

**IN THE MATTER OF** the Resource Management Act 1991

**AND**

**IN THE MATTER OF** Proposed Private Plan Change 56 to the Matamata Piako District Plan by Lockerbie Estate Limited and Lockerbie Estate No.3 Limited to rezone approximately 78 hectares of land at 76 Taukoro Road, 182 Morrinsville-Tahuna Road and Lockerbie Street from a Rural Zone (with a Future Residential Policy Area Overlay) to a Residential and Medium Residential Zone with supporting Development Area Plan.

---

**STATEMENT OF REBUTTAL EVIDENCE OF KATHRYN ANNE DREW**

**PLANNING**

**25 JULY 2022**

---

## **1. INTRODUCTION**

- 1.1 My name is Kathryn Drew. I am a senior planner at Bloxam Burnett & Olliver Ltd (“BBO”). I outlined my qualifications, experience, and commitment to comply with the Environment Court Expert Witness Code of Conduct in my evidence in chief (“EIC”) dated 4 July 2022. I maintain that commitment.
- 1.2 My role in relation to the Lockerbie Plan Change (or Plan Change 56 (“PC56”)) to the operative Matamata Piako District Plan (“MPDP”) by Lockerbie Estate Limited and Lockerbie Estate No.3 Limited (“Lockerbie”) has been, and is, to lead the planning inputs, undertake engagement with key stakeholders/submitters and take responsibility for making changes to the plan change provisions in response to submissions and evidence received.
- 1.3 The purpose of this evidence is to:
  - (a) Respond to s42A report prepared by Mr Rademeyer, as reporting officer to Matamata Piako District Council (“MPDC”) and specifically his recommended changes to the PC56 plan provisions; and
  - (b) Respond to the evidence of Ms Rolfe on behalf of MPDC, as a submitter, and specifically her recommended changes to the PC56 plan provisions.
  - (c) Comment on the relief being sought by Wayne Bredemeijer, on behalf of MPDC in relation to additional urban design provisions.
- 1.4 This evidence also relies on the rebuttal of Morné Hugo, on behalf of Lockerbie, in relation to the urban design matters.

## **2. PC56 OVERVIEW**

- 2.1 As set out detail in my EIC PC56 seeks to:
  - (a) Rezone an identified growth cell in Morrinsville from Rural to Residential and Medium Density Residential Zone (“MRZ”);
  - (b) Create a new Precinct (the Lockerbie Precinct) that and associated performance standards that overlays the part of the MRZ that enables a more intensive development outcome than the MRZ; and
  - (c) Insert the Lockerbie Development Area Plan (“LDAP”) into the MPDP that spatially defines the site and specifies the key requirements for its future development; and
  - (d) Make other consequential amendments to the MPDP to give effect to the objectives of PC56.

### 3. DISTRICT PLAN PROVISIONS

3.1 **Attachment A** of this reply evidence is a further iteration of the proposed plan change provisions and reflects those matters agreed between Lockerbie and MPDC (as both s42A author and submitter). I briefly summary those changes below.

#### Changes to Plan Provisions in s42A report

3.2 Section 6 of the s42A report identifies four additional changes to the plan provisions over and above those set out in Attachment 1 of my EIC. Those changes related to:

- (a) A change to the District Plan provisions for the Residential Zone whereby the fencing/retaining wall provisions of the MRZ would also apply to the Residential zone within the LDAP area. This change is provided for in Rule 3.1.9.
- (b) Changing the development principles in Rule 6.3.13(i) to “Matter of Discretion” in Rule 6.3.13(v).
- (c) Additional changes in the form of cross-referencing and rewording within a number of rules to improve clarify.
- (d) Amending the activity status for educational facilities to being a restricted discretionary activity.

3.3 These changes have all been accepted and form part of **Attachment A**.

#### Changes to Plan Provisions in Rolfe evidence

3.4 The evidence of Ms Rolfe, on behalf of MPDC, has recommended three further changes to those set out in paragraph 3.2 above. Those changes relate to:

- (a) Further amendments to rule numbering to align with the National Planning Standards framework.
- (b) Removal of the note section under MRZ-R2(4) – Educational Facilities.
- (c) Slight amendments to the wording of Rule 6.3.1.13(v).

3.5 Since the receipt of Ms Rolfe’s evidence, further discussions with Mr Rademeyer and Ms Rolfe have been held, whereby the rule numbering approach and further amendments to Rule 6.3.1.13(v) have been agreed. The changes set out in **Attachment A** reflects the agreed changes.

### Changes to Plan Provision in Mr Bredemeijer evidence

- 3.6 Sections 6.2 and 9.2 of the evidence of Mr Bredemeijer has recommended three additional changes that he would like to see be included in the plan provisions. Those changes relate to:
- (a) Inclusion of the interface/street activation standards to the Residential zone in the LDAP, as per the MRZ. Those standards relate to matters such as percentage of glazing facing the street, primary entrance and location of a habitable rooms relative to the street.
  - (b) Inclusion of fencing/retaining wall to the Residential zone within the LDPA area.
  - (c) Amendments Rule 9.4.2 – Transport Connections that requires a specific reference to be included to ensure key local roads that provide connectivity and reserve activation as per the LDAP are provided for in future development outcomes.
- 3.7 For the reasons set out in the evidence of Mr Hugo, no further changes have been made to the plan provisions that would apply the interface/street activation standards to the Residential zone in the LDAP. It is both Mr Hugo’s and my opinion that they are not warranted or necessarily, particularly when having regard to the increased lot sizes (i.e. 600m<sup>2</sup>) that are required for lots within the LDAP. I also note that Mr Rademeyer in the s42A report has not recommended the changes either.
- 3.8 In relation to fencing and retaining walls standards, this change was recommended in the s42A report, and has been accepted as noted in paragraph 3.3 above. See Rule 3.1.9 of the plan provisions.
- 3.9 In relation to the amendments to Rule 9.4.2, it is my opinion that the specificity sought by Mr Bredemeijer is already provided for, in the current plan provisions, in the following ways:
- (a) The key local road connections, that provide connectivity and reserve activation, have been agreed prior to the exchange of evidence and are now shown on the Lockerbie Development Area Plan.
  - (b) Development not in accordance with the Lockerbie Development Area Plan is a non-complying activity. See Rule MRZ-R1(4)(i), PREC1-R1(4)(d) and Rule 6.3.3.
  - (c) Rule 6.3.13 also applies to the MRZ and the Lockerbie Precinct and includes specific listed matters of discretion. Those matters of discretion include “*whether provision has been made for roads on at least two sides*

*of the neighbourhood park*". This clause was added to specifically acknowledge that the neighbourhood park location was indicative at this time.

- (d) Rule 9.4.1 relates to compliance with the Lockerbie Development Area Plan and notes that *"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"*.

3.10 In my opinion, the inclusion of key local roads on the LDAP and the corresponding rules that require compliance with LDAP, with a default to non-complying where compliance cannot be achieved, means that the specificity in language sought by Mr Bredemeijer is not specifically required and would solely be a belts and braces approach. For these reasons, no further amendments Rule 9.4.2 are proposed nor are they considered to be warranted. I also note that Mr Rademeyer in the s42A report has not recommended the changes either.

