

Proposed Taiwāwe Catchment Structure Plan

~~September 24~~ ~~March 15~~ 2021 V141a Section 27.9 TAIWĀWE CATCHMENT STRUCTURE PLAN

Track Change (no highlight)- Version 12- filed with Mr Lawrence's first supplementary 31 March

Yellow highlighted text- Version 13- filed with Mr Lawrence's second supplementary 25 August

Green highlighted text- Version 13 A- filed 8 September

Blue Highlighted text- Version 14- reply version

Planning Maps	24 & 24A
Legal Description	Lot 2 DP 387067
Location	104 Taiwāwe Lane, Hot Water Beach
Area	38.12 hectares
Zone	Rural
Overlays	Biodiversity

27.9.1 DESCRIPTION

The Taiwāwe Catchment Structure Plan covers 38.12 hectares in one certificate of title. The land in the Taiwāwe Catchment Structure Plan is located off Hot Water Beach Road sharing the same right of way as the Top Ten Holiday Camping Ground on the western side of Hot Water Beach Road, with access off Taiwāwe Lane and Ngātuturu Lane near Hot Water Beach settlement.

The Taiwāwe Stream Catchment lies within the rohe of Ngāti Hei. In particular, the Taiwāwe Catchment Structure Plan includes the Taiwāwe Stream and the headwaters of two of its tributaries, forming a significant and important terrestrial component of the Ngāti Hei rohe at Te Puia (Hot Water Beach).

The land is within the Rural Zone and has no overlays (with the exception of the Biodiversity Overlay which is not mapped). The Taiwāwe Stream and tributaries drain the land within the structure plan.

27.9.2 PURPOSE

The purpose of this structure plan is to create a conservation framework focused on the enhancement and protection of the ecological values, hydrology and indigenous biodiversity in the catchment containing the headwaters of the Taiwāwe Stream and tributaries. The structure plan provides for rural lifestyle and large lot residential development responsible for its own water supply, wastewater treatment and disposal, and stormwater management.

To achieve this purpose:

- (i) Restoration and protection of ecological values and enhancement of indigenous biodiversity of indigenous bush, riparian margins, wetlands and steep or potentially unstable land, within conservation areas, will be carried out to create a framework for a large lot residential and rural lifestyle subdivision and development;

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- (ii) Mandatory membership and funding of an Incorporated Society (or other appropriate legal entity) is required of all landowners within the Structure Plan area to carry out conservation programmes including pest (animal and plant) management, monitoring, construction and maintenance of access walking tracks, and stormwater discharges to conservation areas.
 - (iii) Development intensity is limited by the number of dwellings and to identified buildings sites or Defined Building Areas located within areas appropriate for development;
 - (iv) Isolated remnants of regenerating indigenous vegetation, together with existing indigenous vegetation and enrichment planting in riparian margins of the Taiwāwe Stream and its tributaries, will be protected within a conservation area that is held in private ownership; and
 - (v) Revegetation, restoration, enrichment and buffer planting of indigenous vegetation will be implemented within areas identified for conservation including all steep and eroding land identified on the Conservation and Landscape Planting Plan (Attachment 2);
 - (vi) Conservation measures to be implemented will also include ongoing pest (animal and plant) management programmes, remediating barriers to fish migration; enhancement of stream hydrology through riparian margin setbacks and buffer planting (providing shading, sediment filtration and erosion control); removal of livestock; and pet control including a ban on cats and mustelids;
 - (vii) Dwellings and accessory buildings will be located and designed with sites landscaped in a manner that complements the indigenous vegetation setting and rural landscape character of the land; and
 - (viii) Vehicle access to and within the land will be formed to standards developed to maintain the safe and efficient functioning of the Council's road network and achieve integration of the development into its natural framework and to retain rural character.
- (ix) Maintenance of right of way/road access, oversight and monitoring of private building covenants, consent conditions on building design, materials and location, and controls on use of exotic planting; along with monitoring the performance of wastewater treatment and discharge systems will be carried out by the Incorporated Society (or other appropriate legal entity) comprising all landowners.

(ix)(x) As a non-regulatory method, all decisions and actions made and taken by the landowners including through the Incorporated Society will be in accordance with a Memorandum of Understanding reached between Hot Water Beach (NZ) Limited and Ngāti Hei Environs, as the mandated resource management entity representing Ngāti Hei.

