16 Estuary Estates

16.1 General Description

16.1.1 Description Of The Estuary Estates Structure Plan

The Estuary Estates Structure Plan area is comprised of approximately 130 hectares of land located on the upper Mangawhai Harbour. It sits to the west of Molesworth Peninsula, south of the Mangawhai Heads settlement and northwest of Mangawhai Village.

The area is defined to the north by the Tara Creek estuary, which drains into the upper Mangawhai Harbour and to the west by a significant secondary wetland system, which drains to the Tara Creek. To the east the area is defined principally by Molesworth Drive as it traverses the estuarine alluvial flats between Mangawhai Village and the southeast and Molesworth Peninsula northeast of the causeway.

The south and south western boundaries of the Estuary Estates Structure Plan area are defined following the lower slopes of the hill country that rises from the estuarine alluvial flatslands, along the interface of which Old Waipu Road is partially aligned. The west and south is fringed by private properties on the adjacent alluvial flats and elevated hill country overlooking the area.

The topography within the northern and western portions of the area features gently to moderately steep hills falling from a northeast southwest trending ridgetline and a similar trending elevated plateau area.

The eastern and southern portions are low lying and situated on part of a large flat alluvial terrace, which lies adjacent to the Mangawhai Estuary.

The Estuary Estates Structure Plan area is particularly significant in terms of its strategic location within an area of high development growth. Its intrinsic character and site features, particularly in terms of its location and variety and diversity of discrete environments provide a number of development opportunities that could emerge from the change of land use and management that, as its primary purpose, would seek to secure a range of positive environmental outcomes.

16.1.2 Relationship of the Mangawhai Structure Plan and the Estuary Estates Structure Plan

The Mangawhai Structure Plan is incorporated into the District Plan (refer Chapter 3B: Mangawhai Growth Area). The Estuary Estates Structure Plan Area falls within the Policy Areas 1 and 2 of the Mangawhai Structure Plan.

This Structure Plan reflects and implements the analysis and directions promoted through the Mangawhai Structure Plan. The provisions of Estuary Estates Structure Plan aim to facilitate the development of the land to reflect its important location and position as an entry point to Mangawhai Heads.

In order to reflect the directions of the Mangawhai Structure Plan and create an attractive "gateway" to Mangawhai Heads, Chapter 16 - Estuary Estates seeks to provide for a commercial centre adjacent to Molesworth Drive to provide for future retail and service needs beyond those able to be provided for at the historical village centres. This includes provision for activities requiring larger retail buildings but limits the extent of those to preserve a rural village character. The Estuary Estates Structure Plan will also enable some mixed-use development where residential activities can merge with business type activities in close proximity to the centre. This provides for work-from-home type options as well as adding diversity to the way in which emerging needs can be catered for.

Beyond the retail/business centre which is defined by open spaces and pedestrian areas, there are nodes of residential development at varying densities complemented by different forms of rural lifestyle development, including a ‘Lakeside Living’ cluster and a ‘Rural Lifestyle’ cluster, with a resulting built environment that can meet the needs of the increasing number of residents and visitors, while reflecting the unique characteristics of its location.

The provisions of Chapter 16 and the Estuary Estates Structure Plan have precedence over the Mangawhai Structure Plan.

16.1.3 How to Use this Chapter of the District Plan

This Chapter specifies what land uses can or cannot be done in this Zone. Where someone wants an activity that is not provided for or does not meet the Standard for that activity, they will need to lodge a Resource Consent. Council has an opportunity to approve or decline the application and to set conditions on how this activity is done. This Chapter also seeks to make sure that subdivision has adequate servicing, including roads, to avoid, remedy or mitigate effects on the environment.

Before you use this Chapter of the District Plan, check:

- That the property for development / subdivision is located in this Zone (Map Series 1).
- If the property has a special site, area, feature or management unit on it (Map Series 2) (if it does, you need to look at the relevant Chapter for that site, area, feature or unit). The parameters of the Estuary Estates Structure Plan (Appendix 25E to the District Plan Maps).

In summary you need to check whether your activity is provided for and whether it meets the Performance Standards of Section 16.8, 16.9 and 16.10 of this Chapter and the Estuary Estates Structure Plan.

How much information Council will need in considering your Consent application depends on the Activity Status of your Consent. Firstly, you will need to check the activity tables in Section 16.7 and then the activity tables in Section 16.8 and 16.10 of this Chapter. In considering a Resource Consent application Council will exercise its discretion (Discretionary Activities) or will limit its discretion to those matters identified in the Estuary Estates Structure Plan. Council will consider whether the activity contributes to or is not contrary to the Objective and Policies of the Plan. If the proposal is a Discretionary Activity, you will need to consider whether the proposal meets the Objective and Policies of this Chapter. For Non-Complying Activities you will need to consider the Objectives and Policies of the Plan and the relevant Part A of the Plan, as well as the relevant Part 2 matters of the Resource Management Act 1991. See Section 13.5 of the District Plan for a summary of the ‘Status of Consents’.

If you need to prepare a Resource Consent application for your proposed development or subdivision: Council has prepared a guide that sets out the process and information they want to assist them in processing your application. This guide can be obtained from Council’s offices or their website: www.kaipara.govt.nz

16.1.4 Description of the Estuary Estates Structure Plan Provisions

The zoning and road network is shown on Map 56A in Map Series 1. All of the Estuary Estates Structure Plan Maps are provided in Appendix E of this District Plan.

This Chapter has its own set of definitions in Section 16.13 which apply specifically to the Estuary Estates Structure Plan area. Where any ‘alternative’ definitions are contained within Chapter 24 of the District Plan, the definitions in Section 16.13 apply. In all other cases the definitions contained within Chapter 24 of the District Plan will apply.

These Sub-Zones reflect the outcomes of the comprehensive resource management analysis of the area, which was carried out to define the capacity and identify the key elements of the natural environment that need preservation, protection and enhancement.

The Sub-Zones contained within the Estuary Estates Structure Plan area include the:
- Business 1 Sub-Zone;
- Community 2 Sub-Zone;
- Residential 3 Sub-Zone;
- Parkside Residential 4 Sub-Zone;
- Rural Cluster 5 Sub-Zone;
- Rural Residential 6 Sub-Zone; and
- Service 7 Sub-Zone.

Estuary Estates Structure Plan

The Sub-Zones shown on Map 56A in Map Series 1 do not include public roads. Each of these Sub-Zones provides for a specific mix of land use activities with corresponding Subdivision and Development Controls.

Each Sub-Zone also includes defined areas of land called the Green Network as shown on Estuary Estates Structure Plan Map 1. The Green Network areas are shown in greater detail on Estuary Estates Structure Plan Maps 1-26 including identification of particular public areas such as the Village Green in Sub-Zone 2 which will vest in and be managed by Council. The balance parts of the Green Network will be secured by a variety of methods including easements, rights of way, covenants and reserves or other methods as determined by Council at the time of development.

The Estuary Estates Structure Plan Maps together with the associated Development Control Rules and subdivision provisions discussed below are the means through which the environmental and amenity values contained by the Structure Plan will be achieved.

For each Sub-Zone, explicit Development Controls are set out in Sections 16.8, 16.9 and 16.10 and define the nature and scale of development that is considered appropriate for each particular Sub-Zone to ensure consistency with the outcomes promoted by the Structure Plan.

The Permitted Activity Standards and Development Controls set out in Section 16.8 rely upon typical Development Control parameters such as coverage, density, height, height in relation to boundary, yards and other environmental effects related controls to achieve the integration and secure the stated Policy outcomes for the area. Maps 4-17 set out on a series of maps the indicative location of buildings within the separate parts of each Sub-Zone defined as ‘development blocks’ on maps and show the maximum residential density allowed for each of the development blocks and the Permitted Activity coverage thresholds.
The Subdivision provisions include minimum Site Area Standards to enable the basic 'development building blocks' to be established. There are provisions for Unit Title and alternative subdivision methods so that the Residential Density Standards for the Sub-Zones can be given effect to. In the case of the Residential 3 Sub-Zone there is provision for a higher number of residential units to enable multi-level development of separate dwelling units.

For both land use activities and subdivision, the Estuary Estates Structure Plan provisions explicitly set out how staged development shall occur in respect of ensuring that basic infrastructure and Green Network elements are established at early stages of development. Maps 18-26 set out the means through which infrastructure and roading are to be established so that subdivision and development can proceed on an orderly basis.

The General Rules for subdivision require that the individual Sub-Zones be separated onto separate titles as ‘Stage 1 subdivision’. That allows for a progressive development within each Sub-Zone, which seeks that either minimum land areas or a specified scale of development be developed on a comprehensive basis to avoid ad hoc development. That approach will also allow for the implementation of methods to secure the Green Network to be addressed.

A comprehensive Development Control process is defined and provided for land use and subdivision proposals over a particular density threshold or for the identified development blocks in Maps4-17. The Rules provide for such proposals so that an integrated approach to development is achieved which realises the outcomes shown on Map 56A in Map Series 1 and Estuary Estates Structure Plan Maps 1-26.

Estuary Estates Design and Environmental Guidelines (Appendix 16.1)

The Estuary Estates Design and Environmental Guidelines address a range of environmental and design matters. They are used as Resource Consent application assessment criteria to enable the Estuary Estates Structure Plan provisions to be properly interpreted to achieve the outcomes.

Roading within the Estuary Estates Structure Plan Area is shown in greater detail on the Estuary Estates Road Network Map 2.

A Building Line Restriction is imposed parallel to Molesworth Drive to allow for future road widening and roading improvements. This is shown on Estuary Estates Structure Plan Maps 2 and 4.

Estuary Estates Structure Plan Maps 3, 4 and 18-26 illustrate details of stormwater management, staging and implementation.

16.1.5 Staging and Implementation

The Estuary Estates Structure Plan provisions include specific Rules that set out the means through which infrastructure and roading and are to be put in place prior to development occurring within any of the Sub-Zones. Maps 18-26 set out the required infrastructure, structure planting and roading that must be established before any individual Sub-Zone can be developed and subdivided.

Map 18 defines a baseline level of infrastructure, structure planting and roading that must be established at the outset prior to any other subdivision or development being able to occur elsewhere within the Estuary Estates Structure Plan Area. The Subdivision Rules require that Sub-Zones 1 and 7 be subdivided off first as separate Titles and after that, while all of the remaining Sub-Zones must be subdivided onto separate Title prior to any internal development occurring, the sequence of that subdivision can be flexible to respond to local needs.

16.1.6 District Plan Wide Provisions

In any instance where your property is subject to any site feature or management unit (Map Series 2) and the Rules in the relevant Part C Chapter overlap with (or duplicate a Rule in this Zone Chapter), the Rules in the Part C Chapter shall take precedence.

In any instance where works in the road (road reserve) or network utility activities are proposed and the Rules in Chapter 10 and 11 (respectively) overlap with (or duplicate) a Rule in this Zone Chapter, the Rules in Chapter 10 and 11 (respectively) shall take precedence.

Where Standards are specified in this chapter, they are to take precedence over the Kaipara District Council Engineering Standards 2011. For all other matters, Kaipara District Council Engineering Standards 2011 shall apply. The following documents should also be referred to as they may contain Standards which apply to a particular site or proposal.

- Austroads Guide to Traffic Engineering Practice;
- Austroads Urban Road Design;
- NZS 4404:2010 Land Development and Subdivision Engineering.
5) By securing extensive pedestrian and non-vehicular access and connections within the Estuary Estates Structure Plan area.
6) By ensuring development is managed to reduce the dominance of buildings in the landscape, particularly on the slopes of the Rural Cluster 5 and Rural Residential 6 Sub-Zones.
7) To ensure that roads are developed as high quality public spaces by incorporating amenity features such as tree planting and varied paving materials.

16.3.3 Land Use Objective
To limit the range and scale of land uses within the Estuary Estates Structure Plan area, in order to avoid or minimise conflict between different activities.

16.3.3.1 Policies
1) By dividing the Estuary Estates Structure Plan area into a range of different Sub-Zones and allowing for only a specific range of activities within each Sub-Zone.
2) By providing and maintaining amenity values through the implementation of appropriate Development Control Standards and design guidelines.
3) By using activity lists and effects based Performance Standards and Development Controls as a means to avoid reverse sensitivity conflicts.
4) By limiting the Permitted Activity thresholds for the size of activities such as restaurants, taverns, healthcare and medical facilities where there is a potential to adversely affect residential amenity.
5) By ensuring that key elements of the Estuary Estates Structure Plan such as the Green Network and infrastructure requirements are implemented in a manner that ensures the integrated and sustainable development of the whole area, particularly when development is to be progressively staged.
6) By requiring development to be in accordance with the Maps 1-26 particularly in terms of the scale, density and location of buildings and activities, and the location and extent of the Green Network.
7) By ensuring that subdivision and development proceeds in an integrated manner so that the indicative development shown on Maps 4-17 is given effect to.

16.3.4 Business Objective
To provide for business and servicing activities while, ensuring that the adverse effects of those activities are avoided, remedied or mitigated.

16.3.4.1 Policies
1) By providing a specific Sub-Zone to enable business activities in order to better manage the effects of such activities upon amenity values and the environment.
2) By using specific development and subdivision controls and the Estuary Estates Design and Environmental Guidelines to ensure development within the Business 1 Sub-Zones achieves an integrated high quality built environment with a strong pedestrian focus, and a high quality streetscape.
3) By limiting the development of larger scale retail and office activities that need larger land areas to Precinct 1 only.
4) By providing for business and servicing opportunities that cannot be met within the areas Sub-Zoned at the other Village centres in Mangawhai.
5) By providing for small scale servicing and manufacturing opportunities that require larger land areas not available in other central locations.
6) By providing for limited residential activities within the Business 1 Sub-Zone; where adverse effects on residential amenity from business activities or buildings can be avoided, remedied or mitigated.
7) By ensuring that the development of the Business 1 Sub-Zone is managed through staging in order to achieve a consolidated centre.

16.3.5 Community Objective
To create a community focal point in the Estuary Estates Structure Plan area.

16.3.5.1 Policies
1) By providing for a range of community buildings and recreation and leisure activities to meet community needs.
2) By enabling flexibility in the Sub-Zone provisions so as to respond to changes in community needs and recreation and leisure trends.
3) By requiring that the Village Green shown on Map 5 be vested in Council at the time of initial development of the Community 2 Sub-Zone.
4) By ensuring that the development of the Community Sub-Zone occurs in stages in order to achieve a consolidated centre.
5) To ensure a high quality of built environment is developed which relates positively to the street, neighbouring properties and the Green Network.

16.3.6 Residential Objective
To provide for a diverse range of residential living opportunities within the Estuary Estates Structure Plan area.

16.3.6.1 Policies
1) By enabling a range of Sub-Zones so that the Estuary Estates Structure Plan area can provide for up to 500 new household units.
2) By ensuring that the type and intensity of residential activity in each Sub-Zone occurs at a level capable of being sustained by the local environment.
3) By ensuring a high level of on-site residential amenity is provided together with the appropriate protection of amenity to neighbouring sites and the streetscape.
4) By ensuring that the outdoor living needs of upper level apartments can be met through the use of courtyards, communal areas, balconies, and roof-top areas or a mixture of all elements.
5) By ensuring a high quality of built environment is developed which relates positively to the street, neighbouring properties and the Green Network, through the assessment of new buildings by the Estuary Estates Design and Environmental Guidelines.
6) By encouraging the comprehensive development of larger lots.
7) By ensuring that all buildings within the Rural Residential 5 Sub-Zone sit within a vegetated back drop.
8) By providing for non-residential activities, or home occupations, where the activities do not adversely affect residential amenity.

16.3.7 Natural Environment Objective
To ensure that activities conserve and enhance the natural environment and ecological values of the Tara Estuary and Mangawhai Harbour.

16.3.7.1 Policies
1) By using specific Development Controls for earthworks, building scale, density and location, and requiring the establishment of sustainable infrastructure, in order to manage development and thus achieve the protection and enhancement of the natural environment.
2) By ensuring that site works associated with subdivision and development avoid adverse effects on water courses, areas of ecological value, and neighbouring properties arising from changes to land form and the generation of sediments.
3) By establishing a permanent Green Network within the Area as one means of protecting key ecological values and features including the nearby salt marsh and estuarine environments.
4) By establishing the defined Green Network as shown on Maps 1, 4-17 as a key means of securing sustainable land use and subdivision activities within an integrated catchment management framework.
5) By limiting urban development to areas where geotechnical conditions allow for that.

16.3.8 Transport Objective
To achieve a high amenity, low impact and sustainable road network that provides for easily and safely accessed, orderly development.

16.3.8.1 Policies
1) By ensuring development provides for the safe and convenient movement of people by foot and cycle as well as cars, buses, and other vehicles.
2) By providing high quality safe open space, access and pedestrian linkages for people and facilitates sustainable living options between activities, at the time of or prior to any subdivision and development.
3) By ensuring development includes an appropriate amount of occupant and visitor parking on site.
4) By ensuring that development provides for roading in an integrated manner so that the indicative development shown on Maps 2, 18-26 is given effect to.

5) By ensuring that the roading network can be efficiently used by emergency services at all times.

