

IN THE MATTER the Resource Management Act 1991(the **Act**)

AND

IN THE MATTER Private Plan Change 56 – Lockerbie, Morrinsville

SUMMARY OF EVIDENCE OF MARIUS ERASMUS RADEMEYER

Dated: 27 July 2022

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SUMMARY OF EVIDENCE

1. My name is Marius Erasmus Rademeyer. I have the qualifications and experience set out in the attachment marked A.
2. I am familiar with the plan change site (which I have visited on a number of occasions), the town of Morrinsville and the wider Matamata-Piako District.
3. I was engaged by MPDC to prepare the Section 42A RMA Report for consideration by the Hearing Panel. The Report contains an assessment of the plan change request and submissions received, and makes recommendations for changes to the plan provisions as notified.
4. This statement covers matters arising since finalising the Section 42A Report, including:
 - (a) Submitters' evidence (Paula Rolfe on behalf of the Council, and Keith Frenz on behalf of the Ministry of Education);
 - (b) The rebuttal evidence of Kathryn Drew and Morne Hugo on behalf of the Applicant;
 - (c) The matters in contention between the experts; and
 - (d) My final recommendation to the Panel following review of the above matters.
5. I confirm the recommendations in the Section 42A Report except for minor changes in response to Paula Rolfe's evidence that are already reflected in the plan provisions attached to Kathryn Drew's evidence.
6. To assist the Panel, I attach (marked B) a "clean" version of the recommended plan provisions. The attached version shows consequential renumbering required to align PPC 56 with the Operative District Plan provisions.

CODE OF CONDUCT

7. I am familiar with the Code of Conduct for Expert Witnesses (Environment Court Consolidated Practice Note 2014) and although this is a Council hearing, I agree to comply with this code. My evidence is within my area of expertise, except where I state that I am relying on information provided by another party. I have not knowingly omitted facts or information that might alter or detract from opinions I express.

EVIDENCE OF PAULA ROLFE ON BEHALF OF THE COUNCIL

8. Paula Rolfe's evidence supports the plan change and the amended plan provisions attached as Appendix F to the Section 42A Report, except for three matters being:
- (a) Re-formatting of the rules to align with the National Planning Standards;
 - (b) Avoiding the use of notes and changing these to rules in order to align with the National Planning Standards; and:
 - (c) Amending the wording of the "Matters of Discretion" in Rule 6.3.13 (renumbered as 6.3.14 in Attachment B) to better reflect the purpose of the rule (i.e. as matters of discretion, rather than planning principles in the notified version).
9. I agree with Paula Rolfe's evidence for the reasons that she has outlined in her evidence (clarity and consistency with the National Planning Standards) and I recommend that the planning provisions be amended accordingly and as already outlined in Attachment A to Kathryn Drew's rebuttal evidence.

EVIDENCE OF KEITH FRENTZ ON BEHALF OF THE MINISTRY OF EDUCATION

10. The Ministry of Education's submission requested that RDIS activity status should be applied to educational activities in the MRZ and PREC1 as opposed to NC as notified. In addition, the Ministry requested that PPC 56 Objective MRZ-O6 be amended and that a new Policy MRZ-P8 be added to provide better support for the establishment of educational activities in the MRZ and PREC1. The requested changes to the objectives and policies are quoted below for ease of reference:

MRZ-O6: Land-use, subdivision and infrastructure are planned in an integrated manner that does not compromise the supply and capacity of public services, including educational facilities.

Policy MRZ-P8: To provide for public services including educational facilities as an integrated component of the Medium Density Residential Zone to enable people to provide for their social, economic and cultural wellbeing, and for their health and safety, while maintaining and enhancing the character and amenity values of the zone.

11. In the Section 42A Report I accepted the inclusion of educational activities as RDIS but did not accept the Ministry's request to change the objectives and

policies. The reason for declining the request to change the objectives and policies is outlined in Appendix E to the Section 42A Report and is quoted below for ease of reference:

Recommend that the relief sought be rejected on the grounds that the current wording of MRZ-06 is all encompassing, including educational facilities. To specifically mention educational facilities tends to indicate an unjustified elevated status above other public services.

12. Keith Frentz's evidence on behalf of the Ministry of Education is that the failure to include the changes requested to the objectives and policies, results in an incohesive planning policy framework.
13. He outlines that, under the RMA, the functions of territorial authorities include the establishment, implementation and review of objectives, policies and methods to achieve the integrated management of the effects of the use, development or protection of the District's land and resources.
14. In his view, the recommended RDIS activity status for educational facilities provides the method to manage the effects, but without including the recommended policy framework changes, there is no objective or policy support to assist in the assessment of planning applications to establish educational facilities.
15. He considers that having policy support is important both for the assessment of subsequent resource consent applications that will be used by private providers of educational facilities, and the Notice of Requirement process that the Ministry will likely use to designate future school sites.
16. In regard to resource consents, he notes that applications for educational activities that fail to meet the performance standards will be assessed under the DIS Activity class. In this event there is no restriction on the matters of assessment, meaning that the objectives and policies relating to the activity become an "essential element" in the assessment of the application.
17. In regard to the Notice of Requirement process, he notes that territorial authorities must have particular regard (amongst others) to the objectives and policies of the District Plan. As such, he considers that the inclusion of objectives and policies supporting the establishment of educational activities is important to guide the territorial authority and the Ministry's decision-making process.
18. He notes that the intensification that will be enabled by the plan change will result in an increase in the school-age population and that a more supportive

and specific planning framework is warranted to better enable the Ministry and private providers to deliver educational facilities.

19. Having reviewed Keith Frentz's evidence, I still hold the same view and for the same reason as expressed in the Section 42A Report. Accordingly, I recommend that the relief sought by the Ministry be declined. I expand further on my reasoning later in my evidence where I discuss the matters still in contention.

MATTERS RAISED IN REBUTTAL EVIDENCE (KATHRYN DREW AND MORNE HUGO ON BEHALF OF THE APPLICANT)

20. Kathryn Drew's rebuttal evidence supports the plan provisions recommended in the Section 42A Report and the changes requested by Paula Rolfe in her evidence. An updated set of amended plan provisions reflecting the changes requested by Paula Rolfe is shown in Attachment A to Kathryn Drew's evidence.

21. Kathryn Drew's rebuttal evidence does not specifically address the Ministry of Education's evidence. I understand that her position remains as set out in her evidence in chief quoted below for ease of reference. That is to say she does not see the need to change the policy framework but she is not opposed to the change if that is MPDC's preference:

It is my opinion that the activity status clearly signals that if a consent was to be sought, consent is likely to be granted, without the need for a policy framework to support that outcome. If however, Council determines that the suggested policies should apply I am not opposed to them [being] included in the provisions.

22. As further explanation of the Applicant's position, the legal submissions by Counsel on behalf of the Applicant outlines that the inclusion of the policy support requested by the Ministry in a private plan change that applies to a confined area within the District is inappropriate and, in any event, will serve no purpose as the Lockerbie land owners and developers have no intension of selling land within their already master-planned residential and medium density residential development, for educational purposes.

23. Kathryn Drew's rebuttal evidence also discusses the two changes to the plan provisions that Wayne Bredemeijer recommended in his expert urban design report on behalf of MPDC and that I did not carry forward in my recommendation to the Panel. The changes that I refer to are:

- (a) His proposal that the interface/ street activation standards for the MRZ and PREC1, should also apply to the Lockerbie Residential Zone.
- (b) An amendment to Rule 9.4.2 to require that future development must ensure that connectivity and street activation are enabled by key local roads.

24. In regard to (a) above, Kathryn Drew relies on Morne Hugo's rebuttal evidence and considers that interface/ street activation standards should not be applied to the Lockerbie Residential Zone. That is to say that she considers that inclusion of the standards is an unnecessary level of design control, not required for traditional density suburban residential lots. I agree with Kathryn Drew and I expand further on my reasons under the matters in contention in the next section of my evidence.
25. In regard to (b) above, Kathryn Drew's evidence is that inclusion of the key local roads on the LDAP (a change since notification), and the NC activity status where development fails to comply with the LDAP achieve the same outcome as that recommended by Wayne Bredemeijer. I agree with Kathryn Drew and will expand further on this matter below.

MATTERS IN CONTENTION

26. Thus there are still three matters in contention between the experts, being:
- (a) The policy framework for educational activities;
 - (b) Extending the interface/ street activation standards that apply to the MRZ, to include the Lockerbie Residential Zone; and:
 - (c) Amendment of Rule 9.4.2 to require key local roads to provide for connectivity and reserve activation.

I confirm my recommendation and reasons in regard to the matters in contention, below:

Policy framework for educational activities

27. In response to Keith Frentz' evidence, it is my view that Objective MRZ-O6 as currently worded already provides the appropriate policy support for all public services, including educational activities.
28. The term "public services" is commonly understood to include educational activities. To specifically reference educational facilities in MRZ-O6 is in my view unnecessary and unhelpful as it signals elevated policy support for

educational facilities, above what should be afforded to other public services. In my view, the policy framework should apply equally to all public services.

29. Keith Frentz wants new Policy MRZ-P8 to be included to provide guidance on how the outcome sought by Objective MRZ-06 is to be achieved. I disagree. In my view, the RDIS activity rule for educational activities is clearly the method by which Objective MRZ-O6 will be achieved. Further policy guidance is unnecessary.
30. Furthermore, the policy support requested by Keith Frentz is inconsistent with the policy approach typically included in neighbouring and other district plans.
31. For instance, during earlier engagement regarding their submission, the Ministry pointed us to four recent district planning processes (New Plymouth, Wellington, West Coast and Waikato District Council) where RDIS activity status for educational activities in the MRZ was accepted.
32. I have reviewed the policy framework of the four Plans that the Ministry referred us to. A summary of my review is attached marked "C". The review found that none of the Plans contain the direct policy support that Keith Frentz has requested for PPC 56. I note also that the Ministry, in its recent submissions to the Proposed Waikato District Plan has also not requested the same policy support for educational activities.
33. In addition to the Waikato District Council, Hamilton City is the only other territorial authority adjoining MPDC that currently has a MRZ in its District Plan. As in the case of the four Plans that the Ministry specifically pointed us to, the Hamilton City Plan, as shown in Attachment C, does not contain specific policy support for educational activities in the MRZ.
34. I recommend that the Ministry's request to make changes to the PPC 56 policy framework be declined as the changes are unnecessary and inconsistent with the policy approach taken in other (including neighbouring) district plans.

Extending the interface/ street activation standards to the Lockerbie Residential Zone

35. I understand and agree with the rationale for Wayne Bredemeijer's recommendation: being that the application of the standards to the Lockerbie Residential Zone will result in positive amenity outcomes and will provide consistency in outcomes across the LDAP. However, I consider that the additional regulation is not warranted, given that compliance with the standards will usually be achieved on the large lots, without the need for compulsion.

36. My preference is that the standards not be extended to include the Lockerbie Residential Zone, but I agree with Wayne Bredemeijer that the application of the standards will provide a higher level of certainty that good amenity outcomes will be achieved. While I don't recommend that the standards be extended to the Lockerbie Residential Zone, I am also not opposed to the extension of the standards, if the Panel sees justification for it.

Amendment to Rule 9.4.2 to require implementation of key local roads.

37. I recommend that no further changes be made to Rule 9.4.2. In my view, the inclusion of the key local roads in the LDAP (as a result of changes agreed to with the Applicant, post notification) provides certainty regarding the outcome.

38. I note also that the recommended plan provisions agreed to by the Applicant include a provision with similar intent to that requested by Wayne Bredemeijer, in Rule 6.3.14(v)(c) quoted below for ease of reference:

c) Active edges and architectural variation

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- *Whether key Local Roads as shown on the LDAP are located on specified reserve edges.*

CONCLUSION AND RECOMMENDATION

39. For the reasons outlined above, I recommend that no further changes be made to the plan provisions as attached to Kathryn Drew's rebuttal evidence, which include the changes requested by Paula Rolfe in her evidence. A "clean" version with consequential renumbering is attached marked "B" to this statement.

40. Other than for the above mentioned changes I stand by the conclusion reached, and recommendation in the Section 42A Report, namely:

Pursuant to Clause 10 of the First Schedule to the RMA and relying in part on the advice of MPDC's and the Applicant's experts:

- *I recommend that PPC 56 be approved subject to the amendments shown in Attachment A to Kathryn Drew's rebuttal evidence and consequential administrative changes to integrate the plan change into the Operative District Plan.*

- *I set out in Appendix E to the Section 42A Report and in this statement of evidence, my specific recommendations for each submission and further submission point.*

Pursuant to Section 37 of the RMA I recommend that the late submission from Gord Stewart (Submitter #38) be accepted because the submission does not raise any new matters that are additional to other submissions.