27.9.3 ISSUES

The future development of the land requires an integrated approach: to ensure ecological values and biodiversity are both protected and enhanced through restoration, enrichment of indigenous vegetation, shading of streams and removal of impediments to fish migration to improve aquatic

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habitat; and to contain development within a framework of conservation planting established through the ecological protection and enhancement programme for the land, supplemented by landscape and amenity planting.

The programme of restoration work and ongoing conservation measures required to maintain and enhance the ecological values of the conservation area requires stewardship with a commitment to monitoring and ongoing financial input from the property owners through the Incorporated Society.

The structure plan area is located at the edge of the Hot Water Beach settlement on land containing the Taiwāwe Stream and its tributaries in the Rural Zone. It is in an area of transition where the Hot Water Beach settlement has expanded from being a traditional coastal holiday bach enclave to a village with a coastal living zone applied, including a mix of seaside baches and substantial residential buildings, low density housing, along with a recently established rural lifestyle subdivision, and new and expanding camping ground.

The area is not well served for modern telecommunications which require upgrading.

It is desirable to carry out this next stage of development consolidated on and expanding the range of living and holiday options for Hot Water Beach in an integrated and coherent manner. The development together with the conservation programme involved to protect and enhance biodiversity values is unlikely to be achieved through the average lot size for rural lots and conservation lot subdivision rules, or simply by rezoning to Rural Lifestyle Zone or Low Density Residential Zone.

27.9.4 OBJECTIVES & POLICIES

Objective 1

Protect and enhance existing indigenous vegetation, ~~and habitat values~~ and the ~~of high~~ natural character ~~along of~~ stream margins, wetlands and springs, and restore ecological values by creating corridors to connect remnant areas of indigenous vegetation to enhance biodiversity.

Policy 1a

The Conservation Area shown on Diagram A is maintained, restored or enhanced to:

- a) Establish and protect an ecological framework and setting for the development areas;
- b) Protect existing indigenous vegetation;
- c) Ensure steep and erosion prone land is planted in appropriate indigenous species;
- d) Ensure stormwater discharges are managed so that they do not compromise the ecological values and attributes of the Conservation Area including stream network.

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Policy 1b

Development shall be planned, designed and managed to:

- a) Control pest animals and plants;
- b) Improve aquatic habitat by excluding stock from streams and wetlands, maintaining and enhancing shading and buffering functions of riparian margins, and through removal of impediments to migration of fish species;
- c) Ensure uses and activities minimise adverse effects on the natural values of the conservation area, while providing for network utility structures and trenching if required; and activities and structures necessary to support the conservation effort.
- d) Limit uses and activities in the conservation area to those compatible with the protection, restoration and enhancement of ecology and biodiversity values. Such activities may include shelter, seating, pathways or walking tracks, interpretive or safety signs.

Objective 2

Establish a high quality, self-contained large lot residential/lifestyle subdivision within a conservation framework in the Rural Zone adjacent to Hot Water Beach, ~~which maintains rural character while providing for a range of lot sizes.~~

Policy 2a

Development within the Taiwāwe Catchment Structure Plan should be in accordance with Diagrams A, B, C, D, E, and F, and with Attachments 1, 2 and 3.

Policy 2b

Large lot residential or lifestyle lots should be fully self-sufficient and self-servicing in respect of water, wastewater and stormwater.

Policy 2c

Development should retain a rural character and amenity consistent with establishing and extending the range of living choices for the Hot Water Beach settlement.

Policy 2d

All areas of existing indigenous vegetation together with planted areas (revegetation and enrichment) shall either be held in private ownership subject to conservation covenants under the Conservation Act 1987, or other appropriate legal mechanism such as consent notice on titles or QEII Open Space Covenants.

Policy 2e

Vehicular access (private or public) should be low key, using low-impact engineering design principles designed to maximise the number of lots served, thereby minimising the number of accessways required to be constructed and minimising earthworks.

Policy 2f

A single legal entity is established to undertake management of the Conservation Area and infrastructure and to monitor performance of conservation measures and oversee compliance with development controls.

