

Appendix 4: Resource Consents Assessment

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Porirua City Council Consent Requirements

Proposed Porirua District Plan

Northern Growth Development Area Chapter

Table 1: DEV-NG-R1

Rule or Standard	Assessment
DEV-NG-R1 Activities (excluding subdivision) that are permitted activities in the underlying zone	
All zones	
1. Activity status: <i>Permitted</i>	
<i>Where:</i>	
<i>a. The activity is in accordance with DEV-NG-Figure 1: Northern Growth Development Area Structure Plan.</i>	Does not comply – there are various activities that are permitted in the underlying zones (MRZ, NCZ, RLZ) that the proposal enables through subdivision and civil works including residential activities, commercial activities etc. However, as the proposal is not consistent with the Structure Plan with regard to several matters (as outlined in Appendix 8) particularly with regard to the roading layout, these otherwise permitted activities will be undertaken in areas that are not consistent with the Structure Plan.
All zones	
2. Activity status: <i>Restricted Discretionary</i>	
<i>Where:</i>	
<i>a. Compliance is not achieved with DEV-NG-R1.a.</i>	Rule applies to proposal - As the proposal does not comply with DEV-NG-R1.a, the proposal is a Restricted Discretionary Activity under Rule DEV-NG-R1.2.a

Table 2: DEV-NG-R2

Rule or Standard	Assessment
DEV-NG-R2 Earthworks that are permitted activities in the Earthworks chapter	
All zones	
1. Activity status: <i>Permitted</i>	
<i>Where:</i>	
<i>a. The activity is in accordance with DEV-NG-Figure 1: Northern Growth Development Area Structure Plan.</i>	Not applicable – As the earthworks are not permitted by the Earthworks Chapter due to non-compliance with standards, they are not

	regulated by DEV-NG-R2. For completeness, were the earthworks are permitted they would not comply with DEV-NG-R2.1 as earthworks are required to create roads and tracks that are not consistent with the Structure Plan.
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Table 3: DEV-NG-R3.1

Rule or Standard	Assessment
DEV-NG-R3.1 – Subdivision of land within the Northern Growth Development Area Medium Density Residential Zone 1. Activity status: Controlled Where:	
a. The allotment is less than 3,000m ² in area;	Complies – the allotments to be subdivided are greater than 3000m ² .
b. Any subdivision of an allotment containing or directly adjoining a Significant Natural Area identified in SCHED7 - Significant Natural Areas must include: <ul style="list-style-type: none"> i. A scheme plan which identifies a buffer area of at least 5m wide around that part of the perimeter of the Significant Natural Area which is located within or directly adjoining the allotment; ii. A planting plan and monitoring and maintenance programme for the buffer area which meets the requirements set out in Parts B and C of APP17 - Ecological Corridors and SNA Buffer Areas; and iii. Details of how the buffer area will be legally protected in perpetuity in accordance with Part A of APP17 - Ecological Corridors and SNA Buffer Areas; 	Complies – This rule applies to the proposed subdivision of Lot 1 DP 534864 as it contains an SNA. The proposal complies with clause b as: <ul style="list-style-type: none"> • The scheme plan identifies a 5m buffer around the SNA; • A planting plan and monitoring and maintenance programme for the buffer area is provided which meets the requirements set out in APP17; and • The proposed conditions provide a condition of consent setting out that the SNA will be protected in perpetuity through a consent notice placed on the title. For completeness, this rule is not relevant to the other allotments being subdivided being: <ul style="list-style-type: none"> • Lot 1 DP 608433, Lot 1000 DP 608433 (34 Muri Road); • Lot 2 DP 534864 (422A SH59); • Lot 2 DP 89102 (422B SH59); and • Part Lot 1 DP 89102 (422A SH59).
c. Any subdivision of an allotment which includes an ecological corridor identified on DEV-NG-Figure 1 Northern Growth Development Area Structure Plan must include: <ul style="list-style-type: none"> i. A scheme plan which identifies the ecological corridor as being no less 	Complies – This rule applies to the proposed subdivision of Lot 1 DP 534864 as it contains an

<p><i>than 50m wide and connecting the Significant Natural Areas which it is located between;</i></p> <p>ii. <i>A planting plan and monitoring and maintenance programme for the ecological corridor which meets the requirements set out in Parts B and C of APP17 - Ecological Corridors and SNA Buffer Areas; and</i></p> <p>iii. <i>Details of how the ecological corridor will be legally protected in perpetuity in accordance with Part A of APP17 - Ecological Corridors and SNA Buffer Areas;</i></p>	<p>ecological corridor¹. The proposal complies with clause c as:</p> <ul style="list-style-type: none"> • The scheme plan identifies a 50m ecological corridor which connects to the SNA; • A planting plan and monitoring and maintenance programme for the ecological corridor is provided which meets the requirements set out in APP17; and • The proposed conditions provide a condition of consent setting out that the ecological corridor will be protected in perpetuity through a consent notice placed on the title.
<p>d. <i>The design and layout of the subdivision is in accordance with DEV-NG-Figure 1: Northern Growth Development Area Structure Plan.</i></p>	<p>Does not comply – the design and layout of the subdivision is not in accordance with the Structure Plan with regard to road connections.</p>
<p>DEV-NG-R3.2 – Subdivision of land within the Northern Growth Development Area</p> <p>Medium Density Residential Zone</p> <p>2. Activity status: Restricted Discretionary Activity</p> <p>Where:</p>	
<p>a. <i>The allotment is 3,000m² or greater in area;</i></p>	<p>Complies – the allotments to be subdivided are greater than 3000m².</p>
<p>b. <i>Any subdivision of an allotment containing or directly adjoining a Significant Natural Area identified in SCHED7 - Significant Natural Areas must include:</i></p> <p>i. <i>A scheme plan which identifies a buffer area of at least 5m wide around that part of the perimeter of the Significant Natural Area which is located within or directly adjoining the allotment;</i></p> <p>ii. <i>A planting plan and monitoring and maintenance programme for the buffer area which meets the requirements set out in Parts B and C of APP17 - Ecological Corridors and SNA Buffer Areas; and</i></p>	<p>Complies – This rule applies to the proposed subdivision of Lot 1 DP 534864 as it contains an SNA. The proposal complies with clause b as:</p> <ul style="list-style-type: none"> • The scheme plan identifies a 5m buffer around the SNA; • A planting plan and monitoring and maintenance programme for the buffer area is provided which meets the requirements set out in APP17; and • The proposed conditions provide a condition of consent setting out that the SNA will be protected in perpetuity through a consent notice placed on the title.

¹ Note that the Structure Plan does not have “ecological corridors”, rather “ecological connections”. These are assumed to be one and the same for the purposes of this assessment.

<p>iii. <i>Details of how the buffer area will be legally protected in perpetuity in accordance with Part A of APP17 - Ecological Corridors and SNA Buffer Areas;</i></p>	<p>For completeness, this rule is not relevant to the other allotments being subdivided being:</p> <ul style="list-style-type: none"> • Lot 1 DP 608433, Lot 1000 DP 608433 (34 Muri Road); • Lot 2 DP 534864 (422A SH59); • Lot 2 DP 89102 (422B SH59); and • Part Lot 1 DP 89102 (422A SH59).
<p>c. <i>Any subdivision of an allotment which includes an ecological corridor identified on DEV-NG-Figure 1: Northern Growth Development Area Structure Plan must include:</i></p> <p>i. <i>A scheme plan which identifies the ecological corridor as being no less than 50m wide and connecting the Significant Natural Areas which it is located between;</i></p> <p>ii. <i>A planting plan and monitoring and maintenance programme for the ecological corridor which meets the requirements set out in Parts B and C of APP17 - Ecological Corridors and SNA Buffer Areas; and</i></p> <p>iii. <i>Details of how the ecological corridor will be legally protected in perpetuity in accordance with Part A of APP17 - Ecological Corridors and SNA Buffer Areas;</i></p>	<p>Complies – This rule applies to the proposed subdivision of Lot 1 DP 534864 as it contains an ecological corridor². The proposal complies with clause c as:</p> <ul style="list-style-type: none"> • The scheme plan identifies a 50m ecological corridor connecting the SNA; • A planting plan and monitoring and maintenance programme for the ecological corridor is provided which meets the requirements set out in APP17; and • The proposed conditions provide a condition of consent setting out that the ecological corridor will be protected in perpetuity through a consent notice placed on the title.
<p>d. <i>The design and layout of the subdivision is in accordance with and gives effect to DEV-NG-Figure 1: Northern Growth Development Area Structure Plan.</i></p>	<p>Does not comply – the design and layout of the subdivision is not in accordance with the Structure Plan with regard to road connections.</p>
<p>DEV-NG-R3.3 – Subdivision of land within the Northern Growth Development Area</p> <p>Rural Lifestyle Zone</p> <p>Neighborhood Centre Zone</p> <p>3. Activity status: Restricted Discretionary Activity</p> <p>Where:</p>	
<p>a. <i>Any subdivision of an allotment containing or directly adjoining a Significant Natural Area identified in SCHED7 - Significant Natural Areas must include:</i></p>	<p>Complies – This rule applies to the proposed subdivision of Lot 1 DP 534864 as it contains an SNA (note that Lot 2 DP 534864 is partially zoned</p>

² Note that the Structure Plan does not have “ecological corridors”, rather “ecological connections”. These are assumed to be one and the same for the purposes of this assessment.

<p>i. A scheme plan which identifies a buffer area of at least 5m wide around that part of the perimeter of the Significant Natural Area which is located within or directly adjoining the allotment;</p> <p>ii. A planting plan and monitoring and maintenance programme for the buffer area which meets the requirements set out in Parts B and C of APP17 - Ecological Corridors and SNA Buffer Areas; and</p> <p>iii. Details of how the buffer area will be legally protected in perpetuity in accordance with Part A of APP17 - Ecological Corridors and SNA Buffer Areas;</p>	<p>RLZ, however it does not contain an SNA). The proposal complies with clause b as:</p> <ul style="list-style-type: none"> The scheme plan identifies a 5m buffer around the SNA; A planting plan and monitoring and maintenance programme for the buffer area is provided which meets the requirements set out in APP17; and The proposed conditions provide a condition of consent setting out that the SNA will be protected in perpetuity through a consent notice placed on the title.
<p>b. The design and layout of the subdivision is in accordance with and gives effect to DEV-NG-Figure 1: Northern Growth Development Area Structure Plan.</p>	<p>Does not comply – The proposed road is directly adjoining the boundary of the area of the site zoned NCZ, rather than located within the NCZ as shown on the Structure Plan. Additionally, the proposal does not identify or provide for a track along the eastern boundary or walkway connections at the southern boundary within the RLZ. The proposal is therefore inconsistent with the Structure Plan.</p>
<p>DEV-NG-R3.4 Subdivision of land within the Northern Growth Development Area All Zones 4. Activity status: Discretionary Activity Where:</p>	
<p>a. Compliance is not achieved with DEV-NG-R3-1.b, DEV-NG-R3-1.c or DEV-NG-R3-1.d;</p> <p>b. Compliance is not achieved with DEV-NG-R3-2.b, DEV-NG-R3-2.c or DEV-NG-R3-2.d; or</p> <p>c. Compliance is not achieved with DEV-NG-R3-3.</p>	<p>Rule applies to proposal - The proposal does not comply with DEV-NG-R3-2.d or DEV-NG-R3.3.b with regard to being in accordance with the Structure Plan, the subdivision is a Discretionary Activity under DEV-NG-R3.4.b and DEV-NG-R3.4.c.</p>

Table 4: DEV-NG-R4

Rule or Standard	Assessment
<p>DEV-NG-R4 Activities that are not otherwise provided for in this table</p> <p>All zones</p>	

1. Activity status: <i>Restricted discretionary</i> Where:	
a. The activity is in accordance with DEV-NG- Figure 1: Northern Growth Development Area Structure Plan.	Does not comply – This rule applies to the proposal as the proposed earthworks are not permitted by the Earthworks chapter (refer Table 45 below). and as such are not provided for under DEV-NG-R2. The proposal is not consistent with the Structure Plan, and therefore it does not meet the requirements of (a)
DEV-NG-R4 Activities that are not otherwise provided for in this table All zones 2. Activity status: <i>Discretionary</i> Where:	
a. Compliance not achieved with DEV-NG-R4- 1.a.	Rule applies to proposal – as the proposal does not comply with DEV-NG-R4.1.a it is a Discretionary Activity under DEV-NG-R4.2.a.

Medium Density Residential Zone

Table 5: MRZ-R2

Rule or Standard	Assessment
MRZ-R2 Construction activity All zones 1. Activity status: Permitted	
Rule applies to proposal – Construction activity is a Permitted Activity noting there are no applicable activity standards in the Zone.	

Table 6: MRZ-R5

Rule or Standard	Assessment
MRZ-R5 Residential activity, excluding papakāinga 1. Activity status: Permitted	
Rule applies to proposal - In the portion of the site zoned MRZ residential activities are being enabled through subdivision and civil works, these are a Permitted Activity . Note:	

- According to the Introduction to the NGDA, the rules in zone chapters apply in addition to the NGDA and District-Wide chapters, and where there is a conflict between the two sets of rules, the more restrictive activity status will apply.
- There are no relevant buildings and structures proposed that are not otherwise regulated as Infrastructure so the building and structures rules are not applicable and MRZ-R1 does not apply.

Table 7: MRZ-R8

Rule or Standard	Assessment
MRZ-R8 Sport and recreation facility	
1. Activity status: Permitted	
Where:	
a. The sport and recreation facility is or will be vested in Porirua City Council as a reserve under the Reserves Act 1977.	Complies - Sport and recreational facilities include parks, playgrounds and sportsgrounds. These facilities will be vested in Council and the proposal therefore complies with this standard.
Rule applies to proposal – MRZ-R8-1.a will be met, so the proposed parks and reserves are a Permitted Activity .	

Table 8: MRZ-R29

Rule or Standard	Assessment
MRZ-R29 Primary production	
1. Activity status: Non-complying	
Not applicable – An area of MRZ is proposed to remain as farmland. However, all activities taking place have existing use rights. The land has been farmed for over 100 years.	

Neighbourhood Centre Zone

Table 9: NCZ-R2

Rule or Standard	Assessment
NCZ-R2 Construction activity	
All zones	
1. Activity status: Permitted	
Rule applies to proposal – Construction activity is a Permitted Activity noting there are no applicable activity standards in the Zone.	

Table 10: NCZ-R3 and NCZ-R4

Rule or Standard	Assessment
<p>NCZ-R3 Retail activity and supermarket</p> <p>NCZ-R4 Commercial service activity</p> <p>1. Activity status: Permitted</p>	
<p>Rule applies to proposal - In the portion of the site zoned NCZ these activities are being enabled through subdivision and civil works, these are a Permitted Activity.</p> <p>Note:</p> <ul style="list-style-type: none"> According to the Introduction to the NGDA, the rules in zone chapters apply in addition to the NGDA and District-Wide chapters, and where there is a conflict between the two sets of rules, the more restrictive activity status will apply. There are no relevant buildings and structures proposed that are not otherwise regulated as Infrastructure so the building and structures rules are not applicable and NCZ-R1 does not apply. 	

Table 11: NCZ-R23

Rule or Standard	Assessment
<p>NCZ-R23 Any activity not otherwise listed as permitted, restricted discretionary, discretionary or non-complying</p> <p>1. Activity status: Discretionary</p>	
<p>Rule applies to proposal - In the portion of the site zoned NCZ there is a proposed recreation reserve area, this would enable sport and active recreation activities, these are a Discretionary Activity under NCZ-R23.1.</p>	

Rural Lifestyle Zone

Table 12: RLZ-R6 and RLZ-R9

Rule or Standard	Assessment
<p>RLZ-R6 Primary production, excluding quarrying activities, mining activity, intensive indoor primary production and rural industry</p> <p>RLZ-R9 Residential activity and residential unit</p> <p>1. Activity status: Permitted</p>	
<p>Rule applies to proposal - In the portion of the site zoned RLZ these activities will continue, these are a Permitted Activity.</p> <p>Note:</p>	

- According to the Introduction to the NGDA, the rules in zone chapters apply in addition to the NGDA and District-Wide chapters, and where there is a conflict between the two sets of rules, the more restrictive activity status will apply.
- There are no relevant buildings and structures proposed that are not otherwise regulated as Infrastructure so the building and structures rules are not applicable and RLZ-R1 does not apply.