41. In summary, my reasons for supporting the approval of PPC 56 with the amendments in Attachment A to Kathryn Drew's rebuttal evidence are:

- PPC 56 with the recommended changes achieves the sustainable management purpose of the RMA.
- PPC 56 with the recommended changes will give effect to the outcomes sought in the NPS-UD, the RPS and the District Plan.
- The effects of the development that will be enabled by PPC 56 can be avoided, remedied, or mitigated to be acceptable, by means of implementing the recommended amendments to the plan change provisions.
- The implementation of PPC 56 will have positive effects on Morrinsville, by enabling the sustainable growth of the town into the future.
- Expansion of the town's population enabled by PPC 56 will act as a catalyst to improve the local offering of retail, educational, and medical facilities and will provide for economic growth and employment within the town.

Marius Rademeyer

27 July 2022

ATTACHMENT A
TO THE EVIDENCE
OF MARIUS RADEMEYER
(Qualifications and Experience)

My name is Marius Erasmus Rademeyer.

I hold a Bachelor of Science Degree in Town and Regional Planning from the University of Pretoria (South Africa). I have forty years' experience of planning in South Africa and New Zealand.

Since immigrating to New Zealand in March 2000, I worked as senior planner (later as district planner) for MPDC, until I established my resource management consultancy in April 2003. I am currently a director and the principal planner of my consultancy, based in Papakura.

I became a full member of the South African Institute of Town and Regional Planners in 1982 and was registered as a planning principal with the South African Council of Town and Regional Planners until I immigrated to New Zealand. I am currently an Associate Member of the New Zealand Planning Institute.

I have been involved in a range of planning and resource management projects predominantly in the Waikato and Auckland Regions. I am therefore familiar with the statutory framework and the planning instruments that govern resource management both at regional and district council level in the Waikato Region and the Matamata-Piako District.

Examples of relevant resource management projects that I have been responsible for, or involved with, include:

Planning Policy:

- Co-author of the Matamata-Piako Growth Strategy;
- Principal author of the Matamata-Piako Town Strategies;
- Review of, and submissions to the second generation Waikato Regional Policy Statement on behalf of a collective of six Waikato district councils.
- Preparation of council-initiated district plan changes on behalf of MPDC and Hauraki District Council (HDC) and evaluation of private plan changes on behalf of MPDC.

Resource Consents:

- Assessment of resource consent applications, preparation of s42A and s104 reports, and appearances at council hearings panels on behalf of WRC and MPDC for discharges to air, land, and water, rural and rural-residential subdivision, urban "infill" and "greenfields" subdivision, and land use consents for intensive farms and rural processing.

Environment Court Appearances:

- Winstone Aggregates Ltd v MPDC (RMA 788/98), a case involving the reverse-sensitivity provisions in the Matamata-Piako District Plan;
- Waikato Environmental Protection Society Inc (WEPSI) v MPDC and Anor (ENV W 0177/05 and ENV W 0180/05), an appeal against WRC and MPDC's decisions to grant resource consent for the expansion of a mushroom composting operation in the Rural Zone near Morrinsville.

ATTACHMENT B

TO THE EVIDENCE

OF MARIUS RADEMEYER

(CLEAN VERSION WITH TRACKED CHANGES)

27 JULY 2022

**PLAN CHANGE 56
PROPOSED NEW SECTION 17
AND ADDITIONAL PLAN PROVISIONS FOR
MATAMATA-PIAKO DISTRICT PLAN**

27 July 2022

17 Medium Density Residential Zone

17.1 Medium Density Residential Zone Issues

The purpose of the Medium Density Residential Zone is to provide areas for medium residential development with a mixture of detached, semi-detached housing and terraced housing options.

Some greenfield areas are provided for promoting a higher residential density providing for a range of housing types, to provide a choice of living environments. Development in these areas achieves higher density in conjunction with high quality amenity through a master planned approach that informs a Development Area Plan.

It is intended that by enabling increased densities in these areas, the zone will play a key role in minimising urban sprawl and increasing housing supply with more affordable options in the district.

Good urban design outcomes are anticipated through the standards and where applicable through the assessment criteria.

17.2 Medium Density Residential Zone Objectives

MRZ-O1	To provide for residential activities and medium density housing, in comprehensively designed greenfield areas, to provide a variety of lot sizes and housing typologies
MRZ-O2	To ensure residential development produces good on-site amenity and good quality urban design that enhances our communities.
MRZ-O3	A range of housing types and densities are available to meet the needs of the community.
MRZ-O4	To ensure that the design and appearance of <i>buildings</i> and <i>sites</i> provides good urban design, certainty for residents and integrates with the surrounding townscape.
MRZ-O5	All activities are compatible with residential amenity.
MRZ-O6	Land-use, subdivision and infrastructure are planned in an integrated manner that does not compromise the supply and capacity of public services.
MRZ-O7	Residential <i>buildings</i> make efficient use of water and energy resources through access to sunlight and daylight.

17.3 Medium Density Residential Zone Policies

MRZ-P1	To ensure greenfield medium residential density areas are comprehensively designed to provide a range of housing types and densities and development to be in accordance with a Development Area Plan.
MRZ-P2	To encourage a high standard of on-site amenity and ensure that development achieves adequate levels of daylight admission, privacy and open space for residential <i>sites</i> and adjacent properties.
MRZ-P3	Ensure residential <i>sites</i> adjacent to public space achieve visual and physical connectivity to these areas.
MRZ-P4	To provide for development within the district in a manner that encourages flexibility and innovation in design and variety in the built form.
MRZ-P5	To ensure the adverse effects on the amenity values of the locality are minimised including the effects of noise, glare, odour, dust, smoke, fumes and other nuisances, and the effects on traffic, parking, and transport.
MRZ-P6	To maintain appropriate standards of amenity and design through setting standards for the bulk and location of <i>buildings</i> .
MRZ-P7	To ensure infrastructure is developed efficiently by ensuring that the development of greenfield areas complies with the Development Area Plan including the staging and sequencing of development.

17.4 Activity Status Rules

MRZ - Medium Density Residential Zone

MRZ-R1(1) PER Activities

All permitted activities must comply with the general and relevant activity specific standards. The general standards are listed in MRZ & PREC1-R1(1) – R1(6) Any activity specific standards are identified in the following activity rules.

MRZ-R1(1)(a) One *Residential Unit*

General Standards

Refer Rules MRZ & PREC1-R1(1) – R1(6)

Activity Specific Standards

Net site area

Every *residential unit* shall have a *net site area* of 325m².

Outdoor Living Space

Every *residential unit* shall have an area of *outdoor living space* which shall:

- (i) Have a minimum area of 50m² and contains no dimension less than 4m. Except that this space may be reduced by the same area where balconies, decks and conservatories are provided with a minimum area of 10m², with no dimension less

than 1.8m;

- (ii) Be located to the north, east or west of the unit. Except where balconies are provided this area shall be at ground level and may include decks that are connected with the rest of the *outdoor living space*;
- (iii) Be unobstructed by vehicle access, parking spaces and *buildings*; and
- (iv) Be directly accessible from the main living area.

Service Area

Every *residential unit* shall have a service area which shall:

- (i) Have a minimum area of 20m², with a minimum dimension of 3m;
- (ii) Be readily accessible from each *residential unit*; and
- (iii) Be screened from a public road or other public place; and
- (iv) Be setback a minimum of 2m from the primary *building* frontage.

MRZ-R1(1)(b) Alterations and additions to existing *buildings*

General Standards

Refer Rules MRZ & PREC1-R1(1) – R1(6).

MRZ-R1(1)(c) *Home Business*

General Standards

Refer Rules MRZ & PREC1-R1(1) – R1(6).

Activity Specific Standards

A *Home Business* shall comply with the following standards:

- (i) A maximum of two full time equivalent positions may be employed in the *home business* and it must include at least one permanent resident of the *site*;
- (ii) The *home business* shall not involve the parking of heavy vehicles (Gross Vehicle Weight of 3,500kg or more) on-site;
- (iii) The sale of goods directly to customers from the *site* is limited to those produced on-site and/or which are ancillary to a service undertaken on-site;
- (iv) The total area dedicated to a *home business* shall be limited to 60m² floor area, This may include up to 20m² outdoor areas for the activity including storage subject to this area being screened by fencing and/or landscaping to a minimum height of 1.8m;
- (v) A maximum outdoor area of 6m² for the display of goods for sale in addition to (iv);
- (vi) Includes non-self-contained B&B for up to six people;
- (vii) All on-site activities must individually and collectively comply with all permitted standards;
- (viii) Any private day care activity shall be limited to four children (excluding children that permanently reside at the *site* of the *home business*);
- (ix) Shall not involve any pet day care or grooming services, and
- (x) The hours for delivery and collection of goods as well as on-site customer visits within shall be between: 7.30am to 5.30 pm – Monday to Sunday.

MRZ-R1(1)(d) Show Homes
<p>General Standards Refer Rules MRZ-R1(1) to MRZ-R1(6).</p>
MRZ-R1(1)(d) Accessory <i>Building</i> for any permitted activity
<p>General Standards Refer Rules MRZ & PREC1-R1(1) – R1(6).</p>
MRZ-R1(1)(f) Demolition of <i>buildings</i> and structures except those outlined in Schedules 1, 2, and 3.
<p>General Standards There are no standards for this activity.</p>
MRZ-R1(1)(g) Activities (including <i>buildings</i>) on <i>land</i> gazetted as reserve as provided by a Management Plan under the Reserves Act 1977
<p>General Standards Refer Rules MRZ-R1(1) to MRZ-R1(6).</p>
MRZ-R(8) Outdoor informal recreation and incidental structures
<p>General Standards Refer Rules MRZ & PREC1-R1(1) – R1(6).</p>
MRZ-R1(1)(i) <i>Earthworks</i>
<p>Activity Specific Standards <i>Earthworks</i> shall comply with the following standards:</p> <ul style="list-style-type: none"> (i) Max cut or fill height - <ul style="list-style-type: none"> - 0.5m within the yard requirement. - 1.5m outside the yard requirement. (ii) All <i>site</i> works to be reinstated within 6 months of works commencing. (iii) Max volume of <i>earthworks</i> 100m³ within any 12 month period. (iv) Works must not affect or be located within a scheduled item (Schedule 1 – 3). (v) Works cannot involve the excavation or disposal of contaminated land/materials. (vi) Works shall be set back 5m from any overland flow path and 10m from any water body. <p>Exclusion: Any <i>earthworks</i> which;</p> <ul style="list-style-type: none"> • have been approved as part of a land use or subdivision consent, • are for the removal of topsoil for <i>building</i> foundations and/or driveways associated with an approved <i>building</i> consent, or • any <i>earthworks</i> associated with utility installation, maintenance, upgrading and / or removal where the ground surface is fully reinstated within one month

from when the work started.

MRZ-R1(2) RDIS Activities

All restricted discretionary activities must comply with the general and relevant activity specific standards. The general standards are listed in MRZ & PREC1-R1(1) to R1(6). The activity specific standards are identified in the following activity rules.

MRZ-R1(2)(a) Any permitted activity which does not comply with one or two standards unless otherwise stated in the standard rule

Matters of Discretion

MRZ & PREC1-R2(1).

MRZ & PREC1-R2(2).

MRZ & PREC1-R2(4).

MRZ-R1(2)(b) Duplex Dwelling

General-Standards

Refer Rules MRZ & PREC1-R1(1) – R1(6) and MRZ-R1(1)(i).

Activity Specific Standards

A *Duplex Dwelling* shall comply with the following standards:

- (i) The *site* on which the duplex is to be located must be a front *site*;
- (ii) The minimum *net site area* shall be 400m² (200m² per unit);
- (iii) Each unit shall have an exclusive *outdoor living space* of 36m² which contains no dimension less than 4m. Except that this space may be reduced by the same area where balconies, decks and conservatories are provided with a minimum area of 10m², with no dimension less than 1.8m. The *outdoor living space* must:
Be unobstructed by vehicle access, parking spaces and *buildings*; and:
Be directly accessible from the main living area.
Except where balconies are provided this area shall be at ground level and may include decks that are connected with the rest of the *outdoor living space*;
- (iv) Each unit shall have an exclusive service area of 10m² that contains a minimum dimension of 3m; is screened from a public road or other public place and is setback a minimum of 2m from the primary *building* frontage;
- (v) Any exterior wall shall not exceed 15m in length without being horizontally or vertically stepped or containing a change in materials;
- (vi) No yard or *height in relation to boundary* rules shall apply at common (shared) walls;
- (vii) Both units shall have frontage to a public road;

Matters of Discretion

Rule MRZ & PREC1-R2(1).

