



Operative Waimakariri District Plan Compliance Assessment

531 & 535 Mill Road Fast Track Application

Prepared for Carter Group Limited



23. Land and Water Margins – Rules

23.1 Permitted Activities

23.1.1 Conditions

23.1.1.1 No soil shall be stockpiled where it can be directly deposited in, or left in a position where it can be carried into, a water body.

Complies

23.1.1.2 Stockpiling of soil over vegetation shall not cover more than 1000m² at any one time on any one site.

Infringes

Given the scale of the proposed subdivision, it is anticipated that stockpiling will exceed the threshold.

23.1.1.3 There shall be no earthworks:

a. within 20m of any river or lake; or

Infringes

Earthworks are proposed within 20 metres of rivers

b. within 50m of any wetland.

Infringes

Earthworks are proposed within 20 metres of wetlands

23.1.1.4 There shall be no vegetation clearance:

a. within 20m of any river or lake; or

Infringes

Vegetation clearance is proposed within 20 metres of rivers.

b. within 50m of any wetland.

Infringes

The identified wetlands within the site are dominated by exotic vegetation.

23.1.1.6 For the purposes of Rules 23.1.1.3 and 23.1.1.4 wetland does not include an area dominated by exotic vegetation.

Complies

23.1.1.8 Earthworks, including the extraction of minerals, in the Rural Zones, other than in the bed of any river, shall not involve the disturbance of more than 1000m² of soil and/or rock per any 1ha.

Infringes

Given the scale of the proposed subdivision, it is anticipated that areas of disturbance will exceed the threshold.

23.1.1.10 In relation to any overhead high voltage transmission line as shown on the District Plan Maps, earthworks shall not:

a. exceed a depth of 300mm within 12 metres of any support structure foundation; or

Infringes

Excavation exceeding 300mm depth is proposed within the 12-metre setback of one of the National Grid pylons. The infringement is 2.8 meters into the setback. Existing ground level would be re-established with filling following a 600mm cut within 9.2m of the pylon foundations, and a low pressure



	sewer pipe requiring a 750mm cut 11 metres from the foundation.
b. reduce in the ground to conductor clearance below that which is specified in Table 4 of NZECP 34:2001; or	Complies Filling is proposed in areas under the conductors, however the clearance would exceed 10 metres and therefore complies with the requirements of Table 4 of NZECP 34:2001.
c. compromise the stability of any support structure.	Complies
23.1.1.17 Within any Residential Zone, Business 1, 2, or 4 Zone, the Rural Zone including cluster housing within Maori Reserve 873 or Mapleham Rural 4B Zone, the supply of water to any site shall be by a reticulated potable water supply.	Complies
23.1.1.18 Any material resulting from deconstruction or demolition of structures within a site shall be stockpiled within the site from which it originates for no more than 1 month following completion of the deconstruction or demolition.	Complies
23.1.1.19 Any material resulting from deconstruction or demolition of structures shall be disposed of at an approved land fill or recycling site.	Complies
23.3 Discretionary Activities (Restricted)	
23.3.1 Any land use that does not comply with one or more of the conditions under Rules 23.1.1.1 to 23.1.1.6 is a discretionary activity (restricted), except where exempted by Rule 23.1.2.	RD The proposal does not comply with rules 23.1.1.2, 23.1.1.3 and 23.1.1.4.
23.3.2 Any land use involving earthworks, including the extraction of minerals, that does not comply with Rules 23.1.1.7 to 23.1.1.10 is a discretionary activity (restricted), except where exempted by Rule 23.1.2.	RD The proposal does not comply with Rule 23.1.1.8 and 23.1.1.10.
23.4 Discretionary Activities	
23.4.1 Any land use activity which is to be carried out on a contaminated site and involves:	D
a. the use, erection, reconstruction, placement, alteration, extension, removal or demolition of any structure or part of any structure in, on, under, or over the land;	The proposal involves excavation and disturbance of contaminated land.
b. the excavation, drilling, tunnelling or other disturbance of the land;	
c. the destruction of, damage to, or disturbance of the habitats of plants or animals in, on or under the land; or	
d. the deposit of any substance in, on or under the land of the site	



is a discretionary activity.