#### **4. CONCLUSION**

- 4.1 As a result of the above, the only matters that now remain in dispute between the expert witnesses relate to the relief sought by Mr Bredemeijer in relation to interface standards in the Residential Zone and amendments to Rule 9.4.2.
- 4.2 All other points of contention have been resolved.
- 4.3 Having regard to (and in reliance on) the various expert assessments that have been undertaken, PC56 is considered to reflect sustainable management and the optimal outcome to achieve the objectives of the plan change.
- 4.4 I consider that PC56 can be accepted and approved in the form identified in Attachment A of this evidence.

**Kathryn Drew**  
**25 July 2022**

# **Attachment A**

## **Amended Plan Change Provisions**

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

**25 July 2022**

Changes from notification version recommended by the Applicant are shown in **blue text**, with deletions in **strikethrough**.

Changes from notification version recommended by the Applicant but not reflected in Attachment 1 to Kathryn Drew's evidence are shown in **blue highlighted text**, with deletions in **highlighted-strikethrough**.

Changes from the Applicant's version recommended by MPDC are shown in **green text**, with deletions in **strikethrough**.

Changes recommended by Applicants rebuttal are shown in **red highlighted text**, with deletions in **strikethrough**.

## 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 development sites and adjacent properties.
MRZ-P3	Ensure residential sites 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 affects 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 buildings.
MRZ-P7	To ensure infrastructure is developed efficiently by ensuring that the development of greenfield areas are in compliance complies with the Development Area Plan including the staging and sequencing of development.

### 17.4 Activity Status Rules

#### MRZ - Medium Density Residential Zone

<p><b>MRZ-R1(1) PER Permitted Activities</b></p> <p>All permitted activities must comply with the general and relevant activity specific standards. The general performance standards are listed in <del>MRZ-R1(1) to MRZ-R1(5)(6) MRZ &amp; PREC1-R1(1) – R1(6)</del> Any activity specific standards are identified in the following activity rules.</p>
<p><b>MRZ-R(4) MRZ-R1(1)(a) One Residential Unit</b></p> <p><b>General Performance Standards</b></p> <p>Refer Rules <del>MRZ-R1(1) to MRZ-R1(5)(6) MRZ &amp; PREC1-R1(1) – R1(6)</del>.</p> <p><b>Activity Specific Performance Standards</b></p> <p><u>Net site area</u></p> <p>Every residential unit shall have a net site area of 325m<sup>2</sup>.</p> <p><u>Outdoor Living Space</u></p> <p>Every residential unit shall have an area of outdoor living space which shall:</p>

- (i) Have a minimum area of 50m<sup>2</sup> and contains no dimension less than 4m. Except that this space may be reduced by the same ~~amount~~ area where balconies, decks and conservatories are provided with a minimum area of 10m<sup>2</sup>, 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 ~~up to 4m above ground except where balconies are provided~~ 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 20m<sup>2</sup>, 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-R(2) MRZ-R1(1)(b) Alterations and additions to existing buildings**

**General Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5) (6) MRZ & PREC1-R1(1) – R1(6)~~.

**MRZ-R(3) MRZ-R1(1)(c) Home Business**

**General Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5) (6) MRZ & PREC1-R1(1) – R1(6)~~.

**Activity Specific Performance Standards**

A Home Business shall comply with the following performance 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 60m<sup>2</sup> floor area, This may include up to 20m<sup>2</sup> 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 ~~40m<sup>2</sup>~~ 6m<sup>2</sup> 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 activity standards;
- (viii) Any private day care activity shall be limited to four children (excluding children that permanently resident 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-R(4) MRZ-R1(1)(d) Show Homes**

**General Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5) (6) MRZ & PREC1-R1(1) – R1(6).~~

**MRZ-R(5) MRZ-R1(1)(e) Accessory Building for any permitted activity**

**General Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5) (6) MRZ & PREC1-R1(1) – R1(6).~~

**MRZ-R(6) MRZ-R1(1)(f) Demolition of *buildings* and structures except those outlined in Schedules 1, 2, and 3.**

**General Performance Standards**

There are no standards for this activity.

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5).~~

**MRZ-R(7) MRZ-R1(1)(g) Activities (including *buildings*) on *land* gazetted as reserve as provided by a Management Plan under the Reserves Act 1977**

**General Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5) (6) MRZ & PREC1-R1(1) – R1(6).~~

**MRZ-R(8) MRZ-R1(1)(h) Outdoor informal recreation and incidental structures**

**General Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5) (6) MRZ & PREC1-R1(1) – R1(6).~~

**MRZ-R(9) MRZ-R1(1)(i) Earthworks**

**Activity Specific Performance Standards**

*Earthworks* shall comply with the following standards:

- (i) Max cut or fill height -
  - 0.5m within the yard requirement.
  - 1.5m outside the yard requirement.
- (ii) All **site** works to be reinstated within 6 months of works commencing.
- (iii) Max volume of *earthworks* 100m<sup>3</sup> 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.

Exclusion:

Any *earthworks* which;

- have been approved as part of a land use or subdivision consent,

- are for the removal of topsoil for *building* foundations and/or driveways, ~~or associated with an approved *building* consent, or~~
- any *earthworks* 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) Restricted-Discretionary RDIS Activities**

All restricted discretionary activities must comply with the general and relevant activity specific *performance* standards. The general *performance* standards are listed in **MRZ-R1(1) to MRZ-R1(5) (6) MRZ & PREC1-R1(1) to R1(6)**. The activity specific standards are identified in the following activity rules.

**MRZ-R(10) MRZ-R1(2)(a)** Any permitted activity which does not comply with one or two *performance* standards unless otherwise stated in the *performance* standard rule

### **Assessment Criteria Matters of Discretion**

General Criteria– Rule **MRZ-R2(1) MRZ & PREC1-R2(1)**.

Specific Criteria– Rule **MRZ-R2(2) MRZ & PREC1-R2(2)**.

Rule **MRZ-R2(4) MRZ & PREC1-R2(4)**.

### **MRZ-R(14) MRZ-R1(2)(b) Duplex Dwelling**

#### **General Performance Standards**

Refer Rules **MRZ-R1(1) to MRZ-R1(5)(6) MRZ & PREC1-R1(1) – R1(6) and MRZ-R(9) MRZ-R1(1)(i)**.

