

Appendix 1

Recommended text amendments to the PPC83 provisions

Part B Land Use: Chapter 13 Residential: Precinct X – The Cove Road North Precinct

Proposed Provisions January 2024– Updates by the PPC83 applicant in response to Engineering Reporting Prior to Hearing are identified as blue. Amendments recommended in the s42A report shown as green.

Insert new Precinct Section into Chapter 13 – between 13.9 and 13.10

PRECX COVE ROAD NORTH PRECINCT

Description of The Cove Road North Precinct

The Cove Road North Precinct enables residential development for a range of allotment sizes at a density where a high level of urban design, ecological enhancement, pedestrian and transport connectivity are achieved. The Cove Road Precinct integrates with the Residential Zone to provide for a variety of residential intensities that promote housing and living choices whilst recognising the landscape, natural features and characteristics of the area.

The Cove Road North Precinct forms an interface between residential and rural zones at Mangawhai and built form should establish a transition between zones, and maintain an open frontage to Cove Road.

Objectives	
PRECX-O1	Cove Road North Precinct Residential Living
Residential living opportunities and housing choice is enabled in the Cove Road North Precinct whilst landscape, ecological, infrastructure, transport, and character and amenity effects are managed.	

Policies	
PRECX-P1	Cove Road North Precinct Subdivision
<p>To provide for a range of site sizes and densities, and subdivision layout where:</p> <ol style="list-style-type: none"> 1. A mixture of allotment sizes is provided that have the ability to accommodate different housing typologies, including affordable housing. 2. There is sufficient infrastructure/servicing to accommodate the development. 3. A well-connected pedestrian, cycling and transport network is achieved. 4. The subdivision design and allotment sizes respond to the topography and physical characteristics of the land. 5. Good design of subdivision is achieved by the following: <ol style="list-style-type: none"> a. Lots are generally shaped, sized and orientated to achieve positive sunlight access, onsite amenity, privacy and outlook. b. The creation of rear lots is minimised, except where there is no practicable alternative. c. Integration and connectivity with adjacent sites to enable future development opportunities. d. Efficient use of land and infrastructure. 	
PRECX-P2	Cove Road North Precinct Residential Amenity
<p>To manage adverse effects on residential amenity and character by requiring development to:</p> <ol style="list-style-type: none"> 1. Manage the scale, intensity, height, bulk and form of development. 	

Commented [B&A1]: Amendment providing direction for subdivision proposals as a result of the proposed change to minimum lot size.

Commented [B&A2]: Water tanks are onsite services and are not included as infrastructure.

Commented [B&A3]: Amendment providing direction for subdivision proposals as a result of the proposed change to minimum lot size.

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	<ol style="list-style-type: none"> 2. <u>Require sufficient outdoor area and landscaping within each site.</u> 3. <u>Enable residential development on sites of an appropriate size and shape.</u> 4. <u>Minimise the intrusion of privacy and extent of building dominance on adjacent dwellings and outdoor areas.</u> 5. <u>Minimise the degree of overshadowing to any adjoining site or dwelling.</u>
PRECX-P3	<u>Cove Road North Precinct Connectivity</u>
<p><u>Require land use and subdivision to achieve a connected, legible and safe, open space, pedestrian and transport network in the Cove Road North Precinct by:</u></p> <ol style="list-style-type: none"> 1. <u>Establishing a well-connected street network.</u> 2. <u>Promoting connections along and adjacent to natural features and open spaces.</u> 3. <u>Maximising walking and cycling networks along streets, waterways and open space.</u> 	
PRECX-P4	<u>Cove Road North Precinct Ecological Values</u>
<p><u>Encourage the protection and restoration of indigenous terrestrial and aquatic habitats including remnant terrestrial bush habitats, wetland areas, intermittent and permanent streams within the Cove Road North Precinct when undertaking land use and subdivision, with particular regard to:</u></p> <ol style="list-style-type: none"> 1. <u>Method of enhancement and permanent protection of the natural features.</u> 2. <u>Appropriate site specific setbacks of buildings, earthworks, access and infrastructure from natural features.</u> 3. <u>Integration of the development with the natural feature, including the provision of pedestrian walkways and cycle ways adjacent to natural features.</u> 	
PRECX-P5	<u>Cove Road Character</u>
<p><u>Subdivision and development shall protect the open frontage of Cove Road by:</u></p> <ol style="list-style-type: none"> 1. <u>Limiting the height and dominance of built form along the Cove Road frontage.</u> 2. <u>Providing appropriate setbacks for buildings, structures, car parking and storage areas.</u> 3. <u>Establishing planting or other methods to soften and / or screen built form.</u> 	
PRECX-P6	<u>Northern Sub-precinct</u>
<p><u>Subdivision and development within the Northern Sub-precinct shall provide a sensitive transition from the Cove Road North Precinct to the rural zone, recognising the rural landscape and Brynderwyn Range to the north by:</u></p> <ol style="list-style-type: none"> 1. <u>Responding to the site topography and characteristics.</u> 2. <u>Identifying building platforms that respond to site topography and environmental characteristics.</u> 3. <u>Locating access ways, services, utilities and building platforms where these can be provided without the need for significant earthworks, retaining, benching or site contouring.</u> 4. <u>Re-vegetating the natural drainage patterns to separate and fragment the built development.</u> 5. <u>Ensuring that re-vegetation integrates with the existing native vegetation on the northern boundary of the Precinct.</u> 	

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Amendments to Chapter 13 – 13.10 Performance Standards Residential Land Use