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27.9.5 TAIWĀWE CATCHMENT STRUCTURE PLAN RULES

RULE 1 SUBDIVISION creating one or more lots

1. Subdivision creating one or more lots in the Development Area shown on Diagram A is a Restricted Discretionary Activity, provided the following standards are met:
 - a) A maximum of 25 lots may be established for residential purposes;
 - b) The subdivision standards in Section 27.9.6 Table 1;
 - c) There shall be one Defined Building Area which shall be no greater than 500m², and whereby at least some part of the Defined Building Area must incorporate or immediately adjoin the GPS location identifying the Defined Building Area as set out on Attachment 1; Overall Development Concept per large lot residential or lifestyle living lot;
 - d) Compliance with and implementation of the Landscape Planting and Ecological Management plans required by Rules 1 f) and m);
 - e) Household waste management systems shall meet the following standards:
 - i) Advanced aerated wastewater system providing pre-treatment, and secondary treatment involving aerobic biological processes with discharge to irrigation fields by trickle irrigation, in accordance with best practice standards and guidelines as in force or adopted by one or more local authorities in New Zealand, at the time of subdivision. AS/NZS 1547
 - ii) Inspection at least once every two years by an independent expert; and
 - iii) Results and recommendations resulting from the inspections carried out under ii) must be reported to the Incorporated Society for implementation.
 - iv) Copies of the report, recommendations and implementation must be provided to the Council and Ngāti Hei.
 - f) The subdivision application shall include a Landscape Planting Plan, for the Landscape Planting Areas that are located within the Development Area shown on Diagram A, being those areas shown in Attachment 1: Overall Development Concept, apart from Areas LV1 to 5 which are to be planted under Rule 1 g) i) below, R8 and R9 shown on Attachment 2: Conservation and Landscape Planting (which are located within the Conservation Area on Diagram A). The Landscape Planting Plan shall be prepared by a suitably qualified expert, and shall include:
 - i) Plant species that are consistent with, and complimentary to, those indicated in Attachment 1: Overall Development Concept; and
 - ii) Details of their size at time of planting; and

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- iii) Their spacing and location including a minimum distance from windows to minimise bird strike risk; and
- iv) Provision for ecosourcing plants where available and practicable to do so; and
- v) Timing: Identifying planting to be completed before issue of the s 224 Completion Certificate for each site to be established; planting before occupation of a house on the lot; and timeframes to be met for replenishment or replacement of dead or ailing plants.

The Landscape Planting Plan shall be accompanied by a Planting Maintenance Plan.

- g) The protection and enhancement measures within the Conservation Area shown on Diagram A shall meet the following standards:

(i) The minimum area for ecological protection shall be 18.8 hectares and comprised as follows:

- 9.2 ha of existing indigenous vegetation shown as EV;
- 6.9 hectares of enhancement or enrichment planting in the areas shown as E1 to E3 (inclusive), and restoration planting in the areas shown as R1 to R11 (inclusive), and
- 2.7 ha of landscape planting in the areas as LV 1 to 5.

all being as shown on Attachment 2: Conservation and Landscape Planting;

(ii) Areas R8 and 9 are to be planted in accordance with Rule 1 f) above.

(i)(iii) Implementation of the Ecological Management Plan measures and work programmes required by Rule 1 m) and

- i) Baseline surveys for bats prior to removal of any large trees such as pines, and for indigenous lizards, kiwi, other indigenous forest and wetland birds shall be completed, and ongoing survey and management requirements for these species undertaken, in accordance with the Ecological Management Plan required by Rule 1 m);
- j) No, dogs, cats or mustelids shall be kept on, or introduced on to any lot within the Structure Plan area;
- k) No more than one dog shall be introduced or kept on a lot at any time. Any dog must be microchipped and have a current kiwi aversion training certificate. Any dog must be kept within a dog proof fence on the lot and be under effective control at all times outside the fenced off area, (eg on a lead). At night any dog must be kept inside, or in an enclosed run, or within the fenced area and tied up/tethered. [to be deleted if dogs added to (i) above]
- l) Minimum requirements for monitoring and reporting including:

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- i) Inspections of plantings twice a year by an independent contractor;
 - ii) Results of planting inspections and pest control outcomes from implementation of the Ecological Management Plan measures and work programmes required by Rule 1 m), to be reported to the Development Planning Manager of the Council and Representative of Ngāti Hei; and uploaded on to a community pest control web site to be accessible to interested parties (eg TrapNZ, Whenuakite Kiwi Group and Royal Forest & Bird Protection Society Inc);
 - iii) Ongoing surveys for bats, kiwi and wetland birds in accordance with the recommendations of the Ecological Management Plan, with results reported as in 1) ii) above.
- m) The subdivision application shall include an Ecological Management Plan, prepared by a suitably qualified expert, which:
- i) Has as its principal objective, to provide for the protection, enhancement, and restoration and enrichment of the biodiversity values of the Conservation Area with details of planting timing, areas, plant numbers, species selection;
 - ii) Identifies all pest (animal and plant) controls to be applied, including at a minimum (as to animal pests), detailing landowner or contractor responsibility for control of feral pigs, possum, rat and mustelid trapping, including frequency of trap inspections, best practice residual trap catch rates and indices (5% for rodents and possums), recording of kills, bait take and trap condition, and (as to plant pests) the frequency of plant pest control and areas within which it must take place, and a prohibition on the planting of any species listed in the National Pest Plan Accord and the Waikato Regional Pest Management Strategy;
 - iii) Requires all stock to be excluded from the Conservation Area shown on Diagram A;
 - iv) Details baseline survey requirements for bats prior to removal of any large trees such as pines, and for indigenous lizards, kiwi, other indigenous forest and wetland birds, along with ongoing survey and management requirements for these species;
 - v) Requires installation of signage identifying low speed zones, and/or speed humps, for the protection of kiwi, and provision of signage at the intersection of Ngātuturu and Taiwāwe Lane that informs visitors of the presence of kiwi, dog control and cat bans, and low speed zones within the Structure Plan area;
 - vi) Provides a detailed methodology for addressing barriers to fish passage;
 - vii) Provides a programme of implementation for the works and measures recommended in the Plan, including the timing of all planting required in the

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Conservation Area shown on Diagram A and identified in Rule 1 (g) i), identifying work required prior to signing a s 224 RMA completion certificate for any or all future titles, and the measures and work programmes required for implementation after issue of title;

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- viii) Provides detailed monitoring and reporting requirements for the Incorporated Society to fund and implement; and
- ix) Addresses earthworks, establishment of walking tracks and stormwater outfalls from development areas or rights of way, and methods to address adverse effects on biodiversity and ecological values that may arise from these activities.
- n) A further archaeological field survey and assessment shall be completed, following consultation with Ngāti Hei, to inform:
 - i) the location of roads and accessways, Defined Building Areas, accessways, effluent disposal fields and other attendant infrastructure;
 - ii) the construction of tracks, steps, signs and styles within the Conservation Area; and
 - (iv) the Ecological Management Plan and Landscape Planting Plan; to ensure archaeological remains are avoided.
- o) Vehicular access in the form of public or private roads (including ROW easements) shall be designed and constructed to meet the standards set out in 27.9.6 Table 1 Item 4.
- p) A legal entity (in the form of an Incorporated Society or the like, made up of all land owners in the structure plan area, shall be established and funded by the landowners to take responsibility for:
 - i) oversight, operation and maintenance of infrastructure including roading and wastewater infrastructure;
 - ii) ownership of all Indicative Shared Accessways shown on Attachment 3: Proposed Accessway Types;
 - iii) ownership of all land contained within the Conservation Area shown on Diagram A;
 - iv) management of all ecological areas identified in Rule 1 (g) i), in accordance with the provisions of the Ecological Management Plan prepared in accordance with Rule 1 m), directly through landowner responsibility as detailed in that Management Plan, or through retention of experienced contractors (where recommended for animal and plant pest control, and the installation of structures to facilitate fish passage);
 - v) Compliance with resource consent conditions ~~controls on development imposed by way of resource consent~~ which set continuing obligations extending beyond the issue of the s224 completion certificate;
 - vi) managing the keeping of pets in accordance with Rule 1 j) and k);

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vii) an animal and plant pest management monitoring and reporting programme in accordance with Rules i) and l); and

viii) Maintenance of structures installed to facilitate fish passage.

q) A consent notice must be registered on the title of the lot to which it relates in order to:

i) Require the Conservation Area to be retained on the ownership of the legal entity/Incorporated Society required by Rule 1 p.

ii) Require the legal entity/Incorporated Society, lot owners and successors in title to meet and implement the Ecological Management Plan measures, and specifically, those measures and work programmes identified under Rule 1 m) as needing to be implemented after the s224 certificate is issued (unless a condition requiring a bond has been imposed under s108A of the Act regarding those measures and work programmes);

iii) Require the legal entity/Incorporated Society, lot owners and successors in title to meet recommendations in the Landscape Planting Plan and Planting Maintenance Plan as to future plant maintenance, replenishment or replacement requirements (unless a condition requiring a bond has been imposed under s108A of the Act regarding those requirements);

iv) Restrict built development (excluding water storage tanks needed for domestic or firefighting purposes) to one dwelling and accessory building located within the Defined Building Area identified on the survey plan of subdivision; and

v) Require retention of all existing, and (once completed) enhancement, enrichment, restoration and landscape planting shown on Attachment 2: Conservation and Landscape Planting.