25. Indigenous Vegetation, Fauna and Habitats – Rules

25.1 Permitted Activities

25.1.1 Conditions

Within any vegetation and habitat site listed in Appendix 25.1 and identified on the District Plan Maps:

Complies

The site does not contain any vegetation or habitat site listed in Appendix 25.1.

27. Natural Hazards – Rules

27.1 Permitted Activities

Any land use is a permitted activity if it:

P

is not otherwise listed as a discretionary (restricted), discretionary or non-complying activity under this chapter;

- complies with the conditions under Rule 27.1.1; and
- complies with all the conditions and provisions for permitted activities in all chapters.

27.1.1 Conditions

27.1.1.2 Any structure shall be set back a minimum of 10m from the edge of the bed of any river, edge of any public drain, edge of any wetland, or the centreline of any stopbank, whichever is the further from the river or wetland, except where a different setback is provided for in Rule 27.1.1.1.

Complies

27.1.1.7 Any dwellinghouse within the Courtenay Estates, Kaiapoi (DP 15576, DP 73776 (excluding Lot 1), DP 72744, DP 74554, DP 70958, DP 69764, DP 71553, DP 4778); shall have a minimum floor level of:

N/A

- 2.25m above mean sea level; and
- 300mm above the kerb level of the road to which the site has frontage or access.

30. Utilities and Traffic Management – Rules

Utilities

30.1 Permitted Activities

30.1.1 Conditions

30.1.1.9 Roads constructed after 20 June 1998 shall comply with Table 30.1 (except for roads constructed in the Residential 6, 6A and Business 1 Zones at Pegasus, or in the Pegasus Rural Zone, which shall comply with Rule 32.1.1.32d, or in the Residential 7

Infringes

Road corridors in the Rural Zone are required to be a minimum of 20 metres wide. Corridor widths of 18 metres



Zone or in the Residential 4A Zone at Bradleys Road, Ohoka).

and 16 metres are proposed in some instances. The 16-metre corridor road does not include parking lanes, where at least one parking lane is required.

30.3 Discretionary Activities (Restricted)

30.3.1 Except as provided for in Rule 30.4, or where exempted by Rule 30.1.2, the construction or alteration of, or addition to, a utility building or structure which exceeds 35 m² floor area is a discretionary activity (restricted).

RD

The wastewater pump station would be housed within a building which is likely to be 30-40m² in area. Consent is sought in case the building exceeds 35m² in area.

30.3.3 The construction of roads that do not comply with Rules 30.1.1.9, 30.1.1.10 and 30.1.1.11 is a discretionary activity (restricted) except where exempted by Rule 30.1.2.

RD

The proposal does not comply with rule 30.1.1.9.

Traffic Management

30.6 Permitted Activities

30.6.1 Conditions

Access to Roads

30.6.1.1 All land uses in any Residential Zone or Business Zone, and any dwellinghouse in any Rural Zone, shall be located on a site that has access to a road which complies with the design attributes of Table 30.1, Table 30.2 for the Residential 7 Zone, other than land uses in the Residential 6, 6A and Business 1 Zones at Pegasus which shall be located on a site that has access to a road which complies with the design attributes of Table 32.2.

Infringes

Road corridors in the Rural Zone are required to be a minimum of 20 metres wide. Corridor widths of 18 metres and 16 metres are proposed in some instances. The 16-metre corridor road does not include parking lanes, where at least one parking lane is required.

30.6.1.2 Except where part of a cluster housing development under Rule 31.34.1 access to seven or more sites shall only be provided by way of a road which complies with the design attributes of Table 30.1, or Table 30.2 for the Residential 7 Zone.

Infringes

Lots 334 to 341, 328 to 335, 536 to 542 and 1 to 5 plus 14 to 16 and 40 are all via shared right of ways serving seven or greater lots rather than being served by a road.

Accessways

30.6.1.13 Any accessway, except on a State Highway where the posted speed limit is 70km/hr or greater, shall comply with the minimum standards of Table 30.3.