Amended Rules				
Rule	Parameter	Residential Permitted Activity Performance Standard	Activity Status if the Activity does not meet the Performance Standard	Assessment Criteria
13.10.3a	Dwellings	<p>(1) Residential Zone</p> <p>(1) Construction of a dwelling is a Permitted Activity if:</p> <p>a) After completion, it will be the only dwelling on the site; or</p> <p>b) It will be an additional dwelling on the site, and the minimum net site area associated with each additional dwelling is:</p> <ul style="list-style-type: none"> – 600m² for a serviced site not in an Overlay Area; or – 1,000m² for a serviced site in an Overlay Area; – 1,000m² for a serviced site in the Cove Road North – Northern Sub-precinct area, or – 3,000m² for an un-serviced site. <p>c) There is a separation distance of at least 3m from any other detached dwelling; and</p> <p>d) There is a separation distance of at least 6m where there is a private open space area located between two residential dwellings.</p> <p>Note 1: The demolition and/or removal of a dwelling is a Permitted Activity except where the provisions of Chapter 17: Historic Heritage apply.</p> <p>Note 2: Each dwelling is also required to be assessed against the relevant performance Standards contained in the Plan, including within Sections 13.10 and 13.13.</p> <p>Note 3: For dwellings within an Outstanding Natural Landscape, Rule 13.10.3c shall also apply.</p> <p>Note 4: There is an exemption for Rule 13.10.3 that applies to part of Lot 2 DP 73030 Cynthia Place (Baylys Beach). See Rule 13.10.29(4).</p> <p>(2) The Cove Road North Precinct</p> <p>Construction of a dwelling is a permitted activity.</p> <p>After completion, it will be the only dwelling on the site.</p> <p>Note 1: The demolition and/or removal of a dwelling is a Permitted Activity except where the provisions of Chapter 17: Historic Heritage apply.</p> <p>Note 2: Each dwelling is also required to be assessed against the relevant performance Standards contained in the Plan, including within Sections 13.10 and 13.13.</p>	<p>(1) Discretionary Activity</p> <p>(1) Restricted Discretionary</p>	<p>(1) Residential Zone</p> <p>Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for Resource Consent:</p> <ul style="list-style-type: none"> i) Building location, including alternatives considered; ii) Size and shape of the site; iii) Extent of visual intrusion of the building from beyond the site, particularly from the road and public places including the Coastal Marine Area, and the effects on skylines and ridgelines; iv) The extent to which proposed landscaping is consistent with the character of the area, provides screening from adjoining public places and dwellings and is in accordance with any Council adopted Design Guidelines; v) Effects on the locality, particularly residential character and amenity values; vi) If located within an Overlay, the extent to which the values identified in the Objectives and Policies for Overlays (Chapter 4) are present on the site, and the extent to which the proposal is compatible with those values; vii) Effects on landscape and heritage; viii) The extent to which the proposal will affect the values of any Outstanding Natural Landscape identified in Map Series 2; ix) Effects on safety and efficiency of vehicles and pedestrians using the site and affected roads and private ways; x) The extent to which the activity will affect any heritage values identified in Appendix 17.1 and 17.2 of the Plan. <p>Note 1: A description of the landscapes and features is provided in Appendix 18A. The values associated with Outstanding Natural Landscapes are described in the Kaipara District Landscape Technical Report (2010).</p> <p>(2) The Cove Road North Precinct</p> <p>Where an activity is not permitted by this rule, Council will have regard to the following matters when considering an application for Resource Consent:</p> <ul style="list-style-type: none"> The privacy, outlook and amenity of adjacent and adjoining sites; Sufficient sunlight access to the outdoor living space; Building mass, orientation and passive surveillance toward the road/street; Bulk, scale and shading effects; Effects on any natural features with respect to natural wetlands, water courses, and inland vegetation; The extent to which the activity is consistent with the purpose, character and amenity value of the Cove Road North Precinct; and The ability to accommodate incidental activities anticipated within the Cove Road North Precinct, such as parking (if it is to be provided), manoeuvring, waste collection and landscaping; <p>Where three or more residential units (multi-unit development) are proposed within a site the following additional matters shall be considered:</p> <ul style="list-style-type: none"> The relationship of the development with adjoining streets or public open spaces, including the

Commented [JC4]: s42A - removal of the harbour overlay from the site means that the standard '600m2 serviced outside an overlay' rule can apply.

1,000m2 minimum retained for the northern sub-precinct.

ODP fully discretionary status for smaller lots retained, with ability to do multi-unit development as RDA removed.

Nb. If the Hearings Panel consider that a RDA multi-unit pathway is preferred, then the matters of discretion proposed in PPC83 are appropriate. Recommend that a fully discretionary status for smaller lots in the northern sub-precinct should however be retained under this alternative scenario.

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				<p>provision of landscaping</p> <p>a) Privacy, shading and overlooking within the development and on adjoining site, including the orientation of habitable rooms, balconies, and outdoor living spaces</p> <p>b) Infrastructure services, including private onsite systems.</p> <p>c) The provision of adequate waste and recycling bin storage including the management of the effects of these on streets or public open spaces</p> <p>ca) Where on-site car parking, garaging and vehicle manoeuvring areas are provided, the design and location of car parking (including signage) as viewed from streets or public open spaces</p>
13.10.5	Maximum Height	<p>Any building is a Permitted Activity if:</p> <p>a) The building does not exceed 10m in height, where it is not within an Overlay area; or</p> <p>b) The building does not exceed 8m in height, where it is within an Overlay area.</p> <p>c) <u>The building does not exceed 6m in height, where it is within the Cove Road North Precinct, Northern Sub-Precinct.</u></p> <p>Note 1: For sites within an Outstanding Natural Landscape, Rule 13.10.3c shall also apply.</p>	Restricted Discretionary Activity	<p>Where an activity is not permitted by this Rule, Council has restricted its discretion over the following matters when considering and determining an application for Resource Consent:</p> <ol style="list-style-type: none"> The scale and bulk of the building in relation to the site; The functional requirements of the building; The extent to which the effects of the height infringement can be mitigated by setbacks, planting, design or the topography of the site; Effects on the locality, particularly residential character and amenity values and those values associated with Overlay Areas (as identified in the Objectives and Policies for overlays, Chapter 4); If located within an Overlay, the extent to which the values identified in the Objectives and Policies for Overlays (Chapter 4) are present on the site, and the extent to which the proposal is compatible with those values; Effects on availability of sunlight to other properties; and The extent to which the proposal will affect the values of any Outstanding Natural Landscape identified in Map Series 2 and if applicable the extent to which the subdivision, use or development meets the additional assessment criteria contained in Appendix 18B. <p>Note 1: A description of the landscape features is provided in Appendix 18A. The values associated with the Outstanding Natural Landscapes are described in the Kaipara District Landscape Technical Report (2010).</p>
13.10.7	Setbacks	<p>(1) Residential Zone</p> <p>Any building is a Permitted Activity if it is located outside the following setback distances (yards):</p> <ol style="list-style-type: none"> Front yard - 5m; Side yards – one of 1.5m and one of 3m (Residential Zone), two of 3m in Overlay Areas; Rear yards - 3m except on rear sites where one yard of 1.5m may be provided; Coast - 30m from the Coastal Marine Area; and Lake / River - 30m from the banks of: any dune lake; any other lake whose bed has an area of 8ha or more; any river including a perennial stream whose bed has an average width of 3m or more; Any building is setback 30m from a railway line where there is an intersection of road and rail (level crossing controlled by giveaway signage) within 300m; and Any building is set back 300m from the intersection of the State Highway and any local road (measured from the centreline of the local road). <p>Provided that an accessory building may be erected in any side or rear yard where:</p> <ol style="list-style-type: none"> Vehicle access is retained to the rear of the site; and It is located at least 3m from any habitable room on an adjoining site; and It does not exceed 10m in length or 25% of the length of the side or rear yard, whichever is less. <p>In addition to the above Performance Standards</p> <p>(2) Mangawhai Harbour and Kai iwi Lakes Overlays</p> <p>Any building is a Permitted Activity if it is located outside the following setback distances (yards):</p> <ol style="list-style-type: none"> River – 6m from the banks of any river with an average bed width of between 1 to 3m. 	Restricted Discretionary Activity	<p>) Residential Zone</p> <p>Where an activity is not permitted by this Rule, Council has restricted its discretion over the following matters when considering and determining an application for Resource Consent:</p> <ol style="list-style-type: none"> The outlook and privacy of adjacent and adjoining neighbours; Extent of visual intrusion and dominance of any buildings from beyond the site, particularly from the road and public places including the Coastal Marine Area, and the effect on skylines and ridgelines; If in the Mangawhai Structure Plan Area, whether the proposed landscaping is in accordance with the design principles of the Mangawhai Structure Plan (pages 46 - 49) for Policy Area Three; Effects on the locality, particularly residential and natural character and amenity values; If located within an Overlay, the extent to which the values identified in the Objectives and Policies for Overlays (Chapter 4) are present on the site, and the extent to which the proposal is compatible with those values; The extent to which the proposal will affect the values of any Outstanding Natural Landscape identified in Map Series 2 and if applicable the extent to which the subdivision, use or development meets the additional assessment criteria contained in Appendix 18B; Effects on ecological values and in particular any sites of ecological significance as defined by the criteria listed in Appendix 25G; Effects on public access; Effects on natural hazards, including the design and construction of hazard protection works on land adjacent to the Coastal Marine Area, rivers and lakes; Protection of the conservation, ecological, recreation, access and hazard mitigation values of esplanade reserves or strips; Where buildings are located in close proximity to State Highways or Rail (level crossings) whether and