Subdivision Chapter

Table 13: SUB-R3

Rule or Standard	Assessment
<p><i>SUB-R3 Subdivision that creates any vacant allotments, excluding new allotments for infrastructure</i></p> <p><i>All zones</i></p> <p><i>1. Activity status: Controlled</i></p> <p><i>Where:</i></p> <p><i>a. Compliance is achieved with:</i></p> <p><i>i. SUB-S1;</i></p> <p><i>ii. SUB-S2;</i></p> <p><i>iii. SUB-S3;</i></p> <p><i>iv. SUB-S4;</i></p> <p><i>v. SUB-S5;</i></p> <p><i>vi. SUB-S6; and</i></p> <p><i>vii. SUB-S7;</i></p> <p><i>b. Where the site shares a boundary with, or contains, a river whose bed has an average width of 3m or more or adjoins MHWS, compliance is achieved with SUB-S8.</i></p>	
<p><i>SUB-S1 Minimum allotment size and shape</i></p> <p><i>1. All allotments created must comply with the minimum allotment size and allotment shape set out in SUB-Table 1.</i></p> <p><i>2. All minimum allotment shape rectangles required under SUB-S1-1 must be clear of any:</i></p> <p><i>a. Yards;</i></p> <p><i>b. Access allotments;</i></p> <p><i>c. Right-of-way easements;</i></p> <p><i>d. Infrastructure, including public and private infrastructure; and</i></p>	<p>Does not comply – the following minimum allotment sizes apply to the proposal:</p> <ul style="list-style-type: none"> • RLZ –2ha • MRZ – 300m² and must be able to contain a rectangle measuring 9m x 14m. • NCZ (other zones) – N/A <p>The subdivision within the RLZ portion of the application site complies as the entire RLZ zoned portion will be held in one title with an allotment over 2ha (105ha).</p>

<p>e. <i>Other easements, including any new easement to be registered against the new allotment.</i></p> <p><i>Note:</i></p> <ul style="list-style-type: none"> <i>Easements will be required to be registered against new allotments containing public or shared infrastructure. Compliance with SUB-S1-2.d will be considered to be achieved where the minimum allotment shape rectangle is located outside of the area to be registered with an easement over this infrastructure.</i> <i>The appeal only relates to the minimum allotment size for the Rural Lifestyle Zone. In all other respects SUB-S1 can be treated as operative under s86F of the RMA.</i> 	<p>The residential lots in subdivision within the MRZ portion of the application site generally complies as the smallest allotment will be 316m² and all lots will be able to contain a rectangle measuring 9m x 14m. However, there are lots smaller than 300m² that will be vested as reserves that <u>do not comply</u> with the minimum (e.g. Lot 1203 which provides pedestrian access from a road to a larger area of reserve).</p> <p>There is no minimum size for the portion of the site zoned NCZ so this standard is not applicable.</p>
<p>SUB-S2 Access</p> <p>1. <i>All new allotments created must have legal and physical access to a formed road in accordance with the relevant rules and standards in the TR - Transport chapter.</i></p>	<p>Does not comply – As outlined in Table 34 to Table 36 below the new roads and intersections do not comply with all the relevant rules and standards in the TR- Transport chapter.</p>
<p>SUB-S3 Roads</p> <p>1. <i>All new roads and intersections must comply with the relevant rules and standards in the INF - Infrastructure chapter.</i></p>	<p>Does not comply – As outlined in Table 34 to Table 36 below the new roads and intersections do not comply with all the relevant rules and standards in the INF - Infrastructure chapter.</p>
<p>SUB-S4 Water supply</p> <p>1. <i>Where a connection to Council's reticulated water supply systems is available, all new allotments must:</i></p> <ul style="list-style-type: none"> <i>a. Be provided with a water supply connection at the allotment boundary, that provides the level of service in Chapter 6, Tables 6.1 and 6.2 of the Wellington Water Regional Standard for Water Services May 2019;</i> <i>b. Comply with water supply requirements in the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008; and</i> <i>c. Be fitted with a water metering device that meets the requirements of Sections 6.4.10.2 and Section 6.4.11 of the Wellington Water Regional Standard for Water Services May 2019.</i> <p>2. <i>Where a connection to Council's reticulated water supply systems is not available, all allotments must:</i></p>	<p>Does not comply – The proposal complies with clause 1 for residential and commercial allotments as:</p> <ul style="list-style-type: none"> a. Water supply will be provided in accordance with the Wellington Water Regional Standard for Water Services; b. Adequate firefighting capacity will be provided in accordance with SNZ PAS 4509: 2008 standards including minimum pressure requirements and maximum hydrant spacing standards; and c. Water metering devices will be provided in accordance with the Wellington Water Regional Standard for Water Services. <p>However, lots that will be vested as reserves <u>do not comply</u> with this standard.</p>

<ul style="list-style-type: none"> a. Be provided with access to a self-sufficient potable water supply with a minimum volume of 10,000L; and b. Comply with the water supply requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. 	<p>Balance allotment 5003 has an existing dwelling and is not a vacant allotment.</p>
<p>SUB-S5 Wastewater disposal</p> <p>1. Where a connection to Council's reticulated wastewater systems is available, all new allotments must be provided with a connection at the allotment boundary that provides the level of service in Chapter 5, section 5.2.3 of the Wellington Water Regional Standard for Water Services May 2019.</p> <p>2. Where a connection to Council's reticulated wastewater systems is not available, all allotments must be provided with a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner within the net site area of the allotment in accordance with Section 5.2.6 of the Wellington Water Regional Standard for Water Services May 2019.</p> <p>3. Where a connection to Council's reticulated wastewater systems is not available and sewage is to be disposed to ground, that area must not be subject to instability or inundation or used for the disposal of stormwater.</p>	<p>Does not comply – The proposal complies with clause 1 for residential and commercial allotments as:</p> <ul style="list-style-type: none"> 1. Wastewater connections will be provided to allotments that complies the Wellington Water Regional Standard for Water Services; 2. Not applicable as all residential allotments will be connected to the reticulated network. 3. Not applicable as all residential allotments will be connected to the reticulated network. <p>However, lots that will be vested as reserves <u>do not comply</u> with this standard.</p> <p>Balance allotment 5003 has an existing dwelling and is not a vacant allotment.</p>
<p>SUB-S6 Stormwater management</p> <p>1. Where a connection to Council's stormwater management systems is available, all new allotments must be provided with a connection at the allotment boundary, that provides the level of service in Chapter 4 Stormwater Table 4.1, Table 4.2 and 4.3 of the Wellington Water Regional Standard for Water Services May 2019.</p> <p>2. All subdivisions within Urban Zones and the Māori Purpose Zone (Hongoeka) must achieve hydraulic neutrality.</p>	<p>Does not comply – The proposal complies with this standard residential and commercial as:</p> <ul style="list-style-type: none"> 1. Stormwater connections will be provided to allotments that complies the Wellington Water Regional Standard for Water Services; 2. Hydraulic neutrality will be provided for peak flows up to the 1% AEP event; and 3. Stormwater outlets are designed to comply with the Water Regional Standard for Water Services.

<p>3. Where a connection to Council's stormwater systems is not available and the means of stormwater disposal is to ground, that area must not be subject to instability or inundation or be used for the disposal of wastewater.</p>	<p>However, lots that will be vested as reserves <u>do not comply</u> with this standard.</p>
<p><i>SUB-S7 Telecommunications and power supply</i></p> <p><i>Residential Zones</i> <i>Commercial and Mixed Use Zones</i></p> <p>1. All new allotments must have provision for fibre optic cable connections to the legal boundary of the allotments.</p> <p><i>Rural Zones</i></p> <p>2. All new allotments must have provision for connection to telecommunication infrastructure. This may be achieved by either:</p> <ul style="list-style-type: none"> a. Provision for fibre optic cable connections to the legal boundary of the allotments; or b. Provision with any subdivision consent application of written confirmation from a telecommunication network operator confirming that connection to a telecommunications network can be provided to all new allotments and describing how this can be achieved. <p>3. The written confirmation that connection to a telecommunications network can be achieved which is required under SUB-S7-2.b must include that the connection can be achieved to:</p> <ul style="list-style-type: none"> a. A mobile and wireless network, including a satellite network, if connection to such a network is available; or b. A copper VDSL network as a minimum if no broadband mobile or wireless networks are available. 	<p>Does not comply – Allotments in all zones will have provision for connection to fibre optic cable connections.</p> <p>However, lots that will be vested as reserves <u>do not comply</u> with this standard.</p>
<p>b. Where the site shares a boundary with, or contains, a river whose bed has an average width of 3m or more or adjoins MHWS, compliance is achieved with SUB-S8.</p>	<p>Does not comply – there are stream widths on the property that potentially exceed an average width of 3m. It is possible that there are lots smaller than 4ha within 20m of these stretches, these are likely in limited in extent.</p>

	The streams within balance lot 5003 can be discounted as not qualifying as the allotment is 105ha.
<i>SUB-R3 Subdivision that creates any vacant allotments, excluding new allotments for infrastructure</i> <i>All zones</i> <i>2. Activity status: Restricted Discretionary</i> <i>Where:</i>	
<i>Where:</i> <i>a. Compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5 SUB-S6 or SUB-S7.</i>	Rule applies to proposal – As the proposal does not comply with SUB-S2 to SUB-S7, the proposal is a Restricted Discretionary Activity under Rule SUB-R3.2.a.
<i>SUB-R3 Subdivision that creates any vacant allotments, excluding new allotments for infrastructure</i> <i>Residential Zones</i> <i>Māori Purpose Zone (Hongoeka)</i> <i>3. Activity status: Restricted discretionary</i> <i>Where:</i>	
<i>a. Compliance is not achieved with SUB-S1;</i>	Rule applies to proposal - As the proposal does not comply with SUB-S1 for all allotments, the proposal is a Restricted Discretionary Activity under Rule SUB-R3.3.a.
<i>SUB-R3 Subdivision that creates any vacant allotments, excluding new allotments for infrastructure</i> <i>All zones</i> <i>5. Activity status: Discretionary</i> <i>Where:</i>	
<i>a. Compliance is not achieved with SUB-S8.</i>	Rule applies to proposal - As the proposal does not comply with SUB-S8 for esplanade reserves, the proposal is a Discretionary Activity under Rule SUB-R3.5.a.

Table 14: SUB-R5

Rule or Standard	Assessment
<i>SUB-R5 Subdivision of land to create new allotment(s) for Infrastructure</i> <i>All zones</i> <i>1. Activity status: Controlled</i>	

<p>Where:</p> <ol style="list-style-type: none"> a. Any balance allotment complies with SUB-S1; b. The new allotments for infrastructure comply with: <ol style="list-style-type: none"> i. SUB-S2; and ii. SUB-S3. 	
<p>SUB-S1 Minimum allotment size and shape</p> <ol style="list-style-type: none"> 1. All allotments created must comply with the minimum allotment size and allotment shape set out in SUB-Table 1. 2. All minimum allotment shape rectangles required under SUB-S1-1 must be clear of any: <ol style="list-style-type: none"> a. Yards; b. Access allotments; c. Right-of-way easements; d. Infrastructure, including public and private infrastructure; and e. Other easements, including any new easement to be registered against the new allotment. <p>Note:</p> <ul style="list-style-type: none"> • Easements will be required to be registered against new allotments containing public or shared infrastructure. Compliance with SUB-S1-2.d will be considered to be achieved where the minimum allotment shape rectangle is located outside of the area to be registered with an easement over this infrastructure. 	<p>Complies – there are allotments proposed to be vested in Council as recreation or drainage reserves. The proposal complies with this standard as the balance allotments comply with SUB-S1 as outlined above in relation to SUB-R3.</p>
<p>SUB-S2 Access</p> <ol style="list-style-type: none"> 1. All new allotments created must have legal and physical access to a formed road in accordance with the relevant rules and standards in the TR - Transport chapter. 	<p>Does not comply – As outlined in Table 34 to Table 36 below the new roads and intersections do not comply with all the relevant rules and standards in the TR- Transport chapter.</p>
<p>SUB-S3 Roads</p> <ol style="list-style-type: none"> 1. All new roads and intersections must comply with the relevant rules and standards in the INF - Infrastructure chapter. 	<p>Does not comply – As outlined in Table 34 to Table 36 the new roads and intersections do not comply with all the relevant rules and standards in the INF - Infrastructure chapter.</p>
<p>SUB-R5 Subdivision of land to create new allotment(s) for Infrastructure</p> <p>All zones</p> <ol style="list-style-type: none"> 2. Activity status: Restricted Discretionary <p>Where:</p>	
<ol style="list-style-type: none"> a. Compliance is not achieved with SUB-S2 or SUB-S3. 	<p>Rule applies to proposal - As the proposal does not comply with SUB-S2 or SUB-S3, the proposal</p>

	is a Restricted Discretionary Activity under Rule SUB-R5.2.a.
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Table 15: SUB-R7

Rule or Standard	Assessment
<i>SUB-R7 Subdivision within a Special Amenity Landscape</i> <i>Rural Lifestyle Zone</i> 1. Activity status: <i>Controlled</i> Where:	
1. Compliance is achieved with: <ul style="list-style-type: none"> i. SUB-S2; ii. SUB-S3; iii. SUB-S4; iv. SUB-S5; v. SUB-S6; and vi. SUB-S7; 	Does not comply – this rule applies to Lot 2 DP 534864 which contains a SAL (SAL006 Kakaho). As outlined in Table 34 to Table 36 below the new roads and intersections do not comply with all the relevant rules and standards in the TR-Transport chapter and therefore the subdivision <u>does not comply</u> with SUB-S2. Additionally, as SH59 is a Limited Access Road, it is not considered to be a ‘road’ for subdivision purposes because of the Government Roding Powers Act, and therefore SUB-S2 cannot be achieved. As outlined in Table 34 to Table 36 below, the new roads and intersections do not comply with all the relevant rules and standards in the INF - Infrastructure chapter and therefore the subdivision <u>does not comply</u> with SUB-S3.
2. The minimum allotment size is no less than 5ha within the Rural Lifestyle Zone; and	Complies – the balance allotment which is partially zoned RLZ is 105ha.
3. A proposed building platform is identified for each proposed allotment that is capable of accommodating a building that complies with the permitted activity standards for the underlying zone.	Complies – there is an existing building on the new balance allotment that complies with the permitted activity standards for the underlying zone.
<i>SUB-R7 Subdivision within a Special Amenity Landscape</i> <i>Rural Lifestyle Zone</i> 2. Activity status: <i>Restricted discretionary</i> Where:	
a. Compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5, SUB-S6 or SUB-S7.	Rule applies to proposal - As the proposal does not comply with SUB-S2 and SUB-S3, the proposal is a Restricted discretionary under Rule SUB-R7.2.a.

Table 16: SUB-R8

Rule or Standard	Assessment
<i>SUB-R8 Subdivision that creates building platforms for Hazard-Sensitive Activities or Potentially-Hazard-Sensitive Activities within the Low, Medium or High Hazard Areas of the Natural Hazard Overlay or Coastal Hazard Overlay</i> All zones 1. Activity status: Restricted discretionary Where:	
a. The building platform is entirely located within an identified Low Hazard Area of either the Natural Hazards Overlay or the Coastal Hazard Overlay.	Does not comply – There are building platforms located in areas currently mapped as High Hazard Areas (Flood Hazard – Stream Corridor).
<i>SUB-R8 Subdivision that creates building platforms for Hazard-Sensitive Activities or Potentially-Hazard-Sensitive Activities within the Low, Medium or High Hazard Areas of the Natural Hazard Overlay or Coastal Hazard Overlay</i> All zones 3. Activity status: Non-complying Where:	
a. All subdivisions where the building platform would be located within an identified High Hazard Area of either the Natural Hazard Overlay or the Coastal Hazard Overlay.	Rule applies to proposal – There are building platforms located in areas currently mapped as High Hazard Areas (Flood Hazard – Stream Corridor).

Table 17: SUB-R11

Rule or Standard	Assessment
<i>SUB-R11 Subdivision of an allotment containing a Significant Natural Area</i> All zones 1. Activity status: Restricted discretionary Where:	
a. A future building platform to contain a residential unit, areas for access to the building platform, and alignments for infrastructure customer connections, are identified for each new undeveloped allotment that: <ol style="list-style-type: none"> Comply with the underlying zone and district-wide provisions; and Are located outside of the Significant Natural Area. 	Complies – This rule applies to Lot 1 DP 534864 which contains an SNA. Any building platforms will be outside the mapped SNA and will comply with underlying zone and district-wide conditions.

Rule applies to proposal - As the proposal complies with the above standards, the proposal is a **Restricted Discretionary Activity** under **Rule SUB-R11.1**.

Infrastructure Chapter

Table 18: INF-R2

Rule or Standard	Assessment
INF-R2 Noise from construction of new infrastructure and the maintenance and repair, upgrading and removal of existing infrastructure	
All zones	
1. Activity status: Permitted	
Where:	
a. The noise is measured, assessed, managed and controlled in accordance with and meets the relevant noise limits in Tables 2 and 3 of NZS 6803:1999 Acoustics – Construction noise; and	Complies – these matters are addressed by way of proposed conditions of consent in Appendix 7 .
b. Vibration received by any building on any other site complies with the provisions of and is measured and assessed in accordance with DIN 4150-3:1999 Structural Vibration – Part 3: Effects of Vibration on Structures.	Complies – these matters are addressed by way of proposed conditions of consent in Appendix 7 .
As the proposal complies with all relevant standards it is a Permitted Activity under Rule INF-R2 .	