Infringes

Rural zones are required to have minimum accessway widths of 10 metres and a minimum formation width of 4 metres. All but one of the accessways have a width of less than 10 metres.

30.6.1.15

- a. All accessways within the Residential 3, 4A, 4B Zones and the Rural Zone shall be formed to an all weather standard.

Complies

Complies



Vehicle Crossings

30.6.1.19 The maximum number, spacing and width of vehicle crossings for all roads, other than State Highways where the posted speed limit is 70km/hr or greater, shall comply with Table 30.4.	Infringes The proposed access to the polo ground is approximately 32 metres southwest of the access to the existing dwelling at 290 Bradleys Road.
30.6.1.21 Any accessway on a road adjacent to a footpath shall achieve the minimum sight distances for pedestrian safety as depicted in Figure 30.3.	Complies The proposed subdivision layout does not preclude compliance with this requirement. Legal instruments would be put in place at the ends of right of ways and accessways to ensure splays are provided.
30.6.1.24 Vehicle crossings on arterial, strategic and collector roads shall have minimum unobstructed sight distances that comply with Table 30.5 and there shall be no obstruction to visibility inside the area bounded by the sight lines as depicted in Figure 30.4.	Complies Accesses to Mill Road are anticipated to comply with sight distance requirements.
30.6.1.26 Distances of vehicle crossings to intersections shall comply with Table 30.6.	Complies This rule requires a separation of 10 metres between vehicle accesses and intersections (as the internal network will be 50km/h Local Roads). The proposed subdivision layout does not preclude compliance with this requirement. Accesses to Mill Road will comply.

Road Intersection Spacing

30.6.1.33 Distances between intersections shall be measured parallel to the boundaries of the site of the respective road intersection along the road centreline, except where any corner splay has been taken the distance shall be measured as though the corner splay had not been taken.	Infringes The rule requires 125-metre separation in 50km/h zones, 55-metre separation in 80km/h zones and 800-metre separation in 100km/h zones. The spacing of intersections to the existing road network and within the subdivision site do not meet these separation requirements.
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Parking, Loading and Manoeuvring

30.6.1.34 Except as provided for by Rule 30.6.1.40, all parking spaces shall:	
a. be provided on-site for the activity and in accordance with Table 30.8 and explanatory Figure 30.8, and Tables 30.9, 30.10. and 30.11, except for sites excluded or exempted by Rules 30.6.2.8 and 30.6.2.9, where a financial contribution applies for the provision of off-site parking and loading; and	Complies The proposed subdivision layout does not preclude compliance with this requirement.
30.6.1.37 Sufficient loading and manoeuvring space shall be provided on-site to ensure that no vehicle is required to reverse either onto or off a site where access is to a collector, strategic or arterial road or where the site gains access by a right of way or shared accessway.	Complies The proposed subdivision layout does not preclude compliance with this requirement.



30.6.1.39 Accessible parking spaces for disabled persons and accessible routes from parking spaces to the associated activity or road shall be provided in accordance with NZS:4121:2001: Design for Access and Use of Buildings and Facilities for Disabled Persons. Accessible parking is included within the spaces required by Rule 30.6.1.34.

Complies

The development can comply with this requirement.

30.6.1.44 Where more than five car parking spaces are required on a site under Rules 30.6.1.34 to 30.6.1.39, a minimum of one tree shall be planted and maintained per 5 parking spaces, or per 5 facing pairs of parking spaces, within, or immediately adjacent to, the parking area. Trees shall:

Complies

The development can comply with this requirement.

- a. be planted at 8m to 10m spacing within a planting bed for which the minimum dimension shall be a circle with a 1.5m radius;
- b. be protected from damage by vehicles;
- c. be a minimum of 1.5m tall and be in a healthy state at planting;
- d. be capable of attaining a minimum height of 4 m at maturity;
- e. be planted no closer than 2 m from an underground service or 1 metre from a footpath or kerb; and
- f. not impede the passage of pedestrians or vehicles.

30.6.1.45 Cycle parking required by Rule 30.6.1.34 shall be constructed:

Complies

The development can comply with this requirement.