Commented [B&A5]: The definition of infrastructure does not extend to water tanks for onsite water supply.

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		<p>Note: For clarification, if the average bed width is less than 1m this rule does not apply and if the average is greater than 3m the Rule 13.10.7(1)(e) above applies.</p> <p>(3) The Cove Road North Precinct</p> <p>Any building is a Permitted Activity if it is located outside the following setback distances (yards):</p> <p>a) Front yard - 3m, with garage doors that face the street set back 4.5m;</p> <p>b) Side yards – 1.5m;</p> <p>c) Rear yards - 1.5m;</p> <p>d) Cove Road and Mangawhai Heads Road legal boundary – 5m;</p> <p>e) Rural Zone – 3m.</p> <p>Provided that an accessory building may be erected in any side or rear yard where:</p> <p>f) It is located at least 3m from any habitable room on an adjoining site; and</p> <p>g) It does not exceed 10m in length or 25% of the length of the side or rear yard, whichever is less.</p> <p>Note 1: The Regional Water and Soil Plan for Northland also requires setbacks from waterways and the coast for excavation activities. Applicants should contact the Northland Regional Council to confirm whether or not Resource Consent is required.</p> <p>Note 2: The 300m radius referred to in relation to State Highways shall be measured from the position where the centreline of the road joins the State Highway.</p> <p>Note 3: Any changes in land use on sites that have access onto Limited Access Road's require approval from the NZ Transport Agency under the Government Roding Powers Act 1989.</p>		<p>the extent to which consultation has been undertaken with NZ Transport Agency and New Zealand Railways Corporation respectively and written approval obtained; and</p> <p>xii) The functional requirements of the building and activity.</p> <p>Note 1: A description of the landscape features is provided in Appendix 18A. The values associated with the Outstanding Natural Landscapes are described in the Kaipara District Landscape Technical Report (2010).</p> <p>(2) The Cove Road North Precinct</p> <p>Where an activity is not permitted by this rule, Council will have regard to the following matters when considering an application for Resource Consent:</p> <p>i) The privacy, outlook and amenity of adjacent and adjoining sites;</p> <p>ii) Sufficient sunlight access to the outdoor living space;</p> <p>iii) Building mass, orientation and passive surveillance toward the road/street;</p> <p>iv) Bulk, scale and shading effects;</p> <p>v) Effects on any natural features with respect to natural wetlands, water courses, and indigenous vegetation;</p> <p>vi) The extent to which the activity is consistent with the purpose, character and amenity values of the Cove Road North Precinct; and</p> <p>vii) The ability to accommodate incidental activities anticipated within the Cove Road North Precinct such as parking (if it is to be provided), manoeuvring, waste collection and landscaping.</p>
<p>13.10.7a</p>	<p>Fence and Landscaping</p>	<p>(1) The Cove Road North Precinct</p> <p>a) Any fence is a permitted activity where:</p> <p>i. The fence is adjacent to any road boundary and has a maximum height of 1.1m. Or</p> <p>ii. The fence is separated no further than .5m from a retaining wall and the combined height of the fence and retaining wall has a maximum height of 1.5m.</p> <p>b) Any activity within a site that has a legal boundary with Cove Road is a permitted activity where an area of planting is provided along the entire length of the Cove Road legal boundary which is:</p> <p>i. 1.5m wide; and</p> <p>ii. Capable of achieving a minimum establishment height of 1.8m; and</p> <p>iii. At a density that will achieve canopy closure within 3-5 years.</p> <p>c) Any activity within a site that has a legal boundary with the northern extent of the Northern Sub-precinct is a permitted activity where an area of planting is provided along the entire length of the northern boundary which is:</p> <p>i. 2m wide; and</p> <p>ii. Capable of achieving a minimum establishment height of 1.8m; and</p> <p>iii. At a density that will achieve canopy closure within 3-5 years; and</p> <p>iv. Comprised of native species.</p>	<p>Restricted Discretionary Activity</p>	<p>Where an activity is not permitted by this Rule, Council has restricted its discretion over the following matters when considering and determining an application for Resource Consent:</p> <p>i. The extent to which the fencing and landscaping visually connects the private front yards to public roads and open spaces apart from the Cove Road frontage;</p> <p>ii. The extent to which privacy is provided for residential units, while enabling opportunity for passive surveillance of public places;</p> <p>iii. The extent to which shading and visual dominance effects to immediate neighbours and the street are minimised;</p> <p>iv. The extent to which built form is obscured from Cove Road.</p>

Commented [JC6]: s42A - to enable a car to be parked in front of the garage without projecting out into the footpath/road

Commented [JC7]: s42A - to enable a consistent edge treatment around the perimeter

Commented [JC9]: s42A - to reflect the different 'screening' outcome sought along Cove Rd

Commented [JC8]: s42A - to create a landscaped buffer/interface to the large lot Bream Tail area.

