles, and loading/unloading areas for delivery vehicles are important.
- There is moderate to strong demand for parking for vehicles of varying sizes. There is a combination of kerb-side and on-site parking and manoeuvring which suits local needs because of the relatively small size of the area and its separation from other activities.
- There is little activity outside usual business hours making it important that the design of buildings and spaces incorporates measures to assist crime prevention and to minimise creation of unpleasant and poorly-lit spaces.
- Business activities require access for delivery vehicles as well as loading space and storage space for goods and materials delivered and wastes generated. Storage areas can be unsightly and every effort should be made to store these in a tidy state away from public view.
- Air quality within the area is variable and affected by smoke, dust, sprays and other air discharges.

## **6 OBJECTIVES/POLICIES: Urban Environment**

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### 15. RESIDENTIAL ZONE

#### Plan Text Amendments

Any new text that is proposed to be added is underlined, while any text to be deleted has been ~~struck through~~.

#### 15.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Residential Zone provided activities comply with all relevant conditions in Rule 15.6 and Chapters 21, 22, 23 and 24.

- (a) Residential activities.
- (b) Accessory buildings.
- (c) Relocated buildings.
- (d) Visitor accommodation for up to four persons per site within any residential dwelling unit and/or family flat.
- (e) Home occupations.
- (f) Open space.
- (g) The construction, alteration of, and addition to, and demolition of buildings and structures for any permitted activity.
- (h) Use of existing community facilities (including education facilities and grounds) for community activities including services having a social, community, ceremonial, cultural, educational, recreational, worship, or spiritual purpose.
- (i) The following types of signs:
  - (i) Advertising signs located on the site to which the activity relates, including public facility or information signs identifying a building, property or business.
  - (ii) Official signs.
  - (iii) Temporary signs.
  - (iv) Signs advertising sale or auction of land or premises.
  - (v) Health and safety signs.
- (j) The following network utilities and energy activities:

## 15 RULES: Residential Zone

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- (i) The construction, operation, maintenance and upgrading of network utilities.
- (ii) Domestic scale renewable energy devices.
- (k) Within the Flood Hazard Overlay Areas only, the following activities:
  - (i) Soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf of, Horizons Regional Council.
  - (ii) Maintenance or minor upgrading of existing network utilities.
  - (iii) Installation of underground network utilities.
  - (iv) New above ground line including support poles.
  - (v) New network utility masts.
  - (vi) New network utility cabinets/buildings.

Notes:

- For the definitions of 'maintenance' and 'minor upgrading' refer to Rules 22.1.10(a) and (c) in relation to existing network utilities.
  - Refer to rules in Horizons Regional Council's One Plan relating to activities in the bed of lakes and rivers, for land adjacent to rivers, all land use activities in the coastal marine area, coastal foredunes, areas with flood control and drainage schemes, and erosion protection works that cross or adjoin mean high water springs.
- (l) Where a building or structure is listed in Schedule 2 – Historic Heritage, the following are permitted activities:
    - (i) The maintenance, redecoration and repair of the interior and exterior of a Group 1 or 2 building or structure.
    - (ii) Internal alteration of a Group 2 building.
  - (m) Where a site is listed in Schedule 2 – Historic Heritage, the following are permitted activities:
    - (i) Maintenance and repair of existing lawns, gardens, structures (including fences), buildings and signage on any site.
    - (ii) Removal of vegetation on any site.
  - (n) Where a tree is listed in Schedule 3 – Notable Trees the following are permitted activities:
    - (i) The removal or partial removal of a Notable Tree.
    - (ii) Any activities within the drip line of a Notable Tree.
    - (iii) Any trimming and maintenance of a Notable Tree.



## 15 RULES: Residential Zone

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*Note: The above activities must comply with all Conditions for Permitted Activities specified in Rule 15.6.30.*

- (o) Temporary activities.
- (p) Temporary military training activities.
- (q) State Integrated Schools listed in Schedule 4.
- (r) Earthworks (Refer to Rule 15.4(i)(v) Earthworks within the heritage setting of a Group 1 or 2 building or structure and Rule 15.4(j)(ii) Earthworks within a site that is listed in Schedule 2 – Historic Heritage).
- (s) Soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf of Horizons Regional Council.

National Environmental Standards:

- For any activities on contaminated or potentially contaminated land, refer to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011.
- For any Telecommunication or Radiocommunication facilities / activities that are located within a legal road reserve, refer to the Resource Management (National Environmental Standard for Telecommunications Facilities) Regulations 2008.
- For any activities involving the operation, maintenance, upgrading, relocation, or removal of an existing transmission line that is part of the national grid, as defined in the regulation, refer to the National Environmental Standards for Electricity Transmission Activities Regulations 2009. The regulations contain a separate code of rules for those activities listed. Except as provided for by the regulation, no rules in this District Plan apply to such activities.

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### 15.2 CONTROLLED ACTIVITIES

The following activities are controlled activities in the Residential Zone provided activities comply with all relevant conditions in Rule 15.7 and Chapters 21, 22, 23 and 24. Refer to Rule 15.7 for matters of control and conditions:

- (a) The placement of any non-residential relocated building and/or relocated accessory building over 40m<sup>2</sup> in gross floor area on any site. (Refer Rule 15.7.1)
- (b) Earthquake strengthening of any Group 2 building listed in Schedule 2 - Historic Heritage. (Refer Rule 15.7.2)
- (c) Any temporary filming activity that does not comply with the permitted activity duration conditions in Rule 15.6.32(b)(i). (Refer Rule 15.7.3)
- (d) Any temporary military training activity that does not comply with the permitted activity conditions in Rule 15.6.33. (Refer Rule 15.7.4)
- (e) Any subdivision of land. (Refer Rule 15.7.5)

## 15 RULES: Residential Zone

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- (f) Any boundary adjustment subdivision within a Flood Hazard Overlay Area. (Refer Rule 15.7.6)
  - (g) Any dwelling within the Fairfield Road Special Residential Overlay Area. (Refer Rule 15.7.7)
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### 15.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities are restricted discretionary activities in the Residential Zone provided activities comply with all relevant conditions in Rule 15.8. Refer to Rule 15.8 for matters of discretion and conditions.

- (a) Any permitted activity which does not comply with any conditions in Rule 15.6 or Chapters 21, 22, 23 and 24. (Refer Rule 15.8.1)
- (b) Any controlled activity which does not comply with any conditions in Rule 15.7. (Refer Rule 15.8.2)
- (c) Within Flood Hazard Overlay Areas any permitted activities that do not comply with the permitted activity conditions in Rule 15.6.16. (Refer Rule 15.8.6)
- (d) Any subdivision where the lots would not be serviced by a reticulated wastewater system. (Refer to Rule 15.8.9)
- (e) Any Medium Density Development within the Medium Density Overlay Area in Levin, Foxton Beach and Waitarere Beach. (Refer Rule 15.8.7)
- (f) Earthquake strengthening of any Group 1 building listed in Schedule 2 - Historic Heritage. (Refer Rule 15.8.10)
- (g) Any signs attached to, or within the heritage setting of, a building, structure or site listed in Schedule 2 – Historic Heritage that do not comply with the relevant permitted activity conditions. (Refer Rule 15.8.11)
- (h) Remote advertising signs. (Refer Rule 15.8.12)
- (i) Community Entrance signs. (Refer Rule 15.8.12)
- (j) The placement of any residential relocated building over 40m<sup>2</sup> in gross floor area that does not comply with the conditions in Rule 15.6.34(b). (Refer Rule 15.8.14)
- (k) Infill subdivision. (Refer Rule 15.8.15)
- (l) Integrated Residential Development (Refer Rule 15.8.16)

Note: Refer to Chapter 25 for Assessment Criteria as a guide for preparing an assessment of environmental effects to accompany a resource consent application for any of the above activities.

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## 15 RULES: Residential Zone

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### 15.4 DISCRETIONARY ACTIVITIES

The following activities are discretionary activities in the Residential Zone:

- (a) Any activity that is not a permitted, controlled, restricted discretionary or a non-complying activity.
- (b) Any subdivision that is not in accordance with the requirements as specified in a Structure Plan in Schedule 8.
- (c) ~~Two or~~ On sites greater than 330m<sup>2</sup> more than two residential dwelling units, or one residential dwelling unit and one ~~family flats~~, per site.
- (d) Any Medium Density Development within the Medium Density Overlay in Levin, Foxton Beach and Waitarere Beach that does not comply with the restricted discretionary activity conditions in Rule 15.8.7.
- (e) New community facilities or additions and alterations to existing community facilities (including education facilities and grounds) for community activities including services having a social, community ceremonial, educational, recreational, worship, or spiritual purpose.
- (f) Community Entrance signs that do not comply with the restricted discretionary activity conditions in Rule 15.8.12(b)(i).
- (g) Lines and support structures (including towers, masts and poles) for conveying electricity at a voltage exceeding 110kV.
- (h) Any activities within the Flood Hazard Overlay Areas that are not listed as a permitted or restricted discretionary activities, including but not limited to the following:
  - (i) Any erection, placement, alteration of, or addition to, any habitable building or structure.
  - (ii) Any new network utilities (except installation of underground network utilities, above ground lines, network utility masts, and network utility cabinets/buildings which are a permitted activity under Rule 15.1(j)).
  - (iii) Any subdivision of land (except for boundary adjustments which are a controlled activity under Rule 15.2(f)).
  - (iv) Any activity involving storage of hazardous substances.
  - (v) Visitor accommodation.
- (i) Where a building or structure is listed in Schedule 2 – Historic Heritage the following are discretionary activities:
  - (i) Alteration to, or relocation of, a Group 1 or 2 building or structure.
  - (ii) Demolition of a Group 2 building or structure.
  - (iii) Subdivision within the heritage setting of a Group 1 or 2 building or structure.

## 15 RULES: Residential Zone

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- (iv) New building or additions to an unlisted building located within the heritage setting of a Group 1 or 2 building or structure.
  - (v) Earthworks within the heritage setting of a Group 1 or 2 building or structure.
  - (j) Where a site is listed in Schedule 2 – Historic Heritage, the following are discretionary activities:
    - (i) New building or the extension of the footprint of an existing building or structure on a site.
    - (ii) Earthworks.
    - (iii) Subdivision of land.
  - (k) Any permitted work to a listed tree in Schedule 3 - Notable Trees, or any activity within the drip line of a listed Notable Tree, that does not comply with the permitted activity conditions in Rule 15.6.30.
  - (l) Infill subdivision which does not comply with the restricted discretionary activity conditions in Rule 15.8.15.
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### 15.5 NON-COMPLYING ACTIVITIES

The following activities are non-complying activities in the Residential Zone:

- (a) Any Medium Density Development outside the Medium Density Overlay Area.
  - (b) Demolition or destruction of a Group 1 building, structure or a site listed in Schedule 2 – Historic Heritage.
- 

### 15.6 CONDITIONS FOR PERMITTED ACTIVITIES

The following conditions shall apply to all permitted activities:

#### 15.6.1 Number of Residential Dwelling Units and Family Flats

- (a) On sites greater than 330m<sup>2</sup>
  - (i) Up to two ~~One~~ residential dwelling units per site, subject to demonstrating that a minimum notional net site area of 330m<sup>2</sup> can be provided for each unit;  
  
or
  - (ii) (ii) One residential dwelling unit and one family flat of up to 50m<sup>2</sup> in maximum gross floor area plus a covered verandah up to 10m<sup>2</sup> per site.

# 15 RULES: Residential Zone

## 15.6.2 Maximum Building Height

(a) No part of any building shall exceed a height of 8.5 metres.

Except

(b) No part of any accessory building or family flat shall exceed 4.5 metres in height.

## 15.6.3 Daylight Setback Envelope

(a) No part of any building shall encroach outside an envelope created, in relation to each site boundary except a boundary with a street, by a line drawn vertically 2.7 metres above the ground level at the boundary and inclined at an angle of 45 degrees (1:1 slope) inwards from that point.