Table 19: INF-R4

Rule or Standard	Assessment
INF-R4 Upgrading of existing infrastructure, excluding roads, gas transmission pipelines and transmission lines over 110kV, outside of any specified Overlay	
All zones	
2. Activity status: Permitted	
Where:	
a. Compliance is achieved with: <ul style="list-style-type: none"> i. INF-S1; ii. INF-S11; iii. INF-S14; iv. INF-S15; and v. The noise rule(s) applying to the zone. 	Does not comply – This rule applies to the upgrading of three sections of the main trunk sewer line within the SH59 Road Reserve as shown in the plans. The proposal does not comply with all these standards as: <ul style="list-style-type: none"> • The infrastructure is within 20m of a stream in some locations and therefore does not comply with INF-S11;

	<ul style="list-style-type: none"> Trenching and Earthworks will be exceeding the 1.5m cut outlined in INF-S14 (with there being up to 3m proposed), as well as being within 5m of a stream in some locations; and Works may be undertaken by contractors on behalf of the developers and earthworks will exceed 25m² in a riparian margin so the proposal does therefore not comply with INF-S15.1. <p>The proposal will otherwise comply with the requirements for stabilisation of earthworks and the installation of silt and sediment devices during works.</p>
<p>All zones</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p>	
<p>a. Compliance is not achieved with INF-S1, INF-S11, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p>	<p>Rule applies to proposal – As the proposal does not comply with the above standards, the proposal is a Restricted Discretionary Activity under INF-R4.2.a</p>

Table 20: INF-R8

Rule or Standard	Assessment
<p>INF-R8 Upgrading of infrastructure, excluding roads, gas transmission pipelines, walkways, cycleways and shared paths, and transmission lines at or over 110kV, in a Natural Hazard Overlay or Coastal Hazard Overlay</p> <p>All zones</p> <p>1. Activity status: Permitted</p> <p>Where:</p>	
<p>a. Compliance is achieved with:</p> <ul style="list-style-type: none"> i. INF-S1; ii. INF-S14; iii. INF-S15; and iv. The noise rule(s) applying to the zone; <p>b. The infrastructure upgrade does not result in a permanent change to the ground level once the upgrade is completed; and</p>	<p>Does not comply – This rule applies to the upgrades of the wastewater pipeline in SH59 which are in areas identified in planning maps as being with flood hazard areas.</p> <p>The proposal does not comply with all these standards as:</p> <ul style="list-style-type: none"> Trenching and Earthworks will be exceeding the 1.5m cut outlined in INF-S14 (with there being up to 3m

<p>c. Any addition to existing infrastructure, structure or building located above ground level within a Flood Hazard Overlay or Coastal Hazard Overlay:</p> <p>i. Does not increase the footprint of the existing infrastructure, structure or building within a High or Medium Hazard area;</p> <p>ii. Does not increase the footprint of the existing infrastructure, structure or building by more than 10m² within a Low Hazard area.</p>	<p>proposed), as well as being within 5m of a stream in some locations; and</p> <ul style="list-style-type: none"> Works may be undertaken by contractors on behalf of the developers and earthworks will exceed 25m² in a riparian margin so the proposal does therefore not comply with INF-S15.2. <p>The proposal will otherwise comply with the requirements for noise, stabilisation of earthworks and the installation of silt and sediment devices during works, and clauses (b) and (c).</p>
<p>All zones</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p>	
<p>a. Compliance is not achieved Compliance is not achieved with INF-S1, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p>	<p>Rule applies to proposal – As the proposal does not comply with the above standards, the proposal is a Restricted Discretionary Activity under INF-R8.2.a</p>

Table 21: INF-R11

Rule or Standard	Assessment
<p>INF-R11 New and extensions to existing vehicle access tracks ancillary to infrastructure, outside of any specified Overlay</p> <p>All zones</p> <p>1. Activity status: Permitted</p> <p>Where:</p>	
<p>a. Compliance is achieved with:</p> <p>i. INF-S14; and</p> <p>ii. INF-S15.</p>	<p>Does not comply – This rule applies to access tracks to retention basins. Site bulk earthworks will exceed permitted standards for area, slope and cut and fill to create tracks.</p>
<p>All zones</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p>	

a. <i>Compliance is not achieved with INF-S14 or INF-S15.</i>	Rule applies to proposal – As the proposal does not comply with the above standards, the proposal is a Restricted Discretionary Activity under INF-R11.2.a
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Table 22: INF-R12

Rule or Standard	Assessment
<i>INF-R12 New infrastructure located within a Natural Hazard Overlay or Coastal Hazard Overlay, excluding roads, walkways, cycleways and shared paths, gas transmission pipelines and transmission lines and new transformers, substations, switching stations and ancillary buildings for the electricity network, and water and wastewater treatment plants</i> <i>All zones</i> 1.Activity status: <i>Permitted</i> Where:	
Where: a. <i>Compliance is achieved with:</i> i. <i>INF-S3;</i> ii. <i>INF-S4;</i> iii. <i>INF-S5;</i> iv. <i>INF-S6;</i> v. <i>INF-S7;</i> vi. <i>INF-S8;</i> vii. <i>INF-S9;</i> viii. <i>INF-S10;</i> ix. <i>INF-S11;</i> x. <i>INF-S12;</i> xi. <i>INF-S13;</i> xii. <i>INF-S14;</i> xiii. <i>INF-S15; and</i> b. <i>The noise rule(s) applying to the zone; and</i> c. <i>The infrastructure is contained within or attached to an existing building or structure, and:</i> i. <i>Does not result in a permanent change to the ground level once the upgrade is completed; and</i> ii. <i>Does not increase the footprint of the existing structure or building; or</i> d. <i>The infrastructure is located underground and does not result in a permanent change to the ground level within the:</i>	Does not comply – The proposal does not comply as the bulk earthworks do not comply with the permitted standards with regard to area, slope and cut/fill height.

<ul style="list-style-type: none"> i. Low, Medium or High Hazard Areas of the Flood Hazard Overlays in a Natural Hazard Overlay; ii. Low Hazard Area of the Pukerua Fault or Ohariu Fault Rupture Zones of the Natural Hazard Overlay; iii. Low or Medium Hazard Areas of the Coastal Erosion Hazard – Future Erosion (with 1m SLR) area and Coastal Flood Hazard – 1:100 year storm surge (with 1m SLR) area of the Coastal Hazard Overlay; or iv. Low, Medium or High Hazard Area of the Tsunami Hazard Inundation Extents of the Coastal Hazard Overlay; or e. The infrastructure is above ground and is located within the: <ul style="list-style-type: none"> i. Low Hazard Area of the Flood Hazard Overlays in a Natural Hazard Overlay; ii. Low Hazard Area of the Pukerua Fault or Ohariu Fault Rupture Zones of the Natural Hazard Overlay; iii. Low or Medium Hazard Areas of the Coastal Erosion Hazard – Future Erosion (with 1m SLR) area and Coastal Flood Hazard – 1:100 year storm surge (with 1m SLR) area of the Coastal Hazard Overlay; or iv. Low or Medium Hazard Area of the Tsunami Hazard Inundation Extents of the Coastal Hazard Overlay. <p><i>Note: INF-R12-1.d relates to physical structures located within the Natural Hazard or Coastal Hazard Overlays. This rule is not triggered by lines that may span over an overlay area, but whose support structures are not located either within a Natural Hazard or Coastal Hazard Overlay.</i></p>	
<p>INF-R12 New infrastructure located within a Natural Hazard Overlay or Coastal Hazard Overlay, excluding roads, walkways, cycleways and shared paths, gas transmission pipelines and transmission lines and new transformers, substations, switching stations and ancillary buildings for the electricity network, and water and wastewater treatment plants</p> <p>All zones</p> <p>2.Activity status: Restricted Discretionary</p> <p>Where:</p>	
<p>a.Compliance is not achieved with INF-S3, INF-S4, INF-S5, INF-S6, INF-S7, INF-S8, INF-S9, INF-</p>	<p>Rule applies to proposal – as the proposal does not comply with INF-R12.1 above, it is a</p>

S10, INF-S11, INF-S12, INF-S13, INF-S14, INF-S15 or the noise rule(s) applying to the zone.	Restricted Discretionary Activity under Rule INF-R12.2.
<p>INF-R12 New infrastructure located within a Natural Hazard Overlay or Coastal Hazard Overlay, excluding roads, walkways, cycleways and shared paths, gas transmission pipelines and transmission lines and new transformers, substations, switching stations and ancillary buildings for the electricity network, and water and wastewater treatment plants</p> <p>All zones</p> <p>3.Activity status: Restricted Discretionary</p> <p>Where:</p>	
<p>a. The infrastructure is located underground and results in a permanent change to the ground level within the:</p> <ul style="list-style-type: none"> i. Low, Medium or High Hazard Areas of the Flood Hazard Overlays in a Natural Hazard Overlay; ii. Low Hazard Area of the Pukerua Fault or Ohariu Fault Rupture Zones of the Natural Hazard Overlay; iii. Low or Medium Hazard Areas of the Coastal Erosion Hazard – Future Erosion (with 1m SLR) area and Coastal Flood Hazard – 1:100 year storm surge (with 1m SLR) area of the Coastal Hazard Overlay; or iv. Low, Medium or High Hazard Area of the Tsunami Hazard Inundation Extents of the Coastal Hazard Overlay; or <p>b. The infrastructure is located underground within the:</p> <ul style="list-style-type: none"> i. Medium or High Hazard Areas of the Pukerua Fault or Ohariu Fault Hazard Extents of the Natural Hazard Overlay; or ii. High Hazard Areas of the Coastal Erosion Hazard – Current Erosion Risk area and Coastal Flood Hazard – Current Inundation Risk area. 	<p>Rule applies to proposal – as three waters infrastructure is proposed to be located underground which results in a change in ground level within areas currently mapped as High Hazard Areas (Flood Hazard – Stream Corridor), the proposal is a Restricted Discretionary Activity under Rule INF-R12.3.</p>

Table 23: INF-R13

Rule or Standard	Assessment
INF-R13 Cabinets (not regulated by the NESTF) located outside of any specified Overlay	

<p>All zones</p> <p>1. Activity status: Permitted</p> <p>Where:</p>	
<p>a. Compliance is achieved with:</p> <ul style="list-style-type: none"> i. INF-S8; ii. INF-S9; iii. INF-S11 iv. INF-S13; v. INF-S14; vi. INF-S15; and vii. The noise rule(s) applying to the zone. 	<p>Does not comply – This rule applies to electricity and telecommunication cabinets. While there are no detailed plans for these services to determine compliance with INF-S8 and INF-S9 with regard to size and area of cabinets, Site earthworks <u>will not comply</u> with permitted standards for area, slope and cut and fill.</p>
<p>All zones</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p>	
<p>a. Compliance is not achieved with INF-S8, INF-S9, INF-S11 INF-S13, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p>	<p>Rule applies to proposal – As the proposal does not comply with the above standards, the proposal is a Restricted Discretionary Activity under INF-R13.2.a</p>

Table 24: INF-R16

Rule or Standard	Assessment
<p>INF-R16 Underground infrastructure, excluding gas transmission pipelines and transmission lines over 110kV, outside of any specified Overlay</p> <p>All zones</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p>	
<p>i. INF-S14;</p> <p>Earthworks – Slope, height, depth and location</p> <p>1. Earthworks must not be undertaken on an existing slope with an angle of 34° or greater.</p> <p>2. Earthworks must not exceed 1.5m in cut height or fill depth, except:</p> <ul style="list-style-type: none"> a. Where the earthworks are for trenching, directional drilling or augured holes for the construction, operation, 	<p>Does not comply:</p> <p>Clause 1 – the proposal <u>does not comply</u> as earthworks will be undertaken on slopes greater than 34°.</p> <p>Clause 2 – the proposal <u>does not comply</u> as bulk earthworks will exceed 1.5m in cut height or fill depth.</p> <p>Clause 3 – the proposal <u>does not comply</u> as earthworks are proposed within 1m of the</p>

<p><i>maintenance and repair, removal or upgrade of infrastructure; or</i></p> <p><i>b. Where the earthworks are associated with switchback sections for the construction, maintenance or upgrade of walkways, cycleways and shared paths that are located on public land other than a road.</i></p> <p><i>3. Earthworks must not be located within 1.0m of the site boundary, measured on a horizontal plane except:</i></p> <p><i>a. Where the earthworks are for trenching, directional drilling or augured holes for the construction, operation, maintenance and repair, removal or upgrade of infrastructure; or</i></p> <p><i>b. Where the site boundary separates adjoining sites which are both within the area of land subject to the proposed works.</i></p> <p><i>4. Trenching for the construction, operation, maintenance and repair, removal or upgrade of infrastructure:</i></p> <p><i>a. Must not exceed 1.5m in depth; and</i></p> <p><i>b. Where it is between 1.0 and 1.5m in depth, must not be undertaken within 1.5m of a foundation of a building or structure on any adjacent site.</i></p> <p><i>5. Earthworks associated with the construction, maintenance or upgrade of walkways, cycleways and shared paths that are located on public land other than a road must not exceed 1.8m cut height or fill depth on switchback sections of the pathway, measured vertically, where the activities are undertaken by:</i></p> <p><i>a. Porirua City Council;</i></p> <p><i>b. Greater Wellington Regional Council;</i></p> <p><i>c. Department of Conservation; or</i></p> <p><i>d. A nominated contractor or agent of an organisation listed in (a) to (c).</i></p> <p><i>6. Earthworks must not be carried out within 5m of a river, except:</i></p> <p><i>a. Where the earthworks are for the installation, maintenance and repair, removal or upgrade of infrastructure</i></p>	<p>boundary as shown in the plans, there will be underground services connecting to the west and north for instance.</p> <p>Clause 4 – Trenching depths have not been confirmed but <u>may not comply</u> with the 1.5m maximum.</p> <p>Clause 5 – this clause is not applicable as the Applicant is not one of these parties.</p> <p>Clause 6 – the proposal <u>does not comply</u> as earthworks are proposed within 5m of a stream for the upgrading and installation of new culverts and to undertake offsetting earthworks and planting.</p> <p>Clause 7 – will comply.</p> <p>Clause 8 – the proposal <u>does not comply</u>, while erosion and sediment control measures have been proposed in relation to proposed earthworks and ongoing effects from the development to minimise sediment run-off they are not designed to avoid sediment loss completely. Further, there is already a significant sediment load from the property, and this will continue on areas within the site but outside the development including on the portion of the site remaining rural.</p> <p>Clause 9 – will comply.</p>
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<p><i>located on or within existing bridges or structures crossing a stream; or</i></p> <p><i>b. Where the earthworks are for the installation of infrastructure by directional drilling.</i></p> <p><i>7. As soon as practical, but no later than three months after the completion of the works, the earthworks area must be stabilised with vegetation or sealed, paved, metaled or built over.</i></p> <p><i>8. All silt and sediment must be retained on the site.</i></p> <p><i>9. Silt and sediment devices must be installed in accordance with APP15 - Silt and Sediment Devices prior to the commencement of earthworks and must be retained for the duration of the earthworks.</i></p>	
<p><i>ii. INF-S15;</i></p> <p><i>Earthworks – Area limit in a 12 month period per site, excluding the road reserve and rail corridor</i></p> <p><i>1. No area limits apply to earthworks required for trenching for the construction, operation, maintenance and repair, removal or upgrade of infrastructure where the trenching:</i></p> <p><i>a. Is undertaken by Porirua City Council or a network utility operator, or a nominated contractor or agent;</i></p> <p><i>b. Does not result in an increase in height of the ground level upon completion of the works; and</i></p> <p><i>c. Is progressively closed so that no more than 120m of trench is open at any time.</i></p> <p>...</p>	<p>Does not comply - INF-S15-1 does not apply as the Applicant is not Porirua City Council or a network utility operator, or a nominated contractor or agent. However, the other relevant standards apply. For Residential Zones the relevant standard is INF-S15-3, which states that "The maximum area must be no greater than 250m²." The proposal therefore <u>does not comply</u> with this standard.</p>
<p><i>iii. The noise rule(s) applying to the zone</i></p>	<p>Will comply</p>
<p><i>INF-R16 Underground infrastructure, excluding gas transmission pipelines and transmission lines over 110kV, outside of any specified Overlay</i></p> <p><i>All zones</i></p> <p><i>2. Activity status: Restricted Discretionary</i></p> <p><i>Where:</i></p>	

a. Compliance is not achieved with INF-S14, INF-S15 or the noise rule(s) applying to the zone.	Rule applies to proposal – as the proposal does exceeds the permitted activity standards with regards to earthworks for underground infrastructure, the proposal is a Restricted Discretionary Activity under Rule INF-R16.2
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Table 25: INF-R23

Rule or Standard	Assessment
INF-R23 Ancillary transport network infrastructure	
All zones	
2. Activity status: Permitted	
Where:	
a. Compliance is achieved with: <ul style="list-style-type: none"> i. INF-S3; ii. INF-S4; iii. INF-S6; iv. INF-S14; v. INF-S23; and vi. INF-S26. 	Does not comply – This rule applies to infrastructure ancillary to transport infrastructure including light poles. While the light poles themselves will comply with relevant standards, Site earthworks <u>will not comply</u> with permitted standards for area, slope and cut and fill.
All zones	
2. Activity status: Restricted discretionary	
Where:	
a. Compliance is not achieved with INF-S3, INF-S4, INF-S6, INF-S14, INF-S23 or INF-S26.	Rule applies to proposal – As the proposal does not comply with the above standards, the proposal is a Restricted Discretionary Activity under INF-R23.2.a

Table 26: INF-R26

Rule or Standard	Assessment
INF-R26 Infrastructure not otherwise provided for or subject to any other rule in this table	
All zones	
1. Activity status: Permitted	
Where:	
a. Compliance is achieved with: <ul style="list-style-type: none"> i. INF-S8; ii. INF-S9; iii. INF-S11; 	Does not comply – This rule applies to wastewater retention tanks and pump stations.

iv. INF-S12; v. INF-S13; vi. INF-S14; vii. INF-S15; and viii. The noise rule(s) applying to the zone.	Site earthworks <u>will not comply</u> with permitted standards for area, slope and cut and fill.
All zones 2. Activity status: Restricted discretionary Where:	
a. Compliance is not achieved with INF-S8, INF-S9, INF-S11, INF-S12, INF-S13, INF-S14, INF-S15 or the noise rule(s) applying to the zone.	Rule applies to proposal – As the proposal does not comply with the above standards, the proposal is a Restricted Discretionary Activity under INF-R26.2.a