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<p>13.10.11</p>	<p>Private Open Space</p>	<p>(1) Residential Zone A dwelling is a Permitted Activity if the private open space meets the following: a) Is equivalent to 50% of the gross floor area of the dwelling; b) Is of a usable shape of no less than 3m dimension, capable of accommodating one circle of no less than 5m in diameter; c) Is located on the east, north or west side of the dwelling; d) Has direct access from the main living area of the dwelling; e) Is unobstructed by vehicle access or parking areas; and f) Is adequately screened from adjoining dwellings and adjacent sites, except in the case of reserves.</p> <p>(2) The Cove Road North Precinct A dwelling is a Permitted Activity if the main private open space meets the following: a) Is at least 20m² or equivalent to 25% of the gross floor area of the dwelling; b) Has a minimum dimension of 4m; c) Is located on the east, north or west side of the dwelling; d) Has direct access from the main living area of the dwelling; e) Is unobstructed by vehicle access or parking areas; and f) Shall not be located between the dwelling and a road boundary.</p>	<p>Restricted Discretionary Activity</p>	<p>Where an activity is not permitted by this Rule, Council has restricted its discretion over the following matters when considering and determining an application for Resource Consent: i) The on-site privacy and amenity of the occupants; ii) The open space nature of the surrounding neighbourhood; and iii) The extent to which the proposal will affect the values of any Outstanding Natural Landscape identified in Map Series 2 and if applicable the extent to which the subdivision, use or development meets the additional assessment criteria contained in Appendix 18B.</p> <p>Note 1: A description of the landscape features is provided in Appendix 18A. The values associated with the Outstanding Natural Landscapes are described in the Kaipara District Landscape Technical Report (2010).</p>
<p>13.10.12</p>	<p>Permeable Surfaces</p>	<p>(1) Residential Zone Any activity is a Permitted Activity if: a) The area of any site covered by buildings and other impermeable surfaces is less than 40% of the net site area.</p> <p>(2) The Cove Road North Precinct Any activity is a Permitted Activity if: a) The area of any site covered by buildings and other impermeable surfaces is less than 60% of the net site area; and</p> <p>Note 1: For the purposes of this Rule, any area regularly used by vehicles whether metalled, sealed or concreted shall be considered an impermeable surface.</p>	<p>Restricted Discretionary Activity</p>	<p>Where an activity is not permitted by this Rule, Council has restricted its discretion over the following matters when considering and determining an application for Resource Consent: i) Control of stormwater run-off; ii) The effects of increased stormwater flows downstream; iii) Methods of attenuating stormwater flows to pre-development rates, except within the Cove Road North Precinct; iv) Whether and the extent to which the activity meets the relevant Performance Standards or the District Council Engineering Standards 2011; v) Effects on water quality; and vi) The extent to which low impact design principles are utilised.</p> <p>vi) Within the Cove Road North Precinct, whether the proposal utilises low impact and/or water sensitive stormwater management devices and designs, outfalls that mitigate concentrated adverse flow detail of any obligations for lot owners to construct and maintain such devices. vi) Within the Cove Road North Precinct, the extent to which stormwater quality treatment has been provided to protect the environment from contaminants generated from the activity including whether the proposal includes appropriate stormwater quality monitoring associated management within design and construction stages as well as the consent holder's maintenance obligations.</p>

Commented [JC10]: s42A - in line with the applicant lifting the minimum lot size to 600m², plus the above recommendation to remove the RDA multi-unit pathway, then the standard ODP open space rule should apply.

If the Hearings Panel wish to retain the multi-unit pathway then I confirm that the PPC83 rule is appropriate for townhouse typologies. It would still be extremely small for standard suburban/ 600m² section outcomes, however the separate site coverage rules are likely to mean that outdoor spaces larger than 20m² would in practice be provided for 600m⁺ sections.

Commented [JC11]: s42A - as above, if the standard 600m lot minimum is retained, along with the multi-unit RDA pathway removed, then the standard ODP building and impervious surfacing rules should also be retained.

Due to the fragmented site ownership which will make comprehensive stormwater solutions challenging, I recommend that the more detailed matters of discretion proposed in PPC83 be retained.

If the Panel determine that RDA multi-unit pathway should be retained, then I confirm the 45/60% rules are appropriate thresholds for multi-unit/ townhouse outcomes.

Commented [B&A12]: As a result of the detailed Stormwater Management Plan it is considered that this matter is not relevant to Cove Road North Precinct.

Commented [B&A13]: Amendment reflects recommendations of the Stormwater Management Plan.

Commented [B&A14]: Engineer considers management is more appropriate than monitoring.

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13.10.13	Building Coverage	<p>(1) Residential Zone</p> <p>Any activity is a Permitted Activity if:</p> <p>a) Building coverage on a site is less than 35% of the net site area.</p> <p>(2) The Cove Road North Precinct</p> <p>Any activity is a Permitted Activity if:</p> <p>a) Building coverage on a site is less than 35% of the net site area</p> <p>Note 1: For clarity, for sites within an Outstanding Natural Landscape, Rule 13.10.3c shall also apply</p>	Restricted Discretionary Activity	<p>Where an activity is not permitted by this Rule, Council has restricted its discretion over the following matters when considering and determining an application for Resource Consent:</p> <p>i) The scale and bulk of the building in relation to the site;</p> <p>ii) The existing built character of the surrounding neighbourhood;</p> <p>iii) Effect on the open space nature of the surrounding neighbourhood;</p> <p>iv) The availability of useable on-site outdoor living space; and</p> <p>v) The extent to which the proposal will affect the values of any Outstanding Natural Landscape identified in Map Series 2 and if applicable the extent to which the subdivision, use or development meets the additional assessment criteria contained in Appendix 18B.</p> <p>Note 1: A description of the landscape features is provided in Appendix 18A. The values associated with the Outstanding Natural Landscapes are described in the Kaipara District Landscape Technical Report (2010).</p>
13.10.14	Retirement Facility	<p>(1) The Cove Road North Precinct</p> <p>Any retirement facility is a Restricted Discretionary Activity.</p>	Restricted Discretionary Activity	<p><u>Council has restricted its discretion over the following matters when considering and determining an application for Resource Consent:</u></p> <p>i) <u>The siting, scale, design and layout of buildings ensures compatibility between buildings and their integration with other sensitive development on the site, adjacent sites and surrounding public spaces.</u></p> <p>ii) <u>The design, size and location of the private and/or communal open space, parking, loading spaces and driveways on the site achieves a high standard of on-site amenity, noise and visual privacy for residents, and ensures that effects from dust, fumes and light glare are minimised</u></p> <p>iii) <u>Outdoor living areas or balconies are contiguous with the internal living areas.</u></p> <p>iv) <u>The location of buildings, window and door placement, parking areas and outside amenity areas avoid reverse sensitivity effects on any adjoining industrial activities.</u></p>
13.10.15	Buildings and Accessways within the Cove Road North Precinct – Northern Sub-precinct	<p>(1) Any building or accessway <u>located within the Northern Sub-precinct</u> is a permitted activity if it is setback at least 10m from existing indigenous vegetation <u>that is subject to a conservation covenant or subdivision consent condition</u> <u>located within the Northern Sub-precinct</u>.</p> <p>(2) Any accessory building is a permitted activity if it is <u>located within 15m of setback line</u> <u>further than 15m from</u> any main dwelling located within the same site.</p> <p>(3) Any building or accessway is a permitted activity where:</p> <p>(i) <u>The exterior finish of the building shall have a reflectance value of not more than 30 percent as defined within the BS5252 standard colour palette.</u></p> <p>ii) <u>The construction material of any accessway or driveway is of dark colour</u></p> <p><u>Note: Any proposed building or accessway shall comply with all relevant rules within Chapter 13 in addition to rule 13.10.15.</u></p>	Restricted Discretionary Activity	<p><u>Council has restricted its discretion over the following matters when considering and determining an application for Resource Consent:</u></p> <p>i) <u>The extent to which the buildings, accessways or driveways have been designed and located the site to respond to the sensitivities of rural and natural landscape to the north, and</u></p> <p>ii) <u>The mitigation of the potential adverse effect landscape effect of the built form.</u></p>

Commented [JC15]: s42A - amendment to reduce ambiguity - no change in outcome sought

Commented [JC16]: s42A - minor amendment to improve readability - no change in outcome sought