16.3.9 Utilities, Services and Infrastructure Objective

To ensure the provision of a high amenity, low impact and sustainable infrastructure network that provides for properly serviced, and orderly development.

16.3.9.1 Policies

1) By implementing earthworks and stormwater management Development Controls for land use and subdivision activities that require the provision of prime infrastructure in sequence with any development and in a manner where potential adverse environmental effects are avoided or minimised.

2) By ensuring that the provision of infrastructure is consistent with the Maps 1-26.

3) By ensuring that all infrastructures can be efficiently used by emergency services at all times.

4) By requiring that all wastewater systems be connected to Council’s public reticulated (EcoCare) system, with the exception of Rural Residential Sub-Zone 6 which will be unserviced.

16.10 Staging and Financial and Development Contributions

To ensure that the timing of subdivision and development of the Estuary Estates Structure Plan area is coordinated with the provision of infrastructure needed to serve the area and that development contributes its share of the growth related costs of this infrastructure.

16.10.1 Policies

1) By ensuring subdivision and development is in accordance with the Estuary Estates Structure Plan provisions.

2) By requiring development within the Business 1 and Community 2 Sub-Zones occurs progressively in accordance with the Estuary Estates Structure Plan and for all other Sub-Zones only once the principal infrastructure is operational.

3) By requiring development to make a contribution at the time of subdivision and/or development (including at the building stage) to provide for infrastructure and reserve needs in accordance with Section 22.10 of this District Plan.

16.4 Resource Management Strategy

16.4.1 Planning Strategy

The strategic importance of the Estuary Estates Structure Plan area within the Mangawhai Structure Plan area requires a specific planning framework to be established.

The primary Resource Management Strategy for the Estuary Estates Structure Plan area is to divide it into “Sub-Zones” forming the basis for detailed resource management and Development Control purposes. This also enables an integrated approach to the use and development of the Estuary Estates Structure Plan area within the context of the wider Mangawhai Area and the long-term growth directions envisaged for Mangawhai. This strategy requires a comprehensive site planning approach to secure an integrated and consolidated mixed-use built environment. The use of Development Control Rules requiring a Staging Plan for subdivision will also assist in securing that approach. The staging and implementation of landscaping, infrastructure and roading is addressed through the inclusion in the Estuary Estates provisions, including Figures 1-26 of Appendix 16.1 which set out specific requirements for those matters.

The Maps 1 and 4-17 identify the spatial distribution of buildings and the Green Network areas that will be established through the development of the Estuary Estates Structure Plan area. There are different parts to the Green Network each with their own characteristics and the methods to secure the Network vary according to those characteristics. In some cases land may be vested in Council as reserves and in other cases will be protected through covenants and/or Consent Notices.

Each Sub-Zone has a specific purpose and focus, which drives the primary planning mechanisms used to achieve different land use, subdivision and environmental management outcomes for the different parts of the Estuary Estates Structure Plan area.

The planning strategy for the Estuary Estates Structure Plan area also requires the provision of information and regular monitoring of the Plan controls to ensure they continue to achieve their stated purpose.

16.4.2 Design and Environmental Outcome Strategy

The Estuary Estates Design and Environmental Guidelines are an important part of the Resource Management Strategy used to implement the Estuary Estates Structure Plan provisions.

The Estuary Estates Design and Environmental Guidelines recognise that the future built environment of the Estuary Estates Structure Plan Sub-Zones must be of a high quality and design in order to create a built form that creates a sustainable character and identity and which preserves the natural coastal character of Mangawhai Harbour.

The Estuary Estates Design and Environmental Guidelines recognise that relatively intensive development can occur within Sub-Zones 1-5 and thus specify clear outcomes in respect of managing any potential adverse effects from land use and development.

The Estuary Estates Design and Environmental Guidelines are implemented through the Resource Consent application assessment criteria which require consistency of development with those guidelines as well as the Estuary Estates Structure Plan Maps 1-26. All new buildings, with the exception of buildings in the Service 7 zone require, at the least, Controlled Activity Resource Consent as a means of ensuring a high quality built environment. A lower level of amenity is considered acceptable in the Service 7 Sub-Zone.

Maps 4-16 show the indicative development of the Estuary Estates Structure Plan area and complement the Estuary Estates Design and Environmental Guidelines.

16.4.3 Transport Network and Access Strategy

The form and layout of Estuary Estates Structure Plan Maps 4-16 have been designed to support an integrated Transport Network (as shown on Map 2) that provides for vehicles, pedestrian walkways, bridle paths, and cycle tracks.

The Transport Network, in particular the location of main routes, has been designed to ensure:

a) Limited adverse impact on the environment;

b) Separation between sensitive natural, restoration and activity areas is maintained;

c) Efficient and effective maintenance; and

d) Safety and convenience of all users of the Transport Network including emergency service vehicles.

Map 2 illustrates the defined roading hierarchy used to secure the transportation outcomes appropriate to the functions of each type of road.

The Green Network shown on Map 1 is an integral part of defining and establishing the connectivity to and within the different Sub-Zones. Those connections will be secured through a range of methods including easements, covenants, open space, reserves and the use of local streets. All developments and subdivision proposals must demonstrate the means through which the total transportation and access strategy defined for the Estuary Estates Structure Plan area is progressively secured.

Maps 2 and 4 denotes a Building Line Restriction which is designed to provide for future proposed road widening and intersection improvements to the Molesworth Drive road frontage of the Estuary Estates Structure Plan area.

16.4.4 Utilities, Infrastructure And Servicing Strategy

In providing for subdivision and development the Estuary Estates Structure Plan provisions seek to ensure that:

a) Stormwater collection, treatment, reticulation and discharge maintain the level and quality of water systems, groundwater and the marine environment.

b) Low impact design techniques are to be utilised as a key design principle.

c) All developments must connect to the Council reticulated wastewater (EcoCare) community system (with the exception of Sub-Zone 6 which may have independent on-site systems).

d) Conservation and efficiency in water use is recognised and provided for as the preferable approach to development.

e) Roof water is to be stored and treated for potable use in preference to using other sources particularly where there may be a potential for saltwater intrusion and/or adverse effects on ground water tables.

f) The form and layout of subdivision and development must minimise the effects of generated stormwater and ensure that stormwater treatment and disposal does not create adverse effects on the environment.

g) To achieve orderly and integrated development the Plan provisions, the Estuary Estates Structure Plan Maps 1-26 set out minimum requirements for the provision for structure planting infrastructure and roading.
16.5 Methods of Implementation

16.5.1 District Plan Methods, Staging and Implementation

A number of methods are used to implement the Estuary Estates Structure Plan provisions, including:

a) Providing for a number of Sub-Zones with servicing and mixed use activities being the dominant use of the key land close to Moleworth Drive and rural residential activities being the main use of the upper slopes and residential and community uses provided for in the area bounded by the main ‘ring road’.

b) Providing for varying residential densities within the residential Sub-Zones, ranging from a ‘new Mangawhai’ style medium density option to rural lifestyle and lakeside living.

c) Adopting Strategies, Objectives, Policies and Rules which define and control the form, extent and character of development within each Sub-Zone, and provide for the staged development of the Business 1 and Community 2 Sub-Zones.

d) Using Rules and Subdivision Development Control processes, including Estuary Estates Design and Environmental Guidelines.

e) Using Maps (Maps 4-17 in particular) to define preferred development outcomes in respect of layout of buildings and setbacks, yards, landscaping and public and private pedestrian connections.

f) Enabling a comprehensive development approach through particular Rules that encourage larger scale subdivisions and developments to be designed and implemented in a comprehensive manner rather than through ad hoc development processes.

g) Adopting planning Strategies and provisions which provide protection for coastal / estuarine areas and areas of identified ecological/or landscape value.

h) Ensuring through identified implementation and staging plans and specific Subdivision Rules that infrastructure, structure planting and roading is to be established so that that all development is able to be serviced and is provided for in an orderly manner.

i) Setting out specific staging and implementation requirements so that the relationship between subdivision and the processes of providing infrastructure and roading are transparent and ensure that essential requirements are met early in the subdivision development process.

j) Ensuring that infrastructure and roading is provided for in an orderly manner in sequence with the subdivision of each Sub-Zone areas onto separate Titles as a precursor to any development being permitted within any of the individual Sub-Zones.

16.6 The Estuary Estates Structure Plan Sub-Zones

In addition to the general Objective and Policies set out in Section 16.3 above, there are specific Objective and Policies for each Sub-Zone, as described below.

16.6.1 Business Sub-Zone 1

16.6.1.1 Sub-Zone Strategy

The Business Sub-Zone provides for a business centre designed to serve both the business and retail needs of the Estuary Estates Structure Plan area and the wider community.

Particular attention is given to defining the scale and design of buildings and detailing, pedestrian streetscapes, open-space permeability and connectivity through the Sub-Zone into the surrounding community and residential areas with generous landscaping and tree planting in streets, car parks, and inter-building spaces designed to link the ‘built green space’ to the wider Green Network.

This Sub-Zone is around 7ha in overall area, including roads. It comprises around 4ha of development area and has a Green Network component of approximately 1.3ha. The Green Network is located at the frontage to Moleworth Drive and fulfils as a buffer and stormwater management function.

The Sub-Zone provides the ‘gateway’ to the Estuary Estates Structure Plan area and enables easy access to business activities using the ring road that will connect with Moleworth Drive. Secure sheltered pedestrian friendly public spaces and connections are to be provided to adjacent streets and other nearby Sub-Zones and/or public places. Future road widening is anticipated by a 10m building line setback control parallel to Moleworth Drive.

There are two Precincts within the Sub-Zone Precinct 1 is intended to provide principally for activities that require large format floor areas on larger sites that cannot be found within the other business centres at Mangawhai. Precinct 2 provides for smaller retail and business activities in smaller buildings and sites.

To avoid piecemeal development of the Precincts, development is to be staged and consolidated enabling the efficient use of land and ensuring the centre’s amenity values are protected.

16.6.1.2 Objectives and Policies

Objective 1

To create a distinctive, attractive and vibrant business area.

Policies

a) By using a comprehensive Development Control approach and applying environmental and design provisions to achieve an attractive and locally identifiable built form commensurate with the Sub-Zone’s ‘gateway character’.

b) By ensuring that development achieves a quality built environment where bulk unrelied building facades do not occur along road frontages and the design of buildings, open space and parking areas enables a lively streetscape, with safe and convenient pedestrian connectivity.

c) By ensuring parking areas to internal locations where they can be well screened and will not detract from the streetscape and gateway qualities of the Sub-Zone.

d) By ensuring the Sub-Zone functions safely, conveniently and enjoyably as an integrated village environment at all stages of development.

e) By staging development so that the Precincts are developed in a consolidated manner avoiding piecemeal development.

16.6.2 Community Sub-Zone 2

16.6.2.1 Sub-Zone Strategy

The purpose of the Community Sub-Zone is to provide for a range of community focused buildings and activities around a central public space - a Village Green (Map 1 and 5). Public connections for pedestrians between all community Sub-Zoned areas are to be combined with park-quality tree plantings and landscape treatment of individual sites so they effectively constitute extensions to the Village Green.

The Sub-Zone is around 9ha in overall area, including roads. It comprises around 2ha of development area and has a Green Network component of approximately 1.15ha, namely the Village Green.

16.6.2.2 Objectives and Policies

Objective 1

To create a community hub.

Policies

a) By providing for a range of private and public community related buildings and activities, located adjacent to the Village Green and close to the Business and Residential Sub-Zones.

b) By implementing specific development and design controls to limit the size, scale and location of buildings to ensure an attractive built form.

c) By requiring safe pedestrian links to and from adjacent Sub-Zones and public places.

d) By ensuring that a village green be vested as a reserve at the time of initial subdivision of this Sub-Zone.

16.6.3 Residential Sub-Zone 3

16.6.3.1 Sub-Zone Strategy

The main purpose of the Residential Sub-Zone 3 is to provide a residential area at a medium density with high levels of private and public open space. Groups of houses are to be interwoven with well-planted open space providing for casual recreation and pedestrian linkages across the Sub-Zone into the Community and Parkside Residential Sub-Zones, and through to the wider Green Network. The Maps 6-7 set out indicative building locations and define building setbacks from roads and open space/Green Network areas. The residential blocks closest to the Community Sub-Zone are intended to provide for the highest density. There are slightly lesser densities provided for in other development blocks noting that they are larger than those immediately adjacent to the Community Sub-Zone.

The Sub-Zone is intended to secure a community and neighbourhood focus to residential development with high levels of pedestrian connectivity and local open space areas and access ways providing for active and passive use. Stormwater is to be managed by sustainable design solutions in the public access areas identified on Map 3 at the rear of the residential buildings.

This Sub-Zone is approximately 12ha in total area, including roads. It comprises over 9ha of development area and has an open space and Green Network component of around 3ha. The open space/green network will emerge through the comprehensive planning and Development Control process that the Sub-Zone provisions set out.
16.6.3.2 Objectives and Policies

Objective 1
To provide for medium density residential living with a strong neighbourhood character and a high standard of residential amenity.

Policies
a) By controlling the form and scale of buildings to ensure a high standard of design which relates positively to the street and is sensitive to surrounding properties.
b) By enabling a range of housing forms and styles that collectively create a diverse residential environment while achieving a high standard of streetscape and on-site amenity.
c) By ensuring an extensive, pleasant safe and convenient pedestrian network facilitates interaction and movement within the community.
d) By ensuring that smaller scale non-residential activities and home occupations within the Sub-Zone in keeping with the character and amenity of adjoining sites and the neighbourhood.
e) By encouraging the comprehensive approach to development to avoid ad hoc development.
f) By requiring all private pedestrian links and open space associated with the Green Network and utility services maintenance be managed through a body corporate or similar mechanism.

16.6.5 Rural Cluster Sub-Zone 5

16.6.5.1 Sub-Zone Strategy
The purpose of the Rural Cluster Sub-Zone 5 is to form a compact cluster of medium-density detached courtyard, row and house or duplex style living forms where all dwellings are in close proximity to public open space and with easy pedestrian connections to the lakes around which much of the residential development is to be formed. Housing units are to be formed into groups, generally of five to 15 residential units, set into an integral landscaped environment and oriented for sun and views.

This Sub-Zone is around 58.9ha in overall area, including roads. It comprises around 16.0ha of development area and has a Green Network component of approximately 39.0ha. (Maps 9-12) Two lakes will be constructed as stormwater management devices and also provide a special amenity characteristic for the clusters of ‘lakeside living’ house styles that the Sub-Zone provides for.

Housing will be provided for in a range of forms that reflect the varied landscape and aspect offered from the indicative building locations defined on Maps 9-12.

16.6.5.2 Objectives and Policies

Objective 1
To create a series of compact residential clusters enjoying amenity values derived from an elevated aspect, lakeside settings and the rural elements of the Sub-Zone.

Policies
a) By limiting urban development to areas where geotechnical conditions allow that.
b) By limiting the location and density of development within the Sub-Zone, to locations where that development will have a reduced landscape impact within a vegetated backdrop. This vegetated backdrop is to be achieved by structure planting as shown on Map 18.
c) By using design controls and the Estuary Estates Design and Environmental Guidelines to ensure that a high quality of residential amenity is achieved.

Objective 2
To ensure that land use and subdivision activities are managed to secure the conservation, protection and enhancement of the natural environment elements of the Sub-Zone.

Policies
a) By requiring that the areas identified as Green Network on Maps 4-17 are set aside and managed, to ensure the dominant landscape and ecological values of the Sub-Zone are retained.
b) By ensuring that privately owned Green Network areas are managed through body corporate type structures that provide for proper management and regular maintenance.
c) By creating stormwater retention pond / lakes within the Sub-Zone as shown on the Maps 1-26 so that stormwater is managed and residential amenity is enhanced.
d) By requiring integrated landscaping including around the lake edges to retain a dominant rural character and amenity.
e) By ensuring that development will not lead to siltation or degradation of natural watercourses, wetlands, estuarine systems or the Coastal Marine Area.

16.6.6 Rural Residential Sub-Zone 6

16.6.6.1 Sub-Zone Strategy
The purpose of the Rural Residential Sub-Zone 6 is to provide for low-density living and with appropriate scales of building design to minimise any adverse visual effect on the landscape. This Sub-Zone has a high level of integration with the Green Network and provides a rural character context to the Estuary Estates Structure Plan area.

This Sub-Zone is around 27ha in overall area, including roads. It comprises around 11ha of development area and has a Green Network component of 15ha. All buildings are to be located as shown on Estuary Estates Structure Plan Maps 13-15.

16.6.6.2 Objectives and Policies

Objective 1
To provide for low-density rural residential development in keeping with the environmental, land capability, visual amenity, character and landscape values of the Sub-Zone.
Policies

a) By specifically limiting the number and location of residential dwellings within this Sub-Zone. This Sub-Zone is limited to land with moderate constraints in terms of land stability and slope. Development is limited to ensure only minor earthworks and landform modifications occur to facilitate building platforms and driveways.

b) By ensuring that any earthworks and the scale, design and external appearance of buildings complements and is compatible with the physical characteristics and dominant elements of the natural landscape.

c) By securing the protection, enhancement and retention of areas of open space, mature and regenerating native bush and planted areas within the Green Network through the setting aside of reserves, covenanting areas or through the use of similar protection and management techniques.