Rule MRZ & PREC1-R2(2).

MRZ-R1(2)(c) Educational Facilities

General Standards

Rules MRZ & PREC1 – R1(1), MRZ & PREC1 – R1(2), MRZ & PREC1 – R1(3), MRZ & PREC1 – R1(4)(e), MRZ & PREC1 – R1(6) and MRZ-R1(1)(i).

Matters of Discretion

Rule MRZ & PREC1-R2(1).

Rule MRZ & PREC1-R2(4).

MRZ-R1(3) DIS Activities

All discretionary activities must comply with the general and relevant activity specific standards. The general standards are listed in MRZ & PREC1-R1(1) to R1(6). Any activity specific standards are identified in the following activity rules.

The matters of discretion Rule MRZ & PREC1 to R2(1) to MRZ & PREC1 – R2(4) may be used to inform and guide the assessment of a discretionary activity. However, there is no limit or restriction on the matters or effects that may be assessed.

MRZ-R1(3)(a) Any permitted activity which does not comply with three or more standards or any restricted discretionary activity that cannot comply with one or more standard unless otherwise stated in the standard rule.

General Standards

Refer Rules MRZ & PREC1-R1(1) – R1(6) and MRZ-R1(1)(i).

MRZ-R1(3)(b) One Residential Unit on lots less than 325m²

General Standards

Refer Rules MRZ & PREC1-R1(1) – R1(6) and MRZ-R1(1)(i).

Activity Specific Standards

A *Residential Unit* on a lot less than 325m² shall comply with the following standards:

(a) The minimum lot size shall not be less than 273m² *net site area*.

MRZ-R1(3)(c) Retirement Village

General Standards

Refer Rules MRZ & PREC1-R1(1) to R1(6) and MRZ-R1(1)(i).

MRZ-R1(3)(d) Places of Assembly

General Standards

Refer Rules MRZ & PREC1-R1(1) to R1(6) and MRZ-R1(1)(i).

MRZ-R1(3)(e) Activities (including *buildings*) on *land* gazetted as reserve and not provided for by a Management Plan approved under the Reserves Act 1977

General Standards

Refer Rules MRZ & PREC1-R1(1) to R1(6) and MRZ-R1(1)(i).

MRZ-R1(4) NC Activities

The matters of discretion Rule MRZ & PREC1 to R2(1) to MRZ & PREC1 – R2(4) may be used to inform and guide the assessment of a non-complying activity. However, there is no limit or restriction on the matters or effects that may be assessed.

MRZ-R1(4)(a) *Accommodation facilities*

MRZ-R1(4)(b) *Terrace Housing*

MRZ-R1(4)(c) Depots, light industry, industry, packhouses and cool stores, storage and warehousing

RZ-R1(4)(d) Commercial services and offices

MRZ-R1(4)(e) Service stations

MRZ-R1(4)(f) Veterinary clinics and medical facilities

MRZ-R1(4)(g) Any activity not specifically listed within the Medium Density Residential Zone

MRZ-R1(4)(h) Any discretionary activity that does not comply with one or more standards.

MRZ-R(25) MRZ-R1(4)(i) Development not in accordance with the Lockerbie Development Area Plan

PREC1 - Lockerbie Precinct

PREC1 – R1(1) PER Activities

All permitted activities must comply with the general and relevant activity specific standards. The general standards are listed in MRZ & PREC1-R1(1) to R1(6). Any activity specific standards are identified in the following activity rules.

PREC-R1(1) Permitted Activities as provided for by the following rules;

- MRZ-R1(1)(a) *One Residential Unit*
- MRZ-R1(1)(b) Alterations and additions to existing *buildings*
- MRZ-R1(1)(c) *Home Business*
- MRZ-R1(1)(d) Show homes
- MRZ-R1(1)(e) *Accessory Buildings* for any permitted activity
- MRZ-R1(1)(f) Demolition of *Buildings* and Structures
- MRZ-R1(1)(g) Activities (including *buildings*) on *land* gazetted as reserve as provided by a Management Plan under the Reserves Act 1977
- MRZ-R1(1)(h) Outdoor informal recreation and incidental structures
- MRZ-R1(1)(i) *Earthworks*

General Standards

Refer Rules MRZ & PREC1-R1(1) – (R1(6)).

Activity Specific Standards

Refer specific standards as per relevant rule.

PREC1-R1(2) RDIS Activities

All restricted discretionary activities must comply with the general and relevant activity specific standards. The general standards are listed in MRZ & PREC1-R1(1) to (R1(6)). The activity specific standards are identified in the following activity rules.

PREC1-R1(2)(a) Any permitted activity which does not comply with one or two standards unless otherwise stated in the standard rule

General Standards

Refer Rules MRZ & PREC1-R1(1) – R1(6) MRZ-R(9)-MRZ-R1(1)(i).

Matters of Discretion

Rule MRZ & PREC1-R2(1).

Rule MRZ & PREC1-R2(3).

PREC1-R1(2)(b) *One Residential Unit* on lots less than 325m²

General Standards

Refer Rules MRZ & PREC1-R1(1) – R1(6) and MRZ-R1(1)(i).

Activity Specific Standards

A *Residential Unit* on a lot less than 325m² shall comply with the following standards:

- (a) The minimum lot size shall not be less than 273m² net site area.
- (b) The standards in MRZ-R1(1)(a) - Outdoor Living Space and Service Area.

Matters of Discretion

Rule MRZ & PREC1-R2(1).

PREC1-R1(2)(c) Duplex Dwellings

General Standards

Refer Rules MRZ & PREC1-R1(1) to R1(6) and MRZ & PREC1-R1(6) and MRZ-R1(1)(i).

Activity Specific Standards

A *Duplex Dwelling* shall comply with the following standards:

- (i) The *site* on which the duplex is to be located must be a *front site*;
- (ii) The minimum *net site area* shall be 400m² (200m² per unit);
- (iii) Each unit shall have an exclusive *outdoor living space* of 36m² which contains no dimension less than 4m. Except that this space may be reduced by the same area where balconies, decks and conservatories are provided with a minimum area of 10m², with no dimension less than 1.8m. The *outdoor living space* must:
 - Be unobstructed by vehicle access, parking spaces and *buildings*; and
 - Be directly accessible from the main living area;
 - Except where balconies are provided this area shall be at ground level and may include decks that are connected with the rest of the *outdoor living space*;
- (iv) Each unit shall have an exclusive service area of 10m² that contains a minimum dimension of 3m; is screened from a public road or other public place and is setback a minimum of 2m from the primary *building* frontage;
- (v) Any exterior wall shall not exceed 15m in length without being horizontally or vertically stepped or containing a change in materials;
- (vi) No yard or *height in relation to boundary* rules shall apply at common (shared) walls; and
- (vii) Both units shall have frontage to a public road.

Matters of Discretion

Rule MRZ & PREC1-R2(1).

Rule MRZ & PREC1-R2(2).

PREC1-R1(2)(d) Terraced Housing

General Standards

Refer Rules MRZ & PREC1-R1(1) to R1(6) and MRZ-R1(1)(i).

Activity Specific Standards

A *Terraced Housing* shall comply with the following standards:

- (i) The *site* on which the *terraced housing* is to be located must be a *front site*;
- (ii) The average *net site area* shall be 150m² per *residential unit*;

- (iii) Each unit shall have an exclusive *outdoor living space* of 20m² which contains no dimension less than 4m, or a 9m² balcony with a minimum dimension of no less than 1.8m. This shall be unobstructed by vehicle access, parking spaces, and *buildings* and shall be directly accessible from the main living area;
- (iv) The average *building coverage* shall not exceed 55% except were adjoining a reserve with a width of more than 20m whereby *building coverage* shall not exceed 60%;
- (v) Any exterior wall shall not exceed 15m in length without being horizontally or vertically stepped or containing a change in materials;
- (vi) No yard or *height in relation to boundary* rules shall apply at common (shared) walls; and
- (vii) Windows are located and designed (including by glazing) to avoid views between rooms on separate *sites*.

Matters of Discretion

Rule MRZ & PREC1-R2(1).

Rule MRZ & PREC1-R2(3).

PREC1-R1(2)(e) Educational Facilities

General Standards

MRZ & PREC1-R1(1), MRZ & PREC1-R1(2), MRZ & PREC1-R1(3), MRZ & PREC1-R1(4)(e) and MRZ-R1(1)(i).

Matters of Discretion

Rule MRZ & PREC1-R2(1).

Rule MRZ & PREC1-R2(4).

PREC1-R1(3) DIS Activities

The matters of discretion Rule MRZ & PREC1-R2(1) to MRZ & PREC1-R2(4) may be used to inform and guide the assessment of a discretionary activity. However, there is no limit or restriction on the matters or effects that may be assessed.

PREC1-R1(3)(a) Any permitted activity which does not comply with three or more standards or activity related standard unless otherwise stated in the-standard rule.

General Standards

Refer Rules MRZ & PREC1-R1(1) to R1(6) and MRZ-R1(1)(i).

PREC1-R1(3)(b) Retirement Village

General Standards

Refer Rules MRZ & PREC1-R1(1) to R1(6) and MRZ-R1(1)(i).

PREC1-R1(4) NC Activities

The matters of discretion Rule } MRZ & PREC1-R2(1) to MRZ & PREC1-R2(4) may be used to inform and guide the assessment of a non-complying activity. However, there is no limit or restriction on the matters or effects that may be assessed.

PREC1-R1(4)(a) Any discretionary activity that does not comply with one or more standards.

PREC1-R1(4)(b) Any activity not specifically listed within the Medium Density Residential Zone

PREC1-R1(4)(c) Any activity listed as a Non-Complying Activity within the Medium Density Residential Zone.

PREC1-R1(4)(d) Development not in accordance with the Lockerbie Development Area Plan

MRZ-R1 & PREC1 Standards for Medium Density Residential Zone and Lockerbie Precinct

MRZ & PREC1 – R1(1) General Rule

All activities shall be required to comply with the following standards. Rule MRZ & PREC1-R1(1) to R1(6) and MRZ-R1(1)(i) are general standards for all activities including linkage rules to other sections of the District Plan.

MRZ & PREC1 – R1(2) *Building Envelope*

Unless otherwise stated, the following standards apply to all *buildings* in the Medium Density Residential Zone.

(a) Maximum height

The maximum *building height* is 9m

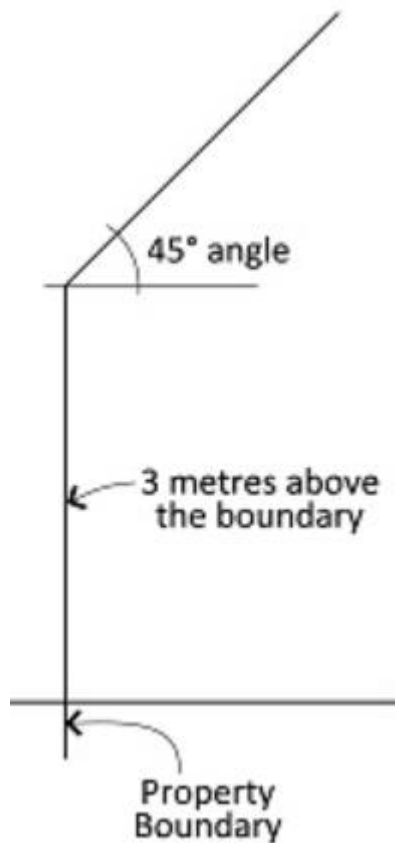
The maximum *height* rule does not apply to a single *design feature* or *building component*, which does not exceed the maximum permitted *height* by more than 2 metres and/or an external dimension of 2 metres in any other direction (excluding diagonal measurements).

Refer Section 8 for rules for antenna and dishes.

(b) *Height in relation to boundary*

No part of any *building* shall penetrate a recession plane at right angles to the boundary inclined inwards at 45 degrees from 3m above ground level and the nearest *site* boundary, provided that this shall not apply;

- (i) To a *design feature* or *building component* that does not exceed an external measurement of 2 metres in any direction (excluding diagonal measurements);
- (ii) For common walls of *duplex dwellings* or *terraced housing*;
- (iii) Where written consent from the owners and occupiers of the adjoining property is obtained.



(c) Yards

Front

3m, or

5m for garages to the front boundary or for *residential units* that do not incorporate a garage.