Commented [JC17]: s42A - rule is ambiguous and unenforceable, and also unnecessary

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Amendments to Chapter 13 – 13.13 Performance Standards for All Residential Subdivision

Rule	Parameter	Terms for Subdivision	Matters for Discretion
13.13X	The Cove Road North Precinct Subdivision	<p>General Rules:</p> <ol style="list-style-type: none"> Subdivision within the Cove Road North Precinct: <ol style="list-style-type: none"> Is a restricted discretionary activity. Is not subject to Residential Zone rules 13.11.1 – 3, 13.12.1, 13.13.1 and 2. Is subject to rules 13.13X. Complies with the relevant Performance Standards in Section 13.10 and 13.14 of this Chapter. <p>Subdivision Design Rules:</p> <ol style="list-style-type: none"> Any subdivision within the Cove Road North Precinct shall ensure: <ol style="list-style-type: none"> Every allotment has a minimum net site area of 4600m² except where the proposed allotment is located within the Northern Area as shown on Precinct Map 1; or Every proposed allotment within the Northern Area as shown on Precinct Map 1 has a minimum net site area of 1000m²; and Proposed allotments have an average size of at least 600m². <p>Ecological Enhancement Rules:</p> <ol style="list-style-type: none"> Any subdivision within the Cove Road North Precinct where the site contains an ecological feature including indigenous terrestrial or aquatic habitats shall legally protect any indigenous habitats on site in perpetuity and manage the ecological feature on an on-going basis in accordance with an approved Ecological Enhancement and Management Plan. <ol style="list-style-type: none"> Any subdivision within the Cove Road North Precinct where the site adjoins land that contains an ecological feature Any subdivision in accordance with rule 13.13X.4 shall provide: <ol style="list-style-type: none"> A detailed Ecological Assessment prepared by a suitable qualified ecologist identifying and delineating all natural features contained within the site boundaries and adjacent land (where landowner approval to access adjacent land is provided) and assesses the effects of the proposed site development on these features and provide recommendations how these may be avoided, remedied or mitigated; and An Ecological Enhancement and Management Plan designed to ensure that all ecological features are appropriately enhanced as part of site development works. A Wetland Assessment prepared by a suitably qualified ecologist identifying any potential effects associated with the development proposal on wetland features and how these will be avoided, remedied or mitigated, where 'natural wetland' areas as defined under NPSFM (2020) are located within a 100m setback from the proposed site development works. <p>Note 1: Applications that do not meet the above Cove Road North Precinct subdivision terms shall be a non-complying activity</p> <p>Note 2: For the avoidance of doubt, this rule does not address the actual or potential adverse effects of contaminants in soil on human health, which is covered by the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. All subdivision relating to land that is contaminated or potentially contaminated, because of its past, present or likely use of the land for an activity or industry described in the Ministry for the Environment's Hazardous Activities and Industries List (HAII), is required to be</p>	<p>Council will restrict its discretion over the following matters when considering and determining an application for Resource Consent:</p> <p>Rule 13.13X.1 – 4:</p> <ol style="list-style-type: none"> The extent to which the proposal is consistent with the Cove Road North Precinct policies. The extent to which the proposal is generally in accordance with the Cove Road North Precinct Concept Map 1. <p>Rule 13.13X.2 – Subdivision Design</p> <ol style="list-style-type: none"> The design, size, shape, gradient and location of any allotment, access or public road. Whether the proposal utilises low impact and/or water sensitive stormwater management devices and designs, outfalls that mitigate concentrated flows and detail of any obligations for lot owners to construct and maintain such devices. The extent to which stormwater quality treatment has been provided to protect the environment from contaminants generated from the activity including whether the proposal includes appropriate stormwater quality monitoring management associated with the design and construction stages as well as the consent holder's maintenance obligations to service the proposed development will be established. Where staged subdivision is proposed, whether all necessary infrastructure, roading, utilities, public spaces and connections to service the proposed development will be established. Where common lots are proposed, the extent to which appropriate mechanisms are provided to ensure that all infrastructure management and maintenance requirements are sustainable. Where there are any communally owned or managed services, infrastructure or other such assets or joint responsibilities arising from any proposal: that the nature of arrangements which are proposed ensure the on-going implementation arrangements whether through body corporate or similar mechanisms. Location of existing buildings, access and manoeuvring, and private open space. The location of proposed allotment boundaries and building areas so as to avoid potential conflicts between incompatible land use activities, including reverse sensitivity effects. The provision, location, design, capacity, connection, upgrading, staging and integration of infrastructure, and how any adverse effects on existing infrastructure are managed. The protection of land within the proposed allotments to allow access and linkages to adjacent allotments for future infrastructure. <p>Sufficient firefighting water supply is available, taking into account a risk-based assessment (refer to Note 1)</p> <p>Note 1: For the avoidance of doubt, an example of sufficient firefighting water for a single residential dwelling will generally include (subject to site-specific risks) 10,000 litres of water from sources that are:</p> <ul style="list-style-type: none"> Within 90 metres of an identified building platform on each lot; and Existing or likely to be available at a time of development of the lot; and Accessible and available all year round; and May be comprised of water tanks, permanent natural waterbodies, dams, swimming pools, whether located on or off the lot <p>Rule 13.13X.3 - Ecological Enhancement</p> <ol style="list-style-type: none"> Measures to ensure the protection, restoration or enhancement of any natural features, including (but not limited to) the creation, extension or upgrading of services and systems, planting or replanting, the protection of natural wetlands and streams or any other works or services necessary to ensure the avoidance, remediation or mitigation of adverse environmental effects. Where any subdivision involves a natural wetland or stream, whether the details of ecological protection and enhancement have been provided, including a minimum 10m riparian planting to streams and wetlands, weed and pest management controls and indigenous revegetation (where appropriate), are provided and any required mechanisms for ownership maintenance of the area. For the avoidance of doubt these areas may form parts of private lots and be held in private ownership. Whether the subdivision creates lots adjoining public open space (including recreation reserves and riparian/green corridors) that are designed to encourage passive surveillance of reserve areas having regard to finished contours, retaining, fencing and landscaping.

Commented [JC22]: s42A - require general alignment with the more detailed concept map that shows internal road and walkway connections and features

Commented [B&A23]: Engineer considers management is more appropriate than monitoring.

Commented [B&A18]: Amendment to minimum lot size is consistent with the post submission assessment of servicing capacity, flood risk and stormwater management by Chester, their recommendation is to establish a 600m2 minimum lot size.

Commented [JC19]: s42A - to enable more detailed consideration of ecological effects on adjacent land and appropriate mitigation measures. A separate clause (b) is proposed to differentiate the requirement in clause (a) that these features be legally protected, as developers have no ability to legally protect adjacent land that is outside their ownership

Commented [JC24]: s42A - in respond to submission from FENZ and to align with PC4 outcomes

Commented [JC20]: s42A - To align with activity status in the ODP for undersized lots and to provide direction as to activity status if the rule terms are not met.

Commented [JC21]: s42A - to carry through existing ODP note on the need to also refer to the NES-CS.