## 15.6.4 Building Setback From Boundaries

(a) No building shall be located closer than 4 metres from any road boundary, except that a 5 metre long vehicle standing space shall be provided between the road boundary and any structure housing a vehicle where the vehicle takes direct access to the structure from the road.

(b) No building shall be located closer than 1.5 metres from any other site boundary.

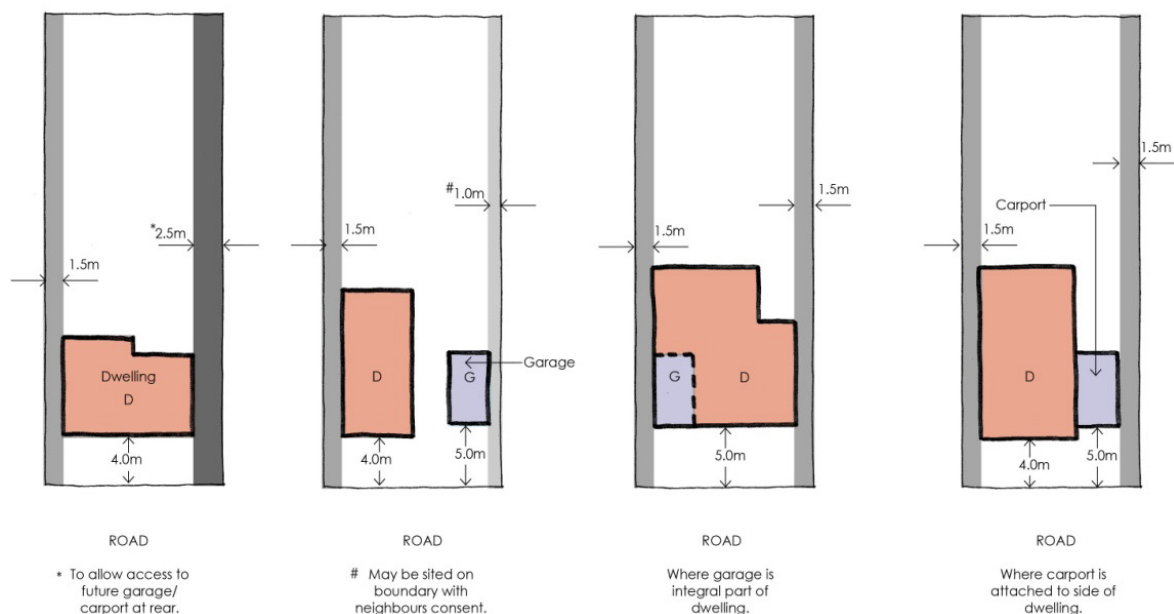
Except

Accessory buildings shall be located no closer than 1 metre from any other site boundary unless adjoining landowners' written consent is obtained.

(c) Within the Fairfield Road Special Residential Overlay Area the following additional building setback applies:

(i) No building shall be located closer than 3 metres from any other site boundary.

Note: Refer to Rule 15.6.24 for vehicle access space requirements.



## 15 RULES: Residential Zone

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### 15.6.5 Separation Distance Between Detached Residential Dwelling Units

- (a) No detached residential dwelling unit shall be located closer than 3 metres from any other detached residential dwelling unit.

### 15.6.6 Private Outdoor Living Area

- (a) All residential dwelling units on sites 330m<sup>2</sup> or greater shall have a private outdoor living area which is at least 40m<sup>2</sup> in area and capable of containing a circle 4 metres in diameter that is oriented to the east, west or north of the unit and directly connects to a main living area.
- (b) All residential dwelling units on sites smaller than 330m<sup>2</sup> shall have a private outdoor living area which is at least 20m<sup>2</sup> in area, and capable of containing a circle 2.5 metres in diameter that is oriented to the east, west or north of the unit and directly connects to a main living area.

### 15.6.7 Maximum Building Coverage

- (a) On sites greater than 500m<sup>2</sup> the proportion of any net site area covered by buildings shall not exceed 35%.
- (b) On sites 500m<sup>2</sup> or smaller the proportion of any net site area covered by buildings shall not exceed 40%.
- (c) There shall be no building coverage requirements for network utilities on sites less than 200m<sup>2</sup>.

### 15.6.8 Accessory Buildings

- (a) On sites less than 710m<sup>2</sup> the total maximum gross floor area of all accessory buildings shall not exceed 60m<sup>2</sup>.
- (b) On sites between 710m<sup>2</sup> and 1,000m<sup>2</sup> the total maximum gross floor area of all accessory buildings shall not exceed 8.5% of the net site area.
- (c) On sites greater than 1,000m<sup>2</sup> the total maximum gross floor area of all accessory buildings shall not exceed 85m<sup>2</sup>.
- (d) Accessory buildings shall not project forward of a principal residential dwelling unit located on any front or corner site;

Except

Where there is no demonstrable area to the side or rear of a principal residential dwelling unit to accommodate an accessory building, an accessory building with a maximum gross floor area of 36m<sup>2</sup> is permitted forward of the principal residential unit.

- (e) On sites less than 330m<sup>2</sup> the total maximum gross floor area of all accessory buildings shall not exceed 30m<sup>2</sup>.

## 15 RULES: Residential Zone

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### 15.6.9 Fencing

- (a) Front Road Boundary
- (i) The maximum height of a fence or wall sited on the boundary or within 1 metre from the boundary shall comply with at least one of the following:
- 1.5 metres where the fence or wall fronts a front road boundary; or
  - 2 metres where the fence or wall fronts a front road boundary and at least the upper 0.5 metres of the fence is at least 50% transparent.
- (b) Other Boundaries
- (i) The maximum height of a fence or wall sited on the boundary or within 1 metre from the boundary shall not exceed 2 metres.

### 15.6.10 Home Occupations

- (a) Home occupations shall not exceed 50m<sup>2</sup> in total gross floor area dedicated to this activity.

### 15.6.11 Noise

- (a) Noise from any activity shall not exceed the following limits when measured at, or within, any point within any other site:
- (i) On any day -
- 7.00am – 7.00pm: 55dB L<sub>Aeq (15mins)</sub>
  - 7.00pm – 10.00pm: 50dB L<sub>Aeq (15mins)</sub>
  - 10.00pm – 7.00am: 40dB L<sub>Aeq (15mins)</sub>
  - 10.00pm – 7.00am: 65dB L<sub>max</sub>
- (b) Sound levels shall be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics - Measurement of environmental sound and assessed in accordance with the provisions of NZS 6802:2008 Acoustics - Environmental noise.
- (c) Construction, maintenance and demolition works shall be measured, assessed, managed and controlled in accordance with the provisions of NZS 6803:1999 Acoustics – Construction noise.
- (d) The noise limits in Rule 15.6.11(a) and (b) shall not apply to the following activities:
- (i) Fire and civil emergency sirens.
- (ii) Construction, maintenance and demolition work.
- (iii) The operation of the Main North Island Trunk Railway.



## 15 RULES: Residential Zone

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- (iv) Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1962), or within a site as part of or compatible with a normal residential activity.
- (v) Temporary military training activities.
- (vi) Temporary events.

Notwithstanding the above rules, Section 16 of the RMA imposes a duty on every occupier of land and any person carrying out an activity in, on or under a water body to adopt the best practicable option to avoid unreasonable noise.

### 15.6.12 Vibration

- (a) No activity shall create any vibration which exceeds the limits in the following standards:
  - (i) AS 2670.1-2001 Evaluation of human exposure to whole-body vibration – General requirements.
  - (ii) AS 2670.2-1990 Evaluation of human exposure to whole-body vibration - Continuous and Shock-Induced Vibration in Buildings (1 to 80 Hz).
  - (iii) DIN 4150-3:1999 Effects of vibration on structures.
  - (iv) NZS 4403:1976 Code of Practice for Storage, Handling, and Use of Explosives, and any subsequent amendments.

### 15.6.13 Noise Insulation

- (a) Any habitable room in a new noise sensitive activity or any alteration(s) to an existing noise sensitive activity constructed within 30 metres (measured from the nearest edge of the rail corridor) of the North Island Main Trunk Railway shall be designed, constructed and maintained to meet an internal noise level of:
  - (i) 35dBA  $L_{Aeq}$  (1 hour) inside bedrooms.
  - (ii) 40dBA  $L_{Aeq}$  (1 hour) inside other habitable rooms.

Compliance with this Rule shall be achieved by, prior to the construction of any noise sensitive activity, an acoustic design certificate from a suitably qualified acoustic engineer is to be provided to Council demonstrating that the above internal sound levels will be achieved.

### 15.6.14 Light Spill

- (a) The spill of light from any outdoor artificial lighting shall not exceed 10 lux (lumens per square metre) when measured at the boundary of an adjoining residential site. The maximum lux shall be measured horizontally or vertically at the site boundary.

## 15 RULES: Residential Zone

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### 15.6.15 Odour

- (a) No activity shall give rise to offensive or objectionable odours able to be detected at the boundary of any adjoining residential property or at the boundary of any property in the Residential Zone.

Note: For the purpose of this condition, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by at least two independent observers; including at least one Council officer. In determining whether an odour is offensive or objectionable, the “FIDOL factors” may be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location of the odour). Section 14.2 of the One Plan as well as the Good Practice Guide for Assessing and Managing Odour in New Zealand (Ministry for the Environment, 2003) contains further guidance.

### 15.6.16 Flood Hazard Overlay Area

- (a) Within a Flood Hazard Overlay Area earthworks shall not exceed 20m<sup>3</sup> per site within any 12 month period.

Except

The earthworks volume limit does not apply to tracks where the existing ground level is not altered by greater than 0.1 metres in any 12 month period or to the installation of underground network utilities undertaken in accordance with (c) below.

- (b) Within a Flood Hazard Overlay Area, the erection, placement, alteration of, or addition to any non-habitable structure, with an unsealed or permeable floor shall not exceed a gross floor area of 40m<sup>2</sup> per site.

Except the above two standards (a) and (b) do not apply to any soil conservation and river/flood control works carried out by or on behalf of Horizons Regional Council.

- (c) Within a Flood Hazard Overlay Area, earthworks associated with the installation of underground network utilities shall reinstate ground level as close as practicable to its state prior to disturbance.
- (d) Within a Flood Hazard Overlay Area, new network utility cabinets/buildings shall not exceed 5m<sup>2</sup> gross floor area.

### 15.6.17 Storage of Goods and Materials

- (a) All areas used for the storage of goods, materials or waste products shall be maintained in a tidy condition and shall be screened from view from adjoining residential properties and from roads.

### 15.6.18 Unsightly Buildings

- (a) No building shall be left unfinished or be permitted to deteriorate such that its external appearance adversely affects the amenity of the neighbourhood in which it is situated.

## **15 RULES: Residential Zone**

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### **15.6.19 Wrecked Motor Vehicles**

- (a) No wrecked and/or unroadworthy vehicle or vehicles shall be placed or located on a residential property where any such vehicle may be viewed from any public place or road.

For the purpose of this condition:

- “Vehicle” shall include any car, bus, truck, van, motorcycle, trailer or house bus or caravan, and
- “Wrecked and Unroadworthy” shall include any of the above which is unregistered and/or unwarranted and/or beyond reasonable repair and includes vehicles being stripped for sale or disposal of parts.

### **15.6.20 Water Supply**

- (a) All sites shall be provided with a water supply to meet the capacity and quality requirements of the activities undertaken on the site in accordance with Chapter 24.

### **15.6.21 Wastes Disposal**

- (a) All wastes (including sewage, effluent, and refuse) that are generated or stored on any site shall be collected, treated, and disposed of in a manner that avoids any significant adverse effects or nuisance for adjoining properties.

### **15.6.22 Surfacewater Disposal**

- (a) All activities shall make provision for the management of stormwater as means of dealing with water quantity and water quality to avoid significant adverse effects or nuisance.

### **15.6.23 Engineering Works**

- (a) All activities, subdivisions and developments shall comply with the permitted activity conditions in Chapter 24.