16.6.7 Service Sub-Zone 7

16.6.7.1 Sub-Zone Strategy

The purpose of the Service Sub-Zone is to provide for, local service activities which are not appropriate elsewhere in the Estuary Estates Structure Plan area. The location of the Sub-Zone has been selected to minimise potential reverse sensitivity issues and also to provide good accessibility without needing to access the area through residential or commercial areas.

This Sub-Zone is around 7.5ha in overall area, including roads. It comprises about 3.2ha of development area and has a Green Network component of approximately 4ha. The Green Network component of the Sub-Zone is intended to provide a wide buffer between the anticipated uses and adjoining land and roads to avoid reverse sensitivity and/or visual detract issues arising.

16.6.7.2 Objectives and Policies

Objective 1

To provide for local service activities and ancillary outdoor activities within the Sub-Zone.

Policies

a) To establish structure planting within the Green Network which will act as a landscaped buffer between neighbouring properties and surrounding Sub-Zones within the Estuary Estates Structure Plan area. Such planting is to be established prior to any building development within this Sub-Zone.

b) By requiring that business activities do not adversely affect the surrounding road network, or the Green Network or nearby residential properties.

c) By ensuring a reasonable level of on-site amenity and streetscape is achieved by implementing the Development Controls.

16.7 Rules: Activities

16.7.1 Activity Tables

The following tables specify the status of various activities within the different Sub-Zones. There are three separate tables: Table 16.7.1 is for the residential Sub-Zones being Sub-Zones 3, 4, 5, and 6. Table 16.7.2 is for the business, community and service Sub-Zones being Sub-Zones 1, 2 and 7. Both Tables 16.7.1 and 16.7.2 exclude any areas identified as Green Network, as shown on Estuary Estates Structure Plan Map 1. Activities within the Green Network of the Estuary Estates Structure Plan are listed separately in Table 16.7.3.

For the purpose of these tables:

P = Permitted Activity
D = Discretionary Activity
C = Controlled Activity
NC = Non Complying-Activity
RD = Restricted Discretionary Activity

Table 16.7.1-1 - Residential Sub-Zone

<table>
<thead>
<tr>
<th>Activities</th>
<th>Sub-Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3 Residential</td>
</tr>
<tr>
<td>Any activity not provided in the following table</td>
<td>NC</td>
</tr>
<tr>
<td>Accessory building to a maximum gfa of 50m² per site</td>
<td>P</td>
</tr>
<tr>
<td>Accessory building exceeding 50m² gfa per site</td>
<td>D</td>
</tr>
<tr>
<td>Animal boarding facility</td>
<td></td>
</tr>
<tr>
<td>Child care facility</td>
<td></td>
</tr>
<tr>
<td>• Up to five children</td>
<td>D</td>
</tr>
<tr>
<td>• More than five children</td>
<td></td>
</tr>
<tr>
<td>Construction of a new building or additions/alterations to an existing building except where approved by way of a comprehensive development for Sub-Zones 3, 4 and 5</td>
<td>RD</td>
</tr>
<tr>
<td>Comprehensive development</td>
<td>C</td>
</tr>
<tr>
<td>Demolition of an existing building</td>
<td>P</td>
</tr>
<tr>
<td>Home occupation</td>
<td>P</td>
</tr>
<tr>
<td>Homestay accommodation</td>
<td>P</td>
</tr>
<tr>
<td>Farming</td>
<td></td>
</tr>
<tr>
<td>(note: this does not include intensive farming)</td>
<td></td>
</tr>
<tr>
<td>Modifications to Development Controls set out in Section 16.6 other than density limits specified in Rule 16.8.2.2</td>
<td>D</td>
</tr>
<tr>
<td>Residential unit for residential purposes within the density limits specified in Rule 16.8.2.2</td>
<td>P</td>
</tr>
<tr>
<td>Retirement facility</td>
<td>RD</td>
</tr>
<tr>
<td>Visitor accommodation, including hotels, tourist houses and camping grounds</td>
<td>RD</td>
</tr>
<tr>
<td>Welfare home</td>
<td>D</td>
</tr>
</tbody>
</table>
### Table 16.7.1-2 - Business, Community and Service Sub-Zones

<table>
<thead>
<tr>
<th>Activities</th>
<th>1 Business</th>
<th>2 Community</th>
<th>3 Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any activity not provided in the following table</td>
<td>NC</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>Accessory building not exceeding 50m² gfa per site</td>
<td>RD</td>
<td>RD</td>
<td>P</td>
</tr>
<tr>
<td>Boat sale and contractor yard</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clubroom</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community facility and services</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comprehensive development</td>
<td>C</td>
<td>C</td>
<td>P</td>
</tr>
<tr>
<td>Construction of a new building or additions/alterations to an existing building except where approved by way of a comprehensive development</td>
<td>RD</td>
<td>RD</td>
<td>P</td>
</tr>
<tr>
<td>Conference and event centre</td>
<td>D</td>
<td>RD</td>
<td>P</td>
</tr>
<tr>
<td>Education facility</td>
<td>RD</td>
<td>RD</td>
<td>P</td>
</tr>
<tr>
<td>Entertainment facility</td>
<td>RD</td>
<td>D</td>
<td>P</td>
</tr>
<tr>
<td>Garden centre including an associated café not exceeding 100m² gfa</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garden centre including an associated café exceeding 100m² gfa</td>
<td>D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Factory shop not exceeding 50m² gfa per site and ancillary to a manufacturing activity</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Healthcare services</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local service activity</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Modifications to Development Controls set out in Section 16.8 other than density limits specified in Rule 16.8.2.2</td>
<td>D</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>Office *</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public toilet and/or changing room</td>
<td>RD</td>
<td>RD</td>
<td>P</td>
</tr>
<tr>
<td>Recreational facility</td>
<td>D</td>
<td>RD</td>
<td>P</td>
</tr>
<tr>
<td>Residential accommodation for persons whose duties require them to live on site</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Residential unit for residential purpose within the density limits specified in Rule 16.8.2b</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restaurant or tavern</td>
<td>D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shop and commercial services#</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shop not exceeding 50m² gfa that are ancillary to a local service activity</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>Precinct 1: RD</td>
<td>RD</td>
<td>P</td>
</tr>
<tr>
<td>Transport depot and services</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Visitor accommodation, including hotels and tourist houses</td>
<td>RD</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Visitor centre</td>
<td>P</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*NOTE: See Rule 16.8.2.1 for Permitted Activity GFA limits applying to specified activities in Business Sub-Zone 1.

### Table 16.7.1-3 Green Network

<table>
<thead>
<tr>
<th>Activities</th>
<th>Stormwater Management</th>
<th>Parkland and Amenity</th>
<th>Native Vegetation</th>
<th>Road Network</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any activity not listed in the following table</td>
<td>NC</td>
<td>NC</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>Boardwalk and visitor information sign</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Boat ramp and slip for public use</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction of public toilet/changing room up to 25m² GFA</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Formation of walking, fitness and riding trail (bridle and cycle)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>D</td>
</tr>
<tr>
<td>Playground (including play equipment)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Observation area, viewing platform</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>D</td>
</tr>
<tr>
<td>Park and Street furniture (including seats, rubbish bins, lighting, signs, BBQ and picnic facilities) and underground services and lighting</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Stormwater management works including detention ponds and associated management/maintenance, landscaping and planting</td>
<td>P</td>
<td>D</td>
<td>RD</td>
<td>D</td>
</tr>
</tbody>
</table>

### 16.7.2 Notification Requirements

#### 16.7.2.1 Permitted Activities

The following activities shall be Permitted in the Estuary Estates Sub-Zones:

a) Any activity listed as a Permitted Activity in Section 16.7 of this Chapter.

#### 16.7.2.2 Controlled Activities

Applications for Resource Consent as a Controlled Activity will be considered without notification.

The following activities shall be Controlled in the Estuary Estates Sub-Zones:

a) Any activity listed as a Controlled Activity in Section 16.7 of this Chapter; and
b) Any subdivision complying with the Terms for Subdivision listed in Section 16.10 of this Chapter.

Note 1: Any identified site feature or management unit mapped shall comply with the relevant Subdivision Standards of that Chapter of the District Plan.
16.7.2.3 Restricted Discretionary Activities

Applications for Resource Consent as a Restricted Discretionary Activity will be considered without notification.

The following shall be Restricted Discretionary Activities in the Estuary Estates Sub-Zones:

- Any activity listed as a Restricted Discretionary Activity in Section 16.7 of this Chapter;
- Any activity which does not meet any Performance Standard listed in Section 16.8, 16.9 and 16.10 of this Chapter; and
- Any subdivision complying with the Terms for Subdivision listed in Section 16.10 of this Chapter.

Note 1: Activities will be assessed against, and conditions may be imposed in relation to, those specific matters for assessment of the activity listed in Sections 16.7, 16.9 and 16.10 of this Chapter and the relevant Objectives and Policies that relate to the matters for which discretion has been restricted.

16.7.2.4 Discretionary Activities

The following shall be Discretionary Activities in the Estuary Estates Sub-Zones:

- Any activity listed as a Discretionary Activity in Section 16.7 of this Chapter; and
- Any subdivision complying with the Terms for Subdivision listed in Section 16.10 of this Chapter.

Note 1: Applications for Discretionary Activities will be assessed against, but not restricted to, the Assessment Criteria listed in Sections 16.7 and 16.10 of this Chapter and the Objectives and Policies of this Chapter.

16.7.2.5 Non-Complying Activities

The following shall be Non-Complying Activities in the Residential Zone:

- Any activity listed as a Non-Complying Activity in Section 16.7 of this Chapter;
- Any subdivision listed as a Non-Complying Activity in Section 16.10 of this Chapter.

Note 1: Applications for Non-Complying Activities will be assessed against, but not restricted to, the Assessment Criteria listed in Sections 16.7 and 16.10 of this Chapter, the Objective and Policies of Part A of the District Plan and the effects of the activity on the environment.

16.7.3 Assessment Criteria for Controlled, Activities

Where an activity is not permitted by this Rule, the following are the matters over which the Council reserves its Control:

16.7.3.1 The construction of new buildings including accessory buildings in the Rural Residential 6 Sub-Zone

- Matters for Control

Council will limit its control to the following matters:

i. Building location and access;
ii. Landscaping and planting;
iii. External finish and colour of buildings;
iv. Wastewater and stormwater management;
v. Earthworks; and
vi. Sustainable design principles.

b) Assessment Criteria

When considering the application Council will give consideration to the following criteria:

i. Whether sufficient landscape planting of appropriate species is provided to ensure that buildings will integrate with the natural character of the surrounding landscape;
ii. Any earthworks necessary for the creation of building platforms or access shall create no more than a minimum disturbance to the landform and character of the site;
iii. The exterior finish of proposed buildings shall be complementary to those which are found in the surrounding natural landscape;
iv. The scale and form of proposed buildings shall be such that they are integrated with and complementary to the surrounding natural landscape;
v. Development proposals shall ensure that any runoff or stormwater resulting from the establishment of the activity does not lead to saltation, sedimentation or a reduction in the water quality of natural watercourses;
vi. Any extension or alteration to an existing building shall be consistent with iii) and iv) above or be sympathetic to the design and external appearance of the existing building; and
vii. The extent to which the applicant has investigated alternatives in terms of sustainable design such as green building methods, renewable energy sources, and low impact designs.

C) In granting a Controlled Activity to erect a building in Rural Residential 6 the Council may impose conditions relating to any or all of the following matters:

i. Landscaping;
ii. Drainage and effluent disposal;
iii. Visual screening of buildings or yards;
iv. The orientation, cladding, scale, form and colour of buildings;
v. The location and construction of vehicle entry, egress, manoeuvring and parking; and
vi. Energy efficiency.

16.7.3.2 Comprehensive Developments

- Matters for Control

Council will limit its control to the following matters:

i. Consistency of proposals with Estuary Estates Structure Plan Maps 1-26;
ii. Building location and access and relationship to existing buildings;
iii. The Green Network including the provision of open space and pedestrian connections; and
iv. Roading;
v. Design and finished appearance of buildings;
vi. Car parking location and amount;
vii. Sustainable design and infrastructure arrangements including energy efficiency and waste management;
viii. Compliance with Development Controls in Section 16.8; and
ix. Matters listed in Clause 16.10.7.3.

b) Assessment Criteria

When considering the application Council will give consideration to the following criteria:

i. Whether the proposed development is consistent with Maps 1-17, including the Green Network and associated public amenity areas, pedestrian connections and landscaping;
ii. Compliance with Residential Density (where applicable) as set out on Maps 4-17 and Rule 16.8.2.2;
iii. Compliance with the Development Controls set out in Section 16.8;
iv. Whether there is sustainable provision for stormwater and effluent disposal and water supply;
v. Whether the location and construction of vehicle access, egress, driveways, manoeuvring, parking and servicing facilities meets the Estuary Estates Structure Plan requirements as set out on the Maps 1-26;
vi. Whether development proposals ensure that any runoff or stormwater resulting from the establishment of the activity does not lead to saltation, sedimentation or a reduction in the water quality of natural watercourses;
vii. Whether the applicant has considered alternatives in terms of sustainable design such as green building methods, renewable energy sources, and low impact designs;
viii. Whether the proposal is consistent with the Estuary Estates Design and Environmental Guidelines set out in Appendix 16.1;
ix. Whether the proposed development is complementary to existing development within the Sub-Zone;
x. Whether the proposal is consistent with the staging and implementation programme set out on Estuary Estates Structure Plan Maps 18-26;
xi. The matters listed in Clause 16.10.7.3; and

xii. Safety of the dwelling and people using it during flood events or tidal inundation including possible egress during flood events or tidal inundation.

c) In granting a Controlled Activity for a Comprehensive Development the Council may impose conditions relating to any or all of the following matters:

i. Green Network implementation including landscaping and plantings;

ii. Infrastructure including vehicle access and underground services;

iii. Visual screening of buildings, car parking or service areas;

iv. The orientation, form and finish of buildings to ensure consistency with the Estuary Estates Design and Environmental Guidelines;

v. The location and construction of vehicle entry, egress, manoeuvring and parking;

vi. Energy efficiency and sustainable design elements including stormwater management;

vii. Staging and timing of development; and

viii. Matters listed in Section 16.7.2.

16.7.4 Assessment Criteria for Restricted Discretionary Activities

Where an activity is a Restricted Discretionary Activity under this Rule, Council will restrict its discretion over the following matters when considering and determining an application for Resource Consent:

a) Building design, external appearance and amenity;

b) Traffic generation;

c) Parking;

d) Access;

e) Infrastructure;

f) Noise;

g) Natural environment;

h) Outdoor activities;

i) Artificial lighting;

j) Compliance with Development Controls;

k) Intensity and scale;

l) Sustainable building design; and

m) Cumulative effects.

Table 16.7.4-1 Restricted Discretionary Activities

<table>
<thead>
<tr>
<th>Restricted Discretionary Activities</th>
<th>Particular Matters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conference and event centre</td>
<td>a b c d e f g h i j k l m</td>
</tr>
<tr>
<td>Construction of a new building, including additions and alterations to an existing building</td>
<td>a b c d e f g h i j k l m</td>
</tr>
<tr>
<td>Entertainment facility</td>
<td>a b c d e f g h i j k l m</td>
</tr>
<tr>
<td>Education facility</td>
<td>a b c d e f g h i j k l m</td>
</tr>
<tr>
<td>Public toilet and/or changing room</td>
<td>a b c d e f g h i j k l m</td>
</tr>
<tr>
<td>Recreational facility</td>
<td>a b c d e f g h i j k l m</td>
</tr>
<tr>
<td>Rest home and retirement village</td>
<td>a b c d e f g h i j k l m</td>
</tr>
<tr>
<td>Service station</td>
<td>a b c d e f g h i j k l m</td>
</tr>
<tr>
<td>Visitor accommodation</td>
<td>a b c d e f g h i j k l m</td>
</tr>
</tbody>
</table>

16.7.4.1 Assessment Criteria

a) Building Design and External Appearance and Amenity

The assessment of any application must establish the means through which any proposal will give effect to the Estuary Estates Design and Environmental Guidelines detailed under Appendix 16.1.

b) Traffic Generation

The extent to which the expected traffic generation of a proposal will adversely affect the safety and capacity of the road network. Any adverse effect may be mitigated by action taken to upgrade road design and/or intersection design.

c) Parking

i. Whether adequate parking and manoeuvring space will be provided on site appropriate to the particular form of the development in accordance with Section 16.9 – Transport.

ii. Whether large areas of aboveground parking spaces are proposed as part of the activity and if there are, their impact on visual and aural amenity values.

iii. The extent to which the location of parking areas avoids proximity to Residential Sub-Zones and provides adequately for pedestrian safety.

iv. Whether the internal circulation of parking areas has been designed for safe and efficient on site vehicle circulation and pedestrian safety.

d) Access

i. The extent to which any potential adverse effects associated with access may be reduced or mitigated by controlling the location of entry and exit points to the site.

ii. The extent to which Council’s Standard for access design is met.

e) Infrastructure

i. Whether the proposal avoids creating any demand for services and infrastructure at a cost to the wider community.

ii. The extent to which the proposal provides for sustainable infrastructure and servicing and in particular the supply of water.

f) Noise

Whether the activity gives rise to adverse noise effects beyond the boundaries of the site or residential unit. Methods available to mitigate any adverse off site noise effects may include:

i. The provision of or construction of barriers;

ii. Acoustic insulation and separation of activities;

iii. The construction of earthen mounds;

iv. The provision of greater distances between the noise generator and existing development;

v. Screening the noise generator using natural or manmade materials; and

vi. Imposing restrictions/conditions on hours of operation - in particular between 10 pm and 7 am.

g) Natural Environment

The extent to which the activity gives rise to adverse effects on the natural environment, such as through the creation of wastewater or stormwater, vegetation removal and/or habitat destruction and sediment runoff, including the extent to which re-vegetation using eco-sourcing of native plants is proposed as part of the activity.

h) Outdoor Activities

Whether any outdoor activity areas will be screened, separated or have a landscaped buffer from adjacent sites and whether any acoustic attenuation to reduce the noise effects of outdoor activities has been undertaken.

i) Artificial Lighting

And whether:

- An application demonstrates that significant adverse effects including light spill and glare on the visual privacy of adjoining sites or land can be reduced, avoided or mitigated. The use of measures such as screening, dense planting of buffer / separation areas may be required where these may lessen impact.
Particular consideration has been given to the placement, design and screening of light fittings and whether their size and luminance is appropriate to the size of the subject site and to the general lighting levels of the surrounding area.