#### **Activity Specific Performance Standards**

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

- (i) The *site subject to on which the duplex is to be located* must be a front *site*;
- (ii) The minimum *net site area* shall be 400m<sup>2</sup> (200m<sup>2</sup> per unit);
- (iii) Each unit shall have an exclusive *outdoor living space* of 36m<sup>2</sup> ~~and which~~ contains no dimension less than 4m. Except that this space may be reduced by the same ~~amount~~ *area* where balconies, decks and conservatories are provided with a minimum area of 10m<sup>2</sup>, 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 10m<sup>2</sup> 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;
  - ~~Each unit shall have a minimum net site area where the total building coverage shall not exceed 50%;~~

- (v) Any exterior wall shall not exceed 15m in length without being horizontally or vertically stepped or containing a ~~material~~ change in materials;
- (vi) No yard or *height in relation to boundary* rules shall apply ~~to new internal boundary between the units; and~~ at common (shared) walls;
- (vii) Both units shall have frontage to a public road;

**Matters of Discretion**

Rule ~~MRZ-R2(1)-MRZ & PREC1-R2(1).~~

Rule ~~MRZ-R2(2)-MRZ & PREC1-R2(2).~~

Refer also to Rule 6.3.13(iii)

**MRZ-R(12) MRZ-R1(2)(c) Educational Facilities**

**General Standards**

Rules ~~MRZ-R1(1), MRZ-R1(2), MRZ-R1(3), MRZ-R1(4)(e), MRZ-R1(6) and MRZ-R(9) 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-R2(1)-MRZ & PREC1-R2(1).~~

Rule ~~MRZ-R2(4)-MRZ & PREC1-R2(4).~~

**MRZ-R1(3) Discretionary DIS Activities**

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

The ~~assessment criteria~~ matters of discretion Rule ~~MRZ-R2(1) to MRZ-R2(3)(4) 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-R(12) MRZ-R1(3)(a)** Any permitted activity which does not comply with three or more performance standards or any restricted discretionary activity that cannot comply with one or more performance standard unless otherwise stated in the performance standard rule.

**General Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5)(6) MRZ & PREC1-R1(1) – R1(6) and MRZ-R(9) MRZ-R1(1)(i).~~

**MRZ-R(13) MRZ-R1(3)(b) One Residential Unit on lots less than 325m<sup>2</sup>**

**General Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5)(6) MRZ & PREC1-R1(1) – R1(6) and MRZ-R(9) MRZ-R1(1)(i).~~

**Activity Specific Performance Standards**

A Residential Unit on a lot less than 325m<sup>2</sup> shall comply with the following performance standards:

- (i) The minimum lot size shall not be less than 273m<sup>2</sup> *net site area*.

#### **MRZ-R(14) MRZ-R1(3)(c) Retirement Village**

##### **General Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5)(6) MRZ & PREC1-R1(1) to R1(6) and MRZ-R(9) MRZ-R1(1)(i).~~

#### **MRZ-R(15) MRZ-R1(3)(d) Places of Assembly**

##### **General Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5)(6) MRZ & PREC1-R1(1) to R1(6) and MRZ-R(9) MRZ-R1(1)(i).~~

#### **MRZ-R(16) 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 Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5)(6) MRZ & PREC1-R1(1) to R1(6) and MRZ-R(9) MRZ-R1(1)(i).~~

#### **MRZ-R(17) Educational Facilities**

##### **General Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(6) and MRZ-R(9).~~

#### **MRZ-R1(4) Non-complying NC Activities**

The assessment criteria matters of discretion Rule ~~MRZ-R2(1) to MRZ-R2(3)(4) 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-R(17) Education facilities**

#### **MRZ-R(18) MRZ-R1(4)(a) Accommodation facilities**

#### **MRZ-R(19) MRZ-R1(4)(b) Terrace Housing**

#### **MRZ-R(20) MRZ-R1(4)(c) Depots, light industry, industry, packhouses and cool stores, storage and warehousing**

#### **MRZ-R(20) MRZ-R1(4)(d) Commercial services and offices**

#### **MRZ-R(21) MRZ-R1(4)(e) Service stations**

#### **MRZ-R(22) MRZ-R1(4)(f) Veterinary clinics and medical facilities**

#### **MRZ-R(23) MRZ-R1(4)(g) Any activity not specifically listed within the Medium Density Residential Zone**

**MRZ-R(24) MRZ-R1(4)(h)** Any discretionary activity that does not comply with one or more **performance** standards.

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

## PREC1 - Lockerbie Precinct

### PREC1 – R1(1) Permitted **PER** Activities

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

**PREC1-R(1) PREC-R1(1)** Permitted Activities as provided for by the following rules;

- **MRZ-R(1) MRZ-R1(1)(a)** One *Residential Unit*
- **MRZ-R(2) MRZ-R1(1)(b)** Alterations and additions to existing *buildings*
- **MRZ-R(3) MRZ-R1(1)(c)** *Home Business*
- **MRZ-R(4) MRZ-R1(1)(d)** Show homes
- **MRZ-R(5) MRZ-R1(1)(e)** *Accessory Buildings* for any permitted activity
- **MRZ-R(6) MRZ-R1(1)(f)** Demolition of *Buildings* and Structures
- **MRZ-R(7) MRZ-R1(1)(g)** Activities (including *buildings*) on *land* gazetted as reserve as provided by a Management Plan under the Reserves Act 1977
- **MRZ-R(8) MRZ-R1(1)(h)** Outdoor informal recreation and incidental structures
- **MRZ-R(9) MRZ-R1(1)(i)** *Earthworks*

### General **Performance** Standards

Refer Rules **MRZ-R1(1) to MRZ-R1(5) (6) MRZ & PREC1-R1(1) – (R1(6))**.

### Activity Specific **Performance** Standards

Refer specific **performance** standards as per relevant rule.

### **PREC1-R1(2) Restricted Discretionary Activities **RDIS** Activities**

All restricted discretionary activities must comply with the general and relevant activity specific **performance** standards. The general **performance** standards are listed in **MRZ-R1(1) to MRZ-R1(5) (6) MRZ & PREC1-R1(1) to (R1(6))**. The activity specific standards are identified in the following activity rules.

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

### General **Performance** Standards

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5) (6) MRZ & PREC1-R1(1) – R1(6) MRZ-R(9) MRZ-R1(1)(i).~~

**Assessment Criteria Matters of Discretion**

~~General Criteria– Rule MRZ-R2(1) MRZ & PREC1-R2(1).~~

~~Specific Criteria– Rule MRZ-R2(3) MRZ & PREC1-R2(3).~~

**PREC1-R(3) PREC1-R1(2)(b) One Residential Unit on lots less than 325m<sup>2</sup>**

**General Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5) (6) MRZ & PREC1-R1(1) – R1(6) and MRZ-R(9) MRZ-R1(1)(i).~~

**Activity Specific Performance Standards**

A Residential Unit on a lot less than 325m<sup>2</sup> shall comply with the following standards:

- (a) The minimum lot size shall not be less than 273m<sup>2</sup> net site area.
- (b) The standards in ~~MRZ-R(1) MRZ-R1(1)(a)~~ - Outdoor Living Space and Service Area.

**Matters of Discretion**

Rule ~~MRZ-R2(1). MRZ & PREC1-R2(1).~~

**PREC1-R(4) PREC1-R1(2)(c) Duplex Dwellings**

**General Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1(3) and MRZ-R1(5). to MRZ-R1(6) and MRZ-R(9). MRZ & PREC1-R1(1) to R1(6) and MRZ & PREC1-R1(6) and MRZ-R1(1)(i).~~

**Activity Specific Performance Standards**

A Duplex Dwelling shall comply with the following performance standards:

- (i) The site subject to on which the duplex is to be located must be a front site;
- (ii) The minimum net site area shall be 400m<sup>2</sup> (200m<sup>2</sup> per unit);
- (iii) Each unit shall have an exclusive outdoor living space of 36m<sup>2</sup> and which contains no dimension less than 4m. Except that this space may be reduced by the same amount area where balconies, decks and conservatories are provided with a minimum area of 10m<sup>2</sup>, with no dimension less than 1.8m;. The outdoor living space must:
  - Be unobstructed be 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 10m<sup>2</sup> 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;
  - Each unit shall have an minimum net site area where the total building coverage shall not exceed 50%;

- (v) Any exterior wall shall not exceed 15m in length without being horizontally or vertically stepped or containing a ~~material~~ change in materials;
- (vi) No yard or ~~height relative to boundary~~ *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-R2(1)~~-MRZ & PREC1-R2(1).