### **15.6.24 Vehicle Access**

- (a) All activities shall be provided with practicable vehicle access from a public road in accordance with the permitted activity conditions in Chapter 21.
- (b) Where no garage or carport exists, space shall be retained to enable the future development of vehicle access no less than 2.5 metres wide between the road and the rear of the site.

### **15.6.25 Vehicle Parking, Manoeuvring, and Loading**

- (a) All activities shall provide vehicle parking spaces, manoeuvring areas, and loading facilities in accordance with the permitted activity conditions in Chapter 21.

## 15 RULES: Residential Zone

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### 15.6.26 Safety and Visibility at Road and Rail Intersection

- (a) No building or structure shall be erected, no materials shall be placed, or vegetation planted that would obscure the railway level crossing approach sight triangles as detailed in Rule 21.1.11 in Chapter 21.

### 15.6.27 Network Utilities and Energy

- (a) All network utilities and structures associated with network utilities shall comply with the permitted activity conditions in Chapter 22.
- (b) All other relevant conditions specified in this part of the District Plan shall also apply to any network utility or associated structures.

### 15.6.28 Hazardous Substances

- (a) All activities using or storing hazardous substances shall comply with the Hazardous Substances Classification parameters for the Residential Zone in Chapter 23 and shall comply with the permitted activity conditions in that Chapter.

### 15.6.29 Signs

- (a) All signs shall comply with the Maximum Face Area set out in Table 15-1.

Table 15-1: Maximum Face Area for Signs

Type of Sign	Maximum Face Area (m <sup>2</sup> ) per site
Official signs	N/A
Temporary signs	3m <sup>2</sup>
Signs advertising the sale or auction of land or premises	2m <sup>2</sup> (combined total area of signs)
Advertising signs, located on the site to which the activity relates identifying the building, property or business which can include a sign attached to the building	1m <sup>2</sup>
A permanent free standing sign, which may be double sided, for each frontage of the site	1m <sup>2</sup> (on one side)
Public facility signs including any church, school or hall	2m <sup>2</sup>
Health and safety signs	N/A

- (b) Any temporary sign shall be displayed for no longer than two (2) calendar months of a 12 month period and removed within seven (7) days after the event. Temporary signs do not need to be on the site of the temporary activity.
- (c) Signs advertising the sale or auction of land or premises shall be removed within 10 days of the property being sold, leased or withdrawn from the market.

## 15 RULES: Residential Zone

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- (d) All signs shall comply with the height, and where applicable, recession plane requirements, but shall not be required to comply with rules relating to setbacks from road boundaries.
- (e) No sign shall be illuminated.
- (f) No signs attached to a building shall exceed the highest point of the roof.
- (g) No sign shall be erected on or adjacent to a road which will:
  - (i) obstruct the line of sight of any corner, bend, intersection or vehicle crossing;
  - (ii) obstruct, obscure or impair the view of any traffic sign or signal;
  - (iii) physically obstruct or impede traffic or pedestrians;
  - (iv) resemble or be likely to be confused with any traffic sign or signal;
  - (v) use reflective materials that may interfere with a road user's vision;
  - (vi) use flashing or revolving lights; or
  - (vii) project light onto the road so as to cause a hazard or distraction to users of the road (including pedestrians).
- (h) The minimum lettering sizes in Table 15-2 below shall apply to all signs located within 15 horizontal metres of a road:

**Table 15-2: Minimum Lettering Sizes for Signs**

	<b>Posted speed limit 70kph and above</b>
Maximum number of words	6 or symbols
Maximum number of characters	40
Minimum lettering height	160mm

### 15.6.30 Notable Trees

- (a) Any removal or partial removal of a tree listed in Schedule 3 - Notable Trees shall comply with the following conditions:
  - (i) Council has confirmed the tree is dead; or
  - (ii) Removal or partial removal is required as an emergency work to safeguard life or habitable buildings from immediate danger (as confirmed by a qualified arborist).
- (b) Within the drip line of any tree listed in Schedule 3 - Notable Trees, any activities shall not involve the following works:
  - (i) The construction of any building or structure.
  - (ii) The laying of overhead or underground services.

## **15 RULES: Residential Zone**

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- (iii) Any sealing, paving, soil compaction, or any other impervious surfaces.
  - (iv) The alteration of existing ground levels by excavation or deposition of soil including thrust boring and directional drilling.
  - (v) The discharge of any toxic hazardous substance.
- (c) Any trimming and maintenance of a tree listed in Schedule 3 - Notable Trees shall be limited to:
- (i) Minor trimming necessary to maintain the health of the tree where the work is carried out by, or under the supervision of, a qualified arborist who has advised the Council in advance of the work to be carried out.
  - (ii) the removal of branches interfering with buildings, structures, overhead wires or utility networks, but only to the extent that they are touching those buildings, or structures, or likely to compromise the effective operation of those overhead wires or utility networks and only where the work is carried out by, or under the supervision of a qualified arborist who has advised the Council in advance of the work to be carried out.
  - (iii) The removal of broken branches, dead wood or diseased vegetation (as confirmed by a qualified arborist).
  - (iv) Required as an emergency work.

### **15.6.31 Sites of Significance to Tangata Whenua**

- (a) No activity or development shall modify, demolish or remove any site of significance to Māori where such site has been identified to Council and recorded by the Council in a register of sites prior to the time that any activity or development is proposed.

### **15.6.32 Temporary Activities**

- (a) In addition to the other permitted activity conditions, temporary events, including, but not limited to, festivals, sports events, and markets; shall comply with the following conditions:

## 15 RULES: Residential Zone

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- (i) the duration of any temporary event shall not exceed seven (7) consecutive days. For the purpose of this rule, 'day' means a whole day, or part of a day;
  - (ii) any temporary event shall operate between the hours of 7.00am – 10.00pm;
  - (iii) the duration of a series of temporary events shall not exceed a cumulative period of 30 days in a calendar year;
  - (iv) all temporary buildings and structures are exempt from the maximum height and maximum building coverage standards set out in 15.6.2 and 15.6.7; and
  - (v) noise from any temporary events shall not exceed the following noise levels, at any site in the Residential Zone, at the notional boundary of any noise sensitive activity within the Rural Zone, or anywhere within the site boundary of any noise sensitive activity within the Commercial, Industrial, Open Space or Greenbelt Residential Zones:
    - Amplified Sound including sound testing: 80dB<sub>L<sub>Aeq</sub></sub> (10 mins).
    - Activities other than amplified sound: 70dB<sub>L<sub>Aeq</sub></sub> (10 mins).
    - Crowd noise is exempt from these limits.
- (b) In addition to the other permitted activity conditions, temporary filming activities, shall comply with the following:
- (i) The total occupation of the site for filming activities shall not exceed seven (7) consecutive days.
  - (ii) All temporary buildings and structures are exempt from the maximum height and maximum building coverage standards set out in 15.6.2 and 15.6.7.

### 15.6.33 Temporary Military Training Activities

- (a) All temporary military training activities shall, in addition to the other conditions, also comply with the following conditions:
- (i) No permanent structures shall be constructed.
  - (ii) The activity shall not require excavation (permanent or mechanical), unless provided for in this District Plan.
  - (iii) The duration of any temporary military training activity shall not exceed 31 consecutive days.
  - (iv) Noise generated from mobile sources (other than weapons firing and use of explosives) shall be assessed in accordance with and not exceed the limits as set out in Table 2 of NZS 6803:1999 Acoustics - Construction noise.  
  
Noise levels shall be measured and assessed in accordance with that Standard as if it were construction noise.
  - (v) Noise generated from any fixed source (other than weapons firing and/or use of explosives) shall not exceed the following limits when measured at the site boundary:



## 15 RULES: Residential Zone

- On any day -
  - 7.00am – 7.00pm: 55 dB  $L_{Aeq(15min)}$
  - 7.00pm – 10.00pm: 50 dB  $L_{Aeq(15min)}$
  - 10.00pm – 7.00am: 45 dB  $L_{Aeq(15min)}$
  - 10.00pm – 7.00am: 75 dB  $L_{AFmax}$

Noise levels shall be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics - Measurement of environmental sound and assessed in accordance with the provisions of NZS 6802:2008 Acoustics - Environmental noise.

- (vi) Noise generated from the use of helicopters shall be assessed in accordance with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas and comply with the limits set out therein.

Noise levels shall be measured in accordance with NZS6801:2008 Acoustics - Measurement of Sound.

- (vii) Any training activities involving the use of explosives and/or firing of weapons shall comply with either:
- The separation distances identified in Table 15-3; or
  - If minimum separation distances in Table 15-3 cannot be met:
    - Daytime sound levels do not exceed a peak sound pressure level of 120 dBC when measured at the site boundary; and
    - Night time sound levels do not exceed a peak sound pressure level of 90 dBC when measured at the site boundary; and
    - Provided the New Zealand Defence Force produces and undertakes the activity in accordance with a Noise Management Plan submitted to the Council at least 15 working days prior to the activity being undertaken (refer 28.2.6 for information requirements for Noise Management Plan).

**Table 15-3: Separation Distances for Temporary Military Training Activities involving explosives and/or weapons.**

Type of military noise source	Standards	
	Time (Monday to Sunday)	Separation distance required from any site within the Residential Zone
1. Live firing of weapons and single or multiple explosive events	7.00am to 7.00pm (daytime hours)	At least 1500m

## 15 RULES: Residential Zone

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	7.00pm to 7.00am (night time hours)	At least 4500m
2. Firing of blank ammunition	7.00am to 7.00pm (daytime hours)	At least 750m
	7.00pm to 7.00am (night time hours)	At least 2250m

### 15.6.34 Relocated Buildings

- (a) The relocated building shall be up to and including 40m<sup>2</sup> in gross floor area; or
- (b) The relocated building shall be intended for use as a residential dwelling or family flat and be originally designed, built and used as a residential dwelling; and comply with the following:
- (i) A building pre-inspection report shall be submitted by the owner of the relocated building (referred to in this rule as "the Owner") to the Planning Services Manager at the same time as an application is made for a building consent for the relocated building. That report shall be on the form in Schedule 15 and is to identify all reinstatement works that are to be completed to the exterior of the building.
  - (ii) The building pre-inspection report shall be prepared by:
    - A Horowhenua District Council Building Compliance Officer (or equivalent);
    - A member of the New Zealand Institute of Building Surveyors;
    - A licensed building practitioner (carpenter or design category); or
    - A building inspector from the local authority where the building is being relocated from.
  - (iii) The Owner must deposit a refundable monitoring fee of \$1,500 with the Council at the same time as submitting the building pre-inspection report with the Council.
  - (iv) The relocated building shall be located on permanent foundations approved by building consent, no later than 2 months from the building being moved to the site.
  - (v) All reinstatement work required in the Condition Table in Section 2.0 of the building pre-inspection report to reinstate the exterior of any relocated building shall be completed within 9 months of the building being delivered to the site.
  - (vi) The Owner must complete the Owner Certificate and Declaration in Section 7.0 of the building pre-inspection report to certify to the Council that all of the reinstatement work will be completed within 9 months of the building being delivered to the site.

## 15 RULES: Residential Zone

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*Note: Photographs showing progress of reinstatement works may be provided to Council's Environmental Compliance Officer. A final site inspection will still be required to determine compliance on completion of reinstatement works.*

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### 15.7 MATTERS OF CONTROL AND CONDITIONS FOR CONTROLLED ACTIVITIES

The matters over which Council has reserved its control and the conditions are detailed below for each controlled activity:

#### 15.7.1 Relocated Buildings (Refer to Rule 15.2(a))

(a) Matters of Control

- (i) The length of time taken to re-construct, repair, or refurbish the building.
- (ii) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
  - redecoration or reinstatement of any roof or exterior cladding;
  - reinstatement of any porches, terraces, baseboards and steps;
  - replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
  - reinstatement of that part of a dwelling where a chimney has been removed;
  - reinstatement of the site and access to the site; or
  - details and length of time to complete site landscaping.
- (iii) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions.

(b) Conditions

- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.
- (ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.