- a. to support the cycle frame and not the wheel only;
- b. of durable materials and securely anchored to ground or building;
- c. to allow at least 1m between parking rails where more than one park is provided;
- d. for short term parking, be located:
 - i. within 15 m of the entrance to the activity;
 - ii. to be easily seen when approaching or leaving the activity;
 - iii. under shelter (where this is available);
- e. where cycles will be protected from motor vehicles;
- f. under lighting if designed to be used at night; and
- g. where use will not create a hazard for pedestrians, including visually impaired pedestrians; and
- h. for long term parking, to provide bicycle parking space within a secure, covered facility.



30.8 Discretionary Activity (Restricted)

30.8.2 The provision of 20 or more new car parking spaces on any site other than within the Rural Zone, excluding:

- a. sites subject to Rules 30.6.2.8, 30.6.2.9 and 30.6.2.10, or
- b. any extension to an existing car parking facility where no more than nine parking spaces are added within any five year period.

is a discretionary activity (restricted).

RD

The proposed parking lot facility in the commercial area has more than 20 spaces.

30.9 Discretionary Activity

30.9.1 Except as provided for by Rule 30.7 or Rule 30.8.5, any land use that does not comply with one or more of the conditions under Rule 30.6.1.1 to 30.6.1.32 or 30.7.1 is a discretionary activity except where it is a non-complying activity under Rule 30.10 or it is exempted by Rule 30.6.2.

D

The proposal does not comply with rules 30.6.1.1, 30.6.1.2, 30.6.1.13, 30.6.1.19 and 30.6.1.32.

31. Health, Safety and Wellbeing – Rules

Buildings and Structures

31.1 Permitted Activities

31.1.1 Conditions

Dwellinghouses

31.1.1.1 In the Rural Zone any dwellinghouse shall be on a site which has a minimum area of 4ha.

Infringes

Dwellings would be constructed on sites less than 4 hectares in area.

Structure Coverage

31.1.1.10 The structure coverage of the net area of any site shall not exceed:

- c. 20% in the Rural Zone, the Mapleham Rural 4B, Residential 4A and 4B Zones, except for the Residential 4A Zone, Bradleys Road, Ohoka identified on District Plan Map 169;

Infringes

Structure coverage of future activities would exceed 20%.

Setbacks For Structures

31.1.1.15 Any structure shall comply with the minimum setback requirements in Table 31.1 and measurements shall be taken from the nearest point of any part of any structure (or dwellinghouse).

Infringes

Future buildings (dwellings and other buildings) will be located closer to road and internal boundaries than the minimum setbacks for the zone.

Complies



31.1.1.19 All structures, earthworks and other activities must comply with the requirements in NZECP 34:2001.	The Applicant complies with all aspects of NZECP 34:2001. This includes separation distances where specific engineering advice was obtained from Transpower as required given the span length of the National Grid line in this location exceeds 375 metres.
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Structure Height

31.1.1.20 Within any Residential Zone, other than the Residential 6A Zone or Residential 7 Zone (Area A), or within a site which adjoins any Residential Zone, other than the Residential 6A Zone, no structure shall project beyond the building envelope defined by recession planes constructed 2.5m above any site boundary or any boundary adjoining the Residential Zone, as shown in Appendix 31.1. Except that for the purpose of this rule, the following structures are exempt:	Complies
a. lines and wires; b. support structures for utilities; c. flagpoles, antennas other than dish antennas; d. lightning rods, chimneys, ventilation shafts, solar heating devices, roof water tanks, lift and stair shafts; e. decorative features such as steeples, towers and finials;	Any buildings adjoining the Residential 3 Zone would comply with the required recession plane.

31.4 Discretionary Activities

31.4.1 Except as provided for by Rules 31.1.2, 31.2, 31.3, 31.5 and 31.6 any land use which does not comply with one or more of Rules 31.1.1.10 to 31.1.1.17, 31.1.1.20 to 31.1.1.66 is a discretionary activity.	D
	The proposal does not comply with Rule 31.1.1.15.