Rule ~~MRZ-R2(2)~~-MRZ & PREC1-R2(2).

**~~PREC1-R(5)~~ PREC1-R1(2)(d) Terraced Housing**

**General Performance Standards**

Refer Rules ~~MRZ-R1(1) to MRZ-R1 to MRZ-R1(3) and MRZ-R1(5)(6) and MRZ-R(9)~~  
~~MRZ & PREC1-R1(1) to R1(6) and MRZ-R1(1)(i).~~

**Activity Specific Performance Standards**

~~A~~ Terraced Housing shall comply with the following performance standards:

- (i) The ~~site subject to~~ on which the terraced housing is to be located must be a front site ~~and must not be located on a site adjacent to a shared path;~~
- (ii) The average net site area shall be 150m<sup>2</sup> per residential unit;  
~~The average permeable surface area shall be 20% per residential unit;~~
- (iii) Each unit shall have an exclusive outdoor living space of 20m<sup>2</sup> ~~and which~~ contains no dimension less than 4m, or a 9m<sup>2</sup> 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 ~~60%~~ 55% except where 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 ~~material~~ change in materials;
- (vi) No yard or ~~height relative to boundary~~ *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-R2(1)~~-MRZ & PREC1-R2(1).

Rule ~~MRZ-R2(3)~~-MRZ & PREC1-R2(3).

**~~PREC1-R(6)~~ PREC1-R1(2)(e) Educational Facilities**

**General Standards**

~~MRZ-R1(1), MRZ-R1(2), MRZ-R1(3), MRZ-R1(4)(e) and MRZ-R(9)~~  
~~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-R2(1)-MRZ & PREC1-R2(1).~~

Rule ~~MRZ-R2(4)-MRZ & PREC1-R2(4).~~

## ~~PREC1-R1(3) Discretionary DIS Activities~~

~~All discretionary activities must comply with the general and relevant activity specific performance standards. The general performance standards are listed in MRZ-R1(1) to MRZ-R1(5). Any activity specific standards are identified in the following activity rules.~~

~~The assessment criteria matters of discretion Rule ~~MRZ-R2(1) to MRZ-R2(3)(4) 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-R(6) PREC1-R1(3)(a)** Any permitted or controlled activity which does not comply with three or more performance standards or activity related standard unless otherwise stated in the performance standard rule.~~

## General Performance Standards

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5)(6) and MRZ-R(9) MRZ & PREC1-R1(1) to R1(6) and MRZ-R1(1)(i).~~

## ~~PREC1-R(7) PREC1-R1(3)(b) Retirement Village~~

## General Performance Standards

Refer Rules ~~MRZ-R1(1) to MRZ-R1(5)(6) and MRZ-R(9) MRZ & PREC1-R1(1) to R1(6) and MRZ-R1(1)(i).~~

## ~~PREC1-R1(4) Non-complying Activities NC Activities~~

~~The assessment criteria matters of discretion Rule ~~MRZ-R2(1) to MRZ-R2(3)(4) 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-R(8) PREC1-R1(4)(a)** Any discretionary activity that does not comply with one or more performance standards.~~

~~**PREC1-R(9) PREC1-R1(4)(b)** Any activity not specifically listed within the Medium Density Residential Zone~~

~~**PREC1-R(10) PREC1-R1(4)(c)** Any activity listed as a Non-Complying Activity within the Medium Density Residential Zone.~~

~~**PREC1-R(11) PREC1-R1(4)(d)** Development not in accordance with the Lockerbie Development Area Plan~~

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

### MRZ-R1(1) MRZ & PREC1 – R1(1) General Rule

All activities shall be required to comply with the following performance standards. Rule MRZ-R1(1) to MRZ-R1(5)(6) and MRZ-R(9) MRZ & PREC1-R1(1) to R1(6) and MRZ-R1(1)(i). are general performance standards for all activities including linkage rules to other sections of the District Plan.

### MRZ-R1(2) MRZ & PREC1 – R1(2) Building Envelope

Unless otherwise stated, the following performance 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).

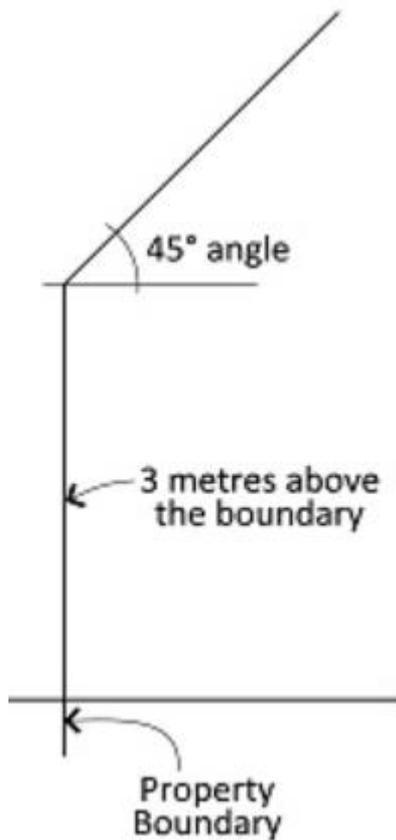
Refer Section 8 for rules for antenna and dishes.

(b) ~~Height relative to site boundaries~~ 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.

Insert new figure below



(c) Yards

Front	3m, or 5m for garages to the front boundary or for <i>residential units</i> that do not incorporate a garage.
Side and Rear	1.5m (except on a common wall boundary between a <i>duplex dwelling</i> and <i>terraced housing</i> 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 *property 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 site a building~~ ~~locate the~~ *accessory building* within the rear and/or side yard and:
  - (i) The *building* is less than 10m<sup>2</sup> 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 ~~building~~ *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-R1(3) MRZ & PREC1 – R1(3) Maximum *Building Coverage* and *Permeable Surface Area* unless otherwise provided for**

- (a) Maximum *building coverage* shall be ~~50%~~55% of the *net site area*.
- (b) Minimum permeable surface area shall be 20% of the *net site area*.