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		<p>assessed, and may require consent under the Regulations.</p>	<p>iv. Whether there is a need to control the keeping of cats and dogs to protect native birdlife.</p> <p><u>Rule 13.13X.4 – Northern Sub-Precinct</u></p> <p>i. The extent to which the subdivision design and future development within the proposed allotments have been designed to respond to the sensitivities of rural and natural landscape to the north, and mitigate the potential adverse effect landscape effect of development.</p>
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Commented [JC25]: s42A - to enable the consideration of subdivision conditions/ consent notices following detailed assessment of the risks posed to native birdlife.

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13.14.2	Road, Private Way Formation and Property Access	<p>The design and layout of the subdivision provides for, and takes into account:</p> <p>1. Property Access</p> <p>a. Every allotment within the subdivision is capable of having vehicular access to a road;</p> <p>b. Property access is formed where it is shared by two or more allotments;</p> <p>c. Vehicle access and driveways comply with Rule 13.10.25;</p> <p>d. No more than seven allotments are served by a private shared access;</p> <p>e. Driveways onto the road or private ways are located in a manner that will allow for the safe entry and exit from the site based on expected vehicle operating speeds and methods for controlling vehicle speeds;</p> <p>f. Driveways onto the road or private ways are located to provide adequate sight distances for the safe functioning of the vehicle crossing and access;</p> <p>g. The property access is of a suitable width to contain required services.; and</p> <p>h. For new vehicle crossings on to State Highways, all NZ Transport Agency engineering requirements have been satisfied.</p> <p>Note 1: Any changes in land use, development or subdivision on sites that have access over a railway line require approval from the New Zealand Railways Corporation under the New Zealand Railways Corporation Act 1981.</p> <p>2. Road, Private Way, Cycle Way and Property Access Formation</p> <p>a. Road vesting in accordance with the following requirements:</p> <ul style="list-style-type: none"> • Driveways serving eight or more allotments shall be by public road vested with Council; • Design and construction shall be to the satisfaction of Council's Asset Manager (in accordance with the Standards in Kaipara District Council Engineering Standards 2011); and • A cul-de-sac shall be provided at the end of any no-exit public road. <p>b. Use and construction of unformed legal roads is to the satisfaction of Council's Asset Manager (in accordance with the Standards in Kaipara District Council Engineering Standards 2011).</p>	Discretionary Activity	<p>1. Council will have regard to the following matters when considering an application for Resource Consent under this Rule</p> <ol style="list-style-type: none"> i. Whether and the extent to which the road or private way follows the alignment of indicative roads; ii. Whether and the extent to which there is a need for forming or upgrading roads in the vicinity, due to increased traffic from the subdivision; iii. Whether and the extent to which there is a the need for traffic control measures on the roads due to increased traffic from the subdivision; iv. Whether and the extent to which there is a the need for footpaths; v. Whether and the extent to which there is a need for stormwater management associated with the provision of the new road or private way; vi. Whether an adequate alternative access is able to be provided for the anticipated use; vii. Whether the access can contain required services; viii. The expected vehicle operating speeds and methods for controlling vehicle speeds; ix. Adequacy of sight distances available at the vehicle crossing and along the access; x. Possible measures or restrictions on vehicle movements in and out of the access; xi. Possible adverse effects on Council infrastructure on adjoining properties; xii. Any foreseeable future changes in traffic patterns in the area (including future congestion); xiii. The provision made to mitigate the effects of stormwater runoff and any impact on roading and access on waterways, ecosystems, drainage patterns or the amenities of adjoining properties; xiv. Whether and the extent to which the road, private way or property access complies with the Kaipara District Council Engineering Standards 2011 or has been confirmed as appropriate by Council's Engineer.; and xv. Where a new access is being provided or an existing access onto a State Highway modified, or on sites that have access over a railway line, whether the consent of the NZ Transport Agency and/or New Zealand Railways Corporation is obtained; <p>Note 1: General assessment of the Kaipara District Council Engineering Standards 2011 is undertaken as part of the assessment of the Subdivision Resource Consent application and conditions relating to compliance with any of these Standards may be applied to the consent as part of the engineering approval.</p> <p><u>The Cove Road North Precinct Road, Cycleway and Pedestrian Connection</u></p> <p>2. <u>Council will have regard to the following additional matters when considering an application for resource consent under this rule within the Cove Road North Precinct:</u></p> <ol style="list-style-type: none"> i. <u>The extent to which any road, cycling and pedestrian connections are established in accordance with the Cove Road North Precinct Map 1 and Cove Road North Precinct Concept Plan 1.</u>
13.14.3	Provision for the Extension of Services	<p>The design and layout of the subdivision provides for, and takes into account:</p> <p>a. The efficient and effective future extension of water and electricity supply, stormwater, wastewater, public access, walking trails, bridal ways and roads to any adjoining land</p>	Discretionary Activity	<p>(1) Council will have regard to the following matters when considering an application for Resource Consent under this Rule:</p> <ol style="list-style-type: none"> i. Whether and the extent to which the subdivision is located close to existing residential settlements and avoids the need for provision of new or requirement for increased capacity of Council owned infrastructure and services to meet the needs of the development; ii. Whether and the extent to which the subdivision and development avoids cumulative effects on the environment and on the provision of infrastructure and services to the land being subdivided, and to nearby land that might be subdivided in the future; iii. Whether bonds or covenants, or both, are required to ensure performance or compliance with any conditions imposed; iv. Whether there is the need for land to be set aside and vested in the Council as a site for any public utility required to be provided; v. Whether and the extent to which public access for walking, cycling and brideways can be provided as part of the development; vi. The need for and amount of any financial contributions in accordance with Chapter 22: Financial Contributions to achieve the above matters; and vii. Whether and the extent to which the extension of services meet the relevant Performance Standards or the Kaipara District Council Engineering Standards 2011 <p>Note 1: General assessment the Kaipara District Council Engineering Standards 2011 is undertaken as part of the assessment of the Subdivision Resource Consent application and conditions relating to compliance with any of these Standards may be applied to the consent as part of the Engineering Approval.</p> <p><u>The Cove Road North Precinct Road, Cycleway and Pedestrian Connection</u></p> <p>(2) <u>Council will have regard to the following additional matters when considering an application for resource consent under this rule within the Cove Road North Precinct:</u></p>