~~An encumbrance shall be registered against the title(s) for the Conservation Area on Diagram A specifying that there will be no further subdivision, excluding subdivision for boundary adjustment or for network utilities.~~

r) There is, submitted with any application for subdivision including the Assessment of Environmental Effects and geotechnical assessment of building sites; the Landscape Planting Plan required by Rule 1 f); the Ecological Management Plan required by Rule 1 m) (including the baseline surveys required by Rule 1m) iv) and the signage required by Rule 1 m) v)), and the archaeological field survey required by Rule 1 n), evidence of consultation with Ngāti Hei specific to each matter covered by this rule, as may take the form of a cultural values assessment on those matters.

2. Subdivision that does not meet the standard set out in Rule 1.1c) for one or more Defined Building Areas as to the location of that area as shown on Attachment 1 or Rule 1.1r) for evidence of consultation or cultural values assessment shall retain its status as a restricted discretionary activity.

2.3. The Council restricts its discretion to matters 1- 9 in Table 2 below and the Code of Practice for Subdivision and Development (October 2013) except as provided for in Table 1 Item 4 in 27.9.6 below.

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~~3.4.~~ Subdivision that is not a restricted discretionary activity under Rule 1.1 b) and d) to f) is a **Discretionary Activity**.

~~4.5.~~ Subdivision for residential purposes that is not a restricted discretionary activity under Rule 1.1a) is a **Prohibited Activity** ~~discretionary activity provided it does not exceed 35 lots.~~

~~6.~~ ~~Subdivision within the Development Area shown on Diagram A that exceeds 35 lots is a Prohibited Activity.~~

~~5.7.~~ Subdivision within the Conservation Area shown on Diagram A, excluding subdivision for boundary adjustment, roading, access, or utilities is a Prohibited Activity.

RULE 2 One dwelling per lot **Accessory buildings** **Minor Unit**

1. An activity listed in Rule 2 is a permitted activity in the Rural Zone provided:
 - a) It is located within a Defined Building Area as shown in Attachment 1: Overall Development Concept, or within a Defined Building Area on an approved subdivision scheme plan; and
 - b) It meets the standards in Table 3 at the end of the Taiwāwe Structure Plan; and
 - c) It meets the specific standards in Table 6 at the end of Section 56; and
 - d) Ultra violet light reflecting decals or ultra violet light reflecting film is applied to all windows to minimise bird strike risk.

~~3.~~ A minor unit that does not meet Rule 2.1b) is a restricted discretionary activity provided:

~~a) The total Building Footprint of all buildings within the Defined Building Area does not exceed 430m²~~

~~b) The total number of buildings does not exceed three.~~

~~c) The standard for buildings and earthworks in Table 3 are otherwise met.~~

~~4.3.~~ The Council restricts its discretion to Matters 3, 7 and 8 in Table 2 in 27.9.6

4. Subject to Rule 2.2 and 2.4, an activity in Rule 2 that does not retain its activity status under Rule 2.1 b) shall be a **restricted** discretionary activity. ~~The Council restricts its discretion to Matters 7 and 8 in Table 2 in 27.9.6 below.~~
5. An activity that does not retain its activity status under Rule 2.1 a), c) and d), or which does not meet the standard in Table 3 point 44, is a **non-complying discretionary** activity.

RULE 3 Minor Unit

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1. A minor unit is a permitted activity provided it is located within a Defined Building Area, and it meets the standards for buildings and earthworks in Table 3, the total footprint of all buildings within the Defined Building Area does not exceed 300m²;
2. A minor unit that does not meet Rule 3.1 is a restricted discretionary activity provided it is located in the Defined Building Area, the total Building Footprint combined coverage of all buildings within the Defined Building Area does not exceed 4300m², the total number of buildings do not exceed three, and the standards for buildings and earthworks in Table 3 are otherwise met.