Side and Rear

1.5m (except on a common wall between a *duplex dwelling* and *terraced housing* where a zero lot boundary is provided for)

Rear access lot

1m or 5m for garages from the edge of a private way/right of way.

River protection

20m

Provided that:

- (i) *Accessory buildings* may be erected on any rear and/or side yard so long as;
- the written consent of all owners of property/ies contiguous to any *building* is obtained and Rule MRZ-R1(2)(b) is not compromised and/or;
 - It is proposed to locate the *accessory building* within the rear and/or side yard and:

- (i) The *building* is less than 10m² in area; and
 - (ii) The *building* is less than 2.5m in *height*; and
 - (iii) The *building* will not be connected to an electricity supply; and
 - (iv) There is no discharge of stormwater onto neighbouring *land* from the *building*; and
 - (v) No more than one *accessory building* is established on a *site* in accordance with this rule.
- (ii) All structures on or adjacent to *site* boundaries must also comply with the provisions of the Building Act.

MRZ & PREC1 – R1(3) Maximum *Building Coverage* and *Permeable Surface Area* unless otherwise provided for

- (a) Maximum *building coverage* shall be 55% of the *net site area*.
- (b) Minimum permeable surface area shall be 20% of the *net site area*.

MRZ & PREC1 – R1(4) Interface between public and private

- (a) On a *site* with a frontage less than 15m wide, the front façade of a *building* shall comprise a minimum non-garage width of 4.5m.
- (b) All walls facing the street, except the wall containing the garage door must contain clear-glazed windows for at least 20% of the area of these walls.
- (c) For front *sites*, the primary entrance on the ground floor shall face the street and provide pedestrian access separated from the driveway.
- (d) At least one habitable room shall have a clear-glazed window facing the street. For corner *sites* with two street frontages, and/or where there is one street frontage and a reserve on the other frontage this is required on both frontages.
- (e) Maximum fence and wall heights:

<p>Front and side boundary fences and/ or retaining walls located forward of the front wall of the <i>residential unit</i></p>	<p>Maximum height of a fence is 1.2m and 50% visually permeable, except where the outdoor living area is adjacent to the fence the maximum fence height is 1.5m and 50% visually permeable.</p> <p>Maximum height of a retaining wall is 0.6m.</p> <p>Provided that no combination of fence and retaining wall shall exceed 1.5m.</p>
<p>For boundaries of <i>sites</i> adjoining an Open Space Area that sits lower than the adjacent private lots as shown on a Development Area Plan</p>	<p>Maximum height of a fence is 1.2m and 50% visually permeable.</p> <p>Maximum height of a retaining wall is 1.5m, whereby retaining walls over 1.2m in height shall be stepped by at least 500mm to visually break up the expanse of the wall and allow for planting.</p> <p>Provided that no combination of fence and retaining wall shall exceed 2.5m.</p>

	The fence shall be set back from the face of the retaining wall by at least 500mm to allow for planting in front of the fence.
For boundaries of <i>sites</i> adjoining an Open Space Area that sits higher than the adjacent private lots as shown on a Development Area Plan	<p>Maximum height of a fence is 1.2m and 50% visually permeable.</p> <p>Maximum height of a retaining wall is 0.6m.</p> <p>Provided that no combination of fence and retaining wall shall exceed 1.8m.</p> <p>The fence shall be set back from the face of the retaining wall by at least 500mm to allow for planting in front of the fence.</p>
All other boundary fences or walls	<p>Maximum height of a fence is 1.8m.</p> <p>Maximum height of a retaining wall is 1.5m.</p> <p>Provided that no combination of fence and retaining wall shall exceed 3m.</p>

(f) Outlook space

- (i) An outlook space must be provided from the face of a *building* containing windows to a habitable room, at the following minimum dimensions:

Main living room	6m in depth and 4m in width
Main bedroom	3m in depth and 3m in width
All other habitable rooms	1m in depth and 1m in width

- (ii) Where the room has two or more external faces with windows the outlook space must be provided from the face with the larger or largest area of glazing.
- (iii) The width of the outlook space is measured from the centre point of the largest window on the *building* face to which it applies.
- (iv) The outlook space cannot extend over adjacent *sites*, except where that space is a public road or other public place.

MRZ & PREC1 – R1(5) Water Conservation Within the Lockerbie Development Plan Area

All new or relocated residential *buildings* where potable public water supply is available to a residential *building* must be fitted with one of the following:

- (i) rainwater storage tanks with a minimum capacity of 5,000 litres for the supply of non-potable water for outdoor use for lots that have a standalone *residential unit*, or
- (ii) rainwater storage tanks with a minimum capacity of 2,000 litres for the supply of non-potable water for outdoor use for each *residential unit* attached to a duplex (4,000 litres) or terrace housing (10,000 litres for 5 *residential units*).

(Refer to section 6.14 of the Development Manual)

MRZ & PREC1 – R1(6) District Plan Linkage Rules – Standards

All activities shall comply with the relevant standards identified in the following sections of the District Plan.

- Rule 1.2 Development Suitability
- Rule 2.2.9.1 and 2.2.9.2 Clean fill activities
- Rule 3.5 Activities adjacent to the National Grid
- Rule 3.6 Development adjacent to sub-transmission lines
- Rule 3.7 Approach and restart sight triangles at railway level crossings
- Rule 3.8 Activities adjacent to Flood Control Assets
- Rule 3.9 Signage
- Rule 5.2 Noise
- Rule 5.3 Vibration
- Rule 5.4 Lighting and Glare
- Rule 5.5 Air Emissions
- Rule 5.6 Management of Disposal of wastes
- Rule 5.7 Use and Storage of Hazardous Substances
- Rule 5.9 Infrastructure and servicing
- Section 7: Development Contributions
- Section 9: Transportation

MRZ & PREC1 Matters of Discretion for Medium Density Residential Zone and PREC1- Lockerbie

MRZ & PREC1-R2(1) Matters of Discretion

The following matters of discretion shall apply to all Restricted Discretionary activities:

- (a) The extent of non-compliance with any standards or activity specific standards and the degree to which this adversely affects the amenity and character of the *site* and surrounding area;
- (b) The degree to which on-site amenity is retained for residents and the appropriate level of separation, space and amenity between *sites*;
- (c) The degree to which the built form achieves coherence and consistency whilst avoiding monotony.
- (d) The extent to which the scale and nature of the proposal including any specific *site* features or design mitigates the adverse effects of the activity;
- (e) The degree to which subtle variation in the *building* mass, cladding materials and colours is applied to ensure that no more than 2 *residential units*, in a row are identical in terms of both form, exterior materials and colours.
- (f) Traffic, parking and access effects, including the safety and efficiency of the roading network and any effects of not providing carparking. This shall, as required, include specific consideration of the safety and efficiency effects of the George Street/Coronation Street intersection and how the development is providing for/enabling public transport;
- (g) The extent to which landscaping and screening is used to mitigate adverse visual effects;
- (h) Whether adequate capacity exists to maintain acceptable levels of service within available public reticulated three waters services; and
- (i) The Matters of Discretion for subdivision and development in Rule 6.3.13(v).

MRZ & PREC1-R2(2) RDIS Matters of Discretion – *Duplex Dwelling*

In addition to the criteria set out in Rule MRZ & PREC1-R2(1), the following matters of discretion shall apply to any Restricted Discretionary Activity for a *duplex dwelling*:

- (a) The nature and design of *buildings* and outdoor spaces to ensure that a high level of residential amenity and high-quality character is provided for residents;
- (b) The scale, density and design of *buildings* and the degree to which this maintains the residential amenity and values of other surrounding *sites*; and
- (c) The extent to which the *building* design provides for informal surveillance of public spaces by locating doors, windows and other openings associated with living areas so they overlook and interact with public spaces and have entrances facing the transport corridor.

MRZ & PREC1-R2(3) RDIS Matters of Discretion – Terraced Housing

In addition to MRZ & PREC1-R2(1), the following matters of discretion shall apply to *Terraced housing* in PREC-1: Lockerbie:

- (a) The nature and design of *buildings* and outdoor spaces to ensure that a high level of residential amenity is provided for residents;
- (b) The extent to which the *building* design and fencing provides for informal surveillance of public spaces by locating doors, windows and other openings associated with living areas so they overlook and interact with public spaces, having entrances facing the transport corridor and ensuring that an active visual relationship is maintained;
- (c) The extent to which *building* design and proposed landscaping will add visual interest and vitality to the streetscape and avoids large, featureless facades and front gardens;
- (d) The design and location of parking, manoeuvring areas and driveways;
- (e) The scale, density and design of *buildings* and the degree that this maintains the residential amenity and values of other surrounding *sites*, including maintaining privacy between the *residential units* and *buildings* on adjoining *sites*.

MRZ & PREC1-R2(4) RDIS Matters of Discretion – Educational Facilities

In addition to those set out in Rule MRZ & PREC1-R2(1), the following matters of discretion shall apply to any Restricted Discretionary Activity for educational facilities:

- (a) The extent to which it is necessary to locate the activity in the zone;
- (b) Reverse sensitivity effects of adjacent activities;
- (c) The extent to which the activity may adversely impact on the transport network;
- (d) The extent to which the activity may adversely impact on the streetscape and the amenity of the neighbourhood;
- (e) The extent to which the activity may adversely impact on the noise environment;
- (f) The extent to which the activity implements water conservation measures including onsite rainwater storage tanks for the supply of non-potable water for outdoor use.

Note: The matters of discretion in Rule MRZ-R2(1) to MRZ-R2(4) may be also used to inform and guide the assessment of a discretionary activity. However, there is no limit or restriction on the matters or effects that may be assessed.

MRZ & PREC1 OTHER PLAN PROVISIONS

MRZ & PREC1 – R3(1) Other Plan Provisions

Any activity within the Medium Density Residential Zone will also need to be reviewed and assessed against the following rules and sections of the District Plan

- Rule 1.1 Information requirements for resource consent applications
- Rule 1.5 Notified and non-notified consents
- Section 5 Performance Standards
- Section 6 Subdivision

- Section 8 Works and network utilities
- Section 10 Natural Environments and heritage
- Section 11 Natural Hazards
- Section 12 Surface of Water
- Section 13 Other Methods
- Section 14 Monitoring
- Section 15 Definitions

PART C.2

**PLAN CHANGE 56
OTHER PROPOSED CHANGES TO
MATAMATA-PIAKO DISTRICT PLAN**

Part 2 – Development Suitability

C.2.1) Amend Rule 1.2.2 – Development Suitability to read as follows:

1.2.2 Development suitability

(i) Compliance

All activities in all zones shall comply with the following conditions, standards and terms.

Every allotment created by subdivision exclusive of those for works and network utilities shall comply with the following conditions, standards and terms.

(ii) Building site (excluding Lockerbie Development Area Plan)

(a) Each lot must contain a rectangular area of land for building purposes measuring no less than 10 metres on one side and 15 metres on the other that is free of impediments to buildings such as: drainage lines, building line restrictions, easements, bulk and location requirements, protected registered significant features or other items or topographical impediments;

(iii) Building site Lockerbie Development Area Plan

Refer to Rule 6.2.4(ii)

Please note: the numbering for the rest of this section in the District Plan has been affected by the addition of (iii) above.

2.2 Activity Table

C.2.2 Amend Rule 2.2.9.1 and Rule 2.2.9.2 as follows:

Activity	Zone					
	Rural	Rural-Res	Residential and Medium Density Residential	Industrial	Business	Kaitiaki (Conservation)
9. Rural based activities						
9.1 Cleanfill activities involving the deposition of less than 1000m ³ material (as measured compacted in place) (including scheduled sites in the Industrial zone, see Schedule 5.	P	P	P	P	P	NC
9.2 Clean fill activities involving the deposit of 1000m ³ or more of material (as measured compacted in place). See 4.12 except for those areas covered by the Lockerbie Development Plan Area (see Rule MRZ-R1(1)(i)).	D	D	D	D	D	NC

Part 3 – Residential Zone Provisions

C.2.3) Amend Rule 3.1.1 – Building envelope to read as follows:

3.1.1 Building envelope

- (i) Maximum height 9m
- (ii) Height relative to site boundaries
 - (a) No part of any building shall exceed a height of 2m plus the shortest horizontal distance between that part of the building and the nearest site boundary, provided that this shall not apply to the apex of the gable ends of a roof, being no more than 1m² in area. See Appendix 2.
 - (b) Where there is more than one dwelling on a site (excluding dependent person's dwellings) or a dwelling plus "Other Principal Buildings", they shall be either:
 - (i) Designed and built as one building separated by a fire wall; or
 - (ii) Built sufficient distance apart that no part of a dwelling exceeds a height of 2m plus the shortest horizontal distance between that part of the building and the nearest part of any other principal building on the same site. For the purpose of the foregoing the height shall be measured from the ground level at the midpoint of this shortest horizontal distance. See Appendix 2.