Table 27: INF-R27

Rule or Standard	Assessment
INF-R27: New roads and upgrading of roads outside of any specified Overlay All zones 1. Activity status: Controlled Where:	
a. The road is a new road that provides access for a subdivision that creates vacant allotments under SUB-R3; and	Complies
b. The road is classified as a Collector Road or Access Road in INF-S22; and	Does not comply – The main spine road into the Site is anticipated to be classified as a ‘Collector’ road. Whilst this will provide access to more than 800 dwellings (which is the upper threshold identified in INF-Table 1 for Collector roads), in practice it will still function as a Collector Road rather than an Arterial Road. The other proposed new roads have been classified in accordance with INF-Table 1.
c. Compliance is achieved with:	Does not comply – As outlined in Table 24 above.
i. INF-S14; [see standard set out in table above]	
ii. INF-S15; [see standard set out in table above]	Does not comply - INF-S15-1 does not apply as the Applicant is not Porirua City Council or a network utility operator, or a nominated contractor or agent. However, the other

	relevant standards apply. For Residential Zones the relevant standard is INF-S15-3, which states that “The maximum area must be no greater than 250m ² .” The proposal therefore <u>does not comply</u> with this standard.
<p>iii. INF-S23;</p> <p>Design of roads</p> <p>1. Roads must not be permanent no-exit roads except where:</p> <ul style="list-style-type: none"> a. The anticipated AADT of the road is less than 200; b. The length of the road is less than 100m; and c. The no-exit road does not connect to a road that is itself a no-exit road. <p>2. Roads must provide for two-way traffic in accordance with INF-Table 1 (Road design standards).</p> <p>3. Roads must be designed to achieve target operating speeds in accordance with INF-Table 1 (Road design standards).</p> <p>4. The width of any road must comply with the minimum widths in accordance with INF-Table 1 (Road design standards):</p> <ul style="list-style-type: none"> a. Minimum legal width; b. Minimum carriageway width to provide for: <ul style="list-style-type: none"> i. Vehicles; ii. Parking; and iii. Cycles; c. Minimum berm width to provide for: <ul style="list-style-type: none"> i. Pedestrians; ii. Infrastructure; and iii. Street trees. <p>5. Pedestrian walkways, cycleways and shared paths within a road reserve must be designed in accordance with the Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017) or Waka Kotahi Pedestrian Planning and Design Guide (2009).</p> <p>6. No-exit roads must have a turning head with a minimum radius of 9.5m.</p> <p>7. The maximum gradient of roads must be in accordance with INF-Table 1.</p>	<p>Does not comply – As below, the proposal does not comply with this standard as it does not comply with clauses 1 with regard to avoiding cul-de-sacs and clauses 4 and 8 with regard to legal road width.</p> <p>Clause 1 – The proposal <u>does not comply</u> with this clause as the topography of the Site includes significant gullies and ridges, and the proposed roading layout has been developed in response to this, noting it is not practicable to achieve roads that fully link through the various development areas without including some cul-de-sacs which either extend longer than 100m or will accommodate more than 200 vehicles a day.</p> <p>Clause 2 - The proposal <u>complies</u> with this clause as all roads that are to be vested have been designed to allow two-way traffic, as per INF-Table 1.</p> <p>Clause 3 - The proposal <u>complies</u> with this clause as the combination of road cross sections, vertical and horizontal alignment, along with appropriate traffic calming measures (determined at detailed design) will ensure the operating speeds align with or are less than those set out in INF-Table 1.</p> <p>Clause 4 - The proposal <u>does not comply</u> with this clause as the proposed new Site road typologies have been designed to ensure they satisfy the standards in INF-Table 1 in regard to movements widths for traffic and active modes. The overall legal width for some roads deviates slightly from that prescribed, however adequate berm space to accommodate services has been appropriately allowed for.</p>

<p>8. Roads must be designed to achieve the standards in INF-Table 1 (Road design standards) within the zones specified in INF-Table 1 (Road design standards).</p> <p>9. Retaining structures must not be constructed within the road reserve.</p> <p>10. Street trees must be provided in accordance with:</p> <ul style="list-style-type: none"> a. The requirements of INF-Table 1 (Road design standards); b. Street trees must not be planted in the infrastructure berm; c. When street trees are required in accordance with INF-Table 1, they must be provided in accordance with the number of trees per size class at maturity set out in INF-Table 2; d. Street tree planting must meet the requirements set out in INF-Table 2 for the following: <ul style="list-style-type: none"> i. Horizontal setback distances from underground infrastructure; ii. Horizontal setback distances from structures; iii. Minimum berm width; iv. Minimum topsoil depth; and v. Minimum soil volume. <p>11. Streetlighting must be provided in accordance with the following:</p> <ul style="list-style-type: none"> a. Streetlighting must be designed in accordance with NZ Transport Agency document M30 Specification and Guidelines for Road Lighting Design (2014); b. Streetlighting bulbs must be on the NZ Transport Agency List of M30 Approved Luminaires (2020); c. Streetlighting columns must be in accordance with the NZ Transport Agency M26:2012 and M26A:2017 Specification for Lighting Columns; and d. Streetlighting columns in Access Roads and Collector Roads must be a minimum of 8m in height. 	<p>Clause 5 – The proposal <u>does not comply</u> with this clause as the gradients on some roads exceed those recommended in Austroads.</p> <p>Clause 6 - The proposal <u>complies</u> with this clause as all turning heads on roads to be vested have been designed to a 9.5m radius.</p> <p>Clause 7 – The proposal <u>does not comply</u> with this clause as, given the challenging topography within the Site, part of the Collector Road network will be steeper than 10%, whilst some local roads will also exceed the 10% and 12.5% thresholds</p> <p>Clause 8 - The proposal <u>does not comply</u> with this clause as the legal road widths deviate slightly from INF-Table 1, but will appropriately provide for all necessary underground services within the berm space allowed for.</p> <p>Clause 9 – <u>does not comply</u> while there are no retaining walls currently shown on the plans within road reserve, there is the potential for a short portion of 1:1 cut batter that may need to be retained depending on the material found.</p> <p>Clause 10 – complies.</p> <p>Clause 11– complies.</p>
<p>iv. INF-S24;</p> <p>Parking spaces in roads</p>	<p>Complies – Parking spaces will be developed at detailed design to comply with these layout and dimensional requirements.</p>

<p>1. Car parking spaces in roads must be parallel to the traffic lane and meet the following minimum dimensions:</p> <ul style="list-style-type: none"> a. Width of 2.1m; and b. Length of: <ul style="list-style-type: none"> i. 5m for an unobstructed end space; ii. 6.3m for an intermediate space (between other car spaces); or iii. 6.6m for an end-obstructed space. 	
<p>v. INF-S25.</p> <p>Intersections</p> <p>1. Intersections must be designed to ensure safe connectivity of roads for all road users and must take into account the expected traffic flows once development is complete.</p> <p>2. Intersections must be formed at 90°.</p> <p>3. Intersections must not be located within the intersection separation distances set out in INF-Table 4.</p> <p>4. Minimum sight distances at intersections must be in accordance with Distance X and Distance Y as shown in INF-Figure 1 and INF-Table 3.</p> <p>5. Intersections must not have more than three approaches.</p> <p>6. Intersections must not include roundabouts or be signalised.</p>	<p>Does not comply – As below, the proposal does not comply with this standard as it does not comply with clauses 3, 4, 5 and 6.</p> <p>Clause 1 - The proposal <u>complies</u> with this clause as the Site intersections have been specifically developed to accommodate full Site traffic levels, including allowance for adjacent future residential activity on the Muri Block to the north. Similarly, the proposed SH59 intersection roundabout concept design has been developed to accommodate full Site traffic including associated future Muri Block development.</p> <p>Clause 2 – The proposal <u>complies</u> with this clause as all Site road intersections have been designed to connect at 90-degrees.</p> <p>Clause 3 - The proposal <u>does not comply</u> with this clause as, noting the constraints imparted by the Site topography, the internal roading layout has been designed to provide at least 50m separation between intersections. This allows a typical 5-seconds of vehicle travel time (at a 40kph operating speed) between potential turning conflicts at adjacent intersections.</p> <p>Clause 4 - The proposal <u>does not comply</u> with this clause as whilst the majority of Site intersections will satisfy the 100m sightline requirement specified for a 50kph road, in practice design speeds across the Site will be lower than 50kph. In particular, vehicle speeds at those five intersections which do not fully</p>

	<p>meet the 100m sightline will be constrained by vertical and horizontal geometry to 40kph or less, with each of these comfortably exceeding the Safe Intersection Sight Distance for the 40kph design speed and Stopping Sight Distance (SSD) requirements of Austroads.</p> <p>Clause 5 - The proposal <u>does not comply</u> with this clause as the proposed internal roading arrangements include some four-way intersections which have been specifically designed in all but one instance (involving low volume approaches on each leg) as roundabouts, in line with the Safe System approach principles of reducing vehicle operating speeds and severity of crashes (by reducing the angle of impact over tee-intersection or crossroad intersections).</p> <p>Clause 6 - The proposal <u>does not comply</u> with this clause as the proposed internal roading arrangements include roundabouts, as does the final design for the Site access at SH59. These intersections have been specifically developed to provide safe operation by reducing vehicle operating speeds and crash severity (through reducing the angle of conflict over priority t-intersection or crossroad intersections), in line with the Safe System approach.</p>
<p>INF-R27: New roads and upgrading of roads outside of any specified Overlay</p> <p>All zones</p> <p>4. Activity status: Discretionary</p> <p>Where:</p>	
<p>a. The road is a National Road, Regional Road or Arterial Road; or</p> <p>b. Compliance is not achieved with INF-S14; INF-S15; INF-S23; INF-S24 or INF-S25.</p>	<p>Rule applies to proposal –</p> <p>With regard to (a), the proposal includes a new intersection with SH59 which is a National Road.</p> <p>With regard to (b), as the proposal exceeds the permitted activity standards with regards to INF-S14; INF-S15; INF-S23; and INF-S25, the proposal is a Discretionary Activity under Rule INF-R27.4.</p>

Table 28: INF-R28

Rule or Standard		Assessment
INF-R28: New roads and upgrading of roads within a Natural Hazard Overlay or Coastal Hazard Overlay		
All zones		
2. Activity status: Restricted discretionary		
Where:		
a. The road is a new road;	Does not comply – State Highway 59 is being upgraded and this is an existing road.	
b. The works are an upgrade to an existing road that results in: i. A permanent change to the ground level or footprint of the road; or ii. The road being classified as a higher order road; and	Complies – The only existing road affected by the proposal is SH59 (which is within a flood hazard inundation area), the proposed new intersection will create a permanent change to the ground level and footprint of the road.	
c. The road is classified as a Collector Road or Access Road in INF-S22; and	Does not comply – The main spine road into the Site is anticipated to be classified as a ‘Collector’ road. Whilst this will provide access to more than 800 dwellings (which is the upper threshold identified in INF-Table 1 for Collector roads), in practice it will still function as a Collector Road rather than an Arterial Road. The other proposed new roads have been classified in accordance with INF-Table 1.	
d. Compliance is achieved with: i. INF-S14; [see standard set out in Table 23: INF-R13	Does not comply – see assessment in Table 24.	
Rule or Standard		Assessment
INF-R13 Cabinets (not regulated by the NESTF) located outside of any specified Overlay		
All zones		
3. Activity status: Permitted		
Where:		
b. Compliance is achieved with: viii. INF-S8; ix. INF-S9; x. INF-S11 xi. INF-S13; xii. INF-S14;	Does not comply – This rule applies to electricity and telecommunication cabinets. While there are no detailed plans for	

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<p>c. Compliance is achieved with:</p> <p>xv. INF-S8;</p> <p>xvi. INF-S9;</p> <p>xvii. INF-S11</p> <p>xviii. INF-S13;</p> <p>xix. INF-S14;</p> <p>xx. INF-S15;</p> <p>and</p> <p>xxi. The noise rule(s) applying to the zone.</p>	<p>Does not comply –</p> <p>This rule applies to electricity and telecommunication cabinets. While there are no detailed plans for these services to determine compliance with INF-S8 and INF-S9 with regard to size and area of cabinets, Site earthworks <u>will not comply</u> with permitted standards for area, slope and cut and fill.</p>	
<p>All zones</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p>		
<p>a. Compliance is not achieved with INF-S8, INF-S9, INF-S11 INF-S13, INF-S14, INF-S15 or the noise rule(s) applying to the zone.</p>	<p>Rule applies to proposal – As the proposal does not comply with the above standards, the proposal is a Restricted Discretionary Activity under INF-R13.2.a</p>	
<p>iv. Table 24]</p>		
<p>v. INF-S23; [see standard set out in Table 27]</p>	<p>Does not comply – see assessment in Table 27.</p>	

vi. INF-S24; [see standard set out in Table 27]	Complies
vii. INF-S25. [see standard set out in table above]	Does not comply – see assessment in Table 27.
INF-R28: New roads and upgrading of roads within a Natural Hazard Overlay or Coastal Hazard Overlay All zones 3. Activity status: Discretionary Where:	
a. The road is a National Road, Regional Road or Arterial Road; or b. Compliance is not achieved with INF-S14; INF-S15; INF-S23; INF-S24 or INF-S25.	Rule applies to proposal – With regard to (a), the proposal includes a new intersection with SH59 which is a National Road. With regard to (b), as the proposal exceeds the permitted activity standards with regards to INF-S14; INF-S15; INF-S23; and INF-S25, the proposal is a Discretionary Activity under Rule INF-R28.3

Table 29: INF-R30

Rule or Standard	Assessment
INF-R30 Upgrading of roads located in an area identified in SCHED7 - Significant Natural Areas All zones 1. Activity status: Permitted Where:	
a. The road is classified as a Collector Road or Access Road in INF-S22; b. Compliance is achieved with: <ul style="list-style-type: none"> i. INF-S14; ii. INF-S15; iii. INF-S18 for areas outside of the existing road reserve; iv. INF-S20; v. INF-S23; vi. INF-S24; and vii. INF-S25. 	Does not comply – This rule applies to the upgrading of State Highway 59 to create an intersection which is within SNA027. The proposal does not comply with clause (a) as it is not a collector or access road, the Proposal also does not comply with earthworks standards with including area, slope and cut and fill.
All zones 2. Activity status: Discretionary	

<i>Where:</i>	
<p>a. <i>The road is a National Road, Regional Road or Arterial Road; or</i></p> <p>b. <i>Compliance is not achieved with INF-S14, INF-S15, INF-S18, INF-S20, INF-S23, INF-S24 or INF-S25.</i></p>	<p>Rule applies to proposal –</p> <p>With regard to (a), the proposal includes a new intersection with SH59 which is a National Road.</p> <p>With regard to (b), as the proposal exceeds the permitted activity standards and the proposal is a Discretionary Activity under Rule INF-R30.2.</p>

Table 30: INF-R38

Rule or Standard	Assessment
<p>INF-R38 Upgrading of infrastructure, excluding roads and walkways, cycleways and shared paths, located in an area identified in SCHED7 - Significant Natural Areas</p> <p>All zones</p> <p>1. Activity status: Permitted</p> <p><i>Where:</i></p>	
<p>a. <i>Compliance is achieved with:</i></p> <ul style="list-style-type: none"> i. <i>INF-S1;</i> ii. <i>INF-S14;</i> iii. <i>INF-S15;</i> iv. <i>INF-S18;</i> v. <i>INF-S20; and</i> vi. <i>The noise rule(s) applying to the zone;</i> <p>b. <i>Any gas transmission pipeline is located underground.</i></p>	<p>Does not comply – This rule applies to upgrades of main trunk wastewater infrastructure which is within SNA027. The proposal does not comply with all these standards as:</p> <ul style="list-style-type: none"> • The infrastructure is within 20m of a stream in some locations and therefore does not comply with INF-S11; • Trenching and Earthworks will be exceeding the 1.5m cut outlined in INF-S14 (with there being up to 3m proposed), as well as being within 5m of a stream in some locations; and • Works may be undertaken by contractors on behalf of the developers and earthworks will exceed 25m² in a riparian margin so the proposal does therefore not comply with INF-S15.1. <p>The proposal will otherwise comply with the requirements for stabilisation of earthworks and the installation of silt and sediment devices during works.</p>
<p>All zones</p> <p>2. Activity status: Discretionary</p>	

<i>Where:</i>	
<ul style="list-style-type: none"> a. <i>Compliance is not achieved with INF-S1, INF-S14, INF-S15, INF-S18, INF-S20 or the noise rule(s) applying to the zone; or</i> b. <i>Compliance is not achieved with INF-R38-1.b.</i> 	Rule applies to proposal – As the proposal does not comply with the above standards, the proposal is a Discretionary Activity under INF-R38.2.a

Table 31: INF-R40

Rule or Standard	Assessment
INF-R40 Upgrading of infrastructure and new infrastructure, including any ancillary vehicle access tracks, excluding walkways, cycleways and shared paths, which is located in an area identified in SCHED 9 - Outstanding Natural Features and Landscapes	
All zones	
1. Activity status: Discretionary	
<i>Where:</i>	
Rule applies to proposal – This rule applies to upgrades to the southern most main trunk wastewater main upgrade which is within ONFL002 Taupō Swamp Complex (although works confined to the area under an existing paved shared pathway), the proposal is a Discretionary Activity under INF-R40.1 .	

Three Waters Chapter

Table 32: THWT-R1

Rule or Standard	Assessment
THWT-R1 New buildings and additions to existing buildings	
Residential Zones	
1. Activity status: Permitted	
<i>Where:</i>	
<ul style="list-style-type: none"> a. <i>The stormwater management system servicing new buildings and additions to existing buildings complies with THWT-S1; or</i> b. <i>The building or addition achieves hydraulic neutrality through an alternative means that has been approved through any required resource and/or building consents and constructed as part of a previous stage of development.</i> 	Complies – The stormwater infrastructure (including catchment-sized engineered retention wetlands) have been designed assuming all lots will be 75% impervious. As such, THWT-R1.1.b will apply to future buildings which will be a permitted activity without the need to provide rainwater tanks in accordance with THWT-S1.
<i>Note: An approved alternative means to achieve hydraulic neutrality may include a catchment-sized engineered wetland or detention pond.</i>	

Rule applies to proposal – New buildings will be a **Permitted Activity** with regard to THWT-R1 without the need for rainwater tanks.