Artificial lighting masts or poles are expected to comply with permitted height limits. An increase in height may be acceptable if it can be demonstrated that it will not adversely affect adjoining sites, and it will result in decreased light spill. In such instances, conditions relating to the colour of light fittings and poles may be imposed in order to reduce the visual impact of the lighting pole and fittings.

Proposals demonstrate that inappropriate or detrimental changes to the night sky viewing conditions of the surrounding area can be avoided.

j) Compliance with Development Controls

Whether the activity complies with the relevant Development Controls set out in Section 16.8 (other than density limits), for the Sub-Zone.

Note: Non-compliance with one or more of the Development Control Standards in Section 16.8 (other than density limits) means an activity is a Discretionary Activity in accordance with the activity tables, 16.7.1, 16.7.2 and 16.7.3.

k) Intensity and Scale

The intensity and scale of the proposal, in particular the number of people involved in the activity, traffic generation, hours of use, size of building and associated parking, signs, noise and other generated effects should be compatible with the character and amenities of the surrounding area having regard to the Objective and Policies of the Sub-Zone.

l) Sustainable Building Design

The extent to which the applicant has investigated alternatives in terms of sustainable design such as green building methods, renewable energy sources, and low impact designs.

m) Cumulative Effects

The following matters shall be taken into account:

i. Whether the proposed activity will exacerbate existing and potential adverse effects;

ii. Whether existing development and/or land use represents a threshold with respect to the site’s ability to absorb further change;

iii. Where development has already occurred, whether further development is likely to adversely affect the character and amenity of the area; and

iv. Whether the extent of any Development Control modification will be limited so that the effect on adjacent land (except where any person affected has provided written approval of the modification) in terms of the protection of amenity afforded them by the Policies and Rules of the Plan is not significant.

16.7.5 Assessment Criteria for Discretionary and Non-Complying Activities

The following matters shall be considered by the Council when assessing any Discretionary or Non-Complying Resource Consent application (these matters do not limit Council’s consideration in any way):

a) The Council will have regard to the Objective and Policies for the relevant Sub-Zone, Sections 16.8, 16.9 and 16.10, as well as the general Objective and Policies in Section 16.3;

b) For Non-complying Activities the Council will have regard to the Objective and Policies of Part A of the District Plan.

c) The Council will have regard to any adverse effects of the activity on the environment and proposed measures to avoid mitigate or remedy such effects.

Note: The assessment criteria for Restricted Discretionary Activities may be used as a guide when assessing Discretionary and Non-Complying Activities.

16.7.6 Activity Standards and Development Control Modifications (Discretionary Activities)

a) In addition to the matters listed above, (without limitation) in Rule 16.7.5 the Council may grant a Discretionary Activity Resource Consent on an application to modify one or more of Activity Standards or Development Controls in any part of the Estuary Estates Structure Plan provisions where it is satisfied that:

i. The adverse effects on the environment of such modification are minor or of little significance having regard to the Plan’s express explanation of the Standard or Control;

ii. The modification is consistent with any relevant Objective or Policy of the Plan; and

iii. Conditions can be imposed to avoid or mitigate any adverse effects of the proposed modification on the environment, which may include those set out in (b) below.

b) When considering an application, the Council shall also have regard to any unusual circumstances, including, but not limited to, the following:

i. Inherent site considerations; including unusual size, shape, topography, substratum, vegetation, or flood susceptibility;

ii. Particular site development characteristics; including the location of existing buildings or their internal layout, achievement of architectural harmony or physical congruence, compliance with bylaw or Kaipara District Council Engineering Standards 2011, the preservation of privacy, enhancement of private open space, outlook improvement, building restoration, or renovation of demonstrable merit, temporary buildings, provision of public facilities, the design and arrangement of buildings to facilitate access for the disabled, or legal impediments;

iii. Unusual environmental circumstances; including adverse topography, unusual use or particular location of buildings on neighbouring sites, improved amenity for neighbouring sites, the presence of effective adjacent screening or permanent open space;

iv. Extraordinary vehicle or pedestrian movement considerations; including the achievement of a better relationship between the site and the road, improved operation of parking areas, an adequate alternative supply of parking in the vicinity, the improved safety, convenience or efficiency of pedestrian or traffic movement on the site or adjacent roads, unusual incidence or time of traffic movement, demonstrably less than normal use intensity, and the considered need for pedestrian protection; and

v. Modifications to the development of existing sites which are detrimentally affected by the building line restrictions and do not fully comply with the Development Controls for the Sub-Zone, and involve works not encroaching on to land affected by the building line restriction.
**Table 16.8.2-1 - Minimum Yards**

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Front Yard</th>
<th>Side Yard</th>
<th>Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>6m</td>
<td>10m</td>
<td>6m</td>
</tr>
<tr>
<td>2</td>
<td>2m</td>
<td>2m*</td>
<td>6m</td>
</tr>
<tr>
<td>3</td>
<td>10m</td>
<td>5m*</td>
<td>6m</td>
</tr>
<tr>
<td>4</td>
<td>2m</td>
<td>0m*</td>
<td>6m</td>
</tr>
<tr>
<td>5</td>
<td>10m</td>
<td>10m</td>
<td>10m</td>
</tr>
<tr>
<td>6</td>
<td>10m</td>
<td>5m</td>
<td>20m</td>
</tr>
</tbody>
</table>

* except where buildings abut a common boundary or have a common wall.

**16.8.2.4 Height in Relation to Boundary Control**

Height in relation to boundary controls shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Maximum Height in Relation to Boundary</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>No part of any building on that part of a site which is directly opposite any residentially Sub-Zoned land shall exceed a height equal to 3.0m plus the shortest horizontal distance between that part of the building and the road boundary.</td>
</tr>
<tr>
<td>2</td>
<td>Where any building is directly facing the village green or within 30m of Sub-Zones 3 or 4, no part of any building shall exceed a height of 3.0m plus the shortest horizontal distance between that part of the building and the village green or residential boundary.</td>
</tr>
<tr>
<td>3, 5, 6</td>
<td>No part of any building shall exceed a height of 3.0m plus the shortest horizontal distance between that part of the building and any site boundary.</td>
</tr>
<tr>
<td>4, 7</td>
<td>No part of any building shall exceed a height of 3.0m plus the shortest horizontal distance between the building and the road boundary.</td>
</tr>
</tbody>
</table>

Provided that the following are excluded:

a) Where existing or proposed buildings abut at a common wall, the height in relation to boundary control will not apply along the length of that common wall;

b) No account shall be taken of radio and television aerials, solar heating devices and chimneys (not exceeding 1.1m in any direction) provided that such structures are located at least 1m from each side boundary;

c) A gable end or dormer window may project beyond the recession plane where the extent of the projection complies with the following:
   i. It has a maximum height of 1m; and
   ii. It has a maximum width of 1m measured parallel to the nearest adjacent boundary; and
   iii. It has a maximum depth of 1m measured horizontally at 90° to the nearest adjacent boundary; and
   iv. There are no more than two such projections occurring in relation to any 6m length of site.
16.8.2.5 Maximum Height

a) No building shall exceed the following maximum height limits:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>12m</td>
</tr>
<tr>
<td>2</td>
<td>12m</td>
</tr>
<tr>
<td>3</td>
<td>8m</td>
</tr>
<tr>
<td>4</td>
<td>12m</td>
</tr>
<tr>
<td>5</td>
<td>8m</td>
</tr>
<tr>
<td>6</td>
<td>8m</td>
</tr>
<tr>
<td>7</td>
<td>8m</td>
</tr>
</tbody>
</table>

b) In Sub-Zones 3, 4 and 5, fences shall not exceed 1.2m height on boundaries to public open space, street boundaries, and 1.5m height between separate residential sites.

16.8.2.6 Building Bulk/Footprint

a) In Precinct 1 of the Business 1 Sub-Zone only one building in each of the two Precincts can have a maximum individual building footprint of up to 2000m². All other buildings must have a maximum individual building footprint of no more than 500m².

b) In Precinct 2 of the Business 1 Sub-Zone the maximum individual building footprint of any individual building shall not exceed 500m² within each of the two Precincts.

c) In the Parkside Residential 4 Sub-Zone the maximum building footprint of any individual building shall not exceed 700m² in any of the development blocks and the maximum continuous building length of any building shall not exceed 50m.

d) In the Rural Cluster 5 Sub-Zone the permitted 25 residential units located by the ‘lake’ edge as shown on Map 9 (Area A) shall not exceed a 650m² building footprint for each individual cluster of the residential units.

16.8.2.7 Transfer of Development Rights and Alterations to Staging in Sub-Zone 1

In Business Sub-Zone 1, 70% of the Permitted Activity coverage threshold shall be achieved as Stage 1 development in, either Areas 1.1 and 1.2 combined (Precincts 1 and 2), Map 4, or in Areas 1.3 and 1.4 combined (Precincts 1 and 2) (no matter which of those options commences first) prior to any development occurring in the remaining Business Sub-Zone 1 areas.

As an exception to that staging requirement a Discretionary Activity Consent can be made to Council to develop any one of the Precincts outside of the first stage where such developments seeks consent to develop 70% of the Permitted Activity coverage for that precinct provided that it abuts a precinct where development has already occurred to the 70% of site coverage level.

Should the Council issue such a Discretionary Consent the staging requirement will then be obsolete and will no longer apply to development in the Business 1 Sub-Zone.

16.8.2.8 Building Coverage

The maximum net site area building coverage shall not exceed the following thresholds:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Maximum Net Site Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Precinct 1 50%</td>
</tr>
<tr>
<td></td>
<td>Precinct 2 35%</td>
</tr>
<tr>
<td>2</td>
<td>50%</td>
</tr>
<tr>
<td>3</td>
<td>35%</td>
</tr>
<tr>
<td>4</td>
<td>20%</td>
</tr>
<tr>
<td>5</td>
<td>20%</td>
</tr>
<tr>
<td>6</td>
<td>10%</td>
</tr>
<tr>
<td>7</td>
<td>20%</td>
</tr>
</tbody>
</table>

16.8.2.9 Maximum Paved Impermeable Surfaces

The area of any site covered by buildings and other impermeable surfaces shall not exceed:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Total Impermeable Surfaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>100%</td>
</tr>
<tr>
<td>2</td>
<td>80%</td>
</tr>
<tr>
<td>3</td>
<td>50%</td>
</tr>
<tr>
<td>4</td>
<td>30%</td>
</tr>
<tr>
<td>5</td>
<td>35%</td>
</tr>
<tr>
<td>6</td>
<td>20%</td>
</tr>
<tr>
<td>7</td>
<td>80%</td>
</tr>
<tr>
<td>Green</td>
<td>0.5%</td>
</tr>
</tbody>
</table>

16.8.2.10 Outdoor Living Areas

a) Every residential unit in Business 1 Sub-Zone shall be provided with an outdoor living area as follows:

i. A balcony or terrace with a minimum area of 15m² with a minimum depth of 2.5m which is readily accessible from the main living room located on the east, north or west side of the residential unit.

ii. The main glazing for habitable rooms of each residential unit shall be provided with an outlook area of open space, unimpeded by buildings and immediately adjacent to that glazing. Any outlook area must have a minimum dimension of 10m, measured at right angles to the wall of the building within which the glazing is located. The outlook area may comprise the following components:

- An area of on-site space which must be kept free of structures; and
- Areas of road reserve or permanent open space, which are kept free of structures.

b) Every residential unit in Residential 3 Sub-Zone shall have access to the following outdoor living areas:

i. For units at ground level: an exclusive area of 40m² minimum, with a minimum width of 3m and which is readily accessible from a main living room.
ii. For units above ground level: a balcony with a minimum area of 15m² with a minimum width of 2.5m and which is readily accessible from a main living room located on the east, north or west side of the residential unit.

iii. The main glazing of residential units above ground level shall be provided with an outlook area of open space, unimpeded by buildings and immediately adjacent to that glazing. Any outlook area must have a minimum dimension of 10m, measured at right angles to the wall of the building within which the glazing is located. The outlook area may comprise the following components:
  - An area of on-site space which must be kept free of structures; and
  - Areas of road reserve or permanent open space, which are kept free of structures.

d) Every residential unit in Rural Cluster 5 Sub-Zone shall be provided with an outdoor living area as follows:
  i. Shall have a minimum area of 60m²;
  ii. Shall contain a minimum dimension of 3m measured at right angles to the perimeter of the area;
  iii. Must be capable of containing a 6m diameter circle;
  iv. Shall be located on the east, north or west side of the residential unit;
  v. Shall be readily accessible from the main living area;
  vi. Shall not be obstructed by buildings, parking spaces or vehicle access and manoeuvring areas, other than an outdoor swimming pool; and
  vii. For upper floor residential units or those units directly abutting the pond/lake edge a balcony with a minimum area minimum area of 15m² with a minimum width of 2.5m and which is readily accessible from the main living room located on the east, north or west side of the residential unit; and
  viii. The main glazing for habitable rooms of each residential unit shall be provided with an outlook area of open space, unimpeded by buildings and immediately adjacent to that glazing. Any outlook area must have a minimum dimension of 10m, measured at right angles to the wall of the building within which the glazing is located. The outlook area may comprise the following components:
    - An area of on-site space which must be kept free of structures; and
    - Areas of road reserve or permanent open space, which are kept free of structures.

e) Screening of Storage, Service and Parking Areas

Where any storage or service area (including incinerators, rubbish receptacle areas and boiler houses) or parking area containing four or more spaces adjoins or directly faces land Sub-Zoned 3, 4, 5, 6, a public road or the Green Network, such an area shall be screened from the above areas by either:
  i. A solid wall or screen not less than 1.8m in height; or
  ii. Planting or other alternative materials which may be approved by Council. Any such screening shall be established in a workmanlike manner and maintained to the satisfaction of Council.

16.8.11 Earthworks

Earthworks are a Permitted Activity where they are required for the addition, maintenance or removal of an underground storage tank or septic tank.

Excavation or deposition of material within a site shall not exceed the following dimensions within any 12 month period:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Maximum area of earthworks on slopes less than 1 in 6</th>
<th>Maximum area of earthworks on slopes greater than 1 in 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1000 m²</td>
<td>500 m²</td>
</tr>
<tr>
<td>2</td>
<td>1000 m²</td>
<td>500 m²</td>
</tr>
<tr>
<td>3</td>
<td>500 m²</td>
<td>250 m²</td>
</tr>
<tr>
<td>4</td>
<td>700 m²</td>
<td>350 m²</td>
</tr>
<tr>
<td>5*</td>
<td>700 m²</td>
<td>350 m²</td>
</tr>
<tr>
<td>6</td>
<td>700 m²</td>
<td>350 m²</td>
</tr>
<tr>
<td>7</td>
<td>700 m²</td>
<td>350 m²</td>
</tr>
</tbody>
</table>

* The following exceptions apply in the Rural Cluster Sub-Zone 5:
Where earthworks are required for the construction of the lakes in Sub-Zone 5 as shown on the Map 54 the Permitted Activity threshold for earthworks shall be 5000m².