(iii)	Yards – Residential buildings and accessory buildings	
		General
	Front	5.0m
	Side	1.5m
	Rear	1.5m
	Rear site yards	1.5m
	River protection	20.0m

Advice Note: For garages and carports encroaching a front yard, see the General Access Standards in 9.1.2(ix).

Provided that:

- (a) On a corner site one front yard may be reduced to 3.0m;
- (b) Accessory buildings may be erected on any rear and/or side yard or any rear site yard so long as the written consent of all property owners contiguous to any building is obtained and rule 3.1.1(ii) (a) is not compromised.
- (c) Compliance with Rule 9.1.2(ix) in relation to garages and carports on corner sites within 5m of the site's front boundary is required.
- (d) All structures on or adjacent to site boundaries must also comply with the provisions of the Building Act.
- (e) The side or rear yard contiguous with rural zoned *land* within the Lockerbie Development Plan Area shall be 5m.
- (f) The front yard from roads within the Lockerbie Development Plan Area shall be 3m for residential *buildings* and 5m for garages or for residential *sites* containing no garage.

C.2.4) Amend Rule 3.1.2 – Density to read as follows:

3.1.2 Density

Household density shall not exceed one dwelling per 450m² of net site area, except in the Lockerbie Development Plan Area where it shall not exceed one dwelling per 600m² *net site area*.

Insert new Rule 3.1.9 to read as follows:

3.1.9 Fences and retaining walls (Lockerbie Development Area Plan)

Fences and retaining walls erected on land within the Lockerbie Development Area Plan (See Part C: Structure Plans and Development Area Plans) shall comply with the standards below:

<p>Front and side boundary fences and/ or retaining walls located forward of the front wall of a <i>dwelling</i>.</p>	<p>Maximum height of a fence is 1.2m and 50% visually permeable, except where the <i>household recreation space</i> is adjacent to the fence the maximum fence height is 1.5m and 50% visually permeable.</p> <p>Maximum height of a retaining wall is 0.6m.</p> <p>Provided that no combination of fence and retaining wall shall exceed 1.5m.</p>
<p>For boundaries of <i>sites</i> adjoining an Open Space Area that sits lower than the adjacent private lots as shown on a Development Area Plan.</p>	<p>Maximum height of a fence is 1.2m and 50% visually permeable.</p> <p>Maximum height of a retaining wall is 1.5m, whereby retaining walls over 1.2m in height shall be stepped by at least 500mm to visually break up the expanse of the wall and allow for planting.</p> <p>Provided that no combination of fence and retaining wall shall exceed 2.5m.</p> <p>The fence shall be set back from the face of the retaining wall by at least 500mm to allow for planting in front of the fence.</p>
<p>For boundaries of <i>sites</i> adjoining an Open Space Area that sits higher than the adjacent private lots as shown on a Development Area Plan.</p>	<p>Maximum height of a fence is 1.2m and 50% visually permeable.</p> <p>Maximum height of a retaining wall is 0.6m.</p> <p>Provided that no combination of fence and retaining wall shall exceed 1.8m.</p> <p>The fence shall be set back from the face of the retaining wall by at least 500mm to allow for planting in front of the fence.</p>
<p>All other boundary fences or walls.</p>	<p>Maximum height of a fence is 1.8m.</p> <p>Maximum height of a retaining wall is 1.5m.</p> <p>Provided that no combination of fence and retaining wall shall exceed 3m.</p>

Insert new Rule 3.1.10 to read as follows:

3.1.10 Water Conservation (Lockerbie Development Area Plan)

All new or relocated residential buildings on land within the Lockerbie Development Area Plan (See Part C: Structure Plans and Development Area Plans) where potable public water supply is available to the residential building, must be fitted with the following:

- (i) rainwater storage tanks with a minimum capacity of 5,000 litres for the supply of non-potable water for outdoor use for each residential unit.

(Refer to section 6.14 of the Development Manual)

Part 4 - Signage

C.2.5) Amend Rule 3.9.1 to read as follows:

3.9.1 Permitted Activities

	Zone	Type of sign permitted	Total site signage
6	Residential zone and <u>Medium Density Residential Zone (including PREC1-Lockerbie)</u>	A sign stating name, profession, occupation or trade or property name.	0.3m ²

Part 5 – Structure Plans

C.2.6) Amend Rule 3.10 to read as follows:

3.10 Structure Plans or Development Area Plans

All development identified within Structure Plan or Development Area Plan areas shall be undertaken generally in accordance with the relevant structure plan or Development Area Plan and the Schedule of Works within Appendix 9 of the District Plan.

Where land is located within a Structure Plan or Development Area Plan as identified in the District Planning maps, the requirements of the Structure Plan or Development Area Plan in relation to infrastructure and conceptual layout will prevail over other relevant provisions of the District Plan should there be a conflict.

Part 6 - Noise

C.2.7) Amend Rule 5.2.2 to read as follows:

5.2.132A Medium Density Residential Zone

(i) Home occupations.

The noise level (LA_{eq}) as measured at any point within the boundary of an adjacent residential or medium density residential zoned site must not exceed the following:

Monday to Friday	8.00am to 6.00pm	45dBA
At all other times including Saturdays, Sundays and Public Holidays		35dBA

Monday to Friday	8.00am to 6.00pm	50dBA
At all other times including Saturdays, Sundays and Public Holidays		40dBA

(ii) Residential activities

The noise level (LA_{eq}) as measured at any point within the boundary of an adjacent residential or medium density residential zoned site must not exceed the following:

Monday to Saturday	7.00am to 10.00pm	50dB
At all other times including Sundays and public holidays		40dB
10.00pm to 7.00am		65dB L _{AFmax}

Objectives/Policies		
3.5.2.3	O1, O2, O3	P1, P3

Explanation

Any non-residential activity should not compromise the noise environment. For this reason low noise levels have been set to reflect the fact that no significant noise intrusion is acceptable. It should be noted that a level of 35dBA (L10) prohibits almost any type of industrial noise in the area. The aim of this control is to provide for quiet home occupations and home businesses, not noisy ones.

Some activities in residential areas are noisy yet are still considered acceptable, such as the lawn mower (at a reasonable hour of the day). However, an air conditioning unit operating at a much lower level can cause annoyance for a neighbour.

Part 7 - Subdivision

C.2.8) Amend Activity Table 6.1

6.1 Activity Table

KEY										
P	Permitted activity				C	Controlled activity				
D	Discretionary activity				RD	Restricted Discretionary activity				
N/C	Non Complying activity				PRHB	Prohibited activity				
All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for. See Rule 2.1.5										
Type of subdivision		Zones								
		Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)	Settlement Zone (including precincts)	Medium Density Residential Zone (including PREC1-Lockerbie)	
1.	All Zones									
(a)	Boundary Adjustment	C	C	C	C	C	C	C	C	
(b)	Bonus Protection Lots	D	D	D	D	D	D	D		
(c)	Works and Network Utilities.	C	C	C	C	C	C	C	C	
(d)	Subdivision with one or more new vacant developable lots: <ul style="list-style-type: none"> • Within a National Grid Subdivision Corridor; • Within 20m either side of the centreline of a sub-transmission line. 	RD	RD	RD	RD	RD	RD	RD	RD	
(e)	Subdivision with one or more new vacant developable lots adjoining: <ul style="list-style-type: none"> • Any state highway, or • A railway line included in the definition of "regionally significant infrastructure" 	See 6.3.11	See 6.3.11	See 6.3.11	See 6.3.11	See 6.3.11	See 6.3.11	See 6.3.11	See 6.3.11	

(f)	Subdivision of Scheduled Sites				D				
2.	Subdivision in Residential, Medium Density Residential, Business and Industrial Zones								
(a)	Residential Infill			See Rule 4.13					
(b)	Residential Minimum Lot size 450m ² net site area (excluding the Residential Zone within the Lockerbie Development Area Plan see Rule 6.3.123)			C					
(c)	Industrial (non-scheduled sites) Minimum Lot size 500m ² net site area				C				
(d)	Business (Non Shop Frontage Area). Minimum Lot size 500m ² net site area.					C			
(e)	Business (Shop Frontage Area) No minimum Lot size.					C			
(f)	Subdivision in accordance with Rule 6.1.2(b)-2(e) where more than 10 lots is proposed			RD	RD	RD			
(g)	Subdivision within the Banks Road Structure Plan Area** complying with the average and minimum lot size specified in Rule 6.3.2.			C					
(h)	Subdivision within the Eldonwood South or Tower Road Structure Plan Areas**.			RD					
(i)	Subdivision within the Banks Road to Mangawhero Road Structure Plan			RD					
(j)	Subdivision within the Lockerbie Development Plan Area**			RD					
(k)	Medium Density Residential Zone**								RD
(l)	Medium Density Residential Zone PREC1-Lockerbie**								RD

**Structure Plans and Development Area Plans include:

(iii) Banks Road, Matamata

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- (iv)• Eldonwood South, Matamata
- (v)• Tower Road, Matamata
- (vi)• Banks Road to Mangawhero Road, Matamata
- (vii)• Lockerbie Development Area Plan, Morrinsville

Refer to Planning Maps and Appendix 9 for Structure Plans and Development Area Plans.

C.2.9) Amend Rule 6.2.4 to read as follows:

6.2.4 Development Suitability

- (i) Building site (excluding Lockerbie Development Area Plan)

Each lot must contain a minimum 150m² rectangular area of land for a building site with no dimension less than 10m and make provision for a 6m diameter circle to the north, east or west of rectangle area. The area shall also be free of impediments to buildings such as: drainage lines, building line restrictions, easements, development controls, protected registered significant features or other items or topographical impediments.

- (ii) Building site (Lockerbie Development Area Plan)

- (a) Residential Zone:

- Each lot must contain a minimum 150m² rectangular area of land for a building site with no dimension less than 10m and make provision for a 6m diameter circle to the north, east or west of the rectangular area.

- (b) MRZ:

- One Residential Unit: Each lot:
 - Must contain a minimum 113m² rectangular area of *land* for a *building site* with no dimension less than 7.5m on one side and 15 metres on the other, free of impediments to buildings such as: drainage lines, building line restrictions, easements, development controls, protected registered significant features or other items or topographical impediments; and:
 - Must show compliance with the Activity Specific Standards in Rule MRZ-R1(1)(a).
- Duplex: Compliance with the Activity Specific Standards in Rule MRZ-R1(2)(b) will be assessed through the concurrent land-use consent application.

- (c) PREC1:

- One Residential Unit: Each lot:
 - Must contain a minimum 113m² rectangular area of *land* for a *building site* with no dimension less than 7.5m on one side and 15 metres on the other, free of impediments to buildings such as: drainage lines, building line restrictions, easements, development controls, protected registered significant features or other items or topographical impediments; and:

- Must show compliance with the Activity Specific Standards in MRZ-R1(1)(a).
- Duplex: Compliance with the Activity Specific Standards in Rule PREC1-R1(2)(c) will be assessed through the concurrent land-use consent application.
- Terraces: Compliance with the Activity Specific Standards in Rule PREC1-R1(2)(d) will be assessed through the concurrent land-use consent application.

C.2.10) Insert Rule 6.3.1~~32~~ to read as follows:

6.3.1~~32~~ Lockerbie Development Area Plan

- (i) Additional standards for subdivision in the Residential Zone using Rule 6.1.2(j)
 - a) The minimum lot size shall be 600m².
 - b) Every subdivision within the Lockerbie Development Area Plan shall put in place a water meter for each individual *residential unit*.
- (ii) Matters of Discretion
See Section 6.5
- (iii) Non-compliance
Subdivision that fails to comply with the additional standards in 6.3.1~~32~~(i) above shall be non-complying activity.

C.2.11) Insert Rule 6.3.1~~43~~ to read as follows:

6.3.1~~43~~ Medium Density Residential Zone and PREC1- Lockerbie

- (i) Every subdivision within the Lockerbie Development Area Plan shall put in place a water meter for each individual residential unit.
- (ii) Additional standard for subdivision using Rule 6.1.2(k)
 - a) Minimum lot size shall be 325m², unless provided for by clause (c).
 - b) Minimum lot width (front and rear boundary) for 25% of front *sites* shall be 13.5m in the Medium Density Residential Zone (excluding PREC1- Lockerbie).
 - c) Where lots less than 325m² are proposed:
 - (i) the lot size for one *residential unit* shall be no less than 273m² and a concurrent land use consent must be obtained; or
 - (ii) the lot size for a *duplex dwelling* shall be no less than 200m² and a concurrent land use consent must be obtained;
 - (iii) A legal mechanism shall be registered on the title for those lots recording the ongoing obligation to comply with the land use consent obtained.
- (iii) A condition of the land use consent will be that the records of title for each *duplex dwelling* are to be legally held together under the same ownership, on a voluntary

basis, and shall not be separately disposed of until the framing for each *duplex dwelling* is completed.