Table 33: THWT-R2

Rule or Standard	Assessment
THWT-R2 Increases in the impervious surface area of a site	
Commercial and Mixed Use Zones	
1. Activity status: Permitted	
Where:	
a. Compliance is achieved with THWT-S2; or b. The development achieves hydraulic neutrality by an alternative means that has been approved through any required resource and/or building consents and constructed as part of a previous stage of development.	Does not comply – This rule applies to the road through the NCZ which will increase the impervious surface area of the site. The Proposal does not comply with THWT-S2 as the increase in impervious surface on the site will exceed 40m ² within any 12 month period. The development will otherwise achieve hydraulic neutrality.
All zones	
2. Activity status: Restricted discretionary	
Where:	
a. Compliance is not achieved with THWT-R2-1.a or THWR-R2-1.b.	Rule applies to proposal – As the proposal does not comply with THWT-S2, the proposal is a Restricted Discretionary Activity under THWT-R4.2.a

Transport Chapter

Table 34: TR-R2

Rule or Standard	Assessment
TR-R2 All activities with on-site vehicle parking or loading spaces or where a vehicle access is otherwise provided	
All zones	
1. Activity status: Permitted	
Where:	
a. Vehicle access is provided to and within the site for movement of vehicles from	Complies – All individual lots which will allow for parking will have either direct frontage to a

the legal road, including to any vehicle parking and loading spaces on the site;	public street or access via a Joint Owner Access Lot (JOAL) capable of accommodating vehicles.
b. The vehicle access is classified as a Vehicle Access Level 1, 2 or 3 in accordance with TR-S2 and connects to a road that is classified as an Access Road, Collector Road or Arterial Road as identified in SCHED1 - Roads Classified According to One Network Road Classification;	Complies – The proposed vehicle accesses have been classified in accordance with TR-Table 1, and they all connect directly to a road classified as Access or Collector, or indirectly via a JOAL to these roads.
c. The vehicle access is classified as a Vehicle Access Level 4 in accordance with TR-S2 and connects to a road that is classified as an Access Road or Collector Road as identified in SCHED1 - Roads Classified According to One Network Road Classification; and	Complies – The proposed vehicle accesses have been classified in accordance with TR-Table 1, and they all connect directly to a road classified as Access or Collector, or indirectly via a JOAL to these roads.
<p>d. Compliance is achieved with:</p> <p>i. TR-S3;</p> <p>Design of vehicle access</p> <p>1. The vehicle access must be designed to achieve the design speeds, minimum widths, maximum gradients and seal requirements in TR-Table 2.</p> <p>2. Provision for turning in a common area must be designed in accordance with TR-Figure 1.</p> <p>3. A Vehicle Access Level 4 must include streetlighting provided in accordance with the following:</p> <p>a. Streetlighting must be designed in accordance with NZ Transport Agency document M30 Specification and Guidelines for Road Lighting Design (2014);</p> <p>b. Streetlighting bulbs must be on the Waka Kotahi NZ Transport Agency List of M30 Approved Luminaires.</p> <p>c. Streetlighting columns must comply with the Waka Kotahi NZ Transport Agency M26:2012 and M26A:2017 Specification for Lighting Columns.</p> <p>d. Streetlighting columns in Private Ways Level 4 must be a minimum of 8m in height.</p> <p>4. Pedestrian walkways, cycleways and shared paths in vehicle access areas must comply with</p>	<p>Does not comply – As below, the proposal does not comply with this standard as it does not comply with clauses 1, 3, 4, 5 and 6.</p> <p>Clause 1 – The proposal <u>does not comply</u> with this clause some of the JOALs deviate from the requirements of TR-Table 2 in terms of overall legal width, or provision of turning where 3 or more lots are accessed.</p> <p>Clause 2 – The proposal <u>complies</u> with this clause as turning areas have been designed to align with TR-Figure 1.</p> <p>Clause 3 – Complies.</p> <p>Clause 4 – The proposal <u>does not comply</u> with this clause as Whilst the JOALs have been designed in accordance with the principles of TR-Table 2 (as per TR-S3.1 above), the gradients on some of the JOALs exceed those recommended in Austroads Part 6.</p>

<p><i>the Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (2017).</i></p> <p><i>Note: All new roads and vehicle access points that intersect a Limited Access Road requires the approval of Waka Kotahi-NZ Transport Agency under Section 91 of the Government Rounding Powers Act 1989. Waka Kotahi NZ Transport Agency may require a different vehicle access construction standard from TR-S3.</i></p>	
<p><i>ii. TR-S4; and</i></p> <p>Firefighting access</p> <p><i>1. Any vehicle access to a site located in an area where no fully reticulated water supply system is available, or having a length greater than 75m when connected to a road that has a fully reticulated water supply system including hydrants, must:</i></p> <ul style="list-style-type: none"> <i>a. Have a minimum unobstructed width of 4m;</i> <i>b. Have a minimum formed width of 3.5m;</i> <i>c. Have a minimum height clearance of 4m; and</i> <i>d. Be designed to be free of obstacles that could hinder access for emergency service vehicles.</i> <p><i>Note: When the circumstances set out in this standard are triggered, the width requirements in this standard override those for Vehicle Access Levels 1 and 2 set out in TR-Table 2.</i></p>	<p>Not applicable – reticulated water supply will be provided throughout the Site, noting all lots will be within 135m of fire hydrants, which satisfies the NZ Fire Code.</p>
<p><i>iii. TR-S5.</i></p> <p>Vehicle Crossings</p> <p><i>1. The spacing of vehicle crossings along a road frontage must not be less than the dimensions in TR-Table 3. The number of vehicle crossings along any one road frontage must not exceed the number in TR-Table 4.</i></p> <p><i>2. The length of a vehicle crossing parallel to the road must be no more than:</i></p> <p><i>3m for Vehicle Access Level 1;</i> <i>6m for a Vehicle Access Level 2, 3 or 4; or</i> <i>9m if heavy vehicles are to be accommodated on the site.</i></p>	<p>Does not comply – The individual residential lot driveways will be designed to these criteria, however it is likely that some driveways will not be able to fully comply, for example in terms of access separation.</p> <p>In such instances a consent condition is recommended requiring the design of the driveway to be developed, for later certification, to a suitable standard in keeping with the suburban setting and frontage street environment.</p>

3. A vehicle crossing for a site with frontage to two or more roads must connect to the road with the lower road classification.

4. The minimum design vehicle used for a vehicle crossing must be a 5.2m x 1.94m vehicle (99th percentile vehicle).

5. A vehicle crossing must not be located within 6m of an intersection tangent point as shown in TR-Figure 3. A Vehicle Access Level 1 is exempt from the exclusion in respect of the kerb section marked XY.

6. A vehicle crossing must provide a clear visibility splay for pedestrian safety from 1.0m above ground level as shown in TR-Figure 2. Where two-way access is provided at the vehicle crossing, the visibility splay is only required on the side adjacent to the exiting vehicle.

7. The minimum sight distances at a vehicle crossing must be in accordance with TR-Table 5 and measured in accordance with TR-Figure 4.

8. A vehicle crossing must not be located within 30m of a railway crossing, measured from the nearest edge of the vehicle crossing to the nearest railway track.

9. A vehicle crossing located within a Rural Zone must be formed in accordance with TR-Figure 5.

10. A vehicle crossing that crosses a footpath, cycleway or shared path must not exceed a crossfall gradient of 2.5%.

11. There must be a minimum separation of 2m along the footpath between crossings serving adjacent sites. Where two crossings on adjacent sites can be combined and where the combined crossings do not exceed a total width of 6m at the property boundary, no minimum separation distance will apply.

Note: State Highways may have additional or different requirements under the Government Roadway Powers Act 1989.

As the proposal does not comply with TR-S3 and TR-S5 it is a **Restricted Discretionary Activity** under **TR-R2.2a**.

Table 35: TR-R3

Rule or Standard	Assessment
<p>TR-R3 All activities with on-site parking or loading spaces – Dimensions and maneuvering</p> <p>All zones</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p>	
<p>i. TR-S6; and</p> <p>Design of on-site car parking spaces</p> <p>1. Where provided on a site, car parking spaces must:</p> <p>a. Comply with the minimum dimensions of TR-Table 6;</p> <p>b. Have a maximum gradient of:</p> <p>i. 5% (1 vertical to 20 horizontal) for surfaces parallel to the angle of parking for non-residential activities;</p> <p>ii. 10% (1 vertical to 10 horizontal) for surfaces parallel to the angle of parking for residential activities; and</p> <p>iii. 6.25% (1 vertical to 16 horizontal) for surfaces at any other direction to the angle of parking; and</p> <p>c. Have a minimum height clearance of 2.3m.</p> <p>2. For any blind aisle, the aisle must extend 1m beyond the last parking space the aisle provides access to.</p> <p>Note: Where parking is provided, the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001) sets out requirements for parking spaces for people with disabilities and accessible routes from the parking spaces to the associated activity or road.</p>	<p>Does not comply – Parking spaces in garages or on driveways provided for the individual residential lots will be designed to satisfy these standards where practicable, noting in some instances actual gradients may deviate from the maximums described due to Site topography.</p> <p>Clause 2 is not applicable as no off-street car parks (other than driveways serving individual residential lots) are included in this application.</p>
<p>ii. TR-S7.</p> <p>On-site vehicle manoeuvring areas for sites with vehicle access</p>	<p>Complies – the proposal is to create lots only for single residential units, all of which will have</p>

<p>1. Where a site has vehicle access provided, on-site manoeuvring areas must be provided so that vehicles can enter and exit the site in a forward direction, except where:</p> <ul style="list-style-type: none"> a. The access serves a single residential unit; b. The road is an Access Road or Collector Road; and c. The distance to or from the road frontage where a vehicle is required to reverse is no more than 30m. <p>2. On-site vehicle manoeuvring areas must provide for a 4.91m x 1.87m vehicle (85th percentile vehicle) as shown in TR-Figure 9 Manoeuvring, including additional width of 300mm per affected side.</p> <p>3. On-site manoeuvring areas must not be located on:</p> <ul style="list-style-type: none"> a. The public road reserve; or b. Areas provided for parking, servicing, loading or storage purposes. <p>4. On-site manoeuvring areas must not include ramps, turntables, car lifts, or stackers.</p>	<p>access to roads of a collector road status or lower.</p> <p>Clauses 2-4 are not applicable as only individual residential lots and associated driveways are proposed, noting these will be designed to accommodate B85 vehicles in each case.</p>
<p>As the proposal does not comply with TR-S6 with regard to maximum gradients, it is a Restricted Discretionary Activity under TR-R3.2a.</p>	

Table 36: TR-R5

Rule or Standard	Assessment
<p>TR-R5 All activities – Trip generation</p> <p>All zones</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with TR-S11. 	
<p>TR-S11 Trip generation</p> <p>An activity must not exceed the trip generation thresholds set out in TR-Table 10.</p>	<p>Does not comply – As the subdivision enables more than the 60 unit threshold in TR-Table 10.</p>
<p>TR-R5 All activities – Trip generation</p> <p>All zones</p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p>	

a. Compliance is not achieved with TR-S11.	Rule applies to proposal – As the proposal does not comply with TR-R5.1.a.
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Natural Hazards Chapter

The relevant rules are assessed in turn in this section below:

Table 37: NH-R6

Rule or Standard	Assessment
<i>NH-R6: Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings in Low Hazard Areas in a Natural Hazard Overlay</i>	
<i>All zones</i>	
1. Activity status: <i>Restricted discretionary</i>	
Where:	
a. Any buildings within a Flood Hazard - Inundation Overlay are located above the 1:100 year flood level, where this level is below the floor joists or the base of the concrete floor slab;	Not applicable – It is considered that this rule is not triggered at the subdivision stage if no Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity is proposed in the application. Subdivision rule SUB-R8 addresses the location of building platforms in relation to hazard overlays.
b. ...	

Table 38: NH-R7

Rule or Standard	Assessment
<i>NH-R7: Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings within the Medium Hazard Area in a Natural Hazard Overlay or any Hazard Area in the Ohariu Fault Rupture Zone</i>	
<i>All zones</i>	
1. Activity status: <i>Discretionary</i>	
Not applicable – It is considered that this rule is not triggered at the subdivision stage if no Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity is proposed in the application. Subdivision rule SUB-R8 addresses the location of building platforms in relation to hazard overlays.	

Table 39: NH-R8

Rule or Standard	Assessment
<i>NH-R8: Any Hazard-Sensitive Activity and Potentially-Hazard-Sensitive Activity and associated buildings within the High Hazard Areas in a Natural Hazard Overlay, except within the Ohariu Fault Rupture Zone</i>	
<i>All zones</i>	
1. Activity status: <i>Discretionary</i>	

Where:
Not applicable – It is considered that this rule is not triggered at the subdivision stage if no Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity is proposed in the application. Subdivision rule SUB-R8 addresses the location of building platforms in relation to hazard overlays.

Light Chapter

Table 40: LIGHT-R1

Rule or Standard	Assessment
INF-R1 Outdoor artificial lighting	
All zones	
1. Activity status: Permitted	
Where:	
a. Where this activity complies with the following standards: <ol style="list-style-type: none"> LIGHT-S1; LIGHT-S2; LIGHT-S3; LIGHT-S4; LIGHT-S5; and LIGHT-S6; or b. The outdoor artificial lighting is: <ol style="list-style-type: none"> Public street lighting; or Helipad lighting 	Complies – This rule applies to street lighting and lighting of parks and reserves. Lighting will comply with these standards
Rule applies to proposal – As the proposal complies with the above standards, the proposal is a Permitted Activity .	

Noise Chapter

Table 41: NOISE-R2

Rule or Standard	Assessment
NOISE-R2 Noise from construction activities	
All zones	
1. Activity status: Permitted	
Where:	
a. The noise from construction activities must be measured, assessed, managed and controlled in accordance with the requirements of NZS 6803:1999 Acoustics – Construction noise and DIN 4150-3:1999 Structural Vibration – Part 3: Effects of Vibration on Structures.	Will comply

As the proposal complies with these standards, it is a **Permitted Activity** under NOISE-R2 with regard to construction noise.

Ecosystems and Indigenous Biodiversity Chapter

Table 42: ECO-R1

Rule or Standard	Assessment
<p>ECO-R1 Trimming, pruning and removal of vegetation within a Significant Natural Area</p> <p>All zones</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The trimming, pruning or removal of vegetation is to: <ul style="list-style-type: none"> i. Address an imminent threat to people or property represented by deadwood, diseased or dying vegetation and ECO-S1 is complied with; ii. Ensure the safe and efficient operation of any formed public road, rail corridor or access, where removal is limited to within the formed width of the road, rail corridor or access; iii. Enable the maintenance of buildings and outdoor living space where the removal of vegetation is limited to within 10m from the external wall, roof or deck of a habitable building that existed at 28 August 2020 measured from a vertical line from the furthest point of that building, or within 3m of any non-habitable building or an outdoor living space required by this Plan; iv. Construct new perimeter fences for stock or pest animal exclusion from areas or maintenance of existing fences provided the area of trimming or removal of any vegetation does not exceed 2m in width; v. Enable necessary flood protection or natural hazard control where undertaken by a Statutory Agency or their nominated contractors or 	<p>Does not comply – The construction of the new roundabout within SH59 requires the removal of 1000m² of SNA027 vegetation that is not permitted by this rule.</p>

<p><i>agents on their behalf as part of natural hazard mitigation works;</i></p> <p>vi. <i>Comply with section 43 of the Fire and Emergency Act 2017;</i></p> <p>vii. <i>Enable tangata whenua to exercise hauhake;</i></p> <p>viii. <i>Maintain sunlight access to residential units and any outdoor living space required by this Plan where ECO-S2 is complied with; or</i></p> <p>ix. <i>Enable the maintenance of any constructed stormwater management or treatment device.</i></p>	
<p>3. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. <i>Compliance is not achieved with ECO-R1-1.a.</i></p>	<p>Rule applies to proposal - As the proposal does not comply with the above standards, the proposal is a Restricted Discretionary Activity under Rule ECO-R1.3.a.</p>

Table 43: ECO-R3

Rule or Standard	Assessment
<p>ECO-R4 Earthworks within a Significant Natural Area</p> <p>All zones</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The earthworks:</p> <p>i. <i>Do not involve the removal of any vegetation unless otherwise permitted by ECO-R1, ECO-R2 or ECO-R3; or</i></p> <p>ii. <i>Do not take place within a Significant Natural Area identified in SCHED7 as a significant habitat for lizards.</i></p>	<p>Does not comply – The construction of the new roundabout within SH59 requires the removal of 1000m² of SNA027 vegetation that is not permitted by ECO-R1 as outlined in the Table above. SNA027 is also identified in SCHED7 as a significant habitat for lizards.</p>
<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p><i>Compliance is not achieved with ECO-R4-1.a.</i></p>	<p>Rule applies to proposal - As the proposal does not comply with the above standards, the proposal is a Restricted Discretionary Activity under Rule ECO-R4.2.a.</p>

Natural Character

Table 44: NATC-R2

Rule or Standard	Assessment
NATC-R2 Earthworks within coastal margins and riparian margins	

All zones 1. Activity status: Permitted Where:	
a. The earthworks are in the Open Space Zone or Sports and Active Recreation Zone and are for: i. The construction, maintenance and upgrading of parks facilities or parks furniture; or ii. The construction, maintenance and upgrading of boating facilities; or b. The earthworks are for hazard mitigation activities and undertaken by a statutory agency or their nominated contractor or agent; or c. Compliance is achieved with NATC-S1.	Does not comply – This rule applies to applies to the upgrade of main trunk wastewater infrastructure in the SH59 corridor which is proposed within a riparian margin. Earthworks will exceed 25m ² in a riparian margin so the proposal does therefore <u>does not comply</u> with NATC-S1.
All zones 2. Activity status: Restricted discretionary Where:	
1. Compliance is not achieved with NATC-R2-1.a, NATC-R2-1.b or NATC-R2-1.c.	Rule applies to proposal – As the proposal does not comply with the above standards, the proposal is a Restricted Discretionary Activity under NATC-R2.2.a

Earthworks Chapter

Table 45: EW-R1

Rule or Standard	Assessment
EW-R1 General Earthworks All zones 1. Activity status: Permitted Where: a. Compliance is achieved with: i. EW-S1; ii. EW-S2; iii. EW-S3; iv. EW-S4; and v. EW-S5.	
EW-S1 Earthworks – Area <i>[In Residential Zones and the NCZ]</i>	Does not comply – the area of earthworks is 46.86ha which exceeds this standard.