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

- (a) On a *site* with a frontage ~~of~~ 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* ~~and sites with two transport corridor frontages~~ *with two street frontages, and/or where there is one street frontage and a reserve on the other frontage* this is required on both ~~street~~ frontages.
- (e) Maximum fence and wall heights:

<p>Front and side boundary fences <del>and/ or retaining walls</del> located forward of the front <del>building line of the dwelling wall of the residential unit</del></p>	<p><del>1.2m</del></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 <del>that sits</del></p>	<p><del>Maximum 1.5m with maximum of 1.2m for at least 50% of the boundary length;</del></p>

<p>lower than the adjacent private lots as shown on a Development Area Plan</p>	<p><del>maximum 1.8m only behind the face of the dwelling.</del></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><del>1.8m</del></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>

(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-R1(5) 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:

- (a) 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
- (b) 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-R1(5)(6) MRZ & PREC1 – R1(6) District Plan Linkage Rules – Performance Standards**

All activities shall comply with the relevant **performance** 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 R2 Assessment Criteria Matters of Discretion for Medium Density Residential Zone and PREC1- Lockerbie**

**MRZ-R2(1) MRZ & PREC1-R2(1) Matters of Discretion General Assessment Criteria**

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

- (a) The extent of non-compliance with any **performance 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 ~~coherent~~ **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; **and**
- (h) Whether adequate capacity exists to maintain acceptable levels of service within available public reticulated three waters services; **and**
- (i) ~~The extent to which the subdivision and development principles in 6.3.13 are met.~~ The Matters of Discretion for subdivision and development in Rule 6.3.13(v).

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

~~Note: These specific Restricted Discretionary Assessment criteria apply in addition to all other general assessment criteria and other assessment criteria resulting from the rule mechanisms that apply to the activity~~

In addition to the criteria set out in **Rule MRZ-R2(1) MRZ & PREC1-R2(1)**, the following **assessment criteria 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 ~~that~~ **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 R3(3) RDIS Matters of Discretion – Educational Facilities~~

~~In addition to the criteria set out in Rule MRZ-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;~~

**MRZ R2(3) MRZ & PREC1-R2(3) Restricted Assessment Criteria RDIS Matters of Discretion – Terrace Housing**

~~Note: These specific Restricted Discretionary Assessment criteria apply in addition to all other general assessment criteria and other assessment criteria resulting from the rule mechanisms that apply to the activity~~

In addition to **Rule MRZ-R2(1) MRZ & PREC1-R2(1)**, the following **assessment criteria** matters of discretion shall apply to *Terraced housing* in PREC1: 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 ~~extent to which design and location of~~ parking, manoeuvring areas and driveways ~~have been designed and located~~;
- (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*.

~~Note: The matters of discretion Rule MRZ R2(1) to MRZ R2(3) 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 R3(3) R2(4) MRZ & PREC1-R2(4) RDIS Matters of Discretion – Educational Facilities**

In addition to ~~the criteria~~ those set out in ~~Rule MRZ-R2(1)~~ ~~Rule MRZ-R2(1)~~ **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-R3~~ **MRZ & PREC1** Other Plan Provisions**

#### **~~MRZ-R3(4)~~ **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, **performance** standards and terms.

Every allotment created by subdivision exclusive of those for works and network utilities shall comply with the following conditions, **performance** 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)

## 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 <sup>3</sup> 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 <sup>3</sup> or more of material (as measured compacted in place). See 4.12 <b>except for those areas covered by the Lockerbie Development Plan Area (see Rule <del>MRZ-R(9) MR-R1(1)(i))</del>.</b>	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 1m<sup>2</sup> 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 ~~to~~ 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 buildings 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 450m<sup>2</sup> of net site area, except in the Lockerbie Development Plan Area where it shall not exceed one dwelling per 600m<sup>2</sup> 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 <u>and</u> <u>Medium Density Residential Zone</u> <u>(including PREC1-Lockerbie)</u>	A sign stating name, profession, occupation or trade or property name.	0.3m <sup>2</sup>

## 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:

## 5.2.2A Medium Density Residential Zone

(i) Home occupations.

The noise level (LA<sub>eq</sub>) 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<sub>eq</sub>) 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 <sub>AFmax</sub>

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)	<u>Medium Density Residential Zone (including PREC1-Lockerbie)</u>	
<b>1.</b>	<b>All Zones</b>									
(a)	Boundary Adjustment	C	C	C	C	C	C	C	<u>C</u>	
(b)	Bonus Protection Lots	D	D	D	D	D	D	D		
(c)	Works and Network Utilities.	C	C	C	C	C	C	C	<u>C</u>	
(d)	Subdivision with one or more new vacant developable lots: <ul style="list-style-type: none"> <li>• Within a National Grid Subdivision Corridor;</li> <li>• Within 20m either side of the centreline of a sub-transmission line.</li> </ul>	RD	RD	RD	RD	RD	RD	RD	<u>RD</u>	
(e)	Subdivision with one or more new vacant developable lots adjoining: <ul style="list-style-type: none"> <li>• Any state highway, or</li> <li>• A railway line included in the definition of "regionally significant infrastructure"</li> </ul>	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	<u>See 6.3.11</u>	

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)	<u>Medium Density Residential Zone (including PREC1-Lockerbie)</u>
(f)	Subdivision of Scheduled Sites				D				
<b>2.</b>	<b>Subdivision in Residential, <u>Medium Density Residential</u>, Business and Industrial Zones</b>								
(a)	Residential Infill			See Rule 4.13					
(b)	Residential Minimum Lot size 450m <sup>2</sup> net site area ( <u>excluding the Residential Zone within the Lockerbie Development Area Plan see Rule 6.3.12</u> )			C					
(c)	Industrial (non-scheduled sites) Minimum Lot size 500m <sup>2</sup> net site area				C				
(d)	Business (Non Shop Frontage Area). Minimum Lot size 500m <sup>2</sup> 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			RD					

		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)	<u>Medium Density Residential Zone (including PREC1-Lockerbie)</u>
	Road Structure Plan Areas**								
(i)	Subdivision within the Banks Road to Mangawhero Road Structure Plan			RD					
(j)	<u>Subdivision within the Lockerbie Development Plan Area**</u>			RD					
(k)	<u>Medium Density Residential Zone**</u>								RD
(l)	<u>Medium Density Residential Zone PREC1-Lockerbie**</u>								RD

\*\*Structure Plans and Development Area Plans include:

- (iii) Banks Road, Matamata
- (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 150m<sup>2</sup> 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 150m<sup>2</sup> 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 113m<sup>2</sup> 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-R(1)~~ MRZ-R1(1)(a).
- Duplex: Compliance with the Activity Specific Standards in Rule ~~MRZ-R(11)~~ 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 113m<sup>2</sup> 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-R(1)~~ MRZ-R1(1)(a).
- Duplex: Compliance with the Activity Specific Standards in Rule ~~PREC1-R(4)~~ PREC1-R1(2)(c) will be assessed through the concurrent land-use consent application.
- Terraces: Compliance with the Activity Specific Standards in Rule ~~PREC1-R(5)~~ PREC1-R1(2)(d) will be assessed through the concurrent land-use consent application.

C.2.10) Insert Rule 6.3.12 to read as follows:

### 6.3.12 Lockerbie Development Area Plan

- (i) Additional performance standards for subdivision in the Residential Zone using Rule 6.1.2(j)
- a) The minimum lot size shall be 600m<sup>2</sup>.

- b) Every subdivision within the Lockerbie Development Plan Area Plan shall put in place a water meter for each individual residential unit.
- (ii) ~~Controlled Assessment Criteria~~ Matters of Discretion  
See Section 6.4 6.5
- (iii) Non-compliance  
Subdivision that fails to comply with the additional standards in 6.3.12(i) above shall be non-complying activity.