31.5 Non-complying Activities

31.5.1 Any land use which does not comply with Rules 31.1.1.1 to 31.1.1.6 (standards for a site, or delineated area, containing a dwellinghouse) or Rules 31.3.2 and 31.4.2 is a non-complying activity except where exempted under Rule 31.1.2.	NC
	The proposal does not comply with Rule 31.1.1.1.

Signs

31.7 Permitted Activities

31.7.1 Conditions

31.7.1.1 Any sign in any zone shall advertise the goods or services available at that site and be wholly located within that site.	Complies
31.7.1.2 Any sign in any zone shall not:	Complies
a. mimic traffic signals; b. have flashing or revolving lights.	



Rural Zones

31.7.1.7 On any site in any Rural Zone:

- | | |
|--|---|
| a. not more than one sign shall be erected per site, except where a site has a road frontage of more than 200m and two or more frontages two signs can be erected, but no more than one sign per frontage; | Infringes
The number of future signs in the commercial allotments will exceed this threshold. |
| b. where the sign is visible from any road with a posted speed limit of 70km/hr or greater, present an unrestricted view to the motorists for a minimum distance of 180m; | Infringes
Future signage may not comply with this standard. |
| c. display no more than six words, or, if a combination of words and symbols, display no more than 40 characters; | Infringes
Future signage may not comply with this standard. |
| d. display symbols or letters of a minimum height of 160mm; | Infringes
Future signage may not comply with this standard. |
| e. have a display area of any free standing sign not exceeding 3m ² , | Infringes
Future signage may not comply with this standard. |
| f. not exceed a height limit of 3 metres; | Infringes
Future signage may not comply with this standard. |

31.8 Discretionary Activities (Restricted)

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| 31.8.1 Any land use which does not comply with one or more of Rules 31.7.1.3 to 31.7.1.7 is a discretionary activity (restricted), except where exempted under Rule 31.7.2. | RD
The proposal does not comply with Rule 31.7.1.7. |
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Glare

31.10 Permitted Activities

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|---|----------|
| Any land use is a permitted activity if it: | P |
| i. is not otherwise listed as a discretionary activity (restricted) under Rule 31.11; | |
| ii. complies with the conditions under Rule 31.10.1; and | |
| iii. complies with all the conditions and provisions for permitted activities in this and all other chapters. | |

31.10.1 Conditions

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| 31.10.1.1 In any Rural Zone, any artificial exterior lighting within a site shall: | Complies |
| a. be directed away from the sky; | |



- b. except for any street light, be directed away from the site boundary and roads so as to avoid light spill, or in the case of a road boundary, avoid a distraction or glare which would create a traffic hazard; and
- c. be placed so as to avoid causing an air or sea navigation hazard.

Noise

31.12 Permitted Activities

31.12.1 Conditions

31.12.1.2 Activities in any zone, other than the Business 3 Zone, shall not exceed the following noise limits within measurement time intervals in the time-frames stated at any point within the notional boundary of any dwellinghouse in the Rural Zone, or at any point within any Residential Zone:

Complies

Compliance is assumed.

- a. Daytime: 7am to 7pm Monday to Saturday, and 9am to 7pm Sundays and Public Holidays: 50dBA L₁₀.
- b. Other times: 40dBA L₁₀.
- c. Daily 10pm-7am the following day: 70dBA L_{max}.

Construction Noise

31.12.1.13 Construction noise in any zone shall not exceed the recommended limits specified in, and shall be measured and assessed in accordance with, the provisions of NZS:6803: P1984 "Measurement and Assessment of Noise from Construction, Maintenance, and Demolition Work". Adjustments and exemptions provided in clause 6 of NZS:6803: P1984 shall apply.

Complies

Hazardous Substances

31.16 Permitted Activities

Any land use is a permitted activity if it:

P

- i. is not otherwise listed as a controlled or discretionary activity (restricted) under Rules 31.17 and 31.18;
- ii. complies with the conditions under Rule 31.16.1; and
- iii. complies with all the conditions and provisions for permitted activities in this and all other chapters.