1. The area of earthworks must not exceed 250m ² in any 12 month period per site.	
EW-S2 Earthworks – Height, location and slope <i>[In all zones]</i> 2. Earthworks must not: <ul style="list-style-type: none"> a. Exceed a cut height or fill depth of 1.5m measured vertically; or b. Be located within 1.0m of the site boundary, measured on a horizontal plane; or c. Be undertaken on an existing slope with an angle of 34° or greater. 	Does not comply – the proposal <u>does not comply</u> with this standard as the: <ul style="list-style-type: none"> • Proposed cuts of 3m and fill heights of 2.5m exceed standard (a). • Earthworks will be undertaken with 1m of boundaries • Earthworks are proposed on slopes >34°
EW-S3 Transport of cut or fill material <i>[In all zones]</i> 3. The transport of material resulting from or required for earthworks (including earth, soil, clay, sand and rock) off or onto the site must not exceed 200m ³ .	Does not comply – there will likely be a need to remove more than 200m ³ (e.g. civil spoil) in the later stages of the development when the managed fill area has been completed as such the proposal <u>may not comply</u> with this standard.
EW-S4 Site reinstatement <i>[In all zones]</i> 4. As soon as practical, but no later than three months after the completion of earthworks or stages of earthworks, the earthworks area must be stabilised with vegetation or sealed, paved, metalled or built over.	Complies
EW-S5 Silt and sediment retention <i>[In all zones]</i> 1. All silt and sediment must be retained on the site. 2. Silt and sediment devices must be installed in accordance with APP15 - Silt and Sediment Devices prior to the commencement of earthworks and must be retained for the duration of the earthworks. This standard does not apply to the transport of cut and fill material.	Does not comply – the proposal <u>does not comply</u> , while erosion and sediment control measures have been proposed in relation to proposed earthworks and ongoing effects from the development to minimise sediment run-off they are not designed to avoid sediment loss completely. Further, there is already a significant sediment load from the property, and this will continue on areas within the site but outside the development including on the portion of the site remaining rural.
EW-R1 General Earthworks All zones 2. Activity status: Restricted discretionary Where:	

<p>a. Compliance is not achieved with EW-S1, EW-S2, EW-S3, EW-S4 or EW-S5.</p>	<p>Rule applies to proposal - As the proposal does not comply with all standards listed in Rule EW-R1, the proposal is a Restricted Discretionary Activity under Rule EW-R1.2.a.</p>
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Table 46: TEMP-R1

Rule or Standard	Assessment
<p>TEMP-R1 Temporary building and structures ancillary to a construction activity.</p> <p>All zones</p> <p>1. Activity status: Permitted</p> <p>Where:</p>	
<p>a. The temporary building or structure is removed from the site within;</p> <p style="padding-left: 40px;">a. One month of the completion of the project; or</p> <p style="padding-left: 40px;">b. 24 months from when first placed on site; whichever is the lesser;</p> <p>b. The temporary building or structure does not exceed the height of buildings and structures standard for the zone in which it will be located;</p> <p>c. The temporary building or structure does not exceed:</p> <p style="padding-left: 40px;">a. Within Radio Transmission Height Control Area B, the maximum height specified in Table 1 in APP18 – Radio Transmission Height Control Area (Maximum Height); or</p> <p style="padding-left: 40px;">b. Within Radio Transmission Height Control Area A, the maximum height calculated using the methodology in APP18 – Radio Transmission Height Control Area (Maximum Height).</p> <p>d. The temporary building or structure does not exceed the height in relation to boundary standard for the zone in which it will be located.</p>	<p>Does not comply – This rule applies to temporary buildings and structures ancillary to a construction activity. It is likely that buildings for construction works will be in place for greater than 24 months as the development will take 10+ years.</p>
<p>All zones</p> <p>4. Activity status: Restricted discretionary</p> <p>Where:</p>	

<p>a. <i>Compliance is not achieved with TEMP-R1-1.a, TEMP-R1-1.b or TEMP-R1-1.d.</i></p>	<p>Rule applies to proposal – As the proposal does not comply with TEMP-R1-1.a, the proposal is a Restricted Discretionary Activity under TEMP-R1.4.a</p>
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National Environmental Standard for Contaminants in Soil

Table 47: Regulation 8(3) - Disturbing Soil

Rule or Standard	Assessment
(a) controls to minimise the exposure of humans to mobilised contaminants must— (i) be in place when the activity begins; (ii) be effective while the activity is done; (iii) be effective until the soil is reinstated to an erosion-resistant state.	Complies – controls will be in place and will be achieved via a Contaminated Site Management Plan, which is proposed as a condition of resource consent in Appendix 7 .
(b) the soil must be reinstated to an erosion-resistant state within 1 month after the serving of the purpose for which the activity was done	Complies
(c) the volume of the disturbance of the soil of the piece of land must be no more than 25 m ³ per 500 m ²	May not comply – it is unknown what area of land is HAIL and how much will need to be disturbed until a Detailed Site Investigation is complete (noting it is unlikely that this volume will be exceeded).
(d) soil must not be taken away in the course of the activity, except that,— (i) for the purpose of laboratory analysis, any amount of soil may be taken away as samples; (ii) for all other purposes combined, a maximum of 5m ³ per 500m ² of soil may be taken away per year:	May not comply – it is unknown what area of land is HAIL and how much will need to be disturbed until a Detailed Site Investigation is complete.
(e) soil taken away in the course of the activity must be disposed of at a facility authorised to receive soil of that kind:	Complies – the proposal complies with this as outlined in the Contaminated Site Management Plan.
(f) the duration of the activity must be no longer than 2 months:	Complies – the disturbance of the contaminated soils is likely to be limited to less than two weeks.
(g) the integrity of a structure designed to contain contaminated soil or other contaminated materials must not be compromised.	Not applicable – there is no such structure present on site.

Table 48: Regulation 8(4) – Subdividing or changing use

Rule or Standard	Assessment
(a) a preliminary site investigation of the land or piece of land must exist:	Complies – a Preliminary Site Investigation has been prepared by PDP dated 11 August 2025 (Appendix x).
(b) the report on the preliminary site investigation must state that it is highly unlikely that there will be a risk to human	Does not comply – the Preliminary Site Investigation has identified several potential HAIL areas and recommends that a Detailed Site

<i>health if the activity is done to the piece of land:</i>	Investigation be completed prior to works. It does not state that it is 'highly unlikely that there will be a risk to human health if the activity is done to the piece of land', the proposal therefore <u>does not comply</u> with this regulation.
<i>(c) the report must be accompanied by a relevant site plan to which the report is referenced:</i>	Complies – the Application contains site plans.
<i>(d) the consent authority must have the report and the plan.</i>	Complies – both the Preliminary Site Investigation and the site plans are attached to this Application.

Table 49: Regulation 9(1) Removing or replacing fuel storage system, sampling soil, or disturbing soil and 9(3) Subdividing or changing use – Controlled Activities

Rule or Standard	Assessment
<i>(a) a detailed site investigation of the piece of land must exist</i>	Does not comply – no Detailed Site Investigation exists.
<i>(b) the report on the detailed site investigation must state that the soil contamination does not exceed the applicable standard in regulation 7:</i>	
<i>(c) the consent authority must have the report</i>	
<i>(d) conditions arising from the application of subclause (3), if there are any, must be complied with.</i>	

Table 50: Regulation 10 – Restricted Discretionary Activities

Rule or Standard	Assessment
<i>(2) The activity is a restricted discretionary activity while the following requirements are met:</i>	Does not comply – no Detailed Site Investigation exists.
<i>(a) a detailed site investigation of the piece of land must exist:</i>	
<i>(b) the report on the detailed site investigation must state that the soil contamination exceeds the applicable standard in regulation 7:</i>	
<i>(c) the consent authority must have the report:</i>	
<i>(d) conditions arising from the application of subclause (3), if there are any, must be complied with.</i>	

Table 51: Regulation 11– Discretionary Activities

Rule or Standard	Assessment
<i>(1) This regulation applies to an activity described in any of regulation 5(2) to (6) on a piece of land described in regulation 5(7) or (8) that is not a permitted activity, controlled activity, or restricted discretionary activity.</i>	Rule applies to proposal – the proposal is not a permitted, controlled or a restricted discretionary activity under the regulations and is therefore a Discretionary Activity under Regulation 11 .

Greater Wellington Regional Council Consent Requirements

Natural Resources Plan

Table 52: Rule R27

Rule or Standard	Assessment
<p>Rule R27: Rule R27: Handling of bulk solid materials – permitted activity</p> <p><i>The discharge of contaminants into air from the handling of bulk solid materials including from the activities of quarrying, mining, cleanfilling, blasting, extraction, crushing, screening, processing, stockpiling, handling, conveying, sorting, and storage is a permitted activity, provided the following conditions are met:</i></p> <p>...</p> <p><i>(b) for all other areas, the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property.</i></p>	<p>Complies – These effects will be addressed through conditions of consent and the Earthworks and Construction Management Plan.</p>

Discharges of water and contaminants

Table 53: Rule R49

Rule or Standard	Assessment
<p>Rule R49: Stormwater from new subdivision and development – permitted activity</p> <p><i>The discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority or state highway stormwater network, from:</i></p> <p><i>(a) a new urban subdivision or new urban development associated with earthworks up to a total area of 3,000m² per property per 12 month period, or</i></p>	<p>Does not comply – The proposal includes earthworks that exceed 3,000m² per property and within a state highway and therefore does not comply with clauses (a) and (b).</p> <p>Clause (c) is not relevant as there is no relevant stormwater management strategy for the area.</p> <p>The proposal will otherwise comply with clause (d).</p>

<p>(b) a new or redeveloped state highway associated with earthworks up to a total area of 3,000 m², or</p> <p>(c) a new urban subdivision or new urban development, or new or redeveloped state highway in an area where a stormwater management strategy in accordance with Schedule N (stormwater strategy) applies</p> <p>is a permitted activity provided the following condition is met:</p> <p>(d) the discharge shall comply with the conditions of Rule R48 except condition R48(c).</p>	
<p>Rule R50: Stormwater from new subdivision and development – restricted discretionary activity <i>The discharge of stormwater from a new urban subdivision or new urban development, or new or redeveloped state highway into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority or state highway stormwater network, that is not permitted by Rule R49 is a restricted discretionary activity.</i></p>	<p>Rule applies to proposal – This rule applies to the proposal as it is not a permitted activity by Rule R49. Consent is required for both the discharge of stormwater from a new urban subdivision and discharge of stormwater from the redeveloped state highway.</p>

Contaminated land and hazardous substances

Table 54: Rule R81

Rule or Standard	Assessment
<p>Rule R81: Detailed site investigation – permitted activity</p> <p>(a) <i>The use of land to undertake a detailed site investigation of contaminated land and any associated discharge into air is a permitted activity, provided the following conditions are met: the investigation is undertaken in accordance with Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (2011), and</i></p> <p>(b) <i>the investigation is reported in accordance with the Contaminated Land Management</i></p>	<p>Complies – No Detailed Site Investigation exists for potential HAIL sites, however these conditions will be complied with once complete.</p>

<p><i>Guidelines No. 1: Reporting on Contaminated Land (2011), and</i></p> <p><i>(c) a copy of the report is provided to the Wellington Regional Council within two months following the completion of the investigation.</i></p>	
<p>Rule R82: Discharges from contaminated land – permitted activity</p> <p><i>(a) The discharge of a contaminant from contaminated land where a contaminant may enter water is a permitted activity provided the following conditions are met: a detailed site investigation has been undertaken, reported and provided to Wellington Regional Council in accordance with Rule R81, and</i></p> <p><i>(b) the results of the detailed site investigation indicate that the discharge does not pose unacceptable risks to human health or the environment – on-site or off-site, or</i></p> <p><i>(c) the discharge from SLUR Category III land or SLUR Category IV land does not, or is not likely to, result in:</i></p> <p><i>(i) water quality exceeding the maximum acceptable value (MAV) in the Drinking-Water Standards New Zealand 2005 (Revised 2008) or 50% of the MAV in a community drinking water supply protection area shown on Maps 39, 40, 41, 42 or 43 at the following locations:</i></p> <ol style="list-style-type: none"> <i>1. at the property boundary, or within 50m from the source of the discharge, whichever is the lesser distance, or</i> <i>2. in an existing bore within the property boundary or within 50m from the source of the discharge, whichever is the lesser distance, used to abstract water for any use other than water quality monitoring,</i> <p><i>(ii) water quality in a surface water body within the property boundary or within 50m</i></p>	<p>Does not comply – The proposal cannot comply with this rule as no Detailed Site Investigation exists.</p> <p>The proposal will otherwise comply with (c), should the Detailed Site Investigation confirm the presence of contaminants these will be remediated prior to works commencing.</p>

<p><i>from the source of the discharge, whichever is the lesser distance, exceeding a value in Schedule V for the protection of 95% of species.</i></p>	
<p>Rule R83: Investigation of, or discharges from contaminated land – discretionary activity</p> <p><i>The use of land to undertake a detailed site investigation of contaminated land that is not permitted by Rule R81, or the discharge from SLUR Category III land or SLUR Category IV land where a contaminant may enter water, that is not permitted by Rule R82 is a discretionary activity.</i></p>	<p>Not applicable – Rule R83 is not applicable to this proposal as it has been confirmed that the Proposal comply with Rule R81 when undertaking a DSI, and the site has not been confirmed as being SLUR Category III or IV land.</p>
<p>Rule R94: All other discharges – discretionary activity</p> <p><i>The discharge of water or contaminants into water, or onto or into land where it may enter water, that is not:</i></p> <p><i>(a) in a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites) or Schedule H1 (contact recreation), and</i></p> <p><i>(b) a permitted, controlled, restricted discretionary, or non-complying activity under any other rule in the Plan, or a discretionary activity under Rules R55, R56, R58, R65, R83 or R90,</i></p> <p><i>is a discretionary activity.</i></p>	<p>Rule applies to Proposal - This rule applies with the proposal as it cannot comply with permitted activity standards under Rule R82. The proposal is therefore a Discretionary Activity under Rule 94.</p>

Land disturbance

Table 55: Earthworks

Rule or Standard	Assessment
<p>Rule R101: Earthworks – permitted activity</p> <p><i>(a) The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from earthworks up to a total area of</i></p>	<p>Does not comply – The proposal includes 42.86ha of earthworks which exceeds 3,000m² and therefore does not comply with clause (a). Earthworks will also occur within 5m of surface</p>

<p><i>3,000m² per property per 12 month period is a permitted activity, provided the following conditions are met: soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, and</i></p> <p><i>(b) earthworks will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the property where the earthworks occurs, and</i></p> <p><i>(c) any earthworks shall not, after the zone of reasonable mixing, result in any of the following effects in receiving waters:</i></p> <p><i>(i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or</i></p> <p><i>(ii) any conspicuous change in colour or visual clarity, or</i></p> <p><i>(iii) any emission of objectionable odour, or</i></p> <p><i>(iv) the rendering of fresh water unsuitable for consumption by animals, or</i></p> <p><i>(v) any significant adverse effect on aquatic life, and</i></p> <p><i>(d) earthworks shall not occur within 5m of a surface water body except for earthworks undertaken in association with Rules R122, R125, R126, R127, R128, R130, R131, R132, R134, R137 and R139, and</i></p> <p><i>(e) work areas are stabilised within six months after the completion of the earthworks.</i></p>	<p>water bodies and therefore does not comply with clause (d).</p> <p>The proposal will otherwise comply with (b), (c) and (e).</p>
<p><i>Rule R104: Vegetation clearance on erosion prone land – permitted activity</i></p> <p><i>The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from vegetation clearance up</i></p>	<p>Does not comply – Over 2ha of vegetation clearance is proposed on slopes exceeding 20 degrees, this includes vegetation clearance within 5m of surface water bodies and therefore the proposal does not comply with clause (c).</p>

<p><i>to a total area of 2ha per property per 12 month period on erosion prone land is a permitted activity, provided the following conditions are met:</i></p> <ul style="list-style-type: none"> <i>(a) any soil or debris from the vegetation clearance is not placed where it can enter a surface water body or the coastal marine area, and</i> <i>(b) any soil disturbances associated with the vegetation clearance shall not after the zone of reasonable mixing, result in any of the following effects in receiving waters:</i> <ul style="list-style-type: none"> <i>(i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or</i> <i>(ii) any conspicuous change in colour or visual clarity, or</i> <i>(iii) any emission of objectionable odour, or</i> <i>(iv) the rendering of fresh water unsuitable for consumption by animals, or</i> <i>(v) any significant effect on aquatic life, and</i> <i>(c) vegetation clearance shall not occur within 5m of a surface water body except for vegetation clearance undertaken in association with by Rules R122, R125, R126, R127, R128, R130, R131, R132, R134, R137 and R139.</i> 	<p>The proposal will otherwise comply with clauses (a) and (b).</p>
<p>Rule R107: Earthworks and vegetation clearance – discretionary activity</p> <p><i>The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from earthworks, or vegetation clearance on erosion prone land that is not permitted by Rules R101, R102, R104 and R105, and not controlled by Rule R103, or not restricted discretionary by Rule R106 is a discretionary activity.</i></p>	<p>Rule applies to proposal – This rule applies to the proposal as it does not comply with Rule R101 with regard to earthworks, or Rule R104 with regard to vegetation clearance. The proposal is therefore a Discretionary Activity under Rule R107.</p>

Table 56: Activities in wetlands

Rule or Standard	Assessment
5.4.2 Activities in wetlands general conditions Wetlands general conditions Wetland general conditions for activities in natural wetlands and outstanding natural wetlands are that:	
<i>(a) the vegetation and the bed of the natural wetland or outstanding natural wetland shall not be disturbed to a depth or an extent greater than that required to undertake the activity, and</i>	Complies – all works within wetlands will be limited to solely the extent necessary.
<i>(b) there shall be no discharge of contaminants (including but not limited to oil, petrol, diesel, paint, solvent, heavy metals and other toxicants) to water or the bed, except where this is the result of the disturbance of sediment and other materials already existing in the water or bed, and</i>	Complies – measures will be employed to ensure condition (b) is complied with.
<i>(c) no cleaning or refuelling of machinery or equipment, or storage of fuel shall take place in, or within 10m of, a natural wetland or outstanding natural wetland, or at any location where fuel can enter a water body, and</i>	Complies – management will be in place to ensure no cleaning or refuelling of machinery or equipment, or storage of fuel shall take place in, or within 10m of a natural wetland or at any location where fuel can enter a water body.
<i>(d) all machinery, equipment and materials used for the activity shall be removed from the natural wetland or outstanding natural wetland every night and on completion of the activity. This includes any excess material from the construction operation, any materials used during construction of any structure but not part of that structure, and any material removed or demolished from any structure, and</i>	Complies – management will be in place to ensure all machinery, equipment and materials used for the activity are removed from the natural wetland every night and on completion of the activity.
<i>(e) structures are designed, installed and maintained, and activities are carried out in a manner to ensure that fish passage is maintained at all times, unless a temporary restriction of no more than 48 hours is required for construction or maintenance activities, and</i>	Complies – culverts will be designed to provide for fish passage, including in areas that are not currently accessed by fish.