C.2.11) *Insert* Rule 6.3.13 to read as follows:

### 6.3.13 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.
  - ~~(i) Subdivision and development within the Lockerbie Development Area Plan should be considered against the following principles:~~
    - ~~a) Connectivity and block design
 
      - The breaking up of block length with pedestrian linkages and/or roads.
      - The provision for roads on at least two sides of the neighbourhood park.~~
    - ~~b) Clear defined public and private realms/backs and fronts
 
      - All places clearly perceived as either public or private.~~
    - ~~c) Active edges and architectural variation
 
      - Dwellings to activate uses fronting onto the public areas in front of them.
      - No blank walls on the street edge.
      - Garages to be setback to avoid street frontages dominated by garage doors.~~
    - ~~d) Block and Lot design
 
      - Residential blocks orientated north to south so that lots generally orientate east and west.
      - Rear lots minimised.
      - Wider lots on corners i.e. between 12-15m.
      - Standalone lot widths to range between 10.5 to 13.5m.
      - Lot widths for duplex dwellings to relate to garage size i.e. 12m for double garage and 9m for single garage.
      - Terraced housing is blocks of no more than 6 i.e. 4 middle units and two book-ends.~~
    - ~~e) Architectural variation
 
      - Provide for architectural variation in the built form.~~

- (ii) Additional standard for subdivision using Rule 6.1.2(k)
- a) Minimum lot size shall be 325m<sup>2</sup>, 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 325m<sup>2</sup> are proposed:
    - (i) the lot size for ~~a~~ one *residential unit* shall be no less than 273m<sup>2</sup> and a concurrent land use consent must be obtained; or
    - (ii) the lot size for a *duplex dwelling* shall be no less than 200m<sup>2</sup> and a concurrent land use consent must be obtained;
    - (iii) A legal mechanism shall be registered on the title for those lots *specifying recording the ongoing obligation to comply compliance* 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 *performance* standard for subdivision using Rule 6.1.2(l)
- a) Where lots less than 325m<sup>2</sup> are proposed:
    - (i) the lot size for ~~a~~ one *residential unit* shall be no less than 273m<sup>2</sup> and a concurrent land use consent must be obtained; or
    - (ii) the lot size for a *duplex dwelling* shall be no less than 200m<sup>2</sup> and a concurrent land use consent must be obtained;
    - (iii) A legal mechanism shall be registered on the title for those lots ~~specifying recording the ongoing obligation to comply compliance~~ with the land use consent obtained.
  - b) ~~For terraced housing a land use consent must be obtained; and~~ Where lots less than 200m<sup>2</sup> 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 ~~specifying compliance~~ *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 is~~ 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) *Restricted Discretionary Assessment Criteria Matters of Discretion*
- a) *Connectivity and block design*
    - The ~~extent breaking up of 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 **to be** 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 **to range** 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** ~~Provide for~~ architectural variation in the built form **is provided**.

f) ~~See~~ Section 6.5

(vi) Non-compliance

Subdivision that fails to comply with the ~~additional controlled~~ standards in 6.3.13(i) to (iv) ~~or (iii)~~ 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 (~~Restricted Discretionary Activity~~)**

(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 to Mangawhero Road Structure Plan
- **Lockerbie Development Area Plan - Refer to Medium Density Residential Zone and Rule 6.3.13, Appendix 9.4 and Lockerbie Development **Plan** 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 **S**tructure **P**lan 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

## 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:

### 9.4 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 **back** 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 **precinct** that integrates with the existing wetland and stream network.
  - A walking and cycling network that runs through the **Development Area Plan 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.
  - ~~Provision for a storage facility, subject to resource consent approval.~~

#### 9.4.1 Compliance with the Development Area Plan

The LDAP comprises the following components:

- Additional **performance** 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 **Development Area Plan 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.

#### **9.4.2 — Additional Performance Standards for Subdivision or Development**

Subdivision and development within the LDAP should be considered against the following principles:

- g) ~~Connectivity and block design~~
  - ~~The breaking up of block length with pedestrian linkages and/or roads.~~
- h) ~~Clear defined public and private realms/back and fronts~~
  - ~~All places clearly perceived as either public or private.~~
- i) ~~Active edges and architectural variation~~
  - ~~Dwellings to activate uses fronting onto the public areas in front of them.~~
  - ~~No blank walls on the street edge.~~
  - ~~Garages to be setback to avoid street frontages dominated by garage doors.~~
- j) ~~Block and Lot design~~
  - ~~Residential blocks orientated north to south so that lots generally orientate east and west.~~
  - ~~Rear lots minimised.~~
  - ~~Wider lots on corners i.e. between 12-15m.~~
  - ~~Standalone lot widths to range between 10.5 to 13.5m.~~
  - ~~Lot widths for duplex dwellings to relate to garage size i.e. 12m for double garage and 9m for single garage.~~
  - ~~Terraced housing is blocks of no more than 6 i.e. 4 middle units and two book-ends.~~
- k) ~~Architectural variation~~
  - ~~Provide for architectural variation in the built form.~~

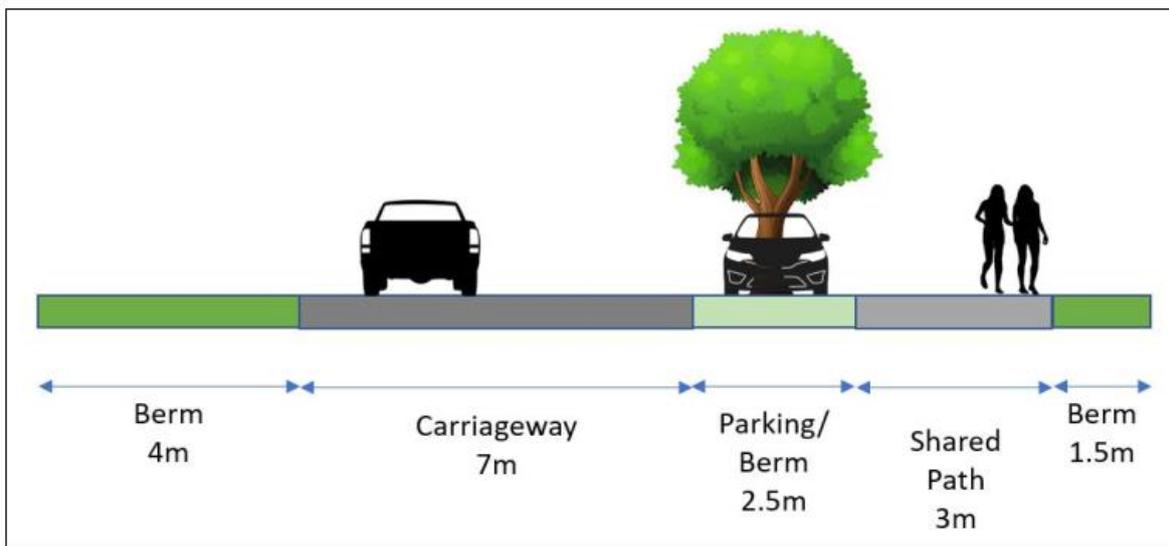
#### **9.4.2 Transport Connections**

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.
- c) Provide for a roundabout to be constructed at the Morrinsville-Tahuna Road/Taukoro Road/Hangawera Road intersection.