Farms and Dwellinghouses

31.19 Permitted Activities

Any land use is a permitted activity if it:

P

- i. is not otherwise listed as a discretionary activity (restricted) under Rule 31.21;



- ii. complies with the conditions under Rule 31.19.1; and
- iii. complies with all the conditions and provisions for permitted activities in this and all other chapters.

31.19.1 Conditions

Farm Effluent Treatment Systems

- 31.19.1.5 The distance between any farm effluent treatment and storage activity and any dwellinghouse on the same site shall be not less than 20m.
- 31.19.1.6 No dwellinghouse, except where it is provided for by Rule 31.19.1.5, shall be situated within 150m of any farm effluent treatment or storage activity, including ponds for farm liquid waste disposal.
- 31.19.1.8 Distances from any farm effluent treatment or storage facility shall be measured from the edge of the facility, structure, pond, or land used for treatment purposes, and from or to the notional boundary of any dwellinghouse.

Complies

Compliance would be achieved during staged construction of the subdivision where farming activities may continue.

Retail Activities and Traffic Matters

31.23 Permitted Activities

31.23.1 Conditions

- 31.23.1.8 Any retail activity in any Residential 1, 2, 3, 4A, 4B, 5, 6, 6A or 7 Zone, Rural Zone or Business 2 or 3 Zone shall not exceed 20% of the net floor area of the sum of all buildings on any site.

Infringes

Future retail activities within the proposed commercial allotments will exceed this threshold.

- 31.23.1.9 Goods retailed from any site in any Residential 1, 2, 3, 4A, 4B, 5, 6, 6A or 7 Zone, Rural Zone, or Business 2 or 3 Zone shall be produced and/or processed, on the site including ancillary products and goods.

Infringes

Good retailed within the proposed commercial allotments will not meet this standard.

31.25 Discretionary Activities (Restricted)

- 31.25.2 Any land use on any site in the Rural Zone that has a parking requirement of 10 or more on-site spaces under Rule 30.6.1.34, excluding parking requirements associated with any dwellinghouse, is a discretionary activity (restricted).

RD

The proposed parking lot facility in the commercial area has more than 10 parking spaces.

- 31.25.3 Except as provided for by Rule 31.26, any land use in any zone resulting in a total of more than 250 motorised vehicles movements, either entering or exiting the site, per day is a discretionary activity (restricted).

RD

Future activities within the proposed commercial allotments may generate more than 250 vehicle movements per day.

31.26 Discretionary Activities

D



31.26.1 Any land use which does not comply with one or more of the conditions under Rule 31.23.1 is a discretionary activity.	The proposal does not comply with rules 31.23.1.8 and 31.23.1.9
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32. Subdivision – Rules

32.1 Controlled Activities

32.1.1 Standards and Terms

Allotment Areas and Dimensions

32.1.1.1 All allotments shall comply with Table 32.1.	Infringes
	Proposed allotments are less than 4 hectares.

32.1.1.2 For the purpose of Rule 32.1.1.1, minimum areas and dimensions of Business and Residential allotments in Table 32.1 shall be exclusive of any accessways and areas subject to designation.	N/A
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32.1.1.3 Any allotment in the Rural Zone shall contain one or more building platforms, and, unless otherwise required to be serviced by a reticulated sewage disposal utility by Rule 23.1.1.16, a sewage disposal area for a dwellinghouse shall be provided.	Infringes
	Building platforms are not proposed.

Traffic Management

32.1.1.29 Any road, accessway, or vehicle crossing shall comply with Rules 30.6.1.1 to 30.6.1.33 as though any allotment was a site.	Infringes
	The proposal does not comply with rules 30.6.1.1, 30.6.1.2, 30.6.1.13, 30.6.1.19 and 30.6.1.32.

Splays

32.1.1.49 The corner of any allotment at any road intersection in any subdivision of Residential 4A, 4B or any Rural Zone land shall be played with a diagonal line reducing each boundary by:	Infringes
a. a minimum of 6m on local, collector or urban collector roads; and	5-metre splays are proposed at the intersections.