<p><i>(f) in any part of the natural wetland or outstanding natural wetland with inanga spawning habitat identified in Schedule F1b (inanga spawning), no bed disturbance, diversions of water or sediment discharge shall occur between 1 January and 31 May, except that material accumulated at the outlet of a stormwater discharge pipe may be removed between 1 January and 1 March, so long as there is no associated trimming or removal of vegetation (including weeds) on the bed or banks, and</i></p>	<p>Not applicable – there is no inanga spawning habitat identified.</p>
<p><i>(g) the diversion of water shall not be for longer than the time required to undertake the activity, and any diversion of water required to undertake the activity must be for fewer than 14 consecutive days, and must occur prior to the disturbance of the bed of the natural wetland or outstanding natural wetland, and</i></p>	<p>Does not comply – Any reclamation of a natural wetland will breach condition (g) as there will be a permanent diversion of water. The Proposal therefore <u>does not comply</u> with this standard.</p>
<p>The proposal does not comply with all of the Wetlands general conditions, this is relevant to Rule R114 below.</p>	
<p>Rule R114: Planting and pest plant control in natural wetlands and outstanding natural wetlands – permitted activity</p> <p><i>The deliberate introduction or planting of a plant, and the removal or control of pest plants in the bed of a natural wetland, or outstanding natural wetland including any associated:</i></p> <ul style="list-style-type: none"> <i>(a) disturbance of a river or lake bed, or foreshore or seabed, that forms part of a natural wetland or outstanding natural wetland, and</i> <i>(b) deposition in, on, or under a river or lake bed, or foreshore or seabed, that forms part of a natural wetland or outstanding natural wetland, and</i> <i>(c) damage to part of the foreshore or seabed that forms part of a natural wetland or outstanding natural wetland, and</i> <i>(d) diversion of water, and</i> 	<p>Does not comply - Some wetland species that are typical of the area may be removed so compliance with clause (g) is not likely. The activity does not comply with the wetland general conditions for activities in natural wetlands so the proposal <u>does not comply</u> with clause (k).</p>

<p>(e) <i>discharge of sediment to water is a permitted activity provided the following conditions are met:</i></p> <p>(f) <i>only indigenous wetland species typical of the area and wetland type are deliberately introduced or planted, and</i></p> <p>(g) <i>only plant species that are not typical of the area and wetland type are deliberately removed or controlled, and</i></p> <p>(h) <i>only agrichemicals approved by the Environmental Protection Authority for use into and over water are used and the conditions of Rule R37 are met, and</i></p> <p>(i) <i>agrichemicals are not applied by aerial spraying, and</i></p> <p>(j) <i>only hand-held machinery is used in any area of the natural wetland or outstanding natural wetland, and</i></p> <p>(k) <i>the activity shall comply with the wetland general conditions for activities in natural wetlands and outstanding natural wetlands specified above in Section 5.4.2.</i></p>	
<p>Rule R117: Activities in natural wetlands – discretionary activity</p> <p><i>The following activities in a natural wetland except for those stipulated in and carried out in accordance with a wetland restoration management plan under Rule R116 or Regulation 39 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020:</i></p> <p>(a) <i>The placement of structures;</i></p> <p>(b) <i>The discharge of water or contaminants not permitted by Rule R91, where the adverse effects on aquatic life are no more than minor</i></p> <p>(c) <i>the clearance of indigenous wetland vegetation, (excluding the removal of pest plants under Rule R114 and the removal of plants for Māori customary use or for the use of an</i></p>	<p>Rule applies to proposal – this rule applies to the proposal as:</p> <ul style="list-style-type: none"> • There are structures proposed to be placed in areas identified as natural inland wetlands that are proposed to be reclaimed including infrastructure such as street lights and electricity cabinets (clause a); • Vegetation will be removed as part of the reclamation of areas identified as natural inland wetlands (clause c); and • The proposal does not comply with R114 as outlined above (clause d). <p>Note that with regard to clause (b) there are no discharges on aquatic life that will be more than minor.</p>

<p><i>individual under R115, and vegetation clearance regulated by Regulations 43, 44, 45, 46, 47 and 54 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020</i></p> <p><i>(d) activities not meeting the conditions of Rules R113, R114 or R115, including any associated:</i></p> <p><i>(e) disturbance of a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and</i></p> <p><i>(f) deposition in, on, or under a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and</i></p> <p><i>(g) damage to a part of the foreshore or seabed that forms part of a significant natural wetland, and</i></p> <p><i>(h) diversion of water, and</i></p> <p><i>(i) discharge of sediment to water</i></p> <p>Notes</p> <p><i>Rule R117(a) prevails over Regulation 42 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 for activities occurring in the bed a natural wetland, but that regulation applies to activities within specified setbacks from the bed of a natural wetland.</i></p> <p><i>Regulations 45 and 54 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 prevail over Rule R117(a) in respect of vegetation clearance, earthworks or land disturbance or taking, use, damming, diversion or discharge of water associated with the placement of a new structure in the bed of a natural wetland.</i></p> <p><i>Rule R117(c) prevails over Regulations 40, 41, 42 and 51 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, for activities occurring in the</i></p>	<p>The proposal is a Discretionary Activity under Rule R117.</p>
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<p><i>bed of a natural wetland, but those regulations apply to activities within specified setbacks from the bed of a natural wetland. Regulation 54 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 prevails over Rule 117(c).</i></p>	
<p>Rule R118: Activities in natural wetlands – non-complying activity</p> <p><i>The following activities, in a natural wetland except for those stipulated in and carried out in accordance with a wetland restoration management plan under Rule R116 or Regulation 39 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020:</i></p> <ul style="list-style-type: none"> <i>a) take, use, damming or diverting water into, within, or from the natural wetland, or the take and use of water within 50m of the natural wetland, and</i> <i>b) land disturbance including excavation and deposition, and</i> <i>c) reclamation of a natural wetland, including any associated:</i> <i>d) disturbance of a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and</i> <i>e) deposition in, on, or under a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and</i> <i>f) damage to a part of the foreshore or seabed that forms part of a natural wetland, and</i> <i>g) diversion of water, and</i> <i>h) discharge of sediment to water</i> <p><i>are non-complying activities</i></p> <p>Notes</p> <p><i>Rule R118(a)-(c) prevails over Regulations 38-51 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, but those regulations apply to damming or diverting water within 100m of the bed of a natural wetland and take and use within 50-100m of the bed of a natural wetland.</i></p>	<p>Rule applies to proposal – this rule applies to the proposal as the proposal includes the take and diversion of water and land disturbance as part of the proposed reclamation of natural wetlands.</p> <p>The proposal is a Non-Complying Activity under Rule R118.</p>

<p><i>Regulations 52, 53 and 54 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 prevail over Rule R118(a) and (b).</i></p> <p><i>Regulation 53 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 prevails over Rule R118(c).</i></p>	
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Uses of beds of lakes and rivers

Table 57: Uses of beds of lakes and rivers

Rule or Standard	Assessment
<p>5.4.4 Uses of Beds of Lakes and Rivers General Conditions</p> <p><i>Beds of lakes and rivers general conditions</i></p> <p><i>Beds of lakes and rivers general conditions for uses of the beds of lakes and rivers that apply as specified in Rules R122 to R129:</i></p>	
<p><i>a) except where the discharge is expressly allowed by the activity description of a rule in this chapter there shall be no discharge of contaminants (including but not limited to oil, petrol, diesel, paint, solvent, heavy metals or other toxicants) to water or the bed, except where this is the result of the disturbance of sediment and other materials already existing in the water or bed, and</i></p>	<p>Complies – these matters will be addressed through the Earthworks and Construction Management Plan and associated condition of consent.</p>
<p><i>b) no cleaning or refuelling of machinery or equipment, or storage of fuel shall take place in, or within 10m of, a river or lake bed, or at any location where fuel can enter any water body, and</i></p>	<p>Complies – these matters will be addressed through the Earthworks and Construction Management Plan and associated condition of consent.</p>
<p><i>c) all machinery, equipment and materials used for the activity shall be removed from the river or lake bed every night and on completion of the activity. This includes any excess material from the construction operation, any materials used during construction of any structure but not part of that structure, and any material removed or demolished from any structure, and</i></p>	<p>Complies – these matters will be addressed through the Earthworks and Construction Management Plan and associated condition of consent.</p>
<p><i>d) structures are designed, installed and maintained, and activities are carried out in a manner to ensure that fish passage is maintained at all times, except:</i></p>	<p>Complies – these matters will be addressed through the Earthworks and Construction Management Plan and associated condition of consent.</p>

<p>i. as required for the operation of backflow devices during heavy rainfall events, or</p> <p>ii. a temporary restriction of no more than 48 hours is required for construction or maintenance activities, unless the structure is a culvert or weir, other than a customary weir, installed after 2 September 2020, then</p> <p>iii. the placement, use, alteration, extension or reconstruction of the culvert or weir in, on, over or under the bed of any river or connected area must provide for the same passage of fish upstream and downstream as would exist without the structure, except as required to carry out the construction works. The design, installation, maintenance and use of all structures shall avoid any aggradation or scouring of the bed of the river or lake that may inhibit fish passage, and</p>	
<p>e) in any part of the river bed identified as inanga spawning habitat in Schedule F1 (rivers/lakes), no bed disturbance, diversions of water or sediment discharge shall occur between 1 January and 31 May, except that material accumulated at the outlet of a stormwater discharge pipe may be removed between 1 January and 1 March, so long as there is no associated trimming or removal of vegetation (including weeds) on the bed or banks, and</p>	<p>Not applicable - there are no inanga spawning habitats on site as per Schedule Fb of the NRP.</p>
<p>f) in any part of the river or lake bed covered by water, which is identified as trout spawning waters in Schedule I (trout habitat), disturbance of the bed or diversions of water shall not take place during the spawning period of between 31 May and 31 August, and</p>	<p>Not applicable - there are no trout spawning waters on site as per Schedule I of the NRP.</p>
<p>g) all reasonable steps shall be taken to minimise the generation and release of sediment from the activity, and the discharge of any sediment to water from any activity in, on, over or under the bed of a river or lake must not, after reasonable mixing, result in any conspicuous change in the colour of water in the receiving water or change in horizontal visibility of greater than 30%, and</p>	<p>Complies – these matters will be addressed through the Earthworks and Construction Management Plan and associated condition of consent.</p>
<p>h) car bodies or demolition rubble shall not be used for any purpose on the bed of any river or lake, and</p>	<p>Complies – these matters will be addressed through the Earthworks and Construction</p>

	Management Plan and associated condition of consent.
<p><i>i) all reasonable steps shall be taken to minimise the duration of the diversion of water, and any diversion of water required to undertake the activity shall:</i></p> <p><i>i. only be temporary and for a period no longer than that required to complete the activity, and</i></p> <p><i>ii. must not involve a lake, and</i></p> <p><i>iii. any diversion channel required must have sufficient capacity to carry the same flow as the original channel, so as not to cause flooding or erosion of any neighbouring property, and</i></p>	Complies – these matters will be addressed through the Earthworks and Construction Management Plan and associated condition of consent.
<p><i>j) the activity shall not result in erosion or scour of the river banks or shall not result in flooding of any neighbouring property, and</i></p>	Complies – these matters will be addressed through the Earthworks and Construction Management Plan and associated condition of consent.
<p><i>k) any structure, other than a stormwater intake structure or debris arrestor, shall be designed so that it does not reduce the ability of the river to convey flood flows. All structures shall be maintained to manage flood debris accumulated against the structure and the conveyance of flood flows, and</i></p>	Complies – these matters will be addressed through the Earthworks and Construction Management Plan and associated condition of consent.
<p><i>l) any structure shall not alter the natural course of the river, including any diversion of water from the natural course during floods. Tree planting or vegetative bank edge protection works that are limited to the banks of the river and do not extend into the active channel are not considered to alter the course of the river for the purpose of this condition, and</i></p>	Does not comply – a section of Taupo Stream is proposed to be reclaimed through a culvert as part of the construction of the new intersection on State Highway 59, any reclamation of a stream will breach condition (i) as there will be a permanent diversion of water.
<p><i>m) the river or lake bed shall not be disturbed to a depth or an extent greater than that required to undertake the activity, and</i></p>	Complies – these matters will be addressed through the Earthworks and Construction Management Plan and associated condition of consent.
<p><i>n) in any part of a river or lake bed identified in Schedule F2a (birds - rivers) or Schedule F2b (birds - lakes), no structure shall be constructed, and no disturbance shall take place, during the critical period identified in Schedule F2a (birds-rivers) or Schedule F2b (birds-lakes) if the named</i></p>	Not applicable

birds are identified as nesting, roosting and foraging at the work site, and	
o) beds of lakes and rivers general conditions (a) to (m) that apply as specified in Rule R127 to R137 do not cover any activities regulated by Sub-Part 4 – River crossings and Sub-Part 10 – General provisions in the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.	Not applicable
<p>Rule R126: Culverts and ancillary culvert structures – permitted activity</p> <p><i>The placement of a culvert or an ancillary culvert structure that is fixed in, or on, the bed of a river excluding activities regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 including any associated:</i></p> <p><i>(a) disturbance of the river or lake bed, and</i></p> <p><i>(b) deposition on the river or lake bed, and diversion of water, and</i></p> <p><i>(d) discharge of sediment to water, and temporary damming of water</i></p> <p><i>is a permitted activity, provided the following conditions are met:</i></p> <p><i>(f) the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.4.4, except condition (l) (not altering the natural course of the river), and</i></p> <p><i>(g) the activity does not occur within a site identified in Schedule C (mana whenua), and</i></p> <p><i>(h) where multiple culverts are placed side by side, the total capacity of the multiple culverts shall not be less than that of a single culvert which complies with this rule, and</i></p> <p><i>(i) the culvert, associated fill and culvert placement shall comply with the following dimensions:</i></p> <p style="padding-left: 40px;"><i>(i) a maximum culvert length of 20m (excluding any ancillary culvert structure), and</i></p> <p style="padding-left: 40px;"><i>(ii) for circular culverts an external culvert diameter of 0.3m to 1.2m (inclusive), and</i></p>	<p>Does not comply: The proposal does not comply with conditions (f) to (k) as outlined below:</p> <ul style="list-style-type: none"> • Clause (f) – the proposal <u>does not comply</u> with all of the general conditions as outlined above in the above rows of this Table (does not comply with regard to permanent diversion of water). • Clause (g) – the activity is not occurring in an area identified in Schedule C (noting only the mouth of the Taupō stream is listed in this Schedule). • Clause (h) – the proposal complies with this clause as only single culverts are being installed. • Clause i(i)– the proposal <u>does not comply</u> with this clause as not all culverts are under 20m, with the largest being 110m. • Clause i(ii) - the proposal <u>does not comply</u> with this clause as not all culverts are under 1.2m with the largest being 2.1m. • Clause i(iii) – not applicable as only circular culverts are proposed. • Clause i(iv) - the proposal complies as shown in the Stormwater Management Plan. • Clause i(v) – the proposal complies as while most culverts have over 2m fill height above the culvert, for the 5% AEP they will not overtop.