- d) 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.
- e) Intersections of Collector Roads shall provide safe and direct connections.  
 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 Figure 1 cross-section:
- f) 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.

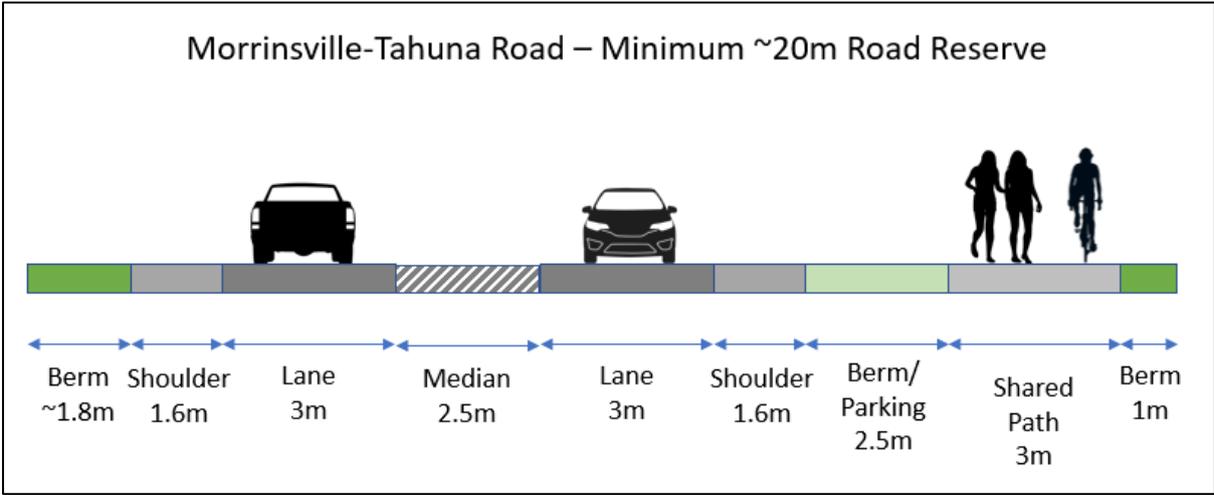
Figure 1: Taukoro Road Cross-Section



(New Figure inserted)

- g) 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



(New Figure inserted)

### 9.4.3 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 demonstrated 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



#### 9.4.4 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 ~~that's the~~ core function of which is stormwater treatment, but ~~has~~ 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 2,500m<sup>2</sup>.
- c) Reserves that break up block lengths and provide connections between the reserves, as in the locations ~~demonstrated~~ depicted in Figure 3.

#### 9.4.5 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 ~~3~~.
- 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.

#### 9.4.6 ~~7~~ 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 ~~and associated bore~~ 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.

#### 9.4.7 ~~8~~ 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.

#### 9.4.8 Water Conservation Methods

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

Refer to Rules 6.3.12(i)(b), 6.3.13(i) and 3.1.10

Figure 4: Three Waters Plan



LOCKERBIE ESTATE LIMITED  
3 WATERS

### 9.4.9 Triggers for Works

Table 1 ~~sets out~~ 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

<b>Transportation and pedestrian networks</b>	
Requirement	When
Shared path extension down Werewere Street	First stage of development
Shared path network within reserves LDAP	<del>When the associated reserve is constructed and vested in Council.</del>  When subdivision reaches 600 lots across the LDAP
<del>Shared path network within the roading network</del>	<del>When the associated road is built and vested in Council</del>
<del>Provision for a connection to Lockerbie Road</del> Provision for a connection to Lockerbie Road	<del>When the subdivision reaches 150 lots across the LDAP</del> First stage of development
Intersection to Morrinsville-Tahuna Road north of Rhonda Read hospital <del>and a shared path from new intersection to the existing pedestrian network.</del>	When subdivision reaches 500 lots across the LDAP
Urbanisation of Morrinsville-Tahuna Road	<del>Either when there are additional lots fronting Morrinsville-Tahuna Road or at the same time the roundabout at Morrinsville-Tahuna and Taukoro Roads is established</del>  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  <del>Roundabout at Morrinsville-Tahuna and Taukoro Roads including associated land take</del>	When intersections to Taukoro Road are established
<b>Wastewater</b>	
Requirement	When
A new pump station and storage facility in the vicinity of the future intersection of Taukoro Road and Werewere Street to service <del>the LDAP</del>	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.
<b>Water</b>	
Requirement	When
Lockerbie bore and water treatment plant	<del>To be agreed with Council. Some development may be able to be accommodated without this based on modelling results.</del>  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
<b>Stormwater</b>	
Requirement	When
Stormwater treatment devices	To be constructed when the supporting catchment is developed
<b>Reserves</b>	
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.

#### 9.4.10 Development Agreement

~~The Council and the Developer may need to enter into an agreement for the provision of servicing and infrastructure upgrades required for subdivision and development within and beyond the land included within/live zoned through Plan Change 56 and depicted in the Lockerbie Development Area Plan (LDAP). This may include external or off-site infrastructure, services and/or structures in the four categories set out below.~~

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.

#### **9.4.10.1 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.

#### **9.4.10.2 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.

#### **9.4.10.3 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.](#)

#### **9.4.10.4 Reserves**

- Development of the reserves/stream upgrades and planting will be undertaken by the Developer wholly at its cost. **The reserves and** 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).