- (iv) Additional standard for subdivision using Rule 6.1.2(l)
- a) Where lots less than 325m² are proposed:
- (i) the lot size for one *residential unit* shall be no less than 273m² and a concurrent land use consent must be obtained; or
 - (ii) the lot size for a *duplex dwelling* shall be no less than 200m² and a concurrent land use consent must be obtained;
 - (iii) A legal mechanism shall be registered on the title for those lots recording the ongoing obligation to comply with the land use consent obtained.
- b) Where lots less than 200m² are proposed a concurrent land use consent for *terraced housing* must be obtained; and
- (i) A legal mechanism shall also be registered on the title for those lots recording the ongoing obligation to comply with the land use consent obtained.
 - (ii) A condition of the land use consent will be that the records of title for each adjoining *residential unit* are to be legally held together under the same ownership, on a voluntary basis, and shall not be separately disposed of until the framing for each *residential unit* is completed.
- (v) Matters of Discretion
- a) Connectivity and block design
- The extent to which block length is broken up with pedestrian linkages and/or roads.
 - Whether the provision has been made for roads on at least two sides of the neighbourhood park.
- b) Clear defined public and private realms/back and fronts
- Whether all places are clearly perceived as either public or private.
- c) Active edges and architectural variation
- The degree to which dwellings activate uses fronting onto the public areas in front of them.
 - Whether no blank walls on the street edge are proposed.
 - Whether garages are set back to avoid street frontages dominated by garage doors.
 - Whether key Local Roads as shown on the LDAP are located on specified reserve edges.
- d) Block and Lot design
- Whether residential blocks are orientated north to south so that lots generally orientate east and west.
 - The extent to which the number of rear lots are minimised.
 - Whether wider lots are provided on corners i.e. between 12m-15m.

- Whether standalone lots range in widths between 10.5m to 13.5m are proposed.
- Whether lot widths for *duplex dwellings* to relate to garage size i.e. 12m for double garage and 9m for single garage.
- Whether *terraced housing* is proposed in blocks of no more than 6 units i.e. 4 middle units and two “book-ends”.

e) Architectural variation

- Whether *architectural variation in the built form* is provided.

f) Section 6.5

(vi) Non-compliance

Subdivision that fails to comply with the standards in 6.3.13(i) to (iv) above shall be a non-complying activity.

C.2.12) Amend Rule 6.3.3 to read as follows:

6.3.3 Structure Plan Areas and Development Area Plans

(i) Additional Performance Standards

Compliance with the relevant Structure Plan or Development Area Plan for subdivision within the following areas:

- Eldonwood South Structure Plan
- Tower Road Structure Plan
- Banks Road to Mangawhero Road Structure Plan
- Lockerbie Development Area Plan

Note: The Structure Plans provide important rules that affect the type of subdivision which may be granted including in some cases, restrictions on the number of lots that may be consented.

(ii) Restricted Discretionary Assessment Criteria

See Section 6.5.

(iii) Non-compliance

Subdivisions within the Structure Plan and Development Area Plan areas that fails to comply with the additional restricted discretionary standard in 6.3.3(i) above shall be a non-complying activity.

C.2.13) Amend Rule 6.5.4 to read as follows:

6.5.4 Structure Plan Areas and Development Area Plans (Restricted Discretionary Activity)

The assessment of effects shall be restricted to and conditions may be imposed in respect of the following matters within the following Structure and Development Area Plan areas or as identified within this plan:

- Eldonwood South Structure Plan
- Tower Road Structure Plan
- Banks Road
- Banks Road to Mangawhero Road Structure Plan
- Lockerbie Development Area Plan - Refer to Medium Density Residential Zone and Rule 6.3.1~~43~~, Appendix 9.4 and Lockerbie Development Area Plan

The relevant matters are:

- i. Compliance with the applicable Structure Plan or Development Area Plan
- ii. The timing, sequencing and funding of infrastructure to service the Structure Plan area or Development Area Plan.
- iii. ...

Part 8 - Works and Network Utilities

C.2.14) Amend Tables 8.1.1, 8.2.1, 8.3.1, 8.4.1, 8.5.1, 8.6.1, 8.8.1, 8.9.1 to include Medium Density Residential Zone into each Activity Table.

Activity	Zones and Precincts								
	Kaitiaki (Conservation), Identified Significant Features	Residential & Medium Density Residential & Rural	Residential, & Settlement Zone (Residential)	Business and Settlement Zone (Commercial Precinct)	Industrial and Settlement Zone (Industrial Precinct)	Rural	Public Reserves	Formed Roads	Unformed Roads

Part 9 - Transportation

C.2.15) *Insert new rule 9.1.2(xii) to address access and manoeuvring standards as a consequence of the minimum car parking rules being withdrawn from activities within the Medium Density Residential Zone.*

(xii) Access Standards for Medium Density Residential Zone

Parking and manoeuvring areas shall be designed to ensure that all vehicles can enter and exit the *site* in a forward direction in the following circumstances;

- For any common vehicle access serving more than one activity or lot;
- For any activity which has access directly off a significant, arterial or collector road; and
- For any activity which has access directly off a road which has a posted speed limit of more than 50 km/h.

Part 10 – Appendix 9: Schedule of Works

C.2.15) – Insert the Lockerbie Development Area Plan, as follows:

9.54 Lockerbie Development Area Plan

Description and Purpose Statement

The Lockerbie Development Area Plan (LDAP) is an extension of the existing Lockerbie Estates development to the south of the site in Morrinsville. Key features of the LDAP and supporting zoning and rule framework are to enable and provide for:

- A mixture of section sizes and housing typologies that cater for housing choices for Morrinsville. This mix includes:
 - Larger residential sections at the borders of the LDAP in order to protect the rural interface and enable larger lots that have frontage to Taukoro Road and Tahuna-Morrinsville Road. These sections will utilise the Council's existing residential standards but with a larger section size minimum requirement as well as greater yard setback requirements, when adjoining rurally zoned *land*.
 - Medium density sized sections through the middle of the site to enable efficient standalone housing with expected variety between single and double garage homes and single and double storey typologies. This outcome is to be achieved through the Medium Density Zone provisions. Similarly, duplexes are provided for.
 - Provision for potentially greater intensification in the form of *terraced housing* in the core of the LDAP through PREC1- Lockerbie.
- An integrated public amenity area that provides for a well-functioning neighbourhood and supports increased intensification. This includes:
 - An open space and reserves network that integrates with the existing wetland and stream network.
 - A walking and cycling network that runs through the LDAP and connects to the recreation and other amenity in the existing Lockerbie Estate development.
 - A neighbourhood park located in the medium density precinct core area.

9.54.1 Compliance with the Development Area Plan

The LDAP comprises the following components:

- Additional standards for subdivision or development
- Specific infrastructure and servicing standards and their triggers
- The Lockerbie Development Area Plan and supporting figures.

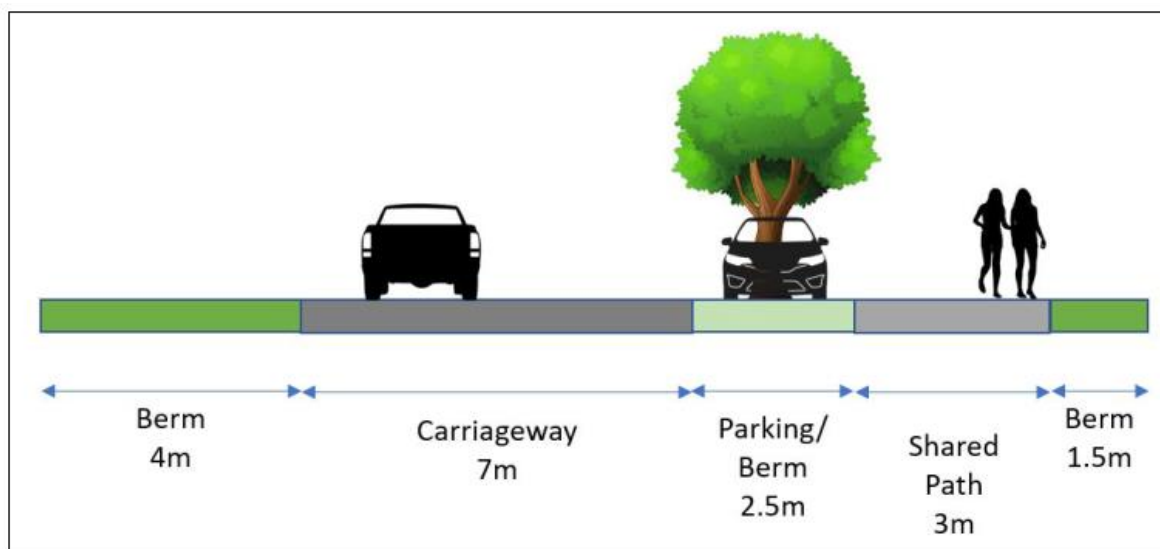
Where a rule in the District Plan requires compliance with the LDAP, then this shall be interpreted as requiring compliance with all components of the LDAP. Where any standard or schedule within the Development Area Plan varies or is inconsistent with any other District Plan standard or rule, then the provisions of the Development Area Plan shall take precedence.

9.54.2 Transport Connections

Subdivision and development within the LDAP shall incorporate the following connections and upgrades:

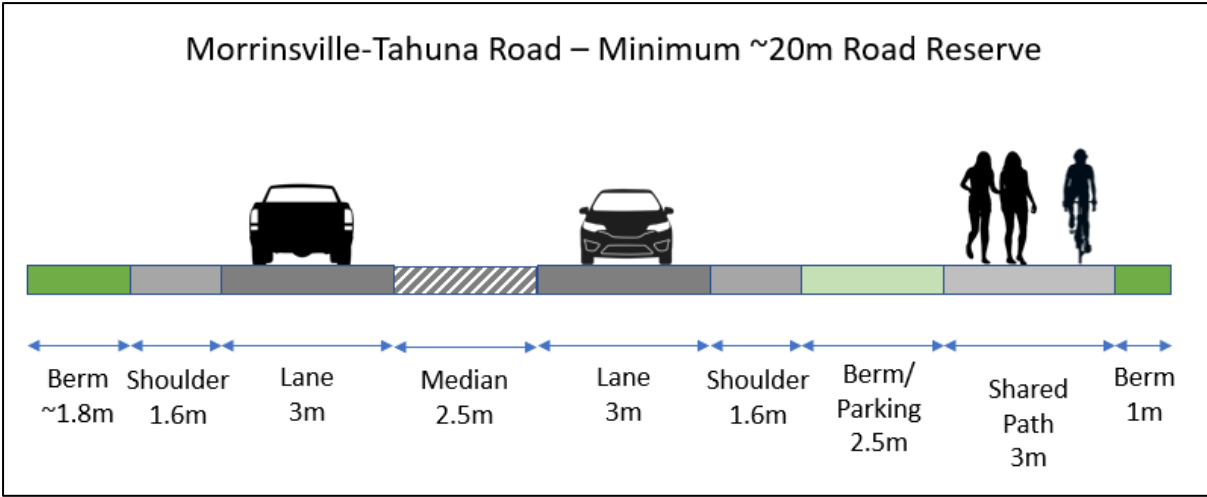
- a) Provide for connections to the existing roading network and residential environment located to the south of the LDAP.
- b) Provide for the collector roads and connections to Taukoro Road and Morrinsville-Tahuna Road as per the LDAP.
Provide for a roundabout to be constructed at the Morrinsville-Tahuna Road/Taukoro Road/Hangawera Road intersection.
- c) Two collector road links and connections shall be provided to enable two road corridors through to the rural zoned *land* to the north-east of the site.
- d) Intersections of Collector Roads shall provide safe and direct connections.
- e) When roading connections to Taukoro Road are established, Taukoro Road shall be upgraded across the frontage of the LDAP in general accordance with the following cross-section.