16.8.12 General Noise

a) The following Noise Performance Standards shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.10.14(1)</td>
</tr>
<tr>
<td>2</td>
<td>14.10.14(1)</td>
</tr>
<tr>
<td>3</td>
<td>13.10.14</td>
</tr>
<tr>
<td>4</td>
<td>13.10.14</td>
</tr>
<tr>
<td>5</td>
<td>13.10.14</td>
</tr>
<tr>
<td>6</td>
<td>12.10.12</td>
</tr>
<tr>
<td>7</td>
<td>14.10.14(2)</td>
</tr>
</tbody>
</table>

b) New buildings and alterations to existing buildings to be used for residential purposes in the Business, Community and Services Sub-Zones shall meet the following:
   i. Noise received in all habitable rooms shall not exceed 45 dBA L_{10} between 23:00 hours and 07:00 hours with ventilating windows open; and
   ii. An Acoustic Design Report shall be obtained from a suitably qualified Acoustic Engineer confirming that the building will be constructed to meet the above requirement.

16.8.13 Verandah Control

Rule 14.10.9 shall apply in Sub Zone 1.

16.8.3 Water Supply and Wastewater Supply

The following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Water Supply Performance Standards</th>
<th>Wastewater Performance Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.13.4</td>
<td>14.13.6</td>
</tr>
<tr>
<td>2</td>
<td>14.13.4</td>
<td>14.13.6</td>
</tr>
<tr>
<td>3</td>
<td>13.13.4</td>
<td>13.13.6</td>
</tr>
<tr>
<td>4</td>
<td>13.13.4</td>
<td>13.13.6</td>
</tr>
<tr>
<td>5</td>
<td>13.13.4</td>
<td>13.13.6</td>
</tr>
<tr>
<td>6</td>
<td>13.13.4</td>
<td>13.13.6</td>
</tr>
<tr>
<td>7</td>
<td>14.13.4</td>
<td>14.13.6</td>
</tr>
</tbody>
</table>

16.8.4 Hazardous Substances

The following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.10.21</td>
</tr>
<tr>
<td>2</td>
<td>14.10.21</td>
</tr>
<tr>
<td>3</td>
<td>13.10.21</td>
</tr>
<tr>
<td>4</td>
<td>13.10.21</td>
</tr>
<tr>
<td>5</td>
<td>13.10.21</td>
</tr>
<tr>
<td>6</td>
<td>12.10.21</td>
</tr>
<tr>
<td>7</td>
<td>14.10.21</td>
</tr>
</tbody>
</table>
### 16.8.5 Temporary Noise

The following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.10.15</td>
</tr>
<tr>
<td>2</td>
<td>14.10.15</td>
</tr>
<tr>
<td>3</td>
<td>13.10.15</td>
</tr>
<tr>
<td>4</td>
<td>13.10.15</td>
</tr>
<tr>
<td>5</td>
<td>13.10.15</td>
</tr>
<tr>
<td>6</td>
<td>12.10.15</td>
</tr>
<tr>
<td>7</td>
<td>14.10.15</td>
</tr>
</tbody>
</table>

### 16.8.6 Wind Generation: Noise

The following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.10.16</td>
</tr>
<tr>
<td>2</td>
<td>14.10.16</td>
</tr>
<tr>
<td>3</td>
<td>13.10.16</td>
</tr>
<tr>
<td>4</td>
<td>13.10.16</td>
</tr>
<tr>
<td>5</td>
<td>13.10.16</td>
</tr>
<tr>
<td>6</td>
<td>12.10.16</td>
</tr>
<tr>
<td>7</td>
<td>14.10.16</td>
</tr>
</tbody>
</table>

### 16.8.7 Vibration

The following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.10.17</td>
</tr>
<tr>
<td>2</td>
<td>14.10.17</td>
</tr>
<tr>
<td>3</td>
<td>13.10.17</td>
</tr>
<tr>
<td>4</td>
<td>13.10.17</td>
</tr>
<tr>
<td>5</td>
<td>13.10.17</td>
</tr>
<tr>
<td>6</td>
<td>12.10.17</td>
</tr>
<tr>
<td>7</td>
<td>14.10.17</td>
</tr>
</tbody>
</table>

### 16.8.8 Contaminated Land – Change of Land Use

The following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.10.19</td>
</tr>
<tr>
<td>2</td>
<td>14.10.19</td>
</tr>
<tr>
<td>3</td>
<td>13.10.19</td>
</tr>
<tr>
<td>4</td>
<td>13.10.19</td>
</tr>
<tr>
<td>5</td>
<td>13.10.19</td>
</tr>
<tr>
<td>6</td>
<td>12.10.19</td>
</tr>
<tr>
<td>7</td>
<td>14.10.19</td>
</tr>
</tbody>
</table>

### 16.8.9 Contaminated Land – Remediation

The following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.10.20</td>
</tr>
<tr>
<td>2</td>
<td>14.10.20</td>
</tr>
<tr>
<td>3</td>
<td>13.10.20</td>
</tr>
<tr>
<td>4</td>
<td>13.10.20</td>
</tr>
<tr>
<td>5</td>
<td>13.10.20</td>
</tr>
<tr>
<td>6</td>
<td>12.10.20</td>
</tr>
<tr>
<td>7</td>
<td>14.10.20</td>
</tr>
</tbody>
</table>

### 16.8.10 Radioactive Materials

The following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.10.22</td>
</tr>
<tr>
<td>2</td>
<td>14.10.22</td>
</tr>
<tr>
<td>3</td>
<td>13.10.22</td>
</tr>
<tr>
<td>4</td>
<td>13.10.22</td>
</tr>
<tr>
<td>5</td>
<td>13.10.22</td>
</tr>
<tr>
<td>6</td>
<td>12.10.22</td>
</tr>
<tr>
<td>7</td>
<td>14.10.22</td>
</tr>
</tbody>
</table>

### 16.8.11 Fire Safety

The following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.10.26</td>
</tr>
<tr>
<td>2</td>
<td>14.10.26</td>
</tr>
<tr>
<td>3</td>
<td>13.10.26</td>
</tr>
<tr>
<td>4</td>
<td>13.10.26</td>
</tr>
<tr>
<td>5</td>
<td>13.10.26</td>
</tr>
<tr>
<td>6</td>
<td>12.10.26</td>
</tr>
<tr>
<td>7</td>
<td>14.10.26</td>
</tr>
</tbody>
</table>

### 16.9 Transportation Provisions

**16.9.1 Resource Management Issues**

The key resource management issues for transportation activities within the Estuary Estates Structure Plan area are identified as follows:

1. How to provide a roading hierarchy that effectively and efficiently provides for the development enabled within the Estuary Estates Structure Plan area.
2. How to ensure that the road intersections at Molesworth Drive are safe and reflect expected vehicle trips into the foreseeable future.
3. How to ensure that there is sufficient on-street parking available for future activities without adversely affecting the creation of a quality streetscape environment for pedestrians.
4. How to manage the stormwater generated from roads and paved surfaces so that there are no adverse environmental effects on the environment.
16.9.2 Objectives and Policies

16.9.2.1 Roading Objective
To develop a roading network within the Estuary Estates Structure Plan Area, which integrates safely and efficiently with the surrounding roading network whilst ensuring adverse effects are avoided or mitigated.

Policies
a) By providing for a safe effective and efficient road network for vehicles, cyclists and pedestrians.
b) By adopting and applying a functional road classification to roads to control access, traffic and road formation Standards.
c) By requiring a low impact and landscaped design approach for new roads.
d) By discouraging traffic generating activities in environments where they would have significant adverse effects.

16.9.2.2 Parking and Access
Objective 1
To ensure the impact of activities on the safety and efficiency of the road network is addressed and to ensure safe and efficient vehicle access is provided to, and on, every site while avoiding adverse effects on the environment.

Policies
a) By requiring vehicle access to lots to be provided at the time of subdivision.
b) By implementing Standards that ensure vehicle access points are safe and efficient.
c) By requiring sufficient on-site parking to meet the demand generated by different activities.
d) By implementing particular Standards for the formation of car park spaces.
e) To develop opportunities for cycling and walking in accordance with the Maps 2 and 4-17.

16.9.3 Rules: Activities

16.9.3.1 Permitted Activities
The following transportation activities shall be Permitted Activities:

a) All parking and loading activities are Permitted Activities where they comply with the Standards detailed under part 16.9.4 of this Section, unless stated otherwise in the Estuary Estates Structure Plan provisions.
b) Maintenance and upgrading of existing roads in accordance with the Standards of Rule 16.9.4

16.9.3.2 Restricted Discretionary Activities
The following are Restricted Discretionary Activities:

a) An activity that does not comply with the access way, parking and loading Standards of Rule 16.9.4.
b) Any activity providing for more than 100 car parks.
c) The provision of stacked parking for residential or staff parking.
d) Any variation to the alignment and/or formation Standards of roads as defined on the Map 2 as set out in Rule 16.9.4 and as shown in the Estuary Estates Design and Environmental Guidelines.

1 Criteria for Assessing Restricted Discretionary Activities
Restricted Discretionary Activities will be assessed against the following matters and the Standards set out in Rule 16.9.4, with the Council’s discretion in regard to any of the Restricted Discretionary Activities listed above being limited to the following matters.

a) Traffic Considerations
i. Whether the site is adequately accessible from the roading network.
ii. Existing and probable future traffic volumes on adjacent roads.
iii. The ability of the adjacent existing or planned roading network to absorb increased traffic and the feasibility of improving the roading system to handle any increases.
iv. The extent of traffic congestion and pedestrian/vehicle conflict likely to be caused by a proposal.
v. Whether vehicle access to and from the site:
   - Ensures adequate sight distances and prevent congestion caused by ingress and egress of vehicles;
   - Is sufficiently separated from pedestrian access to ensure the safety of pedestrians.

b) Parking areas
i. Whether the parking area(s) is / are properly graded, drained and sealed to prevent dust nuisance or concentrated runoff of water from the site.
ii. The nature and extent of proposed landscaping in terms of screening, visual and streetscape amenity.
iii. The extent to which parking areas are set back from residential and community activities and from Green Network boundaries. Where this is impracticable whether adequate screening will be provided in the form of fencing or landscaping, in order to reduce to an acceptable level any adverse aural or visual impacts.
iv. Whether a parking areas internal circulation is designed so that safe and efficient vehicle circulation on site is achieved and so that adverse effects on the roading network are prevented.
v. The location of access from the road into parking areas and the effects on safety and movement.
vi. Whether alternative locations or designs for the parking will better achieve the amenity related outcomes of the

c) Reduction in Parking Spaces
i. Whether or not it is physically practicable to provide the required parking on the site in terms of the existing or proposed location of buildings, availability of access to the road, and other similar matters.
ii. Whether there is an adequate alternative supply of parking in the vicinity such as a public car park or on-street parking. In general, on street parallel parking particularly on residential streets is not considered a viable alternative.
iii. Whether there is another site or parking area in the immediate vicinity that has available parking spaces which are not required at the same time as the proposed activity and where a legal agreement between the applicant and owner of the site is provided to show a right to use such areas.
iv. Whether the proposal has less than normal parking requirements e.g. due to specific business practices, operating methods or the type of customer.
v. The extent to which significant adverse effect on the character and amenity of the surrounding area will occur as a result of not providing the required parking spaces.

d) Stacked Parking
i. Stacked parking will generally only be allowed where special circumstances exist, for example where the parking alleviates adverse effects or no feasible alternative exists.
ii. Whether it is for residential activities where the minimum number of parking spaces can be achieved; and each stacked pair is allocated to the same residential unit.
iii. Whether it is for staff parking, where such parking is to be clearly defined, marked and separated from other required parking on the site and at least 50% of the parking spaces in the staff parking areas comply with the provisions of Rule 16.9.4.3b

e) Modifications to Standards of Rule 16.9.4.
These are to be assessed as Discretionary Activities and the assessment criteria of Section 16.7.6 shall apply.

Any application may be subject to conditions on the following matters:

i. Control of location, extent and nature of vehicular access and circulation; and
ii. Restrictions on intensity and scale of activity so as to keep traffic generation in the vicinity within the capacity and safety limits of the adjoining roading system.
### 16.9.4 Rules: Permitted Activity Standards

All Permitted, Controlled and Restricted Discretionary Activities shall comply with the relevant controls in Rule 16.9.4.

#### 16.9.4.1 Roads

1 **Road Hierarchy**

Roads shall be formed in accordance with the roading hierarchy identified on the Estuary Estates Structure Plan 2.

2 **Road Performance Standards**

All roads shall be constructed in accordance with the Standards in the following table of the Kaipara District Council Engineering Standards 2011.

<table>
<thead>
<tr>
<th>Estuary Estates Structure Plan Road Classification</th>
<th>Design Speed (Km/h)</th>
<th>Max Gradient</th>
<th>Traffic Volume</th>
<th>Parking</th>
<th>Footpath</th>
<th>Drainage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-Zone: Type R1 (Estuary Estates) 1 to 5</td>
<td>50</td>
<td>10%</td>
<td>1000-3000 vpd</td>
<td>Split</td>
<td>2 x 4.0</td>
<td>2.5 or 5.3 indented</td>
</tr>
<tr>
<td>Sub-Zone: Type R2 (Estuary Estates) 2 to 4</td>
<td>40</td>
<td>10%</td>
<td>200-1000 vpd</td>
<td>2 x 3.0</td>
<td>2.5 or 5.3 indented</td>
<td>2 x 1.5</td>
</tr>
<tr>
<td>Sub-Zone: Type C1 (Estuary Estates) 1, 2, 4</td>
<td>30</td>
<td>10%</td>
<td>200-1000 vpd</td>
<td>Split</td>
<td>2 x 4.5</td>
<td>2.5 and 5.3</td>
</tr>
<tr>
<td>Sub-Zone: Type R4 (Estuary Estates) 3, 4, 7</td>
<td>30</td>
<td>12.5%</td>
<td>60-200 vpd</td>
<td>1 x 5.5</td>
<td>1 x 2.5</td>
<td>1 x 1.2</td>
</tr>
<tr>
<td>Sub-Zone: Type R5 (Estuary Estates) 3, 4, 7</td>
<td>20</td>
<td>12.5%</td>
<td>10-30 vpd</td>
<td>1 x 3.0</td>
<td>+2.5m passing bays</td>
<td>None</td>
</tr>
<tr>
<td>Sub-Zone: Type R6 (Estuary Estates) 5, 6</td>
<td>30</td>
<td>10%</td>
<td>500-1500 vpd</td>
<td>2 x 3.0</td>
<td>None</td>
<td>1 x 1.2</td>
</tr>
<tr>
<td>Sub-Zone: Type R7 (Estuary Estates) 5, 6</td>
<td>30</td>
<td>12.5%</td>
<td>100-500 vpd</td>
<td>1 x 5.5</td>
<td>1 x 2.5</td>
<td>1 x 1.2</td>
</tr>
</tbody>
</table>

* The legal width shall be increased as required to accommodate carriageway widening, swale drains, earthworks batters, landscaping and intersections.

Note: The specifications in the Table above take precedence over the Zone Performance Standards.

#### 16.9.4.2 Vehicle Access and Driveways

The following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.10.25</td>
</tr>
<tr>
<td>2</td>
<td>14.10.25</td>
</tr>
<tr>
<td>3</td>
<td>13.10.25</td>
</tr>
<tr>
<td>4</td>
<td>13.10.25</td>
</tr>
<tr>
<td>5</td>
<td>13.10.25</td>
</tr>
<tr>
<td>6</td>
<td>12.10.25</td>
</tr>
<tr>
<td>7</td>
<td>14.10.25</td>
</tr>
</tbody>
</table>

#### 16.9.4.3 Parking

Provision of Parking Spaces - the following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.10.27</td>
</tr>
<tr>
<td>2</td>
<td>14.10.27</td>
</tr>
<tr>
<td>3</td>
<td>13.10.27</td>
</tr>
<tr>
<td>4</td>
<td>13.10.27</td>
</tr>
<tr>
<td>5</td>
<td>13.10.27</td>
</tr>
<tr>
<td>6</td>
<td>13.10.27</td>
</tr>
<tr>
<td>7</td>
<td>14.10.27</td>
</tr>
</tbody>
</table>

#### 16.9.4.4 Loading

The following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.10.28</td>
</tr>
<tr>
<td>2</td>
<td>14.10.28</td>
</tr>
<tr>
<td>3</td>
<td>13.10.28</td>
</tr>
<tr>
<td>4</td>
<td>13.10.28</td>
</tr>
<tr>
<td>5</td>
<td>13.10.28</td>
</tr>
<tr>
<td>6</td>
<td>12.10.28</td>
</tr>
<tr>
<td>7</td>
<td>14.10.28</td>
</tr>
</tbody>
</table>

#### 16.9.4.5 Signs

The following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.10.24</td>
</tr>
<tr>
<td>2</td>
<td>14.10.24</td>
</tr>
<tr>
<td>3</td>
<td>13.10.24</td>
</tr>
<tr>
<td>4</td>
<td>13.10.24</td>
</tr>
<tr>
<td>5</td>
<td>13.10.24</td>
</tr>
<tr>
<td>6</td>
<td>12.10.24</td>
</tr>
<tr>
<td>7</td>
<td>14.10.24</td>
</tr>
</tbody>
</table>
16.10 Subdivision Provisions
The following subdivision provisions apply specifically to the Estuary Estates Structure Plan area.