(c) Non-Notification

## **15 RULES: Residential Zone**

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- (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 15.7.1 shall not be publicly notified, except where:
  - The Council decides special circumstances exist (pursuant to Section 95A(4), or
  - The applicant requests public notification (pursuant to Section 95A(2)(b))

### **15.7.2 Historic Heritage – Buildings (Refer to Rule 15.2(b))**

- (a) Matters of Control
  - (i) The potential effects of earthquake strengthening work on the heritage values associated with the building.

### **15.7.3 Temporary Filming Activities (Refer to Rule 15.2(c))**

- (a) Matters of Control
  - (i) The hours of operation of the temporary filming activity.
  - (ii) The size and positioning of temporary buildings and structures.
  - (iii) The provisions of safe and efficient vehicular access and car parking for staff, service delivery and customers or the public.
  - (iv) Where appropriate, the provision of safe pedestrian entry and exit.
  - (v) The provision for waste collection, storage and site cleanup.
  - (vi) The actual and potential adverse effects on the amenity of the surrounding environment, and any measures to avoid, remedy or mitigate these effects.
  - (vii) The actual and potential adverse effects on the safety and efficiency of the road network, and any measures to avoid, remedy or mitigate these effects.
  - (viii) The actual and potential adverse effects on recreation, heritage or cultural values, and any measures to avoid, remedy or mitigate these effects.
- (b) Conditions
  - (i) The duration of the temporary filming activity shall not exceed 31 consecutive days. For the purpose of this rule, 'day' means a whole day, or part of a day.
  - (ii) Submit a draft management plan demonstrating how the temporary filming activity avoids, remedies or mitigates adverse effects on local amenity. The scale and detail of this draft management plan is to be commensurate with the scale of the temporary filming activity and the nature of the potential effects on local amenity.

### **15.7.4 Temporary Military Training Activities (Refer to Rule 15.2(d))**

- (a) Matters of Control

## 15 RULES: Residential Zone

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- (i) The size and positioning of buildings and structures;
- (ii) The measures used to avoid, remedy or mitigate adverse effects from excavation;
- (iii) Methods to manage effects on the amenity and character of the area as a result of non-compliance with the noise and duration permitted activity conditions;
- (iv) The actual and potential adverse effects on the safety and efficiency of the road network, as a result of additional traffic generation for a prolonged period of time; and
- (v) The provision of safe and efficient vehicular access and on-site car parking to avoid, remedy or mitigate potential traffic effects.

### 15.7.5 Subdivision of Land (Refer to Rule 15.2(e))

#### (a) Matters of Control

- (i) The design and layout of the subdivision, including the size, shape and position of any lot, including the future land use and development of each lot. In addition, the location of building sites, separation distances, orientation of buildings, and screening/landscape treatment.
- (ii) The amalgamation of any proposed allotments or balance areas to existing titles of land.
- (iii) The provision of any new roads, cycleways, footpaths, provision of linkages to existing roads, access over or under railway lines, the diversion or alteration of any existing roads, the provision of access, passing bays, parking and manoeuvring areas, and any necessary easements.
- (iv) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, streetlighting, telecommunications and electricity and, where applicable gas.
- (v) Provision of reserves, esplanade reserves, esplanade strips and access strips, including connections to existing and future reserves.
- (vi) Effects on significant sites and features, including natural, cultural, archaeological and historical sites.
- (vii) Site contamination remediation measures and works.
- (viii) Avoidance or mitigation of natural hazards. (Note: Refer to the “Risks and Responsibilities: Report of the Manawatu-Wanganui Regional Lifelines Project” (No. 2005/EXT/622) prepared by the Manawatu-Wanganui CDEM Group for information about natural hazards that may be relevant to the subject site).
- (ix) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control.
- (x) Staging of the subdivision.

## 15 RULES: Residential Zone

- (xi) In accordance with any applicable Structure Plan in Schedule 8.
- (xii) Compliance with the Council's Subdivision and Development Principles and Requirements (Version: July 2014).
- (xiii) Those matters described in Sections 108 and 220 of the RMA.

(b) Conditions

- (i) Minimum Allotment Area and Shape

Each allotment shall comply with the following site area and shape factor standards for each settlement set out in below.

**Table 15-4: Standards Applying to Subdivision and Residential Dwelling Units**

Type of Allotment, or Subdivision	Pre-Requisite Conditions	Minimum Net Site Area/ Minimum Average Site Area	Minimum Shape Factor
<b>Levin, Foxton, Foxton Beach and Shannon</b>			
Residential Allotments (other than infill subdivision allotments)	Nil	330m <sup>2</sup> provided that the average area of all allotments which are available for residential purposes shall be not less than 600 square metres. In calculating this averaged area, any allotment or balance area having an area larger than 680 square metres shall be counted as having 680 square metres. Averaging applies only to subdivisions creating more than 2 new allotments.	18 metres diameter
<b>Residential Infill Allotments</b>	<p>The allotment being subdivided: shall be contained in a certificate of title issued before 1.3.91; and</p> <ul style="list-style-type: none"> <li>• Shall have no more than 1200 square metres area and contain no buildings;</li> <li>or</li> <li>• Shall have no more than 2025 square metres area and shall contain a residential building or buildings.</li> </ul> <p>Subdivisions shall not create more than 3 infill allotments.</p>	330 square metres	13 metres diameter

## 15 RULES: Residential Zone

Type of Allotment, or Subdivision	Pre-Requisite Conditions	Minimum Net Site Area/ Minimum Average Site Area	Minimum Shape Factor
Shannon Special Residential Zone Thomson Street/ Nathan Terrace	Nil	2,000m <sup>2</sup>	20 metres diameter
Fairfield Road Special Residential Overlay	Nil	1,000m <sup>2</sup> provided that the average area of all allotments which are available for residential purposes shall be not less than 1500m <sup>2</sup> .	20 metres diameter
Residential Allotments Within the Low Density Overlay	Nil	1,000m <sup>2</sup> provided that the average area of all allotments which are available for residential purposes shall be not less than 2,000m <sup>2</sup> .	18 metres diameter
<b>Waitarere Beach, Mangaore and Tokomaru</b>			
Residential Allotments	Where reticulated sewerage disposal is available	800m <sup>2</sup>	18 metres diameter
Low Density Area	Where reticulated sewerage disposal is available	1,000m <sup>2</sup> Minimum average site area of 2,000m <sup>2</sup>	18 metres diameter
<b>Hokio Beach and Waikawa Beach</b>			
Residential Allotments	Where reticulated sewerage disposal is available	800m <sup>2</sup>	18 metres diameter
Boundary Adjustment	Where reticulated sewerage disposal is not available	800m <sup>2</sup>	18 metres diameter
Low Density Area	Where reticulated sewerage disposal is not available	1,000m <sup>2</sup> Minimum average site area of 2,000m <sup>2</sup>	18 metres diameter
<b>Ohau and Manakau</b>			
Residential Allotments (Ohau West and Manakau)	Where reticulated sewerage disposal is available	2,000m <sup>2</sup>	18 metres diameter
Type of Allotment, or Subdivision	Pre-Requisite Conditions	Minimum Net Site Area/ Minimum Average Site Area	Minimum Shape Factor
Boundary Adjustment	Where reticulated sewerage disposal is not available	2,000m <sup>2</sup>	18 metres diameter



## 15 RULES: Residential Zone

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Residential Allotments (Ohau East)	Where reticulated sewerage disposal is not available	5,000m <sup>2</sup>	18 metres diameter
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Note: In calculating the minimum average site area, any allotment or balance area having an area larger than 5000m<sup>2</sup> shall be counted as having 5000m<sup>2</sup>.

(ii) Water Supply Disposal, Wastewater and Other Services

All subdivisions shall comply with the requirements as specified set out in Chapter 24.

(iii) Roads and Access

All subdivisions shall comply with the requirements as specified in Chapter 21.

(iv) Network Utilities

There shall be no minimum site area requirements for lots for network utility purposes.

(v) Structure Plans

Where any land is within a Structure Plan area in Schedule 8, all subdivisions shall be in accordance with the requirements as specified in the Structure Plan.

### 15.7.6 Boundary Adjustment - Flood Hazard Overlay Areas (Refer Rule 15.2(f))

(a) Matters of Control

- (i) The probability and magnitude of the natural hazard event, and the type, scale and distribution of the risks from the natural hazard. Includes consideration of the influence of climate change, adopting a precautionary approach for the frequency and intensity of events.
- (ii) The location, nature, scale and design of the allotments, their intended use, and the degree to which people or property are put at risk as a result of the subdivision.
- (iii) Avoidance or mitigation measures to address the risks from natural hazards.
- (iv) The effects of the mitigation measures in terms of any increasing the likelihood of erosion, inundation or any other hazard event occurring, or increasing its magnitude on the site and to other properties which may or may not currently be at risk from the effects of the natural hazards.

### 15.7.7 Fairfield Road Special Residential Overlay Area (Refer Rule 15.2(g))

(a) Matters of Control

- (i) The protection of the seventeen Phoenix Palms and yew hedge on the site, including in relation to the siting of any dwelling, except where the palms and the hedge have to be removed to accommodate one single road (including road reserve) into the property.

## **15 RULES: Residential Zone**

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### **15.8 MATTERS OF DISCRETION AND CONDITIONS FOR RESTRICTED DISCRETIONARY ACTIVITIES**

The matters over which Council has restricted its discretion for each restricted discretionary activity, and the conditions for each activity, are detailed below:

#### **15.8.1 Non-compliance with Permitted Activity Conditions (Rule 15.6) and Permitted Activity Conditions in Chapters 21, 22, 23 and 24. (Refer to Rule 15.3(a)):**

(a) Matters of Discretion

- (i) Avoiding, remedying or mitigating of any effects deriving from non-compliance with the particular condition(s) that is not met, except where specifically identified in other rules below.

#### **15.8.2 Non-Compliance with Controlled Activity Conditions Rule 15.7 (Refer to Rule 15.3(b))**

(a) Matters of Discretion

- (i) Avoiding, remedying or mitigating of any effects deriving from non-compliance with the particular condition(s) that is not met, except where specifically identified in other rules below.

#### **15.8.3 Non-Compliance with Road Setback Rule 15.6.4(a) (Refer to Rule 15.3(a))**

(a) Matters of Discretion

- (i) The effect of the design and appearance of the building on the overall streetscape, amenities and character of the locality.
- (ii) The effect of the proposal on the safety, efficiency, or convenience of any adjoining road or footpath.
- (iii) Where the building is intended to house vehicles, the ability to gain access into and out of the building from the road without interfering with the safety or convenience of any road or footpath user.
- (iv) The effect of the building's location on opportunities for access to the rear of the site.

#### **15.8.4 Non-Compliance with Fencing Rule 15.6.9 (Refer to Rule 15.3(a))**

(a) Matters of Discretion

- (i) The height, design and visual appearance of the fence
- (ii) The impact of the fence on the existing street character
- (iii) The visual contribution the fence makes to the streetscene

## 15 RULES: Residential Zone

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- (iv) The impact that the fence may have on the perceived safety of motorists and pedestrians
- (b) Non-Notification
  - (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 15.8.4 shall not be publicly notified, except where:
    - The Council decides special circumstances exist (pursuant to Section 95A(4)), or
    - The applicant requests public notification (pursuant to Section 95A(2)(b)).

### 15.8.5 Non-Compliance with Home Occupations Rule 15.6.10 (Refer to Rule 15.3(a))

- (a) Matters of Discretion
  - (i) Avoiding, remedying or mitigating of any effects deriving from non-compliance with the particular condition(s) that are not met.
- (b) Conditions
  - (i) The total floor area dedicated to home occupations on a site, shall not exceed 70m<sup>2</sup>.