Figure 1: Taukoro Road Cross-Section



- f) When a roading connection to Morrinsville-Tahuna Road north of Rhonda Read hospital is established and there are additional lots fronting Morrinsville-Tahuna Road, Morrinsville-Tahuna Road shall be upgraded across the frontage of the LDAP in general accordance with the following cross-section:

Figure 2: Morrinsville-Tahuna Cross-Section



9.54.3 Walking and Cycling

Subdivision and development within the LDAP shall provide for an integrated walking and cycling network including connections to external amenities and corridors: The network shall include but not be limited to:

- a) 3m wide shared paths as shown in the locations depicted in Figure 3.
- b) Footpaths along Morrinsville-Tahuna and Taukoro Roads as per the Figure 1 and Figure 2 cross-sections
- c) Pedestrian connections through the green recreation links as shown in Figure 3.

Figure 3: Pedestrian Network Plan



9.54.4 Reserves

Subdivision and development within the LDAP shall provide for a reserve network that provides both active and passive recreational opportunities and provides for stormwater disposal. Reserves shall include, but not be limited to:

- a) A reserve network in general accordance with the LDAP the core function of which is stormwater treatment, but having a secondary role of providing for connectivity as demonstrated in Figure 3.
- b) A neighbourhood park within the PREC1- Lockerbie with a minimum size of 2,500m².
- c) Reserves that break up block lengths and provide connections between the reserves, as in the locations depicted in Figure 3.

9.54.5 Wastewater

Subdivision and development within the LDAP will require the following wastewater infrastructure and design considerations:

- a) Wastewater design is based on 45 persons per hectare.
- b) A new pump station near Taukoro Road prior to construction of the first *residential unit*, as the first stage of development, within the LDAP in the location generally shown in Figure 4.
- c) The new pump station shall be designed to collect and pump wastewater from the whole LDAP area into Council's reticulation located at the end of the Lockerbie Street rising main.
- d) The connection between the pump station and Lockerbie Street will be via a rising main along Werewere Street.
- e) A further connection will be required to service the lower south-western catchment.
- f) Potential pump station upgrade works at Allen Street pump station
- g) Reticulation upgrade works to the MPDC wastewater network to service the LDAP
- h) Increased treatment capacity at the Morrinsville Wastewater Treatment Plant.

9.54.6 Water Reticulation

Subdivision and development within the LDAP will require the following water infrastructure and design considerations:

- a) The operation of the Lockerbie Water Treatment plant prior to the construction of the first *residential unit*, as the first stage of development.
- b) A new water connection to the 250mm truck main constructed as part of the Lockerbie Estates development, south of the LDAP area.
- c) Reticulation upgrades to the MPDC network to service the LDAP.
- d) Provisions for water efficiency measures, as necessary.

9.54.7 Stormwater

Subdivision and development within the Lockerbie Development Area Plan will require the following stormwater infrastructure and design considerations:

- a) A piped network that discharges into a wetland or a storage device depending on their catchment area. This network shall be designed to have capacity for the 10-year storm event.
- b) Wetlands or storage devices will be designed to provide extended detention by detaining the 10-year event and limiting post development discharges to 80% of predevelopment levels for the 100-year events.
- c) Individual lot connections, unless it can be demonstrated that on-lot storage devices are proposed.

9.54.8 Water Conservation Methods

Refer to MRZ & PREC1-R1(5) Water Conservation within the Lockerbie Development Plan Area.

Refer to Rules 6.3.1~~32~~(i)(b), 6.3.1~~43~~(i) and 3.1.10

Figure 4: Three Waters Plan



LOCKERBIE ESTATE LIMITED
3 WATERS

9.54.9 Triggers for Works

Table 1 shows the timing for the transportation, reserves and three waters upgrades set out in sections 9.4.3 to 9.4.8 above, where the timing for those works is known.

Table 1: Trigger Points

Transportation and pedestrian networks	
Requirement	When
Shared path extension down Werewere Street	First stage of development
Shared path network within reserves LDAP	When subdivision reaches 600 lots across the LDAP
Provision for a connection to Lockerbie Road	First stage of development
Intersection to Morrinsville-Tahuna Road north of Rhonda Read hospital	When subdivision reaches 500 lots across the LDAP
Urbanisation of Morrinsville-Tahuna Road	When a roading connection to Morrinsville-Tahuna Road north of Rhonda Read hospital is established and there are additional lots fronting Morrinsville-Tahuna Road.
Intersections to Taukoro Road	When subdivision reaches 700 lots across the LDAP
Urbanisation of Taukoro Road	When intersections to Taukoro Road are established
Roundabout at Morrinsville-Tahuna Road/Taukoro Road/Hangawera Road including associated land take	When intersections to Taukoro Road are established
Wastewater	
Requirement	When
A new pump station and storage facility in the vicinity of the future intersection of Taukoro Road and Werewere Street to service the LDAP	First stage of development
A rising main that connects the new pump station and Lockerbie Street with existing Lockerbie development	First stage of development
Potential pump station upgrade works at the Allen Street pump station	Upgrades, if any, to be agreed with Council
Any upgrade works to the MPDC wastewater network	Upgrades to be agreed with Council
Increased treatment capacity at the Morrinsville wastewater treatment plant	Upgrades to be agreed with Council.
Water	
Requirement	When
Lockerbie bore and water treatment plant	To be operational before any demand is required from development within the area.
Any upgrade works to the MPDC water network	To be agreed with Council

Stormwater	
Requirement	When
Stormwater treatment devices	To be constructed when the catchment is developed
Reserves	
Requirement	When
Neighbourhood park vested and playground equipment installed	When subdivision reaches 450 lots across the LDAP
Smaller reserves, paths, footbridges constructed and vested in Council	To be constructed/vested when adjoining land is developed

Council may impose a consent notice on the balance area, at the time of subdivision, to record the future works that need to be implemented as per the above trigger points.

9.54.10 Development Agreement

Prior to any development of the land shown in the Lockerbie Development Plan Area (LDAP) the Council and the Developer have a Development Agreement in place which provides:

- a) For the obligations of the Developer, as set out in the Development Agreement, which are secured by a first registered encumbrance against the relevant records of title to the land shown in the LDAP;
- b) That any purchaser of the any balance land not yet developed, must sign a deed of accession in a form approved by Council which will bind future landowners to the performance obligations in the Development Agreement; and
- c) The developer or successor will construct upgrades of services and infrastructure required for the subdivision and development of the land shown in the LDAP which may include external or off-site infrastructure, services and /or structures in the four categories set out below.

Any Developer Agreement will (where applicable) provide for a proportional contribution to any infrastructure upgrades required to service the LDAP, and any contribution will be balanced against the effects of the development and the needs of the existing environment and future development within Morrinsville. In addition, a review of Council's Development Contributions Policy may be required to fully inform the funding of, and cost sharing for new infrastructure.

9.54.10.1 Water

- New water-take consent for Lockerbie Bore with adequate capacity to service LDAP.
- Reticulation upgrade works to the MPDC water network to service LDAP.
- New Lockerbie Water Treatment Plant.

9.54.10.2 Wastewater

- Reticulation upgrade works to the MPDC wastewater network to service LDAP.
- New Wastewater Pump Station and Storage Facility in the vicinity of the future intersection of Taukoro Road and Werewere Street.

- Potential pump station upgrade works at Allen Street Pump Station.
- Increased treatment capacity at the Morrinsville Wastewater Treatment Plant.

9.54.10.3 Transport

- Morrinsville-Tahuna urbanisation (eastern side) and intersections.
- Taukoro Road urbanisation (southern side) and intersections.
- New Roundabout at the intersection of Taukoro Road and Morrinsville–Tahuna Road (Studholme Street).
- Monetary payment for the upgrade of the intersection to a right turn bay at the George Street/Coronation Road intersection.

9.54.10.4 Reserves

- Development of the reserves/stream upgrades and planting will be undertaken by the Developer wholly at its cost. The reserves will vest in Council free of charge. Development Contributions for reserves will continue to apply.

Definitions

For the purpose of Plan Change 56, the following definitions will apply only in relation to activities and provisions within Section 17 of the District Plan and any associated rule mechanism.

In some instances, the definitions are those mandated for adoption by the National Planning Standards. These are identified by the annotation (NPS).

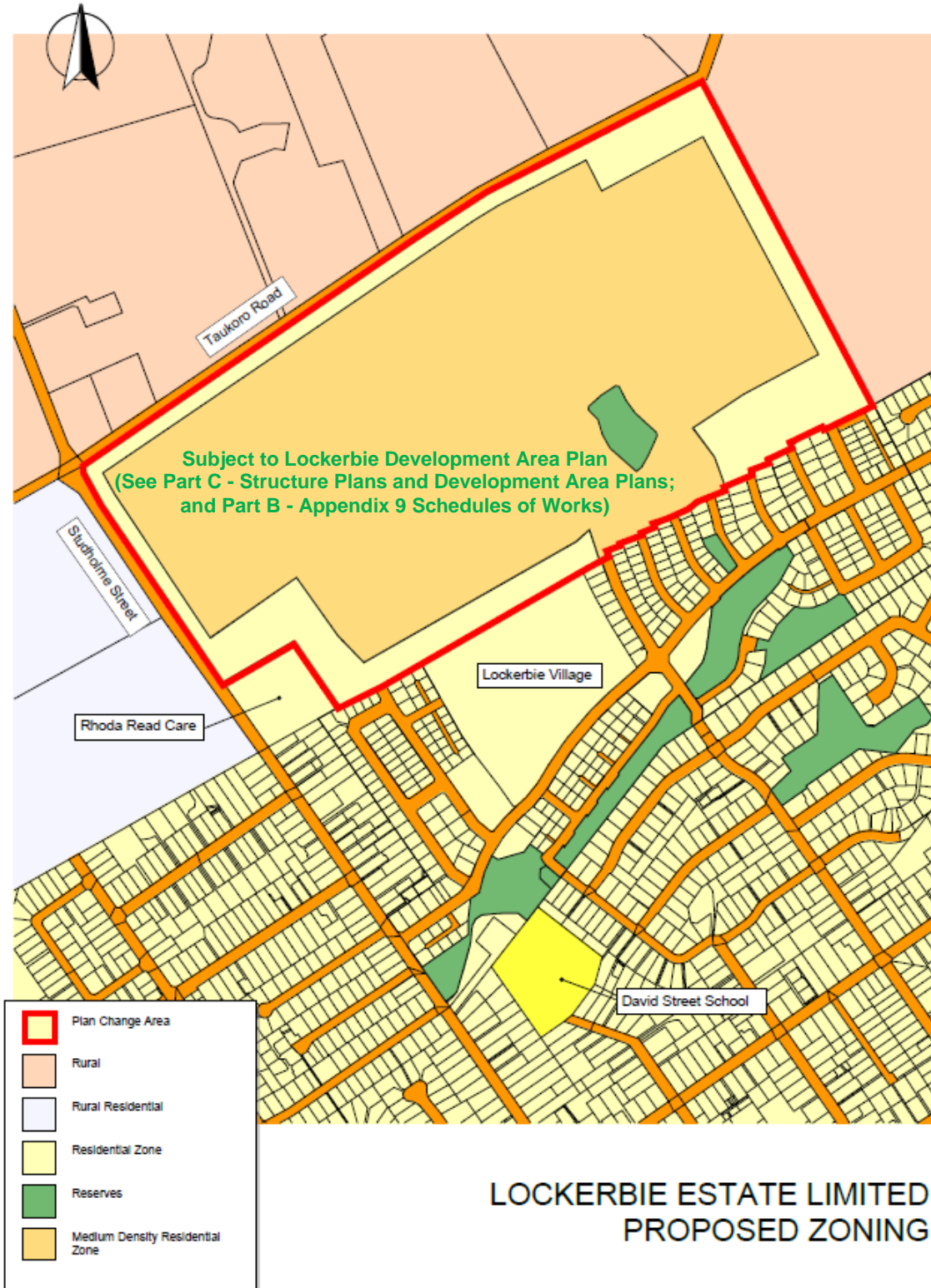
Insert the following definitions into Section 15.