16.10.1 Resource Management Strategy
In recognition of the fact that subdivision is an activity in itself as well as providing the basis through which land use activities can be established, this part of the Estuary Estates Structure Plan outlines a Resource Management Strategy specific to subdivision of land within the Estuary Estates Structure Plan area.

An underlying principle of this Resource Management Strategy is recognition of the need to preserve the natural character, heritage and amenity values of the Estuary Estates Structure Plan area.

The Resource Management Strategy for subdivision is to facilitate the creation and maintenance of a new village within a rural coastal context in order to protect amenity and environmental values. In addition, the strategy seeks to provide for diversity of residential and rural lifestyles as well as to enable the various commercial and business activities enabled through the Estuary Estates Structure Plan provisions to be properly supported through services, infrastructure and ownership regimes.

16.10.2 Resource Management Issues
The key resource management issues for subdivision within the Estuary Estates Structure Plan area are identified as follows:

1) The need for a secure and effective land tenure framework which provides flexibility in accommodating a range of land tenure methods while securing the intent of the Estuary Estates Structure Plan and District Plan as a whole;
2) The importance of ensuring that subdivision takes account of the constraints of the land;
3) The need to recognise the natural character, heritage and amenity values associated with the Estuary Estates Structure Plan area;
4) The need to recognise and provide for the preservation of the natural character of the surrounding coastal environment from inappropriate subdivision; and
5) The importance of ensuring that potential impacts on infrastructure and reserve demands are addressed.

16.10.3 Objectives and Policies

16.10.3.1 Objective 1
To provide for the subdivision of the Estuary Estates Structure Plan area in a manner which achieves the integrated management of the use, development and protection of the natural and physical resources of the District.

Policies
a) By implementing Subdivision Rules and Standards that reflect the spatial outcomes shown on the Maps 1-26.
b) By ensuring the Green Network areas and open space areas shown on Maps 2 and 4-17 are secured either as a condition of Subdivision Consent or by other legal method.
c) By requiring each Sub-Zone to be subdivided into separate Titles as the first stages of development
within the Estuary Estates Structure Plan area.
d) By requiring the provision of key infrastructure at the time of the subdivision of the individual Sub-Zones.
e) By managing the subdivision of separate development blocks as shown on Estuary Estates Structure Plan Maps 4-17 so that comprehensive and integrated development occurs.
f) By enabling the subdivision of individual dwellings and other buildings (including business and other premises) onto separate Titles through a variety of mechanisms including Freehold and Unit Titles.
g) By ensuring appropriate legal instruments are implemented through Conditions of Consent to secure the integrated Green Network, public open space areas and pedestrian connections that the Estuary Estates Structure Plan Maps 4-17 provide for.
h) By using body corporate type mechanisms where there are collective responsibilities and requirements for the management and maintenance of open space areas, pedestrian linkages, infrastructure or any other obligations or outcomes related to securing the built environment outcomes for the Estuary Estates Structure Plan area as shown on Estuary Estates Structure Plan Maps 1-26.

16.10.4 Rules: Activities
These Rules apply to all subdivision proposals within the Estuary Estates Structure Plan area.

16.10.4.1 All subdivisions shall be spatially consistent with the Estuary Estates Structure Plan Maps 1-17 all forming part of the Estuary Estates Structure Plan provisions.

16.10.4.2 The separate Sub-Zones 1-7 (see Estuary Estates Structure Plan Map 1) shall be subdivided into Individual Titles (Stage 1 Subdivision) before any other subdivision within the individual Estuary Estates Structure Plan Sub-Zones or development blocks can be applied for and/or approved.

16.10.4.3 Estuary Estates Structure Plan Maps 18-26 (Staging and Infrastructure Implementation) set out possible staging options. Estuary Estates Structure Plan Map 18 sets out the baseline (Stage 1) landscaping and structural planting, infrastructure and road that shall be implemented before any other subdivision or development is able to occur within other parts of the Estuary Estates Structure Plan area (with the exception of Sub-Zone 6).

16.10.4.4 Land Use Consent and Subdivision Consent applications may be submitted separately, or concurrently for staged developments. (Refer Tables 16.7.1 and 16.7.2 for Comprehensive Developments).

16.10.4.5 Subdivision [and development] of or within any of the individual development blocks identified on Estuary Estates Structure Plan Maps 4-17, may be approved as a Comprehensive Development* under Activity Table 16.10.5 below (and as provided for in Tables 16.7.1.1 and 16.7.1.2.

16.10.5 Subdivision Activity Table
The following table specifies the status of various subdivision activities within the different Sub-Zones. Any Non-Complying Activity identified in the Activity Table will be assessed according to the relevant provisions of the Resource Management Act 1991 and the Objectives and Policies of Part A of the Plan.

| P | Permitted Activity |
| C | Controlled Activity |
| NC | Non-Complying Activity |

16.10.6 Detailed planting and landscaping shall be implemented when any development occurs, as set out in Estuary Estates Structure Plan Maps 4-17 and in accordance with Rules 16.8.1.2 and 16.8.1.3.

16.10.5 Subdivision Activity Table
The following table specifies the status of various subdivision activities within the different Sub-Zones. Any Non-Complying Activity identified in the Activity Table will be assessed according to the relevant provisions of the Resource Management Act 1991 and the Objectives and Policies of Part A of the Plan.

For the purpose of this table:

16.10.3.2 Objective 2
To provide for subdivision options that reflects the various Sub-Zones within the Estuary Estates Structure Plan area, and to provide for subdivision that facilitates the consolidated sequential development of Sub-Zones.

Policies
a) By applying a staging and sequential subdivision and development programme to each subdivision.
b) By requiring staged and consolidated development within the Business 1 Sub-Zone Precincts.
### Table 16.10.5-1

<table>
<thead>
<tr>
<th>ACTIVITIES</th>
<th>1 Business</th>
<th>2 Community</th>
<th>3 Residential</th>
<th>4 Parkside Residential</th>
<th>5 Rural Village Cluster</th>
<th>6 Rural Residential</th>
<th>7 Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amendments to existing Cross Leases, Unit Titles and company lease plans</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
</tr>
<tr>
<td>for the purpose of showing additions and alterations to lawfully established buildings, and areas for exclusive use by an owner</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any subdivision not proposed as part of a comprehensive development or not otherwise provided for in Table 16.10.5</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boundary adjustments or realignments</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
</tr>
<tr>
<td>Comprehensive developments</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Right of way easements and access lots</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Subdivision for the purpose of creating a lot which is defined by the boundary of a Sub-Zone (as shown on Map 56A of Map Series 1)</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Subdivision for the purpose of creating a lot which is defined by the boundaries of a development block</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
</tr>
<tr>
<td>Subdivision for the purpose of creating free-hold Titles in accordance with Rule 16.10.6.1</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
</tr>
<tr>
<td>Subdivision of existing or approved buildings and/or activities by way of unit Title, Cross Lease or company lease</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>D</td>
<td>RD</td>
<td>RD</td>
</tr>
<tr>
<td>Subdivision that creates a lot for the purpose of a reserve, public utilities or infrastructure</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
</tr>
<tr>
<td>Subdivision not meeting one or more of the Standards detailed under Part 16.10.10 including 16.10.10.4.5</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>RD</td>
</tr>
</tbody>
</table>

### ACTIVITIES

<table>
<thead>
<tr>
<th>ACTIVITIES</th>
<th>1 Business</th>
<th>2 Community</th>
<th>3 Residential</th>
<th>4 Parkside Residential</th>
<th>5 Rural Village Cluster</th>
<th>6 Rural Residential</th>
<th>7 Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivision creating lots for the purpose of reserves, public utilities or infrastructure</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
</tr>
</tbody>
</table>

#### 16.10.6 General Rules

16.10.6.1 All subdivision activities shall be in accordance with the spatial layout shown in Estuary Estates Structure Plan 4-17.

16.10.7 Controlled Activities

16.10.7.1 Matters for Control

Council will reserve control over the following matters when considering an application for Resource Consent:

a) Shape and location of lot boundaries;
b) Stormwater treatment and disposal;
c) Wastewater treatment and disposal (applies to Sub-Zone 6 only);
d) Utilities / provision of services;
e) Earthworks and land disturbance;
f) Natural hazards;
g) Vehicle access and parking lots;
h) Water supply;
i) Planting and landscaping;
j) Ecological effects;
k) Compliance with the Estuary Estates Structure Plan Maps (Appendix E); and
l) For comprehensive developments the matters listed in Clause 16.7.3.2.

16.10.7.2 Criteria for Assessing Controlled Activities

In considering an application for a controlled Activity regard must be had to the following matters, for which conditions may be imposed:

a) The extent to which the proposal is consistent with the Estuary Estates Structure Plan Maps 1-26.
b) For ‘comprehensive developments’ whether the proposal is consistent with the assessment criteria set out in Clause 16.7.3.2.
c) Whether the proposal meets the Development Controls set out in Parts 16.9.4 and 16.10.10 of the Estuary Estates Structure Plan provisions.
d) The extent to which any adverse effects will be either avoided, remedied or mitigated in terms of:
   i) Lot design;
   ii) Vehicle access and parking;
   iii) Water supply;
   iv) Stormwater treatment and disposal;
   v) Wastewater treatment and disposal (applies to Sub Zone 6 only);
   vi) Utilities/services;
   vii) Planting and landscaping;
   viii) Earthworks and land disturbance;
   ix) Natural hazards;
   x) Ecological effects;
   xi) Siting of buildings; and
16.10.10.1 Lot Sizes

No lots shall be created by subdivision, including balance lots, where the gross area of any Freehold Title is less than the minimum specified for each Sub-Zone in the table below.

For freehold lots, gross lot areas include land shall be held by way of a registered share in a separate lot located within the same Sub-Zone (such as a part of the Green Network area shown on Map 2). No minimum areas are specified for Unit Title, Cross Lease or company lease subdivision of existing or approved buildings provided that any common areas including parking areas, outdoor living areas, Green Network areas shown on Maps 2 and 4-17, access lots or service areas shall be jointly owned and managed.

The following Standards shall apply:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Minimum Freehold Lot Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 (Precincts 1 and 2)</td>
<td>500m²</td>
</tr>
<tr>
<td>1 (Green Network A)</td>
<td>10,000m²</td>
</tr>
<tr>
<td>2</td>
<td>1000m²</td>
</tr>
<tr>
<td>3</td>
<td>400m²</td>
</tr>
<tr>
<td>4</td>
<td>2000m²</td>
</tr>
<tr>
<td>5</td>
<td>1000m²</td>
</tr>
<tr>
<td>6</td>
<td>3000m²</td>
</tr>
<tr>
<td>7</td>
<td>2000m²</td>
</tr>
</tbody>
</table>
16.10.10.2 Building Locations
In all Sub-Zones building locations shall be located in accordance with the Maps 4-17 (indicated locations) unless otherwise approved by way of separate (or conjunctive) Resource Consent.

16.10.10.3 Boundary Adjustments
New lots may be created by way of boundary adjustments between existing lots provided that:

- There are two or more existing lots;
- Each of the lots has a separate Certificate of Title;
- Any approved residential building platform is retained in its approved location;
- No additional residential building areas are created that enable an increase in Permitted Density Standards;
- There is no increase in any existing non-compliance with the Development Controls for Permitted Activities as set out in Part 16.8 unless Resource Consent is obtained for such non-compliances in conjunction with the proposed boundary adjustment; and
- No additional lots or Certificate of Title in separate ownership are created.

16.10.10.4 Subdivision Design

1 Roads and Access
a) All roading and access shall be consistent with the spatial layout shown in Maps 1-26 and must meet the Standards set out in Rule 16.9.4 (Transport).

The following Rules shall apply as follows:

<table>
<thead>
<tr>
<th>Sub-Zone</th>
<th>Performance Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.13.2</td>
</tr>
<tr>
<td>2</td>
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<td>13.13.2</td>
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<td>4</td>
<td>13.13.2</td>
</tr>
<tr>
<td>5</td>
<td>13.13.2</td>
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2 Pedestrian Links
a) Council may require the formation and vesting of an access way not less than 2m wide linking roads and/or reserves by way of easement, where this is necessary to provide linkages between public places such as schools, shops, reserves and bus routes. Generally such access ways must align with the Estuary Estates Structure Plan provisions for the Green Network as set out on Map 1.

b) Easements for pedestrian and cycle (and bridle paths as appropriate) access shall be created in favour of Council to enable connectivity to and within all Sub-Zones and to give continuity of access to Molesworth Drive and Old Waipu Road.

3 Services
The following Rules shall apply as follows:

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<thead>
<tr>
<th>Sub-Zone</th>
<th>Provision for the Extension of Services</th>
<th>Water Supply</th>
<th>Stormwater Disposal</th>
<th>Wastewater Disposal</th>
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4 Open Space and Green Networks
Where any land is to be subdivided, the areas of land shown on the Green Network (Map 1) as Public Green Network shall be set aside as Council reserves (such as the Village Green in Community Sub-Zone 2 or the defined ecological area scheduled in the District Plan).

Areas remaining in private ownership or must be subject to rights of way agreements in respect of any public pedestrian connections, or may be set aside as privately owned covenanted areas where defined public pedestrian access may be provided for in association with bush and environmental protection requirements.

In the case of any such privately owned Green Network areas there must also be a body corporate type structure to provide for the administration and management of those areas in accordance with the covenant provisions.

In regard to those areas shown on Estuary Estates Structure Plan Maps 4-17 as Private Open Space there must also be a body corporate type structure to provide for the administration and management of those areas.

5 Staging and Implementation
Where any subdivision is to be carried out on a staged basis, whether within the same Sub-Zone or different Sub-Zones or within individual Precincts or development blocks, the following applies:

- Sub-Zones 1-7 shall be subdivided into separate Titles prior to any other subdivision or development occurring within the individual Sub-Zones or development blocks.
- All subdivision must be consistent with Estuary Estates Structure Plan Maps 1-26.
- Stormwater and other infrastructure shall be provided for in accordance with Maps 3-4 and 18-26 and an approved staging and sequential subdivision and development programme and shall be able to accommodate all future development.
- Any application for subdivision (and Land Use Consent where a comprehensive development is proposed) shall signify to the Council where staging is to apply to a proposal and set out the details of implementation in regards to consistency with Estuary Estates Structure Plan Maps 18-26.
- A staging and programme is required to be provided to Council to demonstrate how and when the key elements of the Estuary Estates Structure Plan Maps 18-26 including open space, reserves, walkways, stormwater, roading and/or other access aspects, will be implemented so that integrated and sustainable development occurs. The expected time periods for each staged proposal are to be provided to Council.
- Details of the proposed methods of establishing the Green Network (Green Network as shown on Estuary Estates Structure Plan Maps 4-17) shall be provided for in respect of each proposed stage (and for any subdivision proposal where there is no staging).
- Each proposed stage shall be demonstrably independent of any need to rely upon any elements of any future subdivision(s) for which approval has not yet been sought and/or granted.

- The Council will generally grant approvals under Sections 223 and 224 of the Act for each stage of subdivision when the conditions applying to each stage have been met. Where appropriate, Council may specify bonding requirements in relation to defined conditions of subdivisional approval so that Certificates of Title may be released. That may include bonds relating to infrastructure, roading and the Green Network.

6 Legal Protection
As appropriate, legal protection of any landscape feature, bush area, vegetation plantings, public access way or stormwater management systems shall be secured through a Consent Notice or other suitable legal instrument that is registered on the title of the land concerned. Where appropriate, legal protection may also be achieved through a Queen Elizabeth ll National Trust Covenant, a covenant with Council, a Conservation Covenant under Section 77 of the Reserves Act or by vesting land in a public authority as a public reserve and/or through private reserve status.

7 Preservation/Enhancement of Areas Of Archaeological, Cultural Or Spiritual Significance
The subdivision design and layout shall preserve and/or enhance areas of archaeological, cultural or spiritual significance.

The provisions of Chapter 22: Financial Contributions of this Plan shall apply.

16.12.1 Resource Management Issues

Temporary activities within the Estuary Estates Structure Plan area have the potential to have significant adverse effects on neighbouring properties and the community at large. In particular temporary activities create the following issues:

16.12.1.1 The appearance of temporary buildings associated with construction works.

16.12.1.2 The size, frequency and duration of temporary buildings and activities.

16.12.1.3 The impact of such buildings and activities from noise, crowd management, health and safety and traffic generation.

16.12.2 Objectives and Policies

16.12.2.1 Temporary Activities Objective

To provide for the community within the Estuary Estates Structure Plan area and the wider Mangawhai Areas general wellbeing through the provisions of Temporary Activities while ensuring such activities are operated at a level which avoids or mitigates adverse effects on the environment.

Policy

a) By adopting appropriate provisions to control the duration, size and extent of Temporary Activities.

16.12.3 Rules: Activities

16.12.3.1 Permitted Activities

The following activities are Permitted Activities in all Sub-Zones provided that:

a) The activity is not located in any area identified as "Green Network" on the Estuary Estates Structure Plan Map 1 other than the Village Green in the Community 2 Sub-Zone or any public road.