Water Supply

32.1.1.52 Any new allotment in the Rural Zone shall be connected to a reticulated potable water supply.	Complies
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Energy Supply and Communications

32.1.1.58 Any new allotment in any zone shall be serviced by an energy supply and a communications system, and those services shall be available at the boundary of the allotment.	Complies
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32.1.1.59 Where two or more allotments in any zone share an accessway, the energy from the energy supply	
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and/or communications from the communications system, shall be available where the accessway joins the main body of each allotment.

Stormwater

32.1.1.64 Any new allotment in any Rural Zone shall connect to a public drain if the allotment is within a rural drainage area.

Complies

The site is within the Ōhoka Drainage Area and the proposed development ultimately discharges stormwater to public drain channels.

Esplanades

32.1.1.80 Esplanade reserves or esplanade strips shall be created or set aside as set out in Chapter 33: Esplanades: Locations and Circumstances – Rules.

Complies

Reserves

32.1.1.81 Allotments for all "Reserves" including the lake generally as shown on District Plan Map 142 shall be set aside and vested in the Council. Prior to vesting in the Council, the reserves allotments shall be levelled, covered in topsoil, grassed and planted with amenity trees, except:

Complies

- a. that where a reserve adjoins the lake or the Eastern Conservation Management Area, the land adjoining the lake or conservation area shall be planted with mixed indigenous species appropriate to the habitat; and
- b. as required for stormwater management in Rule 32.1.1.65 above.

32.2 Discretionary Activities (Restricted)

32.2.1 Except as provided for by Rules 32.3 or 32.4, or where exempted under Rule 32.1.2, any new allotment that does not comply with the corner splay standards and terms of Rules 32.1.1.48 to 32.1.1.49 is a discretionary activity (restricted).

RD

The proposal does not comply with rule 32.1.1.49.

32.3 Discretionary Activities

32.3.1 Except as provided for by Rule 32.4 any new allotment in any zone that does not comply with Rules 32.1.1.29 to 32.1.1.32 (traffic management) and 32.1.1.47 is a discretionary activity.

D

The proposed does not comply with rule 32.1.1.29

32.4 Non-complying Activities

32.4.1 Except where exempted under Rule 32.1.2, any subdivision that does not comply with Rules 32.1.1.1 to 32.1.1.28, 32.1.1.54 to 32.1.1.57 or 32.1.1.65 to 32.1.1.76, or 32.1.1.78 and 32.1.1.80 to 32.1.1.82 or 32.1.1.92 or 32.1.1.94 is a non-complying activity.

NC

The proposed does not comply with rules 31.1.1.1 and 31.1.1.3



33. Esplanades: Locations and Circumstances – Rules

33.1 Controlled Activities

Standards and terms

33.1.2	Where any allotment of less than 4ha is created on subdivision an esplanade reserve or esplanade strip shall be created or set aside from that allotment along the bank of any other river or along the mark of mean high water springs of the sea.	Complies No waterways within the site have an average bed width of three or more metres, noting that a full topographical survey has not been undertaken.
33.1.4	Except where provided by Rule 33.1.6 and Rule 33.1.7, the minimum width of an esplanade reserve or esplanade strip required under Rules 33.1.1 and 33.1.2 shall be 20m.	Complies No waterways within the site have an average bed width of three or more metres.
33.1.5	Except where provided by Rule 33.1.6, an esplanade strip shall be required for land adjoining the north and central branches of the Ohoka Stream from the crossing of Bradleys Road to Christmas Road. The esplanade strip shall be:	
a.	a width of 5m from the edge of each river bank; and	Complies The proposal includes an esplanade reserve along this river that is 20 metres in width from each bank.
b.	managed by the landowner in accordance with the provisions contained in Appendix 33.1.	Complies The proposed reserve is for conservation and natural hazard management in accordance with Appendix 33.1.
33.1.6	Esplanade reserves shall be provided for land adjoining the Ohoka Stream (North Branch) from Keetley Place to the crossing with Mill Road. The esplanade reserves shall:	N/A This stretch of river is outside the application site.
a.	Be a width of 5m from the edge of the north bank, and be a width of 5m from the edge of the south bank; and	
b.	Provide for public access, conservation and natural hazard mitigation.	