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				<p>ii. <u>The extent to which any road, cycling and pedestrian connections, create connectivity throughout the precinct and residential land beyond the precinct and are established in accordance with the Cove Road North Precinct Map 1 and Cove Road North Precinct Concept Plan 1.</u></p>																																																																													
<p>13.14.4</p>	<p>Water Supply</p>	<p>(1) Where a Council water supply is available:</p> <p>a) The written approval of Council's Asset Manager is obtained and provided with the application to confirm that the Council water supply can be extended to serve the subdivision; and</p> <p>b) All allotments are provided, within their net site area, with a connection to the Council water supply; and</p> <p>c) All water pipelines vested with Council shall be protected by an Easement in favour of Council.</p> <p>(2) Where a public supply is not available or utilised, water supplies to all developments shall:</p> <p>a) Meet the requirements of Table 1.</p> <table border="1" data-bbox="537 737 1359 1150"> <thead> <tr> <th rowspan="2">Roof Catchment (m²)</th> <th colspan="5">Bedrooms</th> </tr> <tr> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>5</th> </tr> </thead> <tbody> <tr> <td>100</td> <td>20m³</td> <td>50m³</td> <td></td> <td></td> <td></td> </tr> <tr> <td>120</td> <td>15m³</td> <td>35m³</td> <td></td> <td></td> <td></td> </tr> <tr> <td>140</td> <td>10m³</td> <td>30m³</td> <td>75m³</td> <td></td> <td></td> </tr> <tr> <td>160</td> <td></td> <td>20m³</td> <td>60m³</td> <td></td> <td></td> </tr> <tr> <td>180</td> <td></td> <td></td> <td>50m³</td> <td>75m³</td> <td></td> </tr> <tr> <td>200</td> <td></td> <td></td> <td>45m³</td> <td>65m³</td> <td></td> </tr> <tr> <td>220</td> <td></td> <td></td> <td>35m³</td> <td>55m³</td> <td>90m³</td> </tr> <tr> <td>240</td> <td></td> <td></td> <td>30m³</td> <td>50m³</td> <td>80m³</td> </tr> <tr> <td>260</td> <td></td> <td></td> <td>30m³</td> <td>45m³</td> <td>70m³</td> </tr> <tr> <td>280</td> <td></td> <td></td> <td></td> <td>40m³</td> <td>65m³</td> </tr> <tr> <td>300</td> <td></td> <td></td> <td></td> <td>35m³</td> <td>60m³</td> </tr> </tbody> </table>	Roof Catchment (m ²)	Bedrooms					1	2	3	4	5	100	20m ³	50m ³				120	15m ³	35m ³				140	10m ³	30m ³	75m ³			160		20m ³	60m ³			180			50m ³	75m ³		200			45m ³	65m ³		220			35m ³	55m ³	90m ³	240			30m ³	50m ³	80m ³	260			30m ³	45m ³	70m ³	280				40m ³	65m ³	300				35m ³	60m ³	<p>Restricted Discretionary Activity</p>	<p>Matters over which discretion is restricted:</p> <p>i. Whether, and the extent to which, an adequate supply of water can be provided every allotment being created on the subdivision.</p> <p>ii. Whether, and the extent to which, the water supply meets the requirements of the Kaipara District Council Engineering Standards 2011 or has been confirmed as appropriate by Council's Engineer.</p> <p>iii. Sufficient firefighting water supply is available.</p> <p><i>Note: For avoidance of doubt, an example of sufficient firefighting water for a single residential dwelling will generally include (subject to site-specific risks) 10,000 litres of water from sources that are:</i></p> <ul style="list-style-type: none"> • Within 90metres of an identified building platform on each lot; and • Existing or likely to be available at a time of development of the lot; and • Accessible and available all year round; and • May be comprised of water tanks, permanent natural waterbodies, dams, swimming pools, whether located on or off the lot.
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<p>13.14.5A</p>	<p>Stormwater Disposal within Cove Road North Precinct</p>	<p>(1) Where available all allotments are provided, within their net site area, with:</p> <p>a) A connection to a Council-maintained stormwater system, excluding sites within the Cove Road North Precinct; or</p> <p>(2) Where no Council system is available:</p> <p>a) All allotments are provided with the means for the transport and disposal of collected stormwater from the roof of all potential or existing buildings and from all impervious surfaces, in such a way as to avoid any adverse effects of stormwater runoff on the receiving environment in accordance with the Kaipara District Council Engineering Standards 2011, excluding sites within the Cove Road North Precinct.</p> <p>(3) The Cove Road North Precinct Stormwater Management</p> <p>a) All allotments are provided with the means for the transport and disposal of collected stormwater from the roof of all potential or existing buildings and from all impervious surface, in such a way as to mitigate any adverse effects of stormwater runoff on the receiving environment by providing:</p> <p>i) Retention (volume reduction) of a minimum of 5mm runoff depth for all impermeable surfaces.</p> <p>ii) Detention (temporary storage) with a drain down period of 24 hours for the difference between the pre-development (grassed state) and post-development runoff volumes from the 1/3 of the 2 Year Average</p>	<p>Restricted Discretionary Activity</p>	<p>Matters over which discretion is restricted:</p> <p>i) Whether there is sufficient control of water-borne contaminants, litter and sediment.</p> <p>ii) Whether there is sufficient land available for disposal of stormwater.</p> <p>iii) Whether and the extent to which the capacity of the downstream stormwater system is able to cater for increased runoff from the proposed allotments.</p> <p>iv) Whether and the extent to which measures are necessary in order to give effect to any drainage</p> <p>v) Whether and the extent to which measures proposed for avoiding or mitigating the effects of stormwater runoff, including low impact design principles are effective.</p> <p>vi) Whether and the extent to which the stormwater infrastructure within the subdivision, is able to link with existing disposal systems outside the subdivision.</p> <p>vii) Whether and the extent to which the development meets the relevant performance standards or the Kaipara District Council Engineering Standard or the Mangawhai Hills Development Area Stormwater Management Plan.</p> <p>viii) The extent to which run-off from a developed catchment is discharged back into its natural catchment.</p> <p>ix) The applicability of retention to be provided within a 72-hour period.</p>																																																																													

Commented [B&A26]: Chester recommend provisions to ensure onsite water supply will appropriately service development.

Commented [B&A27]: Chester support connection to reticulated services in accordance with their Stormwater Management Plan.

Commented [B&A28]: Additional technical matters recommended by Chester, to reflect flood risk assessment and stormwater management recommendations.