16.12.3.2 Temporary Activities Ancillary to Building and Construction Works

Temporary buildings, offices, storage sheds, storage yards, scaffolding and false work, workshops or uses of a similar character where such activities are:

a) Ancillary to and required for a building or construction project; and

b) Located on the site same as the building or construction project; and

c) Limited to the duration of the project or for a period of 12 months (whichever is the lesser).

16.12.3.3 Public Performances, Concerts, Shows, Musical and Theatrical Entertainment, Cultural and Sporting Events, Exhibitions, Fairs, Galas, Markets, Carnivals, Festivals, Parades, Rallies, Filming, Weddings, Meetings

Any Temporary Activity, including the use of buildings, for purposes such as public performances, concerts, shows, musical and theatrical entertainment, cultural and sporting events, exhibitions, fairs, galas, markets, carnivals, festivals, parades, rallies, filming, weddings, meetings and activities of a similar nature provided that:

a) Such activities, including structures for these activities, do not occupy any venue for more than a total of five days (inclusive of the time required for establishing and removing all structures and activities associated with the use); and

b) The number of people attending the event at any one time does not exceed 200 persons when the activity is undertaken outside;

c) Any associated electronically amplified entertainment complies with all of the following:

i. It does not commence before 10am on any day;

ii. It is completed by 10pm on the day of the performance or 12.00pm on Fridays and/or Saturdays at 1:00am the following day on New Year’s Eve; and

iii. The ‘Temporary Noise’ Performance Standards shall apply as follows:

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<th>Sub-Zone</th>
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d) The L_{eq} noise level and L_{10} noise level arising from the event does not exceed 75dBA L_{eq} or 85dBA L_{10} when measured at the notional boundary of any adjacent site with a residential use;

e) A Temporary Activity occurs no more than five times in any one calendar year at any one location;

f) All fixed exterior lighting associated with Temporary Activities shall be directed away from adjacent residential sites and public roads;

g) All temporary activities that exceed a duration of two hours and do not have access to public or private toilet facilities shall provide sanitary facilities for the duration of the activity in accordance with the NZ Building Code Clause G1. When using Clause G1 if the activity is not undertaken within a building the most appropriate building use shall be applied.

16.12.4 Restricted Discretionary Activities

The following activity is a Restricted Discretionary Activity in all Sub-Zones and on public roads provided that the activity meets the terms detailed below, otherwise the activity is a Discretionary Activity.

16.12.4.1 Public Performances, Concerts, Shows, Musical and Theatrical Entertainment, Cultural and Sporting Events, Exhibitions, Fairs, Galas, Markets, Carnivals, Festivals, Parades, Rallies, Filming, Weddings, Meetings

a) Any Temporary Activity, including the use of buildings, for purposes such as public performances, concerts, shows, musical and theatrical entertainment, cultural and sporting events, exhibitions, fairs, galas, markets, carnivals, festivals, parades, rallies, filming, weddings, meetings and activities of a similar nature which:

i. Occupies a venue for more than five days but no more than seven days (inclusive of the time required for establishing and removing all structures and activities associated with the use); and/or

ii. Exceeds a capacity of 200 persons but no more than 500 persons at any one time when the activity is undertaken outside; and/or

iii. Occurs more than five times a year at any one location; and/or

iv. Is not located in any area identified as Green Network on the Estuary Estates Structure Plan Map 1 other than the Village Green in Community 2 Sub-Zone or any public road.

16.12.4.2 Restricted Discretionary Assessment Criteria

The following criteria shall be taken into account when considering Restricted Discretionary Applications for Temporary Activities:

a) The proposed hours of operation and duration of the activity;

b) The nature and intensity of the activity;

c) The extent to which the activity may give rise to adverse effects including noise on residentially used buildings within and surrounding the activity;

d) The extent to which the activity may give rise to adverse effects related to the activities of crowds using the road network and the car parking facilities and the extent to which those effects are avoided, remedied or mitigated;

e) The ability to supply potable water in compliance with the Drinking-Water Standards for New Zealand for the duration of the activity;

f) The provision and location of adequate sanitation facilities throughout the duration of the activity in accordance with the Building Act;

g) Compliance with Food Hygiene Standards and regulations;

h) The appropriateness and control measures in place for the sale of liquor for consumption on the premises;
i) Provision of an Emergency Management Plan which specifies a clear set of roles and procedures in the case of an accident or emergency; and

j) The effect of the activity on the use normally made of the site if the site is usually available to the public.

16.13 Definitions Specific to the Structure Plan Area

The following definitions apply specially to the Estuary Estates Structure Plan area and override definitions contained in Chapter 24. In all other cases the definitions of Chapter 24 apply:

Community Facilities and Services: means any land or buildings which are used in whole or in part for cultural, social, ceremonial, spiritual and religious activities for meditation, community services, including fire and medical service bases, and functions of a community character. This may include a church, church hall, churchyard and marae.

Comprehensive Development: means a comprehensively planned and designed development where all land use and/or Subdivision Consents are submitted and where:
- For Sub-Zones 1-4 all of any one or more of the individual development blocks shown on Estuary Estates Structure Plan Map 4 are to be developed; and
- For residential development in Sub-Zone 5 any Comprehensive Development Proposal shall provide for at least 10 residential units within any single development proposal.

Structure Planting: means the planting of large native trees (Plastic Bag size 95 (PB95)) at the time of planting) coupled with the provision of understory indigenous plantings to enhance the amenity of the Green Network and to extend the ecological linkages across the site, as identified on Estuary Estates Structure Plan Map – Staging and Infrastructure Implementation Plan.

Conference and Events Facility: means non-retail activities catering for conferences, functions, meetings, education forums and including events such as trade and cultural shows, and exhibitions and does not include visitor accommodation.

Development Block: means any separate numbered block of land within a Sub-Zone as defined on Estuary Estates Structure Plan Maps 4-17.

Entertainment means land or buildings which are provided for at a charge to the public, or by private reservation, for entertainment purposes and may include premises licensed under the Sale of Liquor Act, theatres, cinemas, casinos, cabarets, clubs, amusement galleries.

Green Network: This comprises all the area identified as Green Network on Estuary Estates Structure Plan Maps 1 and 4-17 comprises:
- Road corridors and associated streetscape plantings;
- Areas of revegetation (as well as the existing native vegetation areas);
- Parkland/amenity areas;
- Stormwater management areas; and
- Pedestrian and cycleways.

Gross Floor Area: means the sum of the gross area of the several floors of all buildings on a site, measured from the exterior faces of the exterior walls, or from the centre lines of walls separating two buildings or, in the absence of walls, from the exterior edge of the floor. In particular, gross floor area includes:
- Voids except as otherwise provided, where vertical distance between storey levels exceeds 6.0m, the gross floor area of the building or part of the building affected shall be taken as the volume of that airspace in cubic metres divided by 3.6;
- Basement space except as specifically excluded by this definition;
- Elevator shafts, stairwells and lobbies at each floor unless specifically excluded by this definition;
- Breezeways;
- Interior roof space providing headroom of 2m or more whether or not a floor has been laid;
- Floor spaces in interior balconies and mezzanines;
- Floor space in terraces (open or roofed), external balconies, porches if more than 50% of the perimeter of these spaces is enclosed, except that a parapet not higher than 1.2m or a railing not less than 50% open and not higher than 1.4m shall not constitute an enclosure; and
- All other floor space not specifically excluded.

The gross floor area of a building shall not include:
- Uncovered steps;
- Interior roof space having less than 2m headroom provided that this area shall not be used for any other purpose than for building services such as electrical ducting but does not include ablutions;
- Floor space in terraces (open or roofed), external balconies or porches where not more than 50% of the perimeter of these spaces is enclosed and provided that a parapet not higher than 1.2m or a railing not less than 50% open and not higher than 1.4m, shall not constitute an enclosure;
- Pedestrian circulation space;
- Basement space for stairs, escalators and elevators essential to the operation of a through-site link, or servicing a floor primarily for car parking and/or loading;
- Required off-street car parking and/or loading spaces;
- Car parking in basement space or underground parking areas (including manoeuvring areas, access aisles and access ramps);
- Service station canopies;
- Non-habitable floor space in rooftop structures; and
- Any entrance foyer / lobby or part of it including the void forming an integral part of it (being a primary means of access to a building), which is open to the public, is accessed directly from a public place and has an overhead clearance of not less than 6.0m.

Homestay Accommodation: means a resident person, family or other household within their own dwelling provides accommodation (which may include meals) for reward or payment for not more than five persons. Homestay accommodation is not self-contained and does not include a kitchen sink, dishwashing or laundry facilities.

Impermeable Surface: means any surface that does not allow the transfer of surface water to the soil, warehousing, depots and construction and home improvements supply and services.

Local Service Activity: means business activities providing for servicing, light manufacturing, warehousing, depots and construction and home improvements supply and services.

Net Sub-Zone Area: means the total area of a Sub-Zone or Precinct minus the area of any entrance strip or road. For the purpose of calculating coverage, net site area shall be assessed on an individual site basis.

Recreational Facilities: means any public or private land or building which is used wholly or partly for the purpose of active and passive sports and recreation activities, such as health centres, gyms, swimming pools, and stadiums.

Stacked Parking: means parking which occurs when access to a parking space is achieved through another park.

Structure Planting: means the planting of large native trees (Plastic Bag size 95 (PB95)) at the time of planting) coupled with the provision of understory indigenous plantings to enhance the amenity of the Green Network and to extend the ecological linkages across the site, as identified on Estuary Estates Structure Plan Map 20 – Staging and Infrastructure Implementation Plan.

Visitor Centre: means premises providing information, travel and hire services catering for visitors and tourists.
APPENDIX 16.1: ESTUARY ESTATES DESIGN AND ENVIRONMENTAL GUIDELINES

These guidelines are to be referenced as assessment criteria for Resource Consent applications as required by Estuary Estates Plan provisions.

16.1 New Zealand Urban Design Protocol
The design principles and vision for the Estuary Estates Structure Plan area are consistent with the direction of the New Zealand Urban Design Protocol and in particular with the seven essential design qualities recognised as creating quality urban design. The seven essential design qualities are Context, Character, Choice, Connections, Creativity, Custodianship and Collaboration.

Considering Context, Character and Choice, the Estuary Estates Structure Plan area design principles build on the value of the Green Network and public space landscape context and character and innovative building design to optimise the relationships between the various residential styles, streetscape hierarchy and coastal village environment. The mix of living options and green space treatments provides the opportunity for a varied choice of lifestyle and enhances urban character while enhancing natural features of the site and protecting native vegetation and other ecological elements.

Varied building styles, village green and community facilities provide opportunities for Creativity and associated with walkway and cycling linkages radiating through the residential open space to the Green Network areas provide essential Connections.

The design of the Estuary Estates Structure Plan area and its various Sub-Zones are integrated through an extensive Green Network. The Network draws the ecological setting of the landscape into the public open space areas through spatial arrangement, planted linkages and wetland enhancement. All of these features promote positive attitudes of residents towards ecological based residential environments and foster positive Custodianship values.

16.2 General Guidelines for All Sub-Zones
16.2.1 Green Network
All subdivision and development should secure the following outcomes:

- Implementation of the Green Network including landscaping proposals at the time of developing each development block, Sub-Zone or precinct as shown on Maps 1, 4-17, and figures 1 – 4 herein.
- Integration of the Green Network and built environment to achieve the sustainable development of the area. In particular the integration of low impact stormwater design with urban design based development approaches that seek to provide more liveable communities and enhanced environments for future residents.
- On-going management and maintenance of the Green Network.
- Creation of a safe and user friendly pedestrian and bicycle / bridle network that is integrated throughout the Green Network and connects to the wider Mangawhai Area.
- Maximising pedestrian and cyclist safety and connectivity through the use of appropriate materials including change of surfaces to define routes/pathways, visibility of linkages.
- Use of large-scale tree species coupled with the provision of understorey plantings to reinforce the overall framework of the Parkland and Amenity areas defined on Maps 4-17.
- Encourage natural surveillance of the Green Network from surrounding activities and buildings.
- Encourage a sense of community ownership of the Green Network so it is well used and maintained.
- Provide for casual public recreational activities and relaxation places within Parkland and Amenity areas.
- Use of non-indigenous and fruiting tree species throughout Sub-Zones 3, 4 and 5.
- Developing the Green Network as an integral part of stormwater management using low impact devices such as grass swales, rain gardens, detention/treatment ponds, silt fences, sediment ponds for run-off and by using bridges for wetland and stream crossings.
- Roads and drainage networks should generally be lower than the surrounding land to act as safe overland flow paths.
- Natural watercourses shall be planted with appropriate species to ensure that erosion is minimised and open bodies of running water are shaded.
- Vegetating any steep and/or eroding slopes, natural and constructed watercourses and water bodies with appropriate plant species.
- Ensure open stormwater management systems provide for the through passage of native aquatic species.
- Natural drainage patterns should be recognised and adapted and/or enhanced using revegetation and weed control methods.
- Areas of impermeable surface should be minimised and mitigation methods implemented where necessary.
- Managing weeds through the use of non-toxic methods.

16.2.2 Road network and streetscape
Figures 2 and 20 - 28 illustrate the desired road and streetscape outcomes arising from implementation of the Rules and are to be considered where any development requires assessment for Resource Consent purposes.

All subdivision and development should secure the following outcomes:

- Achieve a road network (as shown on Estuary Estates Map 3, 4-17, and Figures 2, 20 - 28 herein) that is identifiable through the use of hard and soft landscape elements such as different surfaces for pedestrian crossings.
- Provision within the road reserves for footpaths, cycle ways, underground services, lighting, parking, trees, landscaping, street furniture and signage.
- Minimise earthworks by responding to natural landform in the design and implementation of developments.
- Ensure the scale and type of street tree planting, under planting, carriage alignments, footpaths, cycle ways, underground services, lighting, parking, street furniture and signage reflect the road hierarchy and provide the landscape structure as defined by Maps 4-17.
- Maximise pedestrian and cyclist safety and connectivity through the use of appropriate materials to define routes/pathways, visibility of linkages and using clear signage.
- Use mountable kerbs, swales, rain gardens, grass berms and sand filters to capture and filter stormwater.
- Large-scale street trees should be planted at distances that ensure shade for the majority of the road and parking surfaces during summer months.
- Street lighting should safely illuminate pedestrian and cycle paths and roads and access ways without adversely affecting residential uses.
- Provide on-road and short term parking within the road network without impeding traffic or pedestrian movements.

16.2.3 Building Design
All subdivision and development should secure the following outcomes:

- Create well-defined public spaces that are intimate and responsive to human scale through the appropriate arrangement and massing of built form and structural planting.
- Buildings should generally be located to collectively and individually define and overlook public space, pedestrian linkages and access roads.
- All buildings must avoid visually dominating neighbouring buildings.
- Ground floors and building entrances should link visually with public open space, public walkways, roads, and access lanes to maximise the active and visual links to open space and optimise indoor / outdoor connection.
- Ground floor residential use areas fronting public open space should provide an appropriately designed physical filter or buffer for living spaces comprising built elements, plantings and/or setbacks.
- Building design should secure the beneficial sheltering of public open space from prevailing winds while ensuring that midday winter sun penetrates the open space and living areas.
- The design of buildings should respond to the underlying natural landform.
- Buildings fronting public space should include smaller elements and be articulated to create a finer grain of development, reduce scale, enhance detail and provide visual interest.
- Utilise predominantly natural materials that may include natural timber, concrete and stone.
In residential areas garages should be set back enough from the street to protect the primary pedestrian access of any building and/or lot.

The public and private spaces associated with each building should be clearly distinguishable.

Windows should look directly onto the street, open spaces and other public areas wherever possible.

The area of glazed openings onto public open space areas at ground level should be maximised, while avoiding undivided panels of glass by incorporating frames and glazing bars.

Buildings should be constructed of materials that are not highly reflective.

External lighting should enhance public safety within any development without creating adverse effects on surrounding sites.

Buildings should be designed to minimise energy consumption and be located and orientated to take account of solar access and other elements such as shelter from the prevailing winds.

Conserv and reuse water by utilising accepted water-conserving devices for potable water, reuse of water for toilets and landscape irrigation.

Buildings materials and finishes should be chosen with consideration to embodied energy, location of supply, life cycle assessment, toxicity and effects on indoor air quality.

Building style, form, design and detailing shall be appropriate for the local climatic conditions and should promote energy efficiency by utilising design and construction techniques such as appropriate solar orientation and spatial design.

All buildings should avoid unnecessarily restricting the access of daylight to neighbouring buildings. Rubbish and recycling facilities should be located and managed to avoid detracting from the streetscape qualities and amenity of the business Sub-Zone.
Figure 2. Typical Cross-sections of the Road Network demonstrating relationships of plantings and various elements such as footpaths, lamp posts, stormwater devices, houses and fencing.