### 15.8.6 Flood Hazard Overlay Areas (Refer to Rule 15.3(c))

- (a) Matters of Discretion
  - (i) The probability and magnitude of the natural hazard event, and the type, scale and distribution of the risks from the natural hazard. Includes consideration of the influence of climate change, adopting a precautionary approach for the frequency and intensity of events.
  - (ii) The location, nature, scale and design of the buildings, earthworks or allotments, its intended use, including whether the building, earthworks or use is temporary or permanent, and the degree to which people or property are put at risk as a result of the activity.
  - (iii) Avoidance or mitigation measures to address the risks from natural hazards.
  - (iv) The effects the mitigation measures in terms of increasing the likelihood of erosion, inundation or any other hazard event occurring, or increasing its magnitude, including to other properties which may or may not currently be at risk from the effects of the natural hazards.
  - (v) The effects on the effectiveness of existing flood hazard avoidance or mitigation measures, including works and structures within river and drainage schemes, natural landforms that protect against inundation, and overland stormwater flow paths.

## 15 RULES: Residential Zone

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### 15.8.7 Medium Density Development within Levin, Foxton Beach and Waitarere Beach (Refer to Rule 15.3(d))

#### (a) Matters of Discretion

- (i) Matters in Schedule 10 - Medium Density Residential Design Guide.
- (ii) The site layout and configuration of residential units.
- (iii) The provision of quality on-site amenity.
- (iv) The management of stormwater, wastewater, water supply and other servicing.
- (v) The design and appearance of buildings, fencing and hard surfacing, and their maintenance.
- (vi) The maintenance of amenity values at the site boundary and management of adverse effects on adjoining and adjacent properties.
- (vii) The potential visual effects of the development and level of change to the character of the existing urban environment.
- (viii) The design and ongoing maintenance of landscaping within the site.
- (ix) The provision of adequate carparking, manoeuvring and safe access to the site.
- (x) The management of traffic generated and potential adverse effects on the safety and efficiency of the street network.
- (xi) The contribution to the range and type of residential dwelling units to the settlement.

#### (b) Conditions

- (i) Minimum average net site area of 225m<sup>2</sup> per residential dwelling unit.
- (ii) Compliance with the Permitted Activity Standards, except where specifically identified in other rules below.
- (iii) Building Setback From Boundaries:
  - no building shall be located closer than 4 metres from any road boundary, except that a 5 metres long vehicle standing space shall be provided between the road boundary and any structure housing a vehicle where the vehicle takes direct access to the structure from the road; and
  - no building shall be located closer than 3 metres on one external side (or rear) site boundary and 1.5 metres on all other remaining site boundaries.
- (iv) Separation Distance Between Detached Residential Dwelling Units:

## 15 RULES: Residential Zone

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- no detached residential dwelling unit shall be located closer than 3 metres from any other detached residential dwelling unit on the site.
- (v) No more than two residential dwelling units shall share a common side wall.
- (vi) All ground floor residential dwellings units shall have private outdoor living area which meets the following requirements:
- minimum area: 20m<sup>2</sup>;
  - minimum dimension: 2.5 metres diameter circle;
  - directly accessible from the main living area of the residential dwelling unit; and
  - kept free of access to other units, driveways, manoeuvring areas, parking spaces, dedicated utility space and accessory buildings.
- (vii) All above ground residential dwelling units shall have a balcony or deck for a private outdoor living area which meets the following requirements:
- minimum areas: 15m<sup>2</sup>;
  - minimum dimension: 2.5 metres diameter circle;
  - directly accessible from the main living area of the residential unit; and
  - kept free of access to other units and dedicated utility space.
- (viii) The proportion of any site covered by buildings shall not exceed 50%.
- (ix) A concurrent subdivision application for a fee simple or unit title mechanism is required to provide for the individual titles and the collective management of the common areas.
- (c) Non-Notification
- (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 15.8.7 shall not be publicly notified, except where:
- The Council decides special circumstances exist (pursuant to Section 95A(4)), or
  - The applicant requests public notification (pursuant to Section 95A(2)(b)).

### 15.8.8 Non-Compliance with Allotment Size (Rule 15.7.5(b)(i)) Within Tokomaru, Mangaore, Waitarere Beach, Hokio Beach, Ohau, Waikawa Beach and Manakau (Refer Rule 15.3(b))

- (a) Matters of Discretion
- (i) Where the area of any allotment is reduced to less than the minimum standard:

## 15 RULES: Residential Zone

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- The soil conditions of the allotment(s) and capacity for satisfactory drainage from existing or anticipated effluent soakage fields; and
- Whether or not the overall low-density character of the area will be compromised by the proposed subdivision and subsequent development, having regard to the topography of the locality and the proposed configuration of allotments.
- Additional traffic generated by subdivision relative to capacity of existing roads.

### 15.8.9 Subdivision where reticulated wastewater is not available Hokio Beach, Waikawa Beach, Manakau and Ohau (West) (Refer Rule 15.3(d))

#### (a) Matters of Discretion

- (i) The ability to provide on-site effluent disposal and meet environmental standards required by Horizons Regional Council.

#### (b) Conditions

- (i) Demonstrate compliance with the Minimum Net Site Area/Minimum Average Site Area as set out in Table 15-4 Standards Applying to Subdivision and Residential Dwelling Units (Rule 15.3(d));
- (ii) Demonstrate compliance with the servicing, road, access, network utility and structure plan conditions set out in Rule 15.7.5(b)(ii) – (v).

### 15.8.10 Historic Heritage – Buildings (Refer Rule 15.3(f))

#### (a) Matters of Discretion

- (i) The potential effects of earthquake strengthening work on the heritage values associated with the building.

### 15.8.11 Historic Heritage – Signs (Refer Rule 15.3(g))

#### (a) Matters of Discretion

- (i) The colour and materials of any sign.
- (ii) The design of any sign.
- (iii) The location of any sign.
- (iv) The size of any sign.
- (v) The number of any signs.

### 15.8.12 Signs (Refer Rule 15.3(h) and 15.3(i))

#### (a) Matters of Discretion

- (i) The size, siting, design and content of the sign.

## 15 RULES: Residential Zone

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- (ii) The effects on character and amenity values.
  - (iii) The likely duration that the sign will be in place.
  - (iv) The impact of the sign on traffic safety and the efficiency of the transport network.
  - (v) The approval of NZTA where the sign fronts a State Highway.
  - (vi) Cumulative effects arising from other signs in the vicinity.
- (b) Conditions
- (i) The maximum face area of a Community Entrance sign is 9.0m<sup>2</sup>.
- (c) Non-Notification:
- (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 15.8.12 shall not be publicly notified, except where:
    - The Council decides special circumstances exist (pursuant to Section 95A(4)), or
    - The applicant requests public notification (pursuant to Section 95A(2)(b)).

Note: For consent applications involving activities close to State Highways, NZTA may be an affected party for the purposes of limited notification.

### 15.8.13 Temporary Activities (Refer Rule 15.3(a) and 15.3(b))

- (a) Matters of Discretion
- (i) The duration of the temporary activity, including daily hours of operation.
  - (ii) The size and positioning of temporary buildings and structures.
  - (iii) The provisions of safe and efficient vehicular access and car parking for staff, service delivery and customers or the public.
  - (iv) Where appropriate, the provision of safe pedestrian entry and exit.
  - (v) The provision for waste collection, storage and site cleanup.
  - (vi) The actual and potential adverse effects on the amenity of the surrounding environment, and any measures to avoid, remedy or mitigate these effects;
  - (vii) The actual and potential adverse effects on the safety and efficiency of the road network, and any measures to avoid, remedy or mitigate these effects.
  - (viii) The actual and potential adverse effects on the recreation, heritage or cultural values, and any measures to avoid, remedy or mitigate these effects.
- (b) Conditions

## 15 RULES: Residential Zone

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- (i) Submit a draft management plan demonstrating how the temporary activity avoids, remedies or mitigates adverse effects generated by the activity.

### 15.8.14 Relocated Buildings (Refer Rule 15.3(j))

#### (a) Matters of Discretion

- (i) The length of time that will be taken to re-construct, repair, or refurbish the building.
- (ii) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
  - redecoration or reinstatement of any roof or exterior cladding;
  - reinstatement of any porches, terraces, baseboards and steps;
  - replacement of broken window panes, broken or rotten timber, guttering, drainpipes;
  - reinstatement of that part of a dwelling where a chimney has been removed;
  - reinstatement of the site and access to the site; or
  - details and length of time to complete site landscaping.
- (iii) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions.

#### (b) Conditions

- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.
- (ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.

#### (c) Non-Notification:

- (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 15.8.14 shall not be publicly notified, except where:
  - The Council decides special circumstances exist (pursuant to Section 95A(4)), or
  - The applicant requests public notification (pursuant to Section 95A(2)(b)).



## 15 RULES: Residential Zone

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### 15.8.15 Infill subdivision (Refer Rule 15.3(k))

#### (a) Matters of Discretion

- (i) The design and layout of the subdivision, including the size, shape and position of any lot, as well as the future land use and development of each lot. In addition, the location of building sites, separation distances, orientation of buildings, and screening/landscape treatment.
- (ii) The potential effects of the development and level of change to the character of the existing urban environment.
- (iii) The amalgamation of any proposed allotments or balance areas to existing titles of land.
- (iv) The provision of access to the site, passing bays, car parking and manoeuvring areas, and any necessary easements.
- (v) The management of traffic generated and potential adverse effects on the safety and efficiency of the street network.
- (vi) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, telecommunications and electricity.
- (vii) Provision of reserves, esplanade reserves, esplanade strips and access strips, including connections to existing and future reserves.
- (viii) Effects on significant sites and features, including natural, cultural, archaeological and historical sites.
- (ix) Site contamination remediation measures and works.
- (x) Avoidance or mitigation of natural hazards. (Note: Refer to the “Risks and Responsibilities: Report of the Manawatu-Wanganui Regional Lifelines Project” (No. 2005/EXT/622) prepared by the Manawatu-Wanganui CDEM Group for information about natural hazards that may be relevant to the subject site).
- (xi) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control.
- (xii) Staging of the subdivision.
- (xiii) In accordance with any applicable Structure Plan in Schedule 8.
- (xiv) Compliance with the Council’s Subdivision and Development Principles and Requirements (Version: July 2014).
- (xv) Those matters described in Sections 108 and 220 of the RMA.

#### (b) Conditions

- (i) The allotment being subdivided must be located in Levin, Foxton, Foxton Beach or Shannon.
- (ii) Pre-requisite Conditions, Minimum Allotment Area and Shape Factor

## 15 RULES: Residential Zone

Each allotment shall comply with the following pre-requisite conditions, site area and shape factor standards set out in the table below.

**Table 15-5 Infill Subdivision Standards**

<b>Pre-requisite Conditions</b>	<b>Minimum Net Site Area</b>	<b>Minimum Shape Factor</b>
<u>The allotment being subdivided shall be greater than 500m<sup>2</sup> and no more than 900m<sup>2</sup>.</u>	250m <sup>2</sup>	<u>10 metres diameter</u>

- (iii) Water Supply, Wastewater Disposal, Surface Water Disposal and Other Services

All subdivisions shall comply with the requirements as specified set out in Chapter 24.

- (iv) Roads, Access and Car Parking

All subdivisions shall comply with the requirements as specified in Chapter 21.

- (v) Structure Plans

Where any land is within a Structure Plan area in Schedule 8, all subdivisions shall be in accordance with the requirements as specified in the Structure Plan.

Note: Council encourages applicants to submit building plans (i.e. site plan and floor plan) at the time of subdivision where lots of less than 330m<sup>2</sup> in net site area are proposed, to demonstrate that a complying dwelling unit can be sited on each proposed lot.

### **15.8.16 Integrated Residential Development (Refer Rule 15.3(I))**

- (a) Matters of Discretion

- (i) The site layout and configuration of buildings, and the quality of the space between and around them.
- (ii) The design, scale and appearance of buildings, fencing and hard surfacing, including the coherence between buildings and the integration of built form.
- (iii) The potential visual effects of the development and level of change to the character of the existing urban environment, including streetscape and adjacent properties.
- (iv) The design and ongoing maintenance of landscaping within the site.
- (v) The management of stormwater, wastewater, water supply and other servicing.
- (vi) The provision of adequate carparking, manoeuvring and safe access to the site.