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		<p><u>Recurrence Interval (ARI), 24-hour rainfall event with climate change minus any retention volume provided for all impermeable surfaces.</u></p> <p>iii) <u>Detention (temporary storage) of the 20% and 10% AEP to pre-development levels due to undercapacity downstream infrastructure.</u></p> <p>iv) <u>Detention (temporary storage) of the 1% AEP to pre-development levels due to downstream flooding.</u></p> <p>v) <u>Treatment of the Water Quality Volume (WQV) or Water Quality Flow (WQF) from contaminant generating impermeable surfaces.</u></p> <p>vi) <u>Conveyance and discharge of primary and secondary flow in accordance with the Kaipara District Council Engineering Standards 2011.</u></p> <p>Note 1: Stormwater discharges may require Resource Consent under the Regional Water and Soil Plan for Northland. Applicants should contact the Northland Regional Council to determine whether or not a Resource Consent is required.</p> <p>Note 2: Where parallel Resource Consent for stormwater discharge is required from the Northland Regional Council, Kaipara District Council will seek to undertake joint processing of both applications, via delegated authority from the Northland Regional Council.</p> <p>Note 3: The discharge of stormwater into the rail corridor is an offence under the Railways Act 2005 unless the written consent of the New Zealand Railways Corporation has been provided.</p> <p>Note 4: <u>Good management practice for stormwater management is equivalent to those set out in the guideline document, Stormwater Management Devices in the Auckland Region (GD01).</u></p>		<p>x) <u>The extent to which inert building materials are to be utilised (e.g., inert roof material).</u></p>
13.14.6		<p>A Residential Zone</p> <p>1. Where a Council reticulated wastewater system is available:</p> <p>a. The written approval of Council's Asset Manager is obtained and provided with the application to confirm that the Council wastewater system can be extended to serve the subdivision; and</p> <p>b. All allotments are provided, within their net site area, with a connection to the Council reticulated wastewater system; and</p> <p>c. The reticulated wastewater system is designed and constructed in accordance with the specific requirements of the Council wastewater system; and</p> <p>d. All water pipelines vested with Council shall be protected by an Easement in favour of Council.</p> <p>2. Where a community wastewater system is proposed, the system shall be designed in accordance with AS/NZS1547:2008 "Onsite Wastewater Management Standards"</p> <p>3. Where no Council system is available, all allotments are provided, within their net site area, with:</p> <p>a. 1,500m² area of land per household for wastewater disposal within the boundaries of the site. The area shall be clear of building sites, driveways and manoeuvring areas; and</p> <p>b. The applicant must demonstrate that an on-site disposal system meeting the requirements of the Regional Water and Soil Plan for Northland can be installed; and</p> <p>c. Applicants shall demonstrate that any effluent discharges comply with the requirements of the Regional Water and Soil Plan for Northland (or consent for discharges from the Northland Regional Council has been obtained).</p> <p>Note 1: Effluent discharges may require Resource Consent under the Regional Water and Soil Plan for Northland. Applicants should contact the Northland Regional Council to determine whether or not a Resource Consent is required.</p>	<p>A Residential Zone</p> <p>Discretionary Activity</p>	<p>A Residential Zone</p> <p>Council will have regard to the following matters when considering an application for Resource Consent within the Residential Zone under this Rule:</p> <p>Council will restrict its discretion over the following matters when considering and determining application for Resource Consent within the Cove Road North Precinct:</p> <ol style="list-style-type: none"> Whether the capacity, availability and accessibility of the reticulated system is adequate to the proposed subdivision; Whether there is sufficient land available for wastewater disposal on site, minimum 2,000m² unserviced sites; Whether and the extent to which the application includes the installation of all new reticulation complies with the provisions of the Kaipara District Council Engineering Standards 2011 or has been confirmed as appropriate by Council's Engineer; Whether the existing wastewater treatment and disposal system, to which the outfall will be connected, has sufficient capacity to service the subdivision; Whether a reticulated system with a gravity outfall is provided, and where it is impracticable so, whether it is feasible to provide alternative individual pump connections (with private mains), or new pumping stations, complete pressure, or vacuum systems. Note: Council consent to install private rising mains within legal roads will be required under the Local Government Act; Where a reticulated system is not available, or a connection is impracticable, whether a suitable wastewater treatment or other disposal systems is provided in accordance with regional Rules or a discharge system in accordance with regional Rules or a discharge permit issued by the Northland Regional Council; Where a reticulated system is not immediately available but is likely to be in the near future whether a temporary system is appropriate. Note: Consent notices may be registered against Certificates of Title pursuant requiring individual allotments to connect with the system when it does become available; Whether provision has been made by the applicant for monitoring mechanisms to ensure contaminants are not discharged to the environment from a suitable wastewater or other disposal system, together with any consent notices to ensure compliance; The need for and extent of any financial contributions in accordance with Chapter 22: Financial Contributions to achieve the above matters;

Commented [B&A29]: Recommendation is consistent with post submission assessment of servicing capacity, flood risk and stormwater management by Chester, their recommendation is to establish a 600m2 minimum lot size.

Commented [JC30]: s42A - I understand that no change is now proposed to the ODP rule regarding wastewater i.e the existing ODP provisions are sufficient for assessing wastewater servicing to the PPC83 site now that the minimum lot size has been increased to 600m2 (and with my separate recommendations regarding dwellings on undersized lots).

As no change is proposed to the rule for PPC83 outcomes, the operative rule headings do not require amendment.

Part B Land Use: Chapter 13 Residential: Precinct X – The Cove Road North Precinct

		<p>Note 2: Where parallel Resource Consent for effluent discharge is required from the Northland Regional Council, Kaipara District Council will seek to undertake joint processing of both applications, via delegated authority from the Northland Regional Council.</p> <p>B Cove Road North Precinct</p> <p>1. Where a Council reticulated wastewater system is available:</p> <p>a. Allotments may be provided, within their net site area, with a connection to the Council reticulated wastewater system; and</p> <p>b. Any reticulated wastewater system proposed is designed and constructed in accordance with the specific requirements of the Council wastewater system; and</p> <p>c. Pipelines vested with Council shall be protected by an Easement in favour of Council.</p> <p>2. Where a community wastewater system is proposed, the system shall be designed in accordance with AS/NZS1547:2008 "Onsite Wastewater Management Standards"</p> <p>Note 1: Onsite effluent disposal is required to comply with the Northland Regional Plan. Applicants should contact the Northland Regional Council to determine whether or not a Resource Consent is required.</p>	<p>B Cove Road North Precinct</p> <p>Restricted Discretionary Activity</p>	<p>x. Whether there is a need for a local purpose reserve to be set aside and vested in Council as a site for any public wastewater utility for disposal or treatment purposes required to be provided;</p> <p>xi. The provision of practical vehicular access from a public road to and along any area vested with Council for waste water purposes; and</p> <p>xii. Whether the subdivision represents the best practicable option in respect of the provision that is made for the disposal of wastewater.</p> <p>Note 1: General assessment of the Kaipara District Council Engineering Standards 2011 is undertaken as part of the assessment of the Subdivision Resource Consent application and conditions relating to compliance with any of these Standards may be applied to the Consent as part of the engineering approval.</p> <p>B Cove Road North Precinct</p> <p>Council will restrict its discretion over the following matters when considering and determining an application for Resource Consent:</p> <p>i. Whether the capacity, availability and accessibility of the reticulated system is adequate to serve the proposed subdivision;</p> <p>ii. Whether and the extent to which the application includes the installation of all new reticulation, and complies with the provisions of the Kaipara District Council Engineering Standards 2011 or has been confirmed as appropriate by Council's Engineer;</p> <p>iii. Whether the existing wastewater treatment and disposal system, to which the outfall will be connected, has sufficient capacity to service the subdivision;</p> <p>iv. Whether a reticulated system with a gravity outfall is provided, and where it is impracticable to do so, whether it is feasible to provide alternative individual pump connections (with private rising mains), or new pumping stations, complete pressure, or vacuum systems. Note: Council consent to install private rising mains within legal roads will be required under the Local Government Act;</p> <p>v. The need for and extent of any financial contributions in accordance with Chapter 22: Financial Contributions to achieve the above matters;</p> <p>vi. Whether there is a need for a local purpose reserve to be set aside and vested in Council as a site for any public wastewater utility for disposal or treatment purposes required to be provided;</p> <p>vii. The provision of practical vehicular access from a public road to and along any area vested with Council for waste water purposes; and</p>
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