Figure 3. Typical cross-section of Parkland and Amenity area demonstrating relationships of plantings and various elements such as footpaths, lamp posts, stormwater devices, buildings, fencing, park benches and play equipment.
Sub-Zone Specific Guidelines

16.3.1 Business Sub-Zone 1

All development in the Business Sub-Zone 1 should be designed, arranged and laid out to be consistent with the Maps 1 - 4, figures 5 – 8 herein, and in accordance with the following guidelines:

- The Green Network shown on Map 5 and 18 should be implemented at the time of initial development so that it becomes functional prior to other development within the Estuary Estates Area occurring.
- The stormwater management systems shown on Structure Plan Maps 3 and 18 should be implemented and landscaped at the time of initial development so that it becomes functional prior to other development within the Structure Plan Estuary Estates Area occurring.
- The planting structure within the Sub-Zone should establish strong visual and pedestrian linkages from Molesworth Drive frontage through to the Community Sub-Zone 2 and the 'parkland' areas abutting the estuary.
- Parking spaces should be located within building structures, in the central spaces of each development precinct and/or underground. Parking, manoeuvring areas and access shall generally be located as indicatively shown on Map 4 and must be appropriately screened and lit. Parking areas and pedestrian access thereto shall be designed and constructed to be user friendly in all weather conditions.
- Buildings should create an active street frontage by abutting the footpath and should complement one another in terms of design, form and mass.
- Individual buildings should be physically and/or visually connected to each other through the use of pergolas, awnings, colonnades and/or landscape elements.
- Buildings should incorporate verandas, awnings, or other features which provide shelter for pedestrians.
- Continuity of active building frontages should be provided to promote public interaction between the street and the buildings.
- Active uses such as retail, restaurants, cafes and other eating places should be located to reinforce the streetscape amenity in the Business Sub-Zone.
- The scale, massing and height of buildings should be complementary to existing and nearby buildings, the topography of the site and any important views and vistas.
- Buildings should be of a 'human scale', and apparent bulk moderated by articulating the building form through design treatment of roofs, the inclusion of verandas and balconies and through window placement.
- Design variation and architectural detail should be used to keep areas of blank wall to a minimum and break up any likely perception of excessive bulk of building(s).
- The tallest building within each precinct should be located on the corners of the Precincts and provide vertical emphasis of corner elements to highlight intersections and the road network.
- The external glazing should not be mirrored, tinted or coloured except for isolated feature glazing.
- Areas set aside for service uses should be screened from public view through the use of planting and permeable screens.
Figure 5. Artist impression of road running parallel to Molesworth Drive, demonstrating the principles of active street frontages, continuous frontages broken into smaller elements, on street parking, and low impact stormwater devices.

Figure 6. Artist impression of the central street of the Business Sub-Zone demonstrating the principles of active street frontages, shaded paved areas, planting in scale with the built form, continuous frontages broken into smaller elements, and on street parking.

Figure 7. Typical cross section of the Central Street of the Business Sub-Zone demonstrating the principles of active street frontages, shaded paving, planting in scale with built form, continuous frontages broken into smaller elements, and on street parking.

Figure 8. Indicative Plan of Central Street in the Business Sub-Zone.
16.3.2 Community Sub-Zone 2

All development in the Community Sub-Zone 2 should be designed, arranged and laid out to be consistent with the Maps 1–3, 5 and 6, Figure 9 herein, and in accordance with the following guidelines:

- The Village Green shown on Map 5 should be set aside at the time of initial development of the Sub-Zone so that it becomes functionally available as early as possible.
- Large-scale tree species and ground plane landscaping should be utilised to define the Village Green and to integrate buildings within the Sub-Zone.
- Buildings should incorporate verandas, awnings, or other features which provide shelter for pedestrians.
- Parking spaces should be located either within building structures, abutting buildings or in communal parking areas for a development block. Parking areas should not be located between buildings and the Village Green. All parking areas should be planted and landscaped to reduce visual impacts and to define and separate them from pedestrian connections.
- Buildings should be located to define the relationship to the Village Green while recognising the need for clear accessibility from the street.
- Buildings should be of a ‘human scale’, and apparent bulk moderated by articulating the building form through design treatment of roofs, the inclusion of verandas and balconies and through window placement.
- Buildings should be modulated with bays and balconies to avoid uniformity of appearance.
- Individual buildings should be physically and/or visually connected through landscape elements such as footpaths, shelter, lighting and planting.
- The design and layout of the Village Green should be durable and adaptable to a range of uses such as picnicking, group sporting activities and relaxing.

![Figure 9. Typical cross section of the Community Sub-Zone and Village Green.](image)

16.3.3 Residential Sub-Zone

All development in the Residential Sub-Zone 3 should be designed, arranged and laid out to be consistent with the Maps 1-3, 6-7 and 8, figures 10 – 11 herein, and in accordance with the following guidelines:

- The Green Network shown on Structure Plan Estuary Estates Maps 6 and 7 and should be implemented at the time of initial development so that it becomes functionally available as early as possible.
- The road network, public connections and amenity plantings must be developed in an integrated manner at each stage of development so that the overall connectivity outcomes for the Green Network are secured.
- Structure planting and ground level landscaping should relate to the scale of the residential buildings and preserve day lighting and solar access.
- The development should be sensitive to the existing and anticipated residential amenity values of the Sub-Zone.
- The majority of units should be oriented so that they overlook the public street or the Green Network.
- Where a common pedestrian entrance is provided to a building comprising a number of units, the entrance should be clearly visible and accessible from a public street.
- Fences and boundary walls facing the public street or Green Network should enable people in the development to see out to the street/Green Network from ground floor habitable rooms.
- The development should achieve an integrated design theme through consistency of façade treatments, including articulation, window and door proportions, design feature materials and colours. The development should also create visual character and variety through variation in building form and materials, and modulating the built form.
- The main living areas and outdoor space of each unit shall be designed to achieve an acceptable level of privacy and good sunlight access.
- Private open space should be located designed and screened to maximise privacy from other units.
- Fences abutting the road network and public space should be as permeable as possible without compromising the privacy of private spaces.
- A variety of house types and size should be created. These may include detached houses, apartment buildings, duplex houses, and terraced housing.
- All car parking in the front of residential units is not generally considered an appropriate design solution in this Sub-Zone but may in some site specific cases work as long as it is not the dominant method of providing parking over and within any individual development block.
- The Green Network shown on Structure Plan Estuary Estates Maps 6 and 7 and should be implemented at the time of initial development so that it becomes functionally available as early as possible.
- The road network, public connections and amenity plantings must be developed in an integrated manner at each stage of development so that the overall connectivity outcomes for the Green Network are secured.
- Structure planting and ground level landscaping should relate to the scale of the residential buildings and preserve day lighting and solar access.
- The development should be sensitive to the existing and anticipated residential amenity values of the Sub-Zone.
- The majority of units should be oriented so that they overlook the public street or the Green Network.
- Where a common pedestrian entrance is provided to a building comprising a number of units, the entrance should be clearly visible and accessible from a public street.
- Fences and boundary walls facing the public street or Green Network should enable people in the development to see out to the street/Green Network from ground floor habitable rooms.
- The development should achieve an integrated design theme through consistency of façade treatments, including articulation, window and door proportions, design feature materials and colours. The development should also create visual character and variety through variation in building form and materials, and modulating the built form.
- The main living areas and outdoor space of each unit shall be designed to achieve an acceptable level of privacy and good sunlight access.
- Private open space should be located designed and screened to maximise privacy from other units.
- Fences abutting the road network and public space should be as permeable as possible without compromising the privacy of private spaces.
- A variety of house types and size should be created. These may include detached houses, apartment buildings, duplex houses, and terraced housing.
- Buildings should be modulated with bays and balconies to avoid uniformity of appearance.
- Residential buildings should be located at the front of sites overlooking the street.
- Buildings should have pitched roofs and be visually connected to each other through the use of consistent forms, materials and colours.
- Car parking and vehicle access areas should not dominate the street and the appearance of the development.
- Garages and parking for all residential units should be set further back from the street than the front of any residential building or alternatively, within or at the rear of residential units to maintain safe and easy pedestrian access into any residential unit. Parking should be sufficient (as required by the Plan provisions) to avoid householders vehicles needing to be parked on the street.
- Car parking in the front of residential units is not generally considered an appropriate design solution in this Sub-Zone but may in some site specific cases work as long as it is not the dominant method of providing parking over and within any individual development block.
- Outdoor areas for parking manoeuvring or vehicle access which serve two or more units should include hard and soft landscape features that mitigate their visual effect.
- Parking and/or vehicle manoeuvring areas must not conflict with the outdoor living areas required by the Structure Plan Estuary Estates provisions.
- Where there are multiple residential units in any proposal, parking can be provided through a combination of solutions including use of mutual rights of way for access (and manoeuvring) between buildings to rear site parking spaces (indoor or outdoor). Communal parking areas are seen as a suitable design solution for example where residential units are to be held on Unit Title and the parking areas can be allocated as accessory units. A combination of internal and external parking spaces may be an appropriate solution in some residential developments as a means of fostering a varied built environment.
- Dwellings should be designed and constructed to ensure that residents have a high level of aural privacy and are not unduly affected by noise nuisance from surrounding activities.
Fences and boundary walls facing the public street or Green Network should enable people in the development to see out to the street / Green Network from ground floor habitable rooms.

The development should achieve an integrated design theme through consistency of façade treatments, including articulation, window and door proportions, design feature materials and colours. The development should also create visual character and variety through variation in building form and materials, and modulating the built form.

The main living areas and outdoor space of each unit shall be designed to achieve an acceptable level of privacy and good sunlight access.

Communal outdoor living areas should be landscaped in a manner that enhances the overall appearance of the development and encourages their use by residents. They should contribute significantly to the overall amenity of the development.

The tallest buildings within each development block should be located on the corners of the blocks and provide for vertical emphasis of buildings to highlight the street intersections and openness of the Sub-Zone.

Garages and/or parking should not be set in the front of any residential building. Generally parking should be within or under buildings or alternatively, to the rear of residential units (or contained by building bulk) and must enable safe and easy pedestrian access to and from any residential unit.

Parking should be sufficient (as required by the Plan provisions) to avoid householders vehicles needing to be parked on the street. Parking and/or vehicle manoeuvring areas must not conflict with the outdoor living areas required by the Estuary Estates Structure Plan provisions.

Where there are multiple residential units in any proposal, parking can be provided through a combination of solutions including use of mutual rights of way for access (and manoeuvring) between buildings to rear or central site parking spaces (indoor, outdoor or underground).

Communal parking areas are seen as a suitable design solution for example where residential units are to be held on Unit Title and the parking areas can be allocated as accessory units. A combination of internal and external parking spaces may be an appropriate solution in some residential developments as a means of fostering a varied built environment.

Parking spaces should be located either within building structures, in the central spaces of each development precinct and/or when required distributed evenly within the road network.

Buildings should be modulated with bays, balconies and roofline and pitch to avoid uniformity of appearance.

Buildings should be visually connected through the use of consistent forms, materials and colours.

Fences, walls and boundary hedging should define residential sites from the public domain without compromising the privacy of private spaces.

The Green Network shown on Map 9 should be implemented at the time of initial development so that it becomes functionally available as early as possible.

Structure planting and ground level landscaping should relate to the scale of the residential buildings and preserve day lighting and solar access.

The location of buildings should ensure that large areas of 'Parkland' are created within the centre of any development block and allow for safe and convenient pedestrian movement and provide a high quality landscaped setting for the residents.

Buildings should establish a strong visual and physical connection from the road network through to the parkland area in the centre of each development block.

The development should be sensitive to the existing and anticipated residential amenity values of the Sub-Zone.

The majority of units should be oriented so that they overlook the public street or the Green Network.

Where a common pedestrian entrance is provided to a building comprising a number of units, the entrance should be clearly visible and accessible from a public street.

Extensive continuous building forms should be avoided. The visual impact of lengthy building forms should be relieved by setting parts of the building back and by the careful planting of specimen trees.
Figure 12. Artist impression of terrace housing in Parkside Residential demonstrating principles of casual surveillance over the street and modulation of building frontages.

Figure 13. Artist impression of central parkland area with large specimen trees, pedestrian network and shared recreation facilities.

Figure 14. Artist impression – Birds eye view of northern Parkside Residential Sub-Zone demonstrating a range of housing types and a large central parkland area – Estuary Estates Structure Plan, Map 8.

Figure 15. Typical cross section of the Park Side Residential with parking incorporated into the buildings with below grade parking.
16.3.5 Rural Cluster Sub-Zone 5

All development in the Rural Cluster Sub-Zone 5 should be designed, arranged and laid out to be consistent with the Maps 1 - 3, 11-12 and, Figures 16 – 19 herein, and in accordance with the following guidelines:

- The Green Network shown on Maps 10-13 should be implemented at the time of initial development so that it becomes functionally available as early as possible.
- All buildings should be located generally as shown on the Maps 11-12.
- The development should be sensitive to the existing and anticipated residential amenity values of the Sub-Zone.
- Where a common pedestrian entrance is provided to a building comprising a number of units, the entrance should be clearly visible and accessible from a public street.
- Car parking and vehicle access areas should not dominate the appearance of the street and development.
- Extensive continuous building forms should be avoided. The visual impact of lengthy building forms should be relieved by setting parts of the building back and by the careful planting of specimen trees.
- The development should achieve an integrated design theme through consistency of façade treatments, including articulation, window and door proportions, design feature materials and colours. The development should also create visual character and variety through variation in building form and materials, and modulating the built form.
- The main living areas and outdoor space of each unit shall be designed to achieve an acceptable level of privacy and good sunlight access.
- Private open space should be located designed and screened to maximise privacy from other units.
- Native vegetation should be used as the prime plantings within the Road Network.
- A variety of house types and sizes should be created. These may include stand-alone, courtyard, duplex and terrace houses.
- Buildings should be modulated with bays and balconies to avoid uniformity of appearance.
- Buildings should be visually connected through the use of consistent forms, materials and colours.
- Outdoor living areas should provide quality landscaped spaces with adequate privacy and sunlight.
- Garages and/or parking space should not be located in the front of any residential buildings. Generally parking should be within or where feasible, under buildings and/or alternatively, to the rear of residential units to maintain safe and easy pedestrian access into any residential unit.
- Parking should be sufficient (as required by the Plan provisions) to avoid householders vehicles needing to be parked on the street. Parking and/or vehicle manoeuvring areas must not conflict with the outdoor living areas required by the Estuary Estates Structure Plan provisions.
- Where there are multiple residential units in any proposal, parking can be provided through a combination of solutions including use of mutual rights of way for access (and manoeuvring) between buildings to rear or central site parking spaces (indoor, outdoor or underground).
- Communal parking areas are seen as a suitable design solution for example where residential units are to be held on Unit Title and the parking areas can be allocated as accessory units. A combination of internal and external parking spaces may be an appropriate solution in some residential developments as a means of fostering a varied built environment.
- Recessive, generally darker colours and low reflectivity finishes should be utilised.
- Access and car parking should generally be to the rear of buildings. Parking should generally be screened to views from roads, public walkways and private outdoor living areas.
- Houses may typically present rear walls to local vehicle access lanes
- Clusters of buildings in the development of Map 9 (Area A) may abut the lake edge with outdoor space oriented to the lake.

![Figure 16. Artist impression of clustered courtyard housing with rear access lane.](image)

![Figure 17. Artist impression – Birds eye view of clustered courtyard housing -Estuary Estates Structure Plan Map 9 (Area A).](image)
Figure 18. Artist impression – Birds eye view of clustered housing adjacent to stormwater management area - Estuary Estates Structure Plan Map 9 (Area A).

Figure 19. Artist impression of clustered housing viewed from the stormwater management area - Estuary Estates Structure Plan Map 9 (Area A).

16.3.6 Rural Residential Sub-Zone 6

All development in the Rural Residential Sub-Zone 6 should be designed, arranged and laid out to be consistent with the Maps 1 – 3, 13-15 and in accordance with the following guidelines:

- The Green Network shown on Maps 13-15 should be implemented at the time of initial development so that it becomes functionally available as early as possible.
- Native revegetation planting should be used alongside road access, driveways and walkways.
- All buildings should be located within the Indicative Building Areas shown on the Maps 13-15.
- Recessive, generally dark colours and low reflectivity finishes should be utilised. Building forms should reflect a rural rather than urban idiom.
- Parking areas and access thereto should be constructed and planted so that they do not visually dominate any site.
- Buildings should be sited so that they reflect underlying landform and integrate into the landscape. Accessory buildings should be located to achieve a cohesive building bulk on any site.
- Access ways should be designed to follow contours where possible.
The following figures illustrate indicative outcomes for the roading network/streetscapes within the Estuary Estates Structure Plan Area and for any proposals should be considered in conjunction with the Design guidelines set out in the preceding text.

Figure 20. Road Type R1 Option A – Kaipara District Council Residential Collector

Figure 21. Road Type R1 Option B – Kaipara District Council Residential Collector
Figure 26. Road Type C3 – Kaipara District Council Industrial Sub-Collector

KDC Industrial Sub-Collector

Figure 27. Road Type R4 – Kaipara District Council Local Street Minor Access

KDC Residential Local Street: Minor Access

Estuary Estates: TYPE C3
Scale 1:500

Estuary Estates TYPE R4
1:500
Figure 28. Road Type C2 – Kaipara District Council Industrial Sub-Collector

KDC Rural Road (Type B)

grass/serviceway

two-way carriageway

swale/gully/road reserve

Estuary Estates TYPE R6
1:500