<p>(ii) <i>for non-circular culverts an external width and height of 0.3m to 1.2m each (inclusive), and</i></p> <p>(iv) <i>the culvert's width where it intersects with the bed of the river or connected area must be more than 1.3 times the width of the bed at that location,</i></p> <p>(v) <i>a maximum fill height of 2m above the top of the culvert unless a spillway is constructed to enable the passage of a 5% annual exceedance probability (20 year return period) flood event without the fill being overtopped, and</i></p> <p>(j) <i>a minimum culvert installation depth below the bed of 25% of the width of the culvert, or the culvert must be open bottomed, and</i></p> <p>(k) <i>the bed substrate must be present over the full length of the culvert and stable at the flow rate at or below which the water flows for 80% of the time; and</i></p> <p>(l) <i>the culvert shall be positioned so that its alignment and gradient are the same as the river, and</i></p> <p>(m) <i>the mean cross-sectional water velocity in the culvert must be no greater than that in all immediately adjoining river reaches; and</i></p> <p>(n) <i>the culvert shall be constructed to allow:</i></p> <p style="padding-left: 40px;">(i) <i>the flow from a 5% annual exceedance probability (20 year return period) flood event without overtopping, unless the overtopping flows to a specifically designed spillway, and</i></p> <p style="padding-left: 40px;">(ii) <i>the flow from a two year return period flood event without any flow impediment, and</i></p> <p>(o) <i>the culvert inlet and outlet shall be protected against erosion, and</i></p>	<ul style="list-style-type: none"> • Clause (j) – complies the natural streambed will be reinstated within the culvert to approximately 25% of the culvert depth. • Clause (k) - the proposal complies as shown in the Stormwater Management Plan. • Clause (l) - the proposal complies as shown in the Stormwater Management Plan. • Clause (m) - the proposal complies as shown in the Stormwater Management Plan. • Clause (n) - the proposal complies as shown in the Stormwater Management Plan. • Clause (o) - the proposal complies as shown in the Stormwater Management Plan. • Clause (p) – The proposal <u>does not comply</u> with this clause as the wingwall structure on the Retention Wetland E will likely be larger than 10m² • Clause (r) - the proposal complies as shown in the Stormwater Management Plan. • Clause (s) - the proposal complies as shown in the Stormwater Management Plan. • Clause (t) - the proposal complies as shown in the Stormwater Management Plan. • Clause (u) – complies.
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<p>(p) any ancillary culvert structure shall not occupy a total bed area of greater than 10m², and</p> <p>(q) all steps shall be taken to minimise the release of sediment during construction, and</p> <p>(r) the culvert shall be constructed and maintained to avoid any aggradation or erosion of the bed, including any erosion at the inlet and outlet of the culvert, and</p> <p>(s) the culvert shall be constructed and maintained to avoid causing any flooding on any neighbouring properties, and</p> <p>(t) the culvert provides for continuity of geomorphic processes (such as the movement of sediment and debris); and</p> <p>(u) the information requirements of Regulations 62, 63 and 68 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 shall be provided as set out in the regulation.</p>	
<p>Rule R145: All other uses of river and lake beds – discretionary activity</p> <p><i>All other uses that would otherwise contravene section 13(1) or 13(2) of the RMA and any associated activities under sections 14 or 15 of the RMA in, on, under or over river and lake beds that is not permitted, controlled or restricted discretionary by Rule R122 to Rule R129 is a discretionary activity, except for reclamation, damming and diverting of water.</i></p>	<p>Rule applies to proposal – As the proposed culverts are not permitted under Rule R126 Discretionary Activity consent is required under Rule R145.</p>
<p>R143 Reclamation associated with piping of a river outside of a site identified in Schedule A1 (outstanding rivers) or Schedule C (mana whenua) – non-complying activity</p> <p><i>The reclamation of the bed, or any part of the bed, of a river outside of a site identified in Schedule A1 (outstanding rivers) or Schedule C (mana whenua), associated with piping of a</i></p>	<p>Rule applies to proposal – consent is required under Rule R143 for the following activities:</p> <ul style="list-style-type: none"> • Reclamation of the Taupo Stream for the SH59 connection; and • Reclamation of streams associated with piping for the construction of the dams to form the retention wetlands.

<p><i>river, that is not a discretionary activity under Rule R142, is a non-complying activity.</i></p> <p><i>Note</i> <i>Piping of a river does not include a culvert for the purpose of forming a reasonable crossing point. This is addressed by Rules R126 and R145.</i></p>	<p>Not that other culvert upgrades are associated with the provision of reasonable crossing points.</p>
<p>R127 Establishing a dam – permitted activity</p> <p><i>The placement of a new dam, that is fixed in, on, or under the bed of a river including any associated:</i></p> <p><i>a) disturbance of the river or lake bed, and</i> <i>b) deposition on the river or lake bed, and</i> <i>c) diversion of water, and</i> <i>d) damming of water, and</i> <i>e) discharge of sediment to water, and</i> <i>f) the damming of water outside the bed of a lake or river by a dam structure is a Permitted Activity, provided the following conditions are met:</i></p> <p><i>(g) where the dam occurs in the bed of a lake or river, the activity shall comply with the beds of lakes and rivers general conditions specified above in Section 5.4.4, except condition (l) (not altering the natural course of the river), and, where the activity occurs in an ephemeral watercourse, condition (d) (fish passage), and</i> <i>(h) the activity does not occur within a site identified in Schedule C (mana whenua), and</i> <i>(i) the dam is not located in and does not cause water to pond in, a natural wetland identified in Schedule F3 (identified natural wetlands) or an outstanding water body identified in Schedule A (outstanding water bodies), and</i> <i>(j) the dam shall not impound more than 20,000m³ of water above natural ground level, and</i></p>	<p>Does not comply: The proposal does not comply with conditions (g) to (o) as outlined below:</p> <ul style="list-style-type: none"> • Clause (g) – the proposal complies as outlined above in the above rows of this Table; • Clause (h) – the dams are not proposed within a site identified in Schedule C (mana whenua); • Clause (i) – does not apply, there are no wetlands on site identified in Schedule F3; • Clause (j) – the proposed dams comply with this standard as the largest maximum stored volume is 11,650m³; • Clause (k) – complies as all spill ways are <3m in height; • Clause (l) – <u>does not comply</u> as Retention Wetland B and Wetland E have catchments over 20ha; • Clause (m) – complies; • Clause (n) – the proposal complies as all dams are designed for a 1% AEP event with freeboard above that before overtopping the spillway (controlled flow via pipe network for lower rain events); and • Clause (o) – <u>does not comply</u> as some intermittent streams will become lakes within retention wetlands.

<p>(k) the dam has a maximum water depth of less than 3m (measured from the natural ground level at the downstream toe of the dam structure),</p> <p>and</p> <p>(l) any new dam does not have a catchment area above the dam of more than 20ha, and</p> <p>(m) the water impounded by the dam does not encroach onto adjoining properties, and</p> <p>(n) a spillway or overflow pipe is constructed to prevent the dam from overtopping in a 5% annual exceedence probability (20 year return period) flood event, and connects or discharges to the downstream watercourse, and</p> <p>(o) any new dam in a permanently flowing river shall maintain a flow out of the dam at all times including during filling of the dam.</p>	
<p>Rule R147: Damming or diverting water within or from rivers – discretionary activity</p> <p><i>The damming or diverting of water within or from a river that does not meet Rules R122, R125, R126, R127, R128, R130, R131, R134, R137 and R138 and R159 is a discretionary activity, provided the following conditions are met:</i></p> <p>(a) the damming or diverting of water shall not result in river flows falling below minimum flows in chapters 7 to 11 of the Plan, and</p> <p>(b) the damming or diverting of water is not in any outstanding river identified in Schedule A1 (outstanding rivers).</p>	<p>Rule applies to proposal – the proposal does not comply with R126, consent is required as a Discretionary Activity under Rule R147. Consent is required under Rule R147 for the following activities:</p> <ul style="list-style-type: none"> • Diversion associated with placement of culverts; and • Damming and diversion associated with dams.
<p>Rule R159: Dewatering – permitted activity</p> <p><i>The take of groundwater and the associated diversion and discharge of that water for the purpose of dewatering a site (including the use of land associated with well pointing), is a permitted activity, provided the following conditions are met:</i></p>	<p>Complies – while no dewatering is anticipated, these conditions would be complied with.</p>

(a) the take continues only for the time required to carry out the work but does not exceed one month, and

(b) the discharge point is not located within 20m of a bore used for water abstraction for potable supply or stock water;

(c) the take and diversion and discharge is not from, onto or into:

- (i) SLUR Category III land, or*
- (ii) within a community drinking water supply protection area shown on Maps 40, 41, 42 or 43, or*
- (iii) land where an activity or industry described in the Ministry for the Environment Hazardous Activities and Industries List 2011 is, or has been undertaken, and*

(d) the take does not cause ground subsidence, and

(e) the take does not deplete water in a surface water body, and

(f) there is no flooding beyond the boundary of the property, and

(g) where a discharge is to water, or to land where it may enter a surface water body,;

(i) at the point of discharge the quality of the discharge shall not exceed: 1.

1.50g/m³ of total suspended solids where the discharge is to a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites) or Schedule H1 (contact recreation); or

<p>2. 100g/m³ of total suspended solids where the</p> <p>discharge is to any site or habitat not referred to in condition (i); or</p> <p>3. the maximum acceptable value (MAV) for any determinand in the Drinking-Water Standards New Zealand 2005 (Revised 2008) in a community drinking water supply protection area shown on Map 39, and</p> <p>(ii) after the zone of reasonable mixing, the discharge shall not cause:</p> <p>1. a value in Schedule V for the protection of 99% of species to be exceeded in a river identified in Schedule F1 (rivers/lakes) having high macroinvertebrate community health; or</p> <p>2. a value in Schedule V for the protection of 95% of species to be exceeded in any other river or lake; and</p> <p>...</p>	
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Plan Change 1 to the NRP

Table 58: Chapter 9

Rule or Standard	Assessment
<p>Rule P.R2: Stormwater to land – permitted activity</p> <p><i>The discharge of stormwater onto or into land, including where contaminants may enter groundwater</i></p> <p><i>(a) that is not from a high risk industrial or trade premise, or</i></p> <p><i>(b) that does not discharge from, or to, a local authority stormwater network is a permitted activity provided the following conditions are met:</i></p>	<p>Complies – The stormwater discharges to land comply with (a) to (e), it is not from a not from high risk industrial or trade premise or SLUR land, will not exacerbate flooding of any other property, and is not located within 20m of a bore.</p>

<p>(c) the discharge is not from, onto or into SLUR Category III land, unless the stormwater does not come into contact with SLUR Category III land, and</p> <p>(d) the discharge shall not cause or exacerbate the flooding of any other property, and</p> <p>(e) the discharge is not located within 20m of a bore used for water abstraction for potable supply or stock water.</p>	
<p>Rule P.R5: Stormwater from new and redeveloped impervious surfaces – permitted activity</p> <p><i>The use of land for the creation of new, or redevelopment of existing impervious surfaces (including greenfield development and redevelopment activities of existing urbanised property) and the associated discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing or new local authority stormwater network, that is not a high risk industrial or trade premise or unplanned greenfield development, is a permitted activity, provided the following conditions are met:</i></p> <p><i>(a) the proposal involves the creation of new, or redevelopment of existing impervious areas of less than 1,000m² (baseline property existing impervious area as at 30th October 2023) and</i></p> <p>...</p>	<p>Does not comply – The proposal does not comply with this rule as over 3000m² of impervious surface is being created due to roading.</p>
<p>Rule P.R6: Stormwater from new greenfield impervious surfaces – controlled activity</p> <p><i>The use of land for the creation of new impervious surfaces for greenfield development and the associated discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority stormwater network, that is not a high risk industrial or trade premise or unplanned greenfield development, is a controlled activity, provided the following conditions are met:</i></p> <p><i>(a) the proposal involves the creation of new impervious surfaces of between 1,000m² and 3,000m² (baseline property existing impervious area as at 30 October 2023)</i></p>	<p>Does not comply – The proposal does not comply with this rule as over 3000m² of impervious surface is being created due to roading.</p>

...	
<p>Rule P.R10: Stormwater from new and redeveloped impervious surfaces – discretionary activity</p> <p><i>The use of land for the creation of new or redevelopment of existing impervious surfaces (including greenfield development and redevelopment of existing urbanised property) and the associated discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including via an existing local authority stormwater network, that is not permitted by Rule P.R5, or a controlled activity under Rule P.R6 or Rule P.R7, or prohibited under P.R12 is a discretionary activity provided the following conditions are met:</i></p> <p><i>(a) the resource consent application includes a Stormwater Impact Assessment prepared in accordance with Schedule 29 (impact assessment), and</i></p> <p><i>(b) if the proposal is for greenfield development, a financial contribution is paid for the purpose of offsetting the adverse effects of residual stormwater contaminants. The level of contribution and when it is required is set out in Schedule 30 (financial contributions).</i></p>	<p>Rule applies to proposal – as the proposal <u>does not comply</u> with rules P.R5 or P.R6. The resource consent application includes a Stormwater Impact Assessment prepared in accordance with Schedule 29 the requirement for a financial contribution will assessed in accordance with Schedule 30. The proposal is therefore a Discretionary Activity under Rule P.R10.</p>
<p>Rule P.R18 Vegetation clearance on highest erosion risk land – Discretionary</p> <p><i>Vegetation clearance on highest erosion risk land (woody vegetation) and any associated discharge of sediment to a surface water body that does not comply with one or more of the conditions of Rule P.R16 or Rule P.R17 is a discretionary activity.</i></p>	<p>Complies – there are no high risk erosion areas mapped in Map 91 relevant to the application site.</p>
<p>Rule P.R22: Earthworks – permitted activity</p> <p><i>Earthworks is a permitted activity, provided the following conditions are met: ... (c) the area of earthworks does not exceed 3,000m² per property in any consecutive 12-month period, and ...</i></p>	<p>Does not comply - The proposed earthworks are approximately 42.86ha.</p>
<p>Rule P.R23: Earthworks – restricted discretionary activity</p>	<p>Does not comply – as the proposal seeks to undertake earthworks during 1 June to 30 September.</p>

<p><i>Earthworks and the associated discharge of sediment and/or flocculant into a surface water body or coastal water or onto or into land where it may enter a surface water body or coastal water, including via a stormwater network, that does not comply with Rule P.R22 is a restricted discretionary activity, provided the following conditions are met:</i></p> <p><i>(a) the concentration of total suspended solids in the discharge from the earthworks shall not exceed 100g/m³, except that, if at the time of the discharge the concentration of total suspended solids in the receiving water at or about the point of discharge exceeds 100g/m³, the discharge shall not, after the zone of reasonable mixing, decrease the visual clarity in the receiving water by more than:</i></p> <p><i>(i) 20% in River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</i></p> <p><i>(ii) 30% in any other river, and</i></p> <p><i>(b) earthworks shall not occur between 1st June and 30th September in any year.</i></p>	
<p>Rule P.R24: Earthworks – non-complying activity</p> <p><i>Earthworks, and the associated discharge of sediment into a surface water body or coastal water or onto or into land where it may enter a surface water body or coastal water, including via a stormwater network, that does not comply with Rule P.R23 is a non-complying activity.</i></p>	<p>Rule applies to proposal – as the proposal does not comply with P.R22 or P.R23 it is a Non-complying Activity under Rule P.R24.</p>

National Environmental Standard for Freshwater 2020

Table 59: NES-F

Urban Development Regulation 45C Restricted Discretionary Activities	
<p>(1) <i>Vegetation clearance within, or within a 10 m setback from, a natural inland wetland is a restricted discretionary activity if it is for the purpose of constructing urban development.</i></p>	<p>Rule applies to proposal – vegetation clearance will occur within natural inland wetlands.</p>
<p>(2) <i>Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a restricted discretionary activity if it is for the purpose of constructing urban development</i></p>	<p>Rule applies to proposal – earthworks will occur within natural inland wetlands.</p>
<p>(3) <i>Earthworks or land disturbance outside a 10 m, but within a 100 m, setback from a natural inland wetland is a restricted discretionary activity if it—</i></p> <p>(a) <i>is for the purpose of constructing urban development; and</i></p> <p>(b) <i>results in, or is likely to result in, the complete or partial drainage of all or part of the wetland.</i></p>	<p>Rule applies to proposal – will occur within 100m of natural inland wetlands.</p>
<p>(4) <i>The taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland is a restricted discretionary activity if—</i></p> <p>(a) <i>the activity is for the purpose of constructing urban development; and</i></p> <p>(b) <i>there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and</i></p> <p>(c) <i>the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland.</i></p>	<p>Rule applies to proposal – the diversion of water will occur within natural inland wetlands.</p>
<p>(5) <i>The discharge of water into water within, or within a 100 m setback from, a natural inland wetland is a restricted discretionary activity if—</i></p> <p>(a) <i>the discharge is for the purpose of constructing urban development; and</i></p> <p>(b) <i>there is a hydrological connection between the discharge and the wetland; and</i></p>	<p>Rule applies to proposal - the discharge of water will occur within 100m natural inland wetlands.</p>

(c) <i>the discharge will enter the wetland; and (d) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.</i>	
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Table 60: Regulation 57

Rule or Standard	Assessment
(1) <i>Reclamation of the bed of any river is a discretionary activity.</i>	Rule applies to proposal – Regulation 57 applies to the proposal with regard to the reclamation of part of the Taupō Stream to construct a roundabout, the stream will be diverted through a 110m long culvert that provides for fish passage. This rule also applies to streams that are being piped for the purpose of creating the retention wetlands (dams). The proposal is a Discretionary Activity under Regulation 57 .

Table 61: Regulation 70

Rule or Standard	Assessment
(a) <i>the culvert must provide for the same passage of fish upstream and downstream as would exist without the culvert, except as required to carry out the works to place, alter, extend, or reconstruct the culvert; and.</i>	Complies – all culverts provide for fish passage as outlined in the Stormwater Management Plan.
(b) <i>the culvert must be laid parallel to the slope of the bed of the river or connected area; and.</i>	Complies – the proposal complies as outlined in the Stormwater Management Plan.
(c) <i>the mean cross-sectional water velocity in the culvert must be no greater than that in all immediately adjoining river reaches; and</i>	Complies – the proposal complies as outlined in the Stormwater Management Plan.
(d) <i>the culvert's width where it intersects with the bed of the river or connected area (s) and the width of the bed at that location (w), both measured in metres, must compare as follows:</i> (i) <i>where $w \leq 3$, $s \geq 1.3 \times w$:</i> (ii) <i>where $w > 3$, $s \geq (1.2 \times w) + 0.6$; and</i>	Complies – the proposal complies as outlined in the Stormwater Management Plan.
(e) <i>the culvert must be open-bottomed or its invert must be placed so that at least 25% of the culvert's diameter is below the level of the bed; and</i>	Complies – culverts are proposed to be 25% below the level of the bed.
(f) <i>the bed substrate must be present over the full length of the culvert and stable at the</i>	Complies – the proposal complies as outlined in the Stormwater Management Plan.

<i>flow rate at or below which the water flows for 80% of the time; and</i>	
<i>(g) the culvert provides for continuity of geomorphic processes (such as the movement of sediment and debris).</i>	Complies – the proposal complies as outlined in the Stormwater Management Plan.