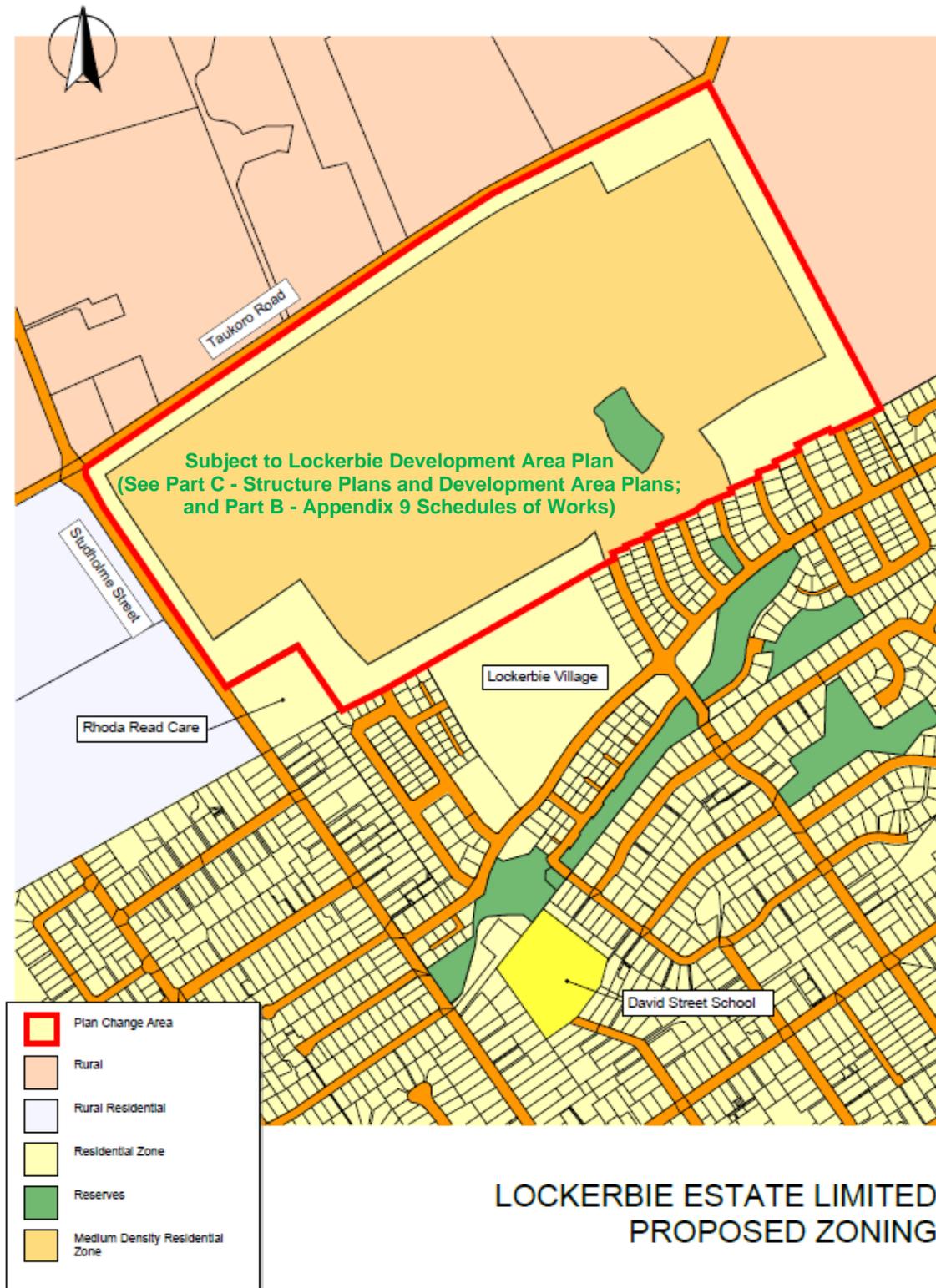
Insert the following definitions into Section 15.

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"> <li>a. partially or fully roofed, and</li> <li>b. is fixed or located on or in <i>land</i>, but</li> <li>c. excludes any motorised vehicle or other mode of transport that could be moved under its own power.</li> </ul>
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 physically</i> connected by one or more <i>accessory buildings</i> , such as garages, 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 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 <b>land</b> 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.

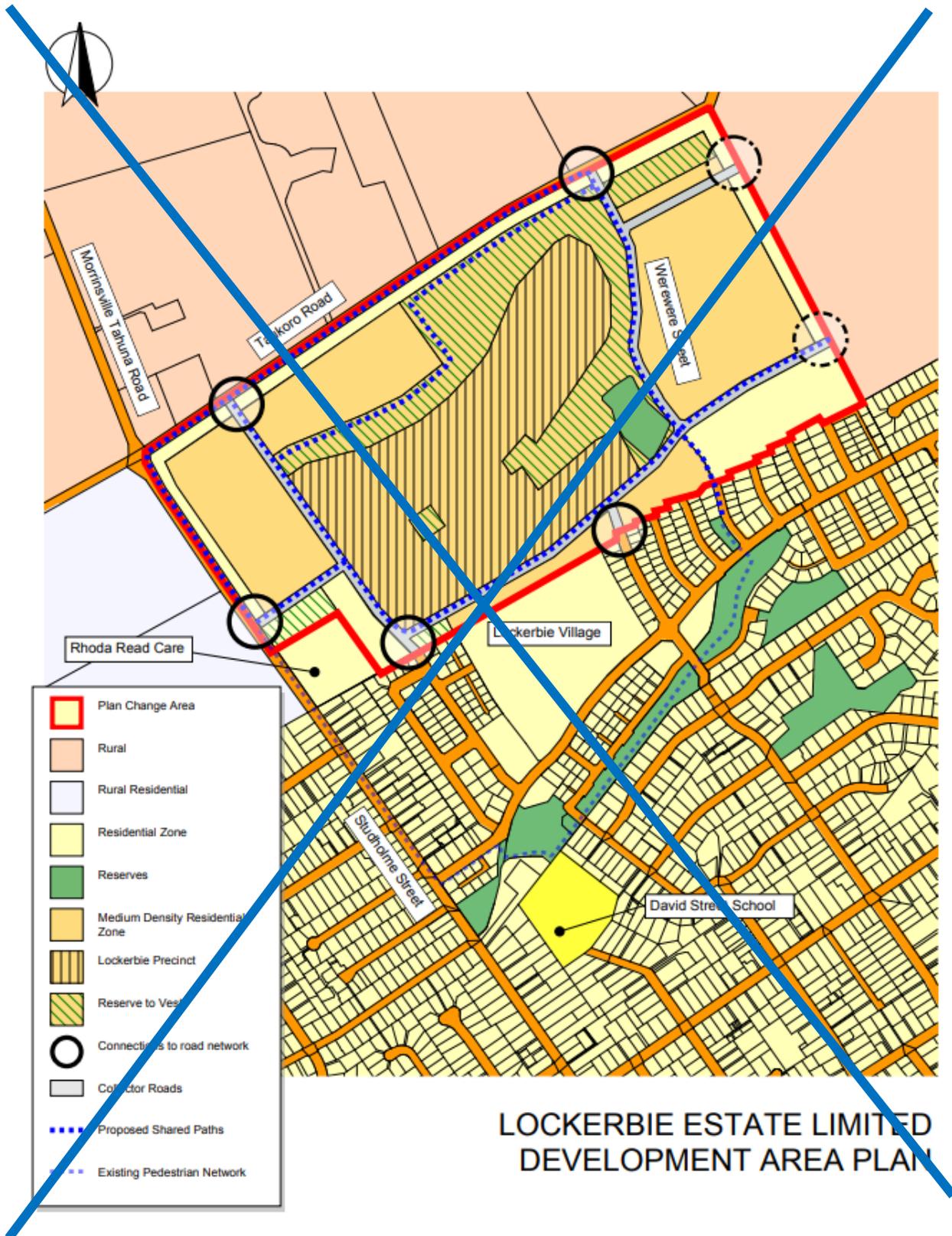
## Part 11 - Planning Maps

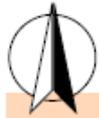
C.2.16) – *Amend Planning Map 26 to remove Rural zoning and Future Residential Policy Area from the site and replace with the zoning shown on the Lockerbie Zoning Plan*



## Part 12 – Structure Plans

C.2.17) – *Insert* the Lockerbie Development Area Plan





- Plan Change Area
- Rural
- Rural Residential
- Residential Zone
- Reserves
- Medium Density Residential Zone
- Lockerbie Precinct
- Reserve to Vest
- Indicative neighbourhood park
- Connections to road network
- Collector Roads
- Key Local Roads
- Proposed Shared Paths
- Existing Pedestrian Network

## LOCKERBIE ESTATE LIMITED 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.