## 15 RULES: Residential Zone

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- (vii) The management of traffic generated and potential adverse effects on the safety and efficiency of the street network.
- (b) Non-Notification
- (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 15.8.15 shall not be publicly notified, except where:
- The Council decides special circumstances exist (pursuant to Section 95A(4)), or
  - The applicant requests public notification (pursuant to Section 95A(2)(b)).
- 

### 15.9 RESIDENTIAL (DEFERRED) ZONE

Areas of Residential (Deferred) Zone are identified on the Planning Maps.

Until such time that deferred status is uplifted, the rules of the Rural Zone shall apply within any area identified as Residential (Deferred) Zone on the Planning Maps.

Residential (Deferred) Zone will cease to have effect and the Residential Zone provisions will apply when either of the following occurs:

- For an area not covered by a Structure Plan in the District Plan, a District Plan Change is approved incorporating a Structure Plan for the area; or
- For an area covered by a Structure Plan in the District Plan, the passing of a Council resolution that there is adequate capacity in a local-authority operated reticulated infrastructure to service the particular area of land subject to the Residential (Deferred) Zones.

### ABBREVIATIONS

The following abbreviations shall apply wherever used in this District Plan:

ha	means hectare
km	means kilometre
m	means metre
m <sup>2</sup>	means square metre
m <sup>3</sup>	means cubic metre
mm	means milometre
AEP	means Annual Exceedence Probability
CMA	means Coastal Marine Area
GIS	means Geographic Information Systems
HDC	means Horowhenua District Council
MHWS	means Mean High Water Springs
NES	means National Environmental Standard
NPS	means National Policy Statement
NZCPS	means New Zealand Coastal Policy Statement 2010
NZTA	means New Zealand Transport Agency
One Plan	means Horizons Regional Council combined Regional Policy Statement and Regional Plan
RMA	means Resource Management Act 1991

### DEFINITIONS

The following definitions shall apply wherever the words and phrases are used in this District Plan:

**Access Leg** means an area of land intended to provide access from the street frontage to one (1) or more rear sites.

**Accessory Building** means any detached building which is accessory to the principal activity on the site; and includes a garage housing vehicles used in association with a residential activity, a garden or implement shed, studio, or sleepout, but excludes a family flat.

**Advertising Sign** means any advertising device or appliance, or any other thing of a similar nature used to advertise a product, service, event or location. This includes all parts, portions, units and materials composing the same, together with the frame, background, structure and support anchorage.

Advertising Signs do not include local and central government election signs or freestanding footpath signs on the road reserve which are controlled by a Council By-law.

**Aerial** means the part of a radiocommunication facility or telecommunication facility used for transmission or reception including the aerial mountings but not any supporting mast or similar structure. This definition excludes any antenna dish.

**Aggregate Extraction Activities** means the use of land, buildings and plant for the primary purpose of extracting and processing aggregates, including but not limited to rock, gravel and sand. Processing includes associated on site crushing, screening, washing and blending of aggregates.

**Allotment** has the same meaning as in the Resource Management Act 1991.

**Alteration** (only applicable to the heritage provisions) means any change to the physical fabric of a historic heritage building or structure that varies its size, style or composition. This includes the partial destruction of a historic heritage building or structure required to realise any such change, and includes the removal and replacement of external walls, windows, roofs, verandahs, parapets and balustrades. Alteration does not include maintenance, redecoration, repair or restoration.

**Amenity Values** has the same meaning as in the Resource Management Act 1991.

**Ancillary Activity** means any activity involving operational, construction, demolition or maintenance work directly associated with the principal permitted activity and/or a principal activity that has been granted consent.

**Antenna** means any telecommunication apparatus used for transmission or reception of signals including the antenna mounting and shroud but not including any supporting mast, pole or similar structure. This definition includes satellite dishes.

**Archaeological Site** has the same meaning as specified in the Heritage New Zealand Pouhere Taonga Act 2014.

**Area/Site of Cultural Significance** means an area or site recognised by Tangata Whenua for its special cultural significance and identified on the Planning maps. These may include geographic features (such as waterways, mountains and coastlines), wāhi tapu, wāhi tūpuna, taonga and other places of spiritual and historical significance to Tangata Whenua.

## 26 GENERAL PROVISIONS: Definitions

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**Bed** has the same meaning as in the Resource Management Act 1991.

**Boundary Adjustment** means a subdivision intended to adjust the boundaries of certificates of title which does not create additional allotments.

**Building** means any temporary or permanent or movable or immovable structure; and includes any structure intended for occupation by people or animals or machinery but does not include any of the following:

- (a) Any fence or wall which has a height of 2 metres or less.
- (b) Any structure which has a height of 2 metres or less and having a floor area of less than 5.5m<sup>2</sup> which is located at least 1 metre from any adjoining property boundary.
- (c) Any vehicle, trailer, tent, caravan, or boat.
- (d) Any swimming pool or tank which has a height of less than 1 metre above ground.
- (e) Any part of a deck, terrace, balcony, or patio which has a height less than 1 metre above ground.
- (f) Any electricity poles and towers.
- (g) Any pergola, crop structure or vertical crop protection structure.
- (h) Scaffolding or falsework erected temporarily for maintenance and construction purposes.
- (i) Lightning rods and their mountings where they do not exceed 2 metres above the building or structure to which it is attached.

**Building Coverage (or Site Coverage)** means the portion of the net site area, when viewed in plan, which is covered by buildings excluding roof overhangs or eaves having a width of 1 metre or less, expressed as a percentage.

**Bund** means an embankment which may be used as a mitigation measure for different effects, including but not limited to, noise effects, visual effects (e.g. screening), a liquid containment system for hazardous substances, and for sediments and erosion control.

**Childcare Facility** means a facility for the care and/or education of children with five (5) or more children under the age of seven (7), including but not limited to creche, day care centre, kindergarten, Kohanga Reo, playgroups and day nurseries; such facilities shall not provide for overnight stays, but excludes home-based childcare services.

**Clean Fill** means any earthwork operating to deposit material that when buried will have no adverse effect on people or the environment. Clean fill material includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of any of the following:

- Combustible, putrescible, degradable or leachable components.
- Hazardous substances.
- Products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices.

## 26 GENERAL PROVISIONS: Definitions

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- Materials that may present a risk to human or animal health such as medical and veterinary waste, asbestos or radioactive substances.
- Liquid waste.

**Commercial Activity** means any activity providing commercial or administrative services, and includes retail trade premises, offices, and banks, but excludes premises or activities involving industrial manufacture or production, vehicle service stations, and commercial garages/vehicle sales yards.

**Commercial Garage/Vehicle Sales Yard** means land or any premises where motor vehicles are sold, leased, hired, repaired, maintained, cleaned, re-fuelled, panelbeaten, overhauled, painted, or housed; and includes the retail sale of motor vehicle accessories ancillary to that activity, but excludes any garage or building used for the storage of any vehicles which is incidental to and secondary to the principal activity on the site and which is not operated for commercial reward.

**Community Activity (also community facility)** means the use and development of any land or premises for any activity or service providing for the social and cultural needs of the community including community health, welfare, care, educational purposes and includes childcare facilities.

**Community Entrance Sign** means a sign advertising the district, or the towns, or settlements within Horowhenua.

**Community Wellbeing Sign** means any sign advertising a public education, health or safety matter.

**Contaminated Land** means land that has a hazardous substance in or on it that:

- (a) has significant adverse effects on the environment, or
- (b) is reasonably likely to have significant adverse effects on the environment.

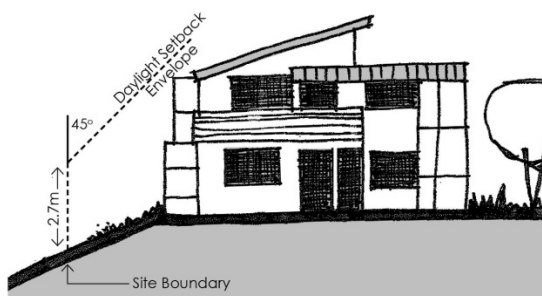
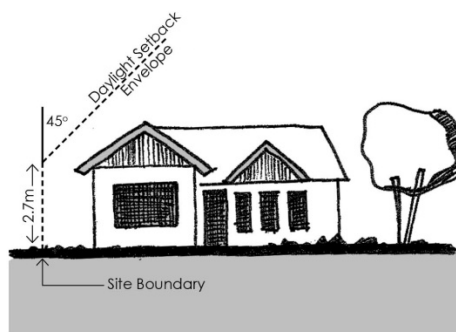
**Controlled Activity** has the same meaning as in the Resource Management Act 1991.

**Council** means the Horowhenua District Council or any committee, sub-committee, commissioner or person to whom the Council's powers, duties and discretions under this District Plan have lawfully been delegated pursuant to the provisions of any Act.

**Daylight Setback Envelope** means an envelope shape, measured at ground level at each site boundary, which is imposed to control the distance of buildings from boundaries so as to maximise daylight to adjoining properties; except that the following building structures or features shall be permitted to encroach beyond the standard Daylight Setback Envelope for the site:

- Eaves and spouting which projects from the building at a horizontal distance no greater than 1 metre.
- Chimneys, ventilation shafts, water storage tanks, lift towers, machinery rooms.
- Ornamental turrets, steeples, finials and other decorative features.
- Radio and television aerials.

## 26 GENERAL PROVISIONS: Definitions



**Deferred Zone** means the Residential and Greenbelt Residential Areas identified in the Planning Maps as future growth areas. For the deferred zoning area the Rural Zone provisions apply until such time as the Deferred zoning status is uplifted.

**Demolition** (only applicable to the heritage provisions) means the total destruction of a historic heritage building identified in Schedule 2: Historic Heritage.

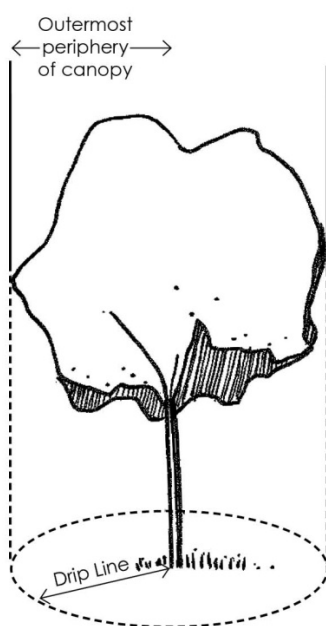
**Designation** has the same meaning as in the Resource Management Act 1991.

**Discretionary Activity** has the same meaning as in the Resource Management Act 1991.

**Domestic Scale Renewable Energy Device** means a small scale renewable energy device providing energy supply capacity to a single dwelling or business premises. This includes renewable energy sources such as solar and photovoltaic panels, wind turbines and microhydro.

Note: Any energy produced shall be used primarily for a single dwelling or business. However, this does not prevent the sale of electricity back to an energy supplier, so long as the electricity produced is primarily for the use of the dwelling or business to which it relates.

**Dripline** is the outermost periphery of a trees canopy spread where the longest side of the trees canopy shall be taken as the radius.





## 26 GENERAL PROVISIONS: Definitions

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**Earthworks** means any alteration to the existing natural ground level including re-shaping, re-contouring, excavation, backfilling, compaction, stripping of vegetation and top soil and depositing or removal of clean fill. In particular, earthworks does not include:

- (a) Aggregate Extraction;
- (b) activities such as cultivation and harvesting of crops, planting trees, removal of trees and horticultural root ripping, where these activities do not reshape or recontour the land;
- (c) digging post holes;
- (d) drilling bores, digging offal pits, and burials of dead stock and plant waste and installation of services except for the application of Rules 18.6.32(b) and 19.6.14(b) National Grid Corridor.

**Earthquake Strengthening** (only applicable to the heritage provisions) means any work that improves the structural performance of a historic heritage building, particularly with respect to withstanding the effect of an earthquake.

**Emergency Work** is any work undertaken by Council on a Registered Tree in order to safeguard life and property or for containing the spread of disease.