Activity	Proposed Definition
Accessory building (NPS)	For the <i>Medium Density Residential Zone</i> , means a detached <i>building</i> , the use of which is ancillary to the use of any <i>building</i> , <i>buildings</i> or activity that is or could be lawfully established on the same <i>site</i> , but does not include any <i>minor residential unit</i> .
Allotment (NPS)	has the same meaning as in section 218 of the RMA
Ancillary Activity (NPS)	For the Medium Density Residential Zone, means an activity that supports and is subsidiary to a primary activity.
Building (NPS)	For the Medium Density Residential Zone, means a temporary or permanent movable or immovable physical construction that is: <ul style="list-style-type: none"> a. partially or fully roofed, and b. is fixed or located on or in <i>land</i>, but c. excludes any motorised vehicle or other mode of transport that could be moved under its own power.
Building coverage (NPS)	For the Medium Density Residential Zone, means the percentage of the <i>net site area</i> covered by the <i>building footprint</i> .
Building footprint (NPS)	For the Medium Density Residential Zone, means, in relation to <i>building coverage</i> , the total area of <i>buildings</i> at ground floor level together with the area of any section of any of those <i>buildings</i> that extends out beyond the ground floor level limits of the <i>building</i> and overhangs the ground.
Duplex dwelling	Means a residential <i>building</i> comprising two attached <i>residential units</i> on one <i>allotment</i> , or two Computer Freehold Registers where subsequently subdivided. For the avoidance of doubt, <i>residential units</i> physically connected by one or more <i>accessory buildings</i> , such as <i>garages</i> , will also be deemed to be attached.
Design feature	For the Medium Density Residential Zone, means a distinctive part of a <i>building</i> designed for visual effect that is not integral to the day to day functioning of that <i>building</i> .
Earthworks (NPS)	For the Medium Density Residential Zone, means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, cultivation and disturbance of land for the installation of fence posts.
Educational facility (NPS)	For the Medium Density Residential Zone, means land or <i>buildings</i> used for teaching or training by child care services, schools, or tertiary education services, including any <i>ancillary activities</i> .
Height (NPS)	For the Medium Density Residential Zone, means the vertical distance between a specified reference point and the highest point

Activity	Proposed Definition
	of any feature structure or <i>building</i> above that point.
Height in relation to boundary (NPS)	For the Medium Density Residential Zone, means the height of a structure, <i>building</i> or feature, relative to its distance from either the boundary of; a. a <i>site</i> ; or b. another specified reference point.
Home business (NPS)	For the Medium Density Residential Zone, means a commercial activity that is: a. undertaken or operated by at least one resident of the <i>site</i> ; and b. incidental to the use of the <i>site</i> for a <i>residential activity</i> .
Land (NPS)	has the same meaning as in section 2 of the RMA
Net site area (NPS)	For the Medium Density Residential Zone, means the total area of the <i>site</i> , but excludes: a. any part of the <i>site</i> that provides legal access to another <i>site</i> ; b. any part of a rear <i>site</i> that provides legal access to that <i>site</i> ; c. any part of the <i>site</i> subject to a designation that may be taken or acquired under the Public Works Act 1981.
Outdoor Living Space (NPS)	For the Medium Density Residential Zone, means an area of open space for the use of the occupants of the <i>residential unit</i> or units to which the space is allocated.
Residential Activity (NPS)	For the Medium Density Residential Zone, means the use of <i>land</i> and <i>building(s)</i> for people's living accommodation.
Residential unit (NPS)	For the Medium Density Residential Zone, means a <i>building(s)</i> or part of a <i>building</i> that is used for a <i>residential activity</i> exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities
Site (NPS)	For the Medium Density Residential Zone, means: a. an area of <i>land</i> comprised in a single record of title under the Land Transfer Act 2017; or b. an area of <i>land</i> which comprises two or more adjoining legally defined <i>allotments</i> in such a way that the <i>allotments</i> cannot be dealt with separately without the prior consent of the council; or c. the <i>land</i> comprised in a single <i>allotment</i> or balance area on an approved survey plan of <i>subdivision</i> for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or d. despite paragraphs (a) to (c), in the case of <i>land</i> subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease.
Terraced housing	Means a residential <i>building</i> comprising three or more attached residential units. For the avoidance of doubt, residential units physically connected by one or more <i>accessory buildings</i> , such as garages, will also be deemed to be attached.
Rear access lot	Means a lot that has frontage to both a public road and an access site, or a right of way.

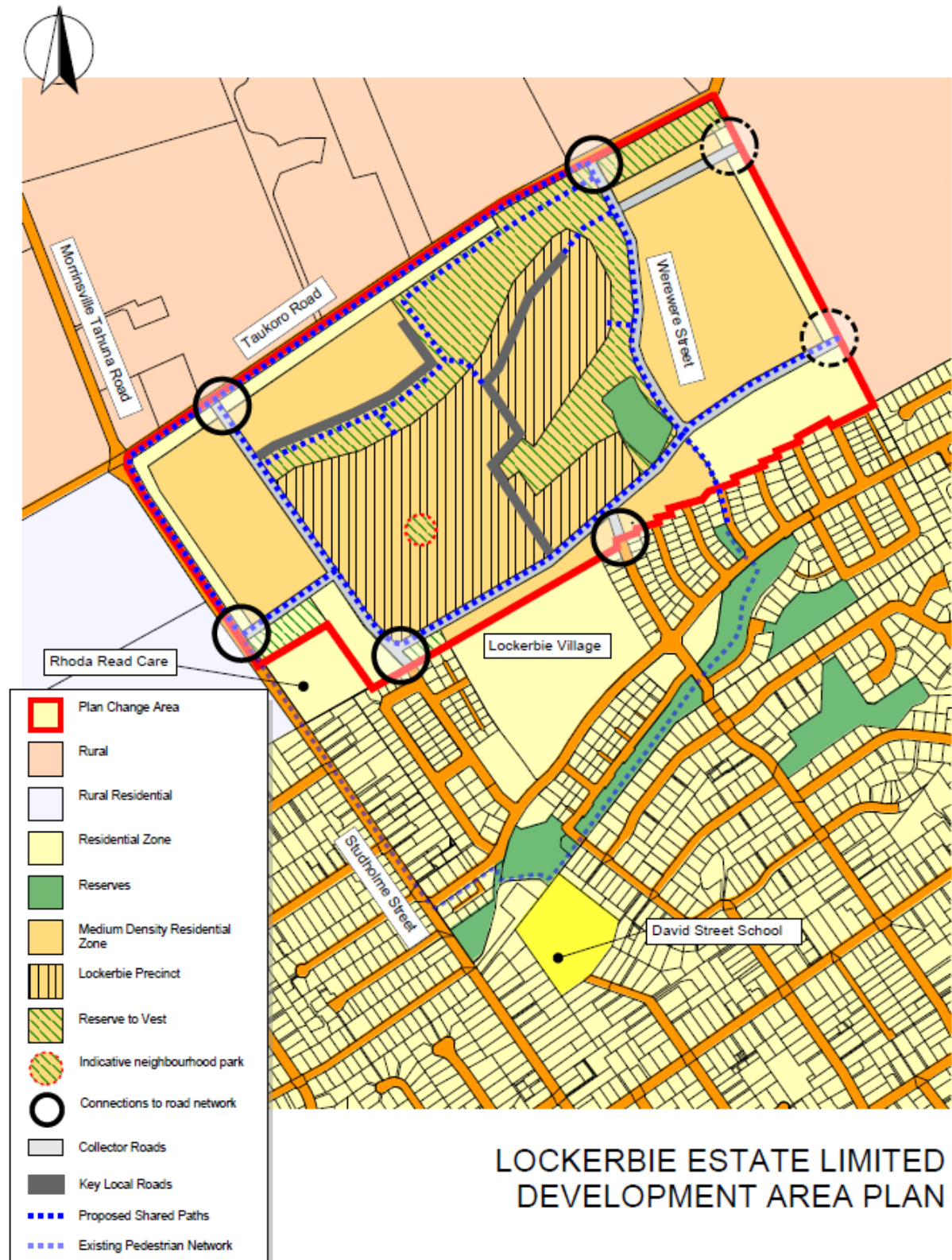
Part 11 - Planning Maps

C.2.16) – Amend Planning Map 26 to remove Rural zoning and Future Residential Policy Area from the site and replace with the zoning shown on the Lockerbie Zoning Plan



Part 12 – Structure Plans

C.2.17) – Insert the Lockerbie Development Area Plan



Development Manual

Add in a new section 6.14

Section 6.14 Rainwater storage tanks

1. The rainwater storage tanks must be installed so that there are safe setback distances from property boundaries.
2. Where a development will contain more than one residential unit, e.g. a retirement home or village or a multi-unit residential development, a common rainwater storage facility with a volume of 2,000 litres per residential unit can be provided so long as access to operate and maintain the facility is secured via an easement or it is located within an area of 'common property'.
3. Separation and/or backflow prevention between potable and non-potable systems will be required in residential situations to ensure that public health is not compromised by cross contamination from the use of non-potable water.
4. No outdoor taps shall be connected to the potable public water supply.

ATTACHMENT C
TO THE EVIDENCE
OF MARIUS RADEMEYER
(Review of Policy Framework in Other District Plans)

Review of Policy Framework for Educational Activities in Other District Plans		
Council	Activity status of educational facilities in MRZ	Objectives and policies
New Plymouth District Council	Permitted up to 200m ² then Restricted Discretionary in MRZ	<p>MRZ-O1- The Medium Density Residential Zone is predominantly used for residential activities and is characterised by medium density housing.</p> <p>MRZ-O7- Adverse effects of activities are managed to maintain residential amenity</p> <p>MRZ-P1- Allow activities that are compatible with the role, function and character of the Medium Density Residential Zone, while ensuring their design, scale and intensity are appropriate, including:</p> <ul style="list-style-type: none"> • residential activities; • boarding houses; • Māori purpose activities; • home businesses; • residential visitor accommodation; • supported residential care facilities; • educational facilities; and • medical and health services.
Wellington City Council	Restricted Discretionary in GRZ in Draft Wellington City District Plan.	<p>MRZ-O1- The Medium Density Residential Zone provides for predominantly residential activities and a variety of housing types and sizes that respond to: Housing needs and demand; and The neighbourhood's planned urban built character, including 3 storey buildings.</p> <p>MRZ-P1- Enable residential activities and other activities that are compatible with the purpose of the Medium Density Residential Zone, while ensuring their scale and intensity is consistent with the amenity values anticipated for the Zone, including:</p> <ol style="list-style-type: none"> 1. Home Business; 2. Boarding Houses; 3. Visitor Accommodation; 4. Supported Residential Care; 5. Childcare Services; and 6. Community Gardens. <p>MRZ-P15- Only allow non-residential activities and buildings that:</p> <ol style="list-style-type: none"> 1. Support the needs of local communities; 2. Are of an intensity, scale and design that is consistent with the amenity values anticipated for the Zone; 3. Contribute positively to the urban environment and achieve attractive and safe streets; 4. Reduce reliance on travel by private motor vehicle;

		<p>5. Maintain the safety and efficiency of the transport network; and</p> <p>6. Are adequately serviced by three waters infrastructure or can address any constraints on the site.</p>
West Coast Regional Council	Permitted in the MRZ in the Draft Combined District Plan for the West Coast	<p>RESZ - O3 - To provide for a range of non-residential activities within RESZ - Residential Zones where the effects are compatible with the residential character, scale and amenities and the cultural and historic heritage values of the area.</p> <p>RESZ - P4 - Enable existing non-residential activities and home occupations to continue and new non-residential activities to establish provided they do not have a significant adverse effect on the character and amenity of RESZ - Residential Zones, particularly in relation to scale, car parking, vehicle movements, noise, visual appearance, glare, dust and odour.</p>
Waikato District Council	Discretionary in MRZ.	<p>MRZ-04 Activities - An appropriate mix of complementary and compatible activities is enabled to support residential growth.</p> <p>MRZ-P7 Non-residential activities</p> <p>(1) Maintain the zone primarily for residential activities while also:</p> <p>(a) Ensuring community facilities:</p> <p>(i) Are suitably located;</p> <p>(ii) Are of a limited scale and intensity that is compatible with the zone;</p> <p>(iii) Contribute to the amenity of the neighbourhood; and</p> <p>(iv) Support the social and economic well-being of the residential community.</p> <p>(b) Avoiding the establishment of new non-residential activities (except home occupations) on rear sites, or sites located on cul-de-sacs; and</p> <p>(c) Ensuring that the design and scale of non-residential activities and associated buildings mitigates adverse effects related to traffic generation, access, noise, vibration, outdoor storage of materials and light spill</p>
Hamilton City	<p>MRZ -</p> <p>Childcare - DIS</p> <p>School - NC</p> <p>Tertiary - NC</p> <p>Rotokauri North and Te Awa Lakes:</p> <p>Childcare >5 - DIS</p> <p>School - DIS</p>	<p>4.2.6 - Residential activities remain the dominant activity in Residential Zones.</p> <p>4.2.6a - Non-residential activities should not establish in residential areas, unless the adverse effects on all zones are avoided, remedied or mitigated.</p> <p>4.2.6e - Non-residential activities shall be of an appropriate size to maintain character of the site.</p>