**Entertainment Activity** means any land or buildings used for the purpose of entertainment, or social or cultural enjoyment; and includes any licensed hotel/club, casino, cinema, theatre, electronic games facility and premises controlled by the Prostitution Reform Act 2003.

**Esplanade Reserve** has the same meaning as in the Resource Management Act 1991.

**Esplanade Strip** has the same meaning as in the Resource Management Act 1991.

**Existing**, in relation to subdivision, land use or activities, means those legally authorised and existing at 1 July 2015.

**External Sound Insulation Level (DnT, w + Ctr)** means the standardised level difference (outdoor to indoor) and is a measure of the airborne sound insulation provided by the external building envelope (including windows, walls, ceilings and floors where appropriate) described using DnT, w + Ctr as defined in the following standards:

- ISO 717-1:1996 Acoustics - Rating of Sound Insulation in Buildings & Building Elements using spectrum No. 2 (A-weighted traffic noise spectrum).
- ISO 140-5:1998 Acoustics - Measurement of Sound Insulation in Buildings & of Building Elements - Part 5: Field Measurements of Airborne Sound Insulation of Facade Elements and Facades.

**Face Area (of a sign)** means the total visible area of the sign which is exposed or displayed for view excluding the supporting structure.

**Family Flat** means any detached building which shall be capable of being a self contained residential unit with kitchen and bathroom facilities, and shall be secondary in scale to any principal residential dwelling unit on the site.

Within the Greenbelt Residential Zone, a Family Flat shall be no more than 50m<sup>2</sup> in maximum gross floor area (plus a covered verandah up to 10m<sup>2</sup>).

**Gross Floor Area** means the sum of the gross area of the floors of all buildings on the site, measured from the exterior faces of exterior walls, or from the centre lines of walls separating

## 26 GENERAL PROVISIONS: Definitions

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two (2) abutting buildings or, in the absence of walls, from the exterior edge of the floor but excluding the following:

- Car parking, vehicle access and manoeuvring areas/ramps.
- Pedestrian facilities approved by the Council which are open to the public, are accessed directly from a public place and have an overhead clearance of not less than 3 metres.
- Space for stairs, ramps, walkways, escalators and elevators.
- Plant and equipment enclosures on the roof.
- Mezzanines not available to the public.

**Ground Level** means the level of the ground based on the natural contours of the land or the finished level of the ground as a result of an approved subdivision, and shall not include earthworks which have resulted or will result from work undertaken as part of the construction of any building or development of the site.

**Habitable Building** means any building containing at least one (1) habitable room.

**Habitable Room** means any room in a building which is, or is likely to be, used as a rumpus or games room, study, lounge, living room, bedroom, dining room, kitchen or a room used for general amusement purposes.

**Hapu** means sub-tribal units which are comprised of several whanau which descended from an eponymous (common) ancestor.

**Hazardous Facility** means any activity involving hazardous substances and the sites where hazardous substances are used, stored, handled or disposed of, and any installations or vehicles parked on site that contain hazardous substances.

**Hazardous Substance** means, unless expressly provided otherwise by regulations, any substance -

(a) with one (1) or more of the following intrinsic properties:

- an explosive nature;
- flammability;
- an oxidising nature;
- a corrosive nature;
- acute or chronic toxicity;
- ecotoxicity, with or without bioaccumulation; or

(b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one (1) or more of the properties specified in paragraph (a).

## 26 GENERAL PROVISIONS: Definitions

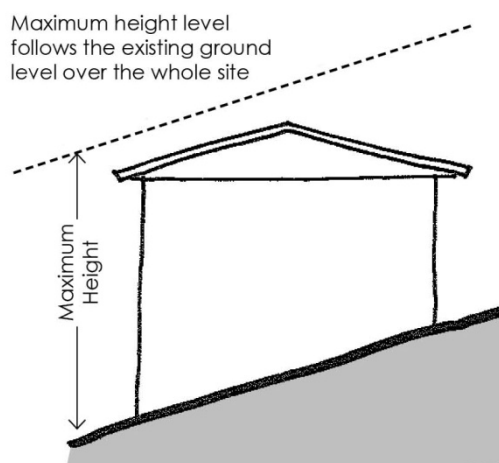
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**Health and Safety Sign** means any warning of health and safety hazards, including but not limited to those required under any legislation such as Health and Safety in Employment Act 1992 and Hazardous Substances and New Organisms Act 1996.

**Height** means, in relation to a building, the vertical distance between the highest part of a building and the ground level immediately beneath that point of the building or structure; except that the following features or structures shall not be included in the measurement of a building's height:

- Chimneys, ventilation shafts, water storage tanks, lift towers, machinery rooms.
- Ornamental turrets, steeples, finials and other decorative features.
- Radio and television aerials, and telecommunication antennas.
- Masts, other support structures and antennas associated with network utilities and domestic scale renewable energy device.

Provided that these projections do not measure more than 2 metres in a horizontal plane or project more than 1.5 metres above the maximum permitted height of the building.



**Heritage Setting** (only applicable to the heritage provisions) means, for historic heritage buildings, the area between the building and the legal boundary of the site on which it is located. For historic heritage sites, means the area contained within the legal boundaries of the site.

**Historic Heritage Building/Structure(s)** (only applicable to the heritage provisions) means a building or structure contained in the Historic Heritage Schedule.

**Historic Heritage** has the same meaning as in the Resource Management Act 1991.

**Historic Heritage Site(s)** (only applicable to the heritage provisions) means a site contained in the Historic Heritage Schedule that has important archaeological and/or Māori cultural heritage values. Unless specifically identified in the Historic Heritage Schedule, historic heritage sites exclude existing buildings or structures located within the site.

**Home-based Childcare Service** means the provision of education and/or care to fewer than five (5) children under the age of seven (7) in their own residence, or the residence of the

## 26 GENERAL PROVISIONS: Definitions

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person providing the education or care, or any other residence nominated by the parents of the children.

**Home Occupation** means an occupation, business, trade, craft, or profession; the primary purpose of which is to derive income and which:

- (a) is incidental and secondary to the residential use of the property;
- (b) is undertaken or operated by a member of the household residing on the property in which the home occupation occurs and can include one other person (full time equivalent) who resides off the property but is employed for the activity;
- (c) involves no exterior storage, display, or other indication of the home occupation (other than an advertising sign permitted by this Plan);
- (d) involves no delivery or collection of goods, materials, or wastes or visits for the home occupation outside the hours of 7.00 am to 8.00 pm;
- (e) gives rise to no significant effects including noise, smell, electrical interference, or traffic movements compared with the ambient conditions in the neighbourhood; and
- (f) includes administrative and professional offices, home-based childcare service, internet-based activity, telephone sales, and franchise distribution.

The following activities are specifically excluded from this definition:

- Childcare facilities, vehicle panel beating, automotive wreckers' and scrap yards, motor vehicle repairs, vehicle spray painting, sheet metal work, waste/recycling collection service, and any other industrial process or trade which involves the use of power tools or drilling or hammering machinery or activities.

**Indigenous Vegetation** means any flora occurring naturally in New Zealand, or belonging naturally to New Zealand. Indigenous vegetation does not include flora that has been introduced by people, and only exists in New Zealand because it was introduced by people, and does not include trees specifically planted by people for the purpose of timber production, or domestic amenity.

**Infill subdivision** means the subdivision of an existing residential site and would usually involve a site that has already been developed.

**Industrial Activity** means the use of land or premises for the purpose of manufacturing, fabricating, processing, repair, packaging, storage, collection, or distribution of goods; and includes the wholesale or retail sale of goods manufactured on the site.

**Integrated Residential Development** means a residential development on any site greater than 2000m<sup>2</sup> that:

- is designed to function and be managed as a single, integrated development;
- contains a mix of dwelling unit type (e.g. detached, semi-detached, multi-unit);
- includes provision for shared or communal facilities such as healthcare facilities, recreational/leisure facilities, open space, access, loading spaces, parking and manoeuvring, that are accessible from, and can be used by, the residents or tenants of the development and their visitors; and

## 26 GENERAL PROVISIONS: Definitions

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- is constructed in one or more stages.

**Intensive Farming** means any farming activity which predominantly involves the housing or raising of animals, plants or other living organism within buildings or in closely fenced enclosures where the stocking density precludes the maintenance of pasture or ground cover; and includes intensive pig farming, poultry farming, and mushrooms farms; but excludes:

- horticulture undertaken in greenhouses,
- shearing sheds; and dairy milking sheds;
- keeping, rearing or breeding of poultry of 20 or fewer birds; and
- the keeping, breeding or rearing of five (5) or fewer pigs that have been weaned, or more than two (2) sows (with progeny until weaned).

**Internal Alteration** (only applicable to the heritage provisions) means any change to the physical fabric of the interior of a historic heritage building or structure. This includes the removal and replacement of internal walls, ceilings, floors and doors; internal plumbing and rewiring; and replacement of minor fittings and fixtures.

**Iwi** a grouping comprised of several hapū, each recognising descent from an eponymous (common) ancestor. The hapū not only recognise genealogical ties but geographical, political and social ties. Iwi may be represented by many organisations including trust boards, runanga and Iwi authorities, but only in specific areas where the mandate to do so has been given by the constituent hapū or Iwi membership.

**Iwi Authority** means the authority which represents an Iwi and which is recognised by that Iwi as having authority to do so.

**Iwi Management Plan** means a relevant planning document recognised by an Iwi authority and formally lodged with the Horowhenua District Council.

**Kaitiakitanga** means the exercise of guardianship by the Tangata Whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship.

**LAeq(t)** has the same meaning as in NZS6801:2008 Acoustics - Measurement of Environmental Sound.

**Lot** has the same meaning as 'Allotment' as in the Resource Management Act 1991.

**Maintenance** (only applicable to the heritage provisions for historic heritage buildings and structures) means routine work that is required to ensure the continuous protective care of the fabric, and is to be distinguished from redecoration and restoration. Maintenance includes planned measures such as clearing debris from gutters, corrective measures such as treatment of dry rot or fixing obvious leaks and emergency measures such as storm related roof repairs and replacing broken glass.

**Maintenance** (only applicable to the heritage provisions for historic heritage sites) means mowing grass and lawns, general gardening, tree trimming, but excludes new earthworks, landscaping or fencing. For existing buildings, structures and signs within a historic site, it

## 26 GENERAL PROVISIONS: Definitions

means the continuous care, repair and/or reinstatement of the building, structure or sign, where any disturbance of land does not extend beyond the area or depth of land previously disturbed.

**Mana Whenua** means customary authority exercised by an Iwi or hapū in an identified area.

**Marae and Marae-Based Facilities and Activities** include:

- whareniui and halls, hui, meetings, and social gatherings;
- accommodation, kitchen, dining, and ablution facilities associated with any marae;
- churches and church activities;
- kaumatua flats or elderly persons' housing or kainga housing for people associated with the marae;
- education and training facilities and activities;
- childcare and kohanga reo facilities and activities;
- community, Social, Health and Medical services; and
- urupa and burial services and activities.

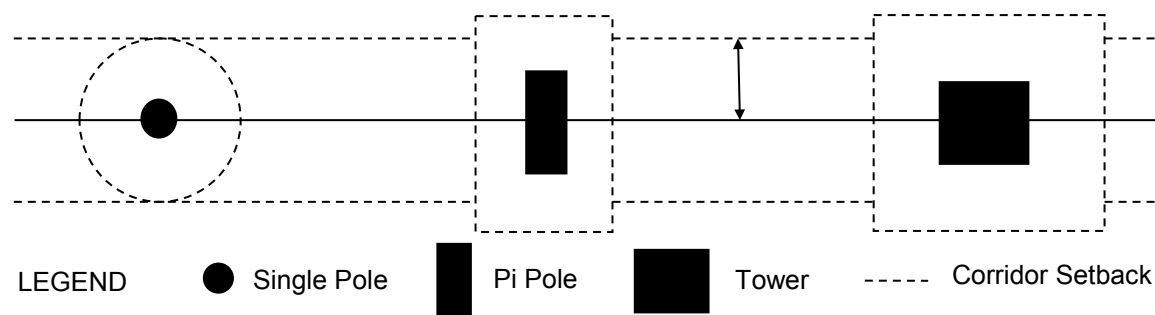
**Mast** means any mast, pole, tower or similar structure designed to carry antennas to facilitate telecommunications. This definition excludes any arm supports.

**Mauri** means the essential essence of all being; the life force or principle. A metaphysical quality inherent in all things, both animate and inanimate.

**Medium Density Development** means three (3) or more residential units, designed and planned in an integrated manner, where all required land use and subdivision resource consents are submitted concurrently, or where the required land use consent for comprehensive residential development is submitted and approved prior to the subdivision consent submitted for the same site.

**Minor Fittings and Fixtures** (only applicable to the heritage provisions) include light fittings, switches, metal railings, window panes, hinges and latches, door handles and locks.

**National Grid Corridor** means a corridor either side of the assets used or owned by Transpower NZ Limited as part of the National Grid. The measurement of setback distances from National Grid electricity lines shall be taken from the centre line of the electricity transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span as depicted on the diagram below.



## 26 GENERAL PROVISIONS: Definitions

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Diagram not to scale.

**Net Site Area** means the total area of the site excluding any part of an access leg and/or any strip of land 6 metres or less in width.

**Network Utility** includes any:

- (a) aerial or mast or antennae or dish antennae;
- (b) tower or pole, including any wind turbine;
- (c) pole-mounted street light;
- (d) line for telecommunication, cable television, transmission, sub-transmission, or any distribution line for conveying electricity, including associated pole, or ground mounted switch gear;
- (e) transformer, substation, compressor station, or pumping station;
- (f) water supply or irrigation race, drain, or channel;
- (g) pipeline for the distribution or transmission of natural or manufactured gas and any necessary incidental equipment, including compressors and gate stations;
- (h) water supply, irrigation supply, drainage and sewerage systems, including pipes that collect, drain, dispose and convey water, stormwater, sewage and/or other wastes;
- (i) navigational aid, lighthouse, or beacon;
- (j) survey peg or survey monument;
- (k) meteorological installation;
- (l) telephone booth;
- (m) Equipment incidental to the household or commercial or industrial connections to such utilities; and
- (n) Roding and railway lines.

Whether these are for private or public purposes; and includes routine maintenance of these network utilities.

**Noise Sensitive Activity** means any:

- Residential Activity,
- Visitor Accommodation,
- Conference Centre,
- Community Activity,

## 26 GENERAL PROVISIONS: Definitions

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- Residential Dwelling Unit,
- Childcare Facilities,
- Medium Density Development,
- Residential Centre, or
- Retirement Village.

**Non-complying Activity** has the same meaning as in the Resource Management Act 1991.

**Notional Boundary** means, with regard to the measurement of noise, the legal boundary of the site on which any dwelling is located or a line 20 metres from the dwelling whichever point is closer to the dwelling.

**Notional Net Site Area** means that part of a site identified on a development plan for the exclusive use and occupation of each residential dwelling unit and associated accessory building/s, excluding any part of an access leg and/or any strip of land 6 metres or less in width.

**Office** means any commercial, professional, or administrative office; and includes any bank and premises offering financial services.

**Official Sign** means all regulatory traffic and official signs approved by a road controlling authority or provided for under any legislation and which are erected on a legal road or motorway.

**Open Space** means any land (whether or not zoned Open Space) which is developed for recreation or amenity activities that do not take place in buildings.

**Papakāinga housing** means communal housing developed by Tangata Whenua and often based around a marae.

**Permitted Activity** has the same meaning as in the Resource Management Act 1991.

**Plantation Forestry** means the commercial production of trees for wood products and includes woodlots, large scale plantations, a mix of pastoral and forest uses, and firewood lots, provided any area is contiguous planting over 1 hectare, but does not include shelterbelts and trees planted for horticultural purposes.

**Poultry** includes fowls, ducks, geese, turkeys, parrots, canaries and pigeons.

**Primary Production Activity** includes any agricultural, horticultural, floricultural, arboricultural, plantation forestry or intensive farming activity but does not include aggregate extraction, mineral extraction or mineral processing or the harvesting clearance or modification of indigenous vegetation.

**Private Outdoor Living Area** means an area of outdoor space directly related to the living area of a household unit, and for the household's exclusive use. It does not include parking, manoeuvring areas and buildings, but does include swimming pools, pergolas and similar open-framed structures.

**Prohibited Activity** has the same meaning as in the Resource Management Act 1991.



## 26 GENERAL PROVISIONS: Definitions

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**Recreation Activities** means active and passive recreation activities and associated buildings and facilities, structures and landscaping required to enable these activities; and includes (but not limited to) gymnasiums, grandstands, stadia, clubrooms, halls, toilets, viewing platforms, night lighting, sealed courts, turf, swimming pools, campgrounds, playground equipment, boardwalks, cycleways and gardens.

**Redecoration** (only applicable to the heritage provisions) means the renewal, restoration, or new applications of: surface finishes, coatings, painting, decorative elements, minor fittings and fixtures, and floor coverings, excluding paint on previously unpainted surfaces. Includes the application of finishes and coatings to repaired fabric and preparation of surfaces for redecoration (e.g. washing but excludes sandblasting).

**Relocated Building** means any previously used building which is transported in whole or in parts and re-located from its original site to a new site; but excludes any pre-fabricated building which is delivered dismantled to a site for erection on that site.

**Remote Advertising Sign** means any sign advertising a business or activity that does not take place on the same site on which the sign is located and is not a Community Sign, an Official Sign, a Temporary Sign, or a real estate sign of 2m<sup>2</sup> or less.

**Repair** (only applicable to the heritage provisions) means to improve the long-term condition of a building by using identical or closely similar materials to make good any damaged or decayed fabric. Repairs include re-pointing deteriorated brickwork, putting right damaged timberwork and replacing corroded or deteriorated roofing material.

**Requiring Authority** means any Minister of the Crown, Local Authority or Network Utility Operator approved under Section 167 of the Resource Management Act 1991.

**Residential Activity** means the use, occupation, or inhabitation of any land or buildings by people for the purpose of residential accommodation; and includes domestic occupations and pastimes and activities undertaken which are usually associated with residential accommodation; and includes any refuge or health care for up to five (5) persons, plus support staff.

**Residential Dwelling Unit** means a building which accommodates one (1) household unit, and can include a dwelling house, a flat, an apartment, or a town house, but excludes a family flat.

**Restricted Discretionary Activity** has the same meaning as in the Resource Management Act 1991.

**Retail Activity** means the use of land or premises for the retail sale or hire of goods to the public; and includes any café, restaurant, take-away food outlet, or other eating establishment, but excludes vehicle service stations and commercial garages/vehicle sales yards.

**Reverse Sensitivity** is the vulnerability of an existing lawfully established activity to objection or complaint from new activities in the vicinity that are sensitive to adverse environmental effects that may be generated by the existing activity, thereby creating the potential for the lawful operation of the existing activity to be constrained or compromised.

**Road** has the same meaning as in the Resource Management Act 1991.

## 26 GENERAL PROVISIONS: Definitions

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**Road-Side Sales Activity** means the use of land or premises for the retail sale of goods or foods produced or grown on the property from which they are offered for sale and generally intended for purchase by passing traffic.

**Rohe** means a tribal territory or boundary.

**Sensitive Activities** means any of the following activities:

- Residential activities
- Visitor accommodation
- Community activities
- Recreational facilities and activities
- Camping grounds
- Educational facilities
- Places of assembly
- Marae and papakainga housing
- Cafes and Restaurants
- Hospitals, rest homes or medical facilities.

**Scheduled Notable Tree** is any tree listed on the Register of Notable Trees in Schedule 3: Notable Trees, in the District Plan.

**Shelterbelt Planting** means the planting and maintenance of trees for shelter.

**Sign** has the same meaning as "advertising sign".

**Site** means an area of land held in one (1) computer register (certificate of title); or the area of land contained within an allotment on an approved plan of subdivision; or the area of land which is intended for the exclusive occupation by one (1) residential unit.

**Sleepout** means a habitable room(s) separate from the primary dwelling which does not contain a kitchen and a bathroom.

**Standard Tree Evaluation Methodology (STEM)** is a nationally recognised method used to assess the significance of trees. A tree must score 150 points or more through the criteria which is available for perusal at the office of the Council.

**Structure Plan** means a framework to guide the subdivision, development or redevelopment of a particular area by defining the broad future form, areas of open space, layout and nature of infrastructure (including links), and other key features for managing the effects of development.

**Subdivision** has the same meaning as in the Resource Management Act 1991.

**Tangata Whenua** in relation to a particular area refers to the Iwi or hapū that holds mana whenua over that area.

## 26 GENERAL PROVISIONS: Definitions

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**Taonga** means all things prized or treasure both tangible and the intangible, treasures. The term carries deep spiritual meaning.

**Temporary Activity** means any short term activity and any buildings and structures associated with that activity and includes, but is not limited to:

- any event such as a gala, a sports event, a festival, a market or an outdoor music event; or
- any short term filming activities.

It does not include Temporary Military Training Activities.

**Temporary Military Training Activity** means a temporary military training activity which may include an activity on the surface of any water body, undertaken for Defence purposes. Defence purposes are those in accordance with the Defence Act 1990. The Defence Act also enables access to Defence areas which include areas utilised for temporary military training activities, to be restricted.

**Temporary sign** means any sign advertising any forthcoming event which is continuously displayed for no longer than two (2) calendar months in any one (1) year and removed within seven (7) days after the event.

**Tikanga Māori** means Māori customary values and practices.

**Treaty of Waitangi (Te Tiriti o Waitangi)** has the same meaning as the word Treaty as defined in Section 2 of the Treaty of Waitangi Act 1975.

**Vehicle Service Station** means any land or premises used principally for the retail sale of motor vehicle fuels and for the re-fuelling and servicing of vehicles; incorporating activities which are incidental to the principal re-fuelling activity including the retail sale of motor vehicle accessories, oils, spare parts, and the retail sale of convenience goods; and ancillary services including mechanical repairs, warrant of fitness testing, tyre servicing, the mechanical washing of vehicles, and the hire of vehicles.

**Versatile Land** means Rural zoned land identified on Planning Maps as containing LUC Class I or II soil.

**Visitor Accommodation** means the use of land or premises for short-term living accommodation; and which may include some ancillary services and facilities such as dining hall, restaurant, conference and meeting rooms, and recreational facilities for the use of guests and visitors.

**Wāhi Tapu** refers to sites, areas or localities of special cultural, spiritual or historical significance to Tangata Whenua and associated with tapu. May include (but is not limited to) urupa, places where baptismal rites are performed and historic battlegrounds.

**Wāhi tūpuna** refers to sites, areas or localities of special cultural, spiritual and historical significance to Tangata Whenua but not necessarily tapu. May include (but is not limited to) village sites, pathways and boundary indicators.

**Wastewater Works** (for the purpose of sewage and wastewater designations) means any construction, operation and/or maintenance of facilities, buildings and structures for the purpose of receiving and treating sewage; and managing effluent, sludge and odour discharges from the

## 26 GENERAL PROVISIONS: Definitions

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processes. This includes, but is not limited to site management, fencing, landscaping, earthworks, monitoring, liquid storage facilities, buildings, pipework and structures.

**Wholesale Trade** means business engaged in sales to businesses, and may include sales to general public, but wholly consists of sales in one (1) or more of the following categories:

- (a) Automotive and marine supplies
- (b) Buildings supplies
- (c) Garden and landscaping supplies
- (d) Farming and agricultural supplies
- (e) Hire services (excluding hire of books, DVD and video)
- (f) Office furniture, equipment and systems supplies.

**Wind Energy Facilities** means the land, buildings, turbines, structures, substations, underground cabling, earthworks, access tracks and roads associated with the generation of electricity by wind and the operation and maintenance of the wind energy facility. This does not include domestic scale renewable energy device or any cabling required to link the wind energy facility to the point of entry into the electricity network, whether transmission or distribution in nature.