RULE 4 Any other activity in the Taiwāwe Catchment Structure Plan

1. Any other activity, except for Intensive Farming or Livestock Farming or Goat Farming in the Taiwāwe Catchment Structure Plan that is a **permitted** or **restricted discretionary** or **discretionary activity** in Section 56 Rural Zone, or Section 39 (Transport), the overlay or the district-wide rules, retains its activity status provided that:
 - a) Activities involving the placement or erection of temporary or new permanent buildings and structures including infrastructure are not located within any Conservation Area shown on Diagram A, except for the existing barn and immediate surrounds to provide for conservation activities including workshop, storage of tools and equipment, vehicles, chemicals and fuel; and
 - b) To retain their permitted activity status buildings for farming, other than for Intensive Farming or Goat Farming or Livestock Farming, shall be located within a **Defined Building Area** as shown on Attachment 1: Overall Development Concept and meet the standards for buildings set out in Table 3;
 - b)c) Any walkway must be in accordance with the Ecological Management Plan required by Rule 1 m), remain in the ownership and under the management of the legal entity established under Rule 1 p), be for the sole and exclusive use of owners or occupiers of the lots established within the Development Area, or their invitees, and be located with any naming or directional signage applied, following consultation with Ngāti Hei and
 - e)d) In the event of a conflict between the zone, overlay or district-wide rules and the Hot Water Beach Structure Plan, the rules of the Taiwāwe Catchment Structure Plan shall prevail.
2. Buildings for farming, that do not retain their permitted activity status under Rule 1 b) are a Restricted Discretionary Activity.
3. Subject to Rule 4, aAny other activity except for Intensive Farming or Livestock Farming in the Taiwāwe Catchment Structure Plan that does not retain its activity status under Rule 4.1 is a **Discretionary Activity**
4. Walkways accessible to the general public and not provided for under Rule 4.1, are a Prohibited Activity.

Note: For the avoidance of doubt, Ngāti Hei are mana whenua over the Taiwāwe Structure Plan area and as such not considered the 'general public' for the purpose of this rule.

RULE 5 Intensive Farming Livestock Farming

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Goat Farming

1. **Intensive Farming or Goat Farming** in the Taiwāwe Structure Plan area is a **non-complying** activity.
2. **Livestock Farming** is a permitted activity outside the Conservation Area shown on Diagram A within any balance or residual land in the Taiwāwe Structure Plan area, or otherwise within any area not yet approved for residential purposes in an approved scheme plan.
3. Livestock Farming that is not a permitted activity under Rule 5.2 is a **non-complying** activity.

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27.9.6 ASSESSMENT STANDARDS, MATTERS & CRITERIA

Table 1 – Standards for Subdivision		
1.	Minimum lot area	2500m ²
2.	Stormwater, Wastewater and Water Services	Any future call for services infrastructure shall not be at ratepayers' expense. On site systems shall meet or exceed the minimum standards set out in this column.
a)	<p>Every lot created and or building erected for residential purposes must provide self-contained wastewater treatment and disposal.</p> <p>On Site Effluent Treatment Systems (OSET) must meet secondary treatment standards. Septic Tank Systems, <u>on their own</u>, are not accepted.</p>	<p><u>As a minimum, to standard AS/NZS: 1547 (2012) Auckland Council On Site Wastewater Design Manual TP:58 3rd Edition (2004) or its proposed replacement Guideline Document GD 06, or any superseding equivalent standards representing best practice as in force or adopted by one or more local authorities in New Zealand, at the time of subdivision.</u></p> <p>Note: Modern advanced treatment systems that do not meet the Waikato Regional Plan permitted activity standards require Discretionary Activity Consent.</p>
b)	Adequate water supply suitable for domestic purposes must be provided for each lot and or/building	Within each lot, it shall be confirmed that there is an area of sufficient size (to be identified on the plan of subdivision) available to provide minimum on-site storage of water sufficient to meet the quality and quantity required for domestic use for 5 people at 300 litres per person for up to 20 days; <u>and for firefighting to meet SNZ PAS 4509:2008.</u>
c)	Stormwater management shall be carried out to avoid direct discharges to streams.	Each lot shall have an area of land associated with a Defined Building Area capable of dispersing stormwater by use of one or more of the following devices or methods: tanks, rain gardens, pervious paving, swales and filter strips or constructed wetlands. Soakage systems may also be appropriate if ground conditions are suitable.

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3	Energy and Telecommunications	
a)	For lots connected to a network utility for telecommunications and energy.	Underground unless the lot can connect to an existing overhead infrastructure.
b)	Lots not connected to a telecommunication landline network.	Subject to the availability of an alternative network, such as cell phone or satellite.
4.	Access Roding and Street lighting	
a)	Every lot shall have legal and physical access to a point on a formed road.	The intersection of Taiwāwe Lane and Hot Water Beach Road shall be upgraded to a standard for a public road, in accordance with Diagram B
b)	Taiwāwe Lane on the eastern perimeter of the Structure Plan area (from the corner of Ngātuturu lane).	Upgraded to meet a modified local rural road standard in accordance with Diagram C.
c)	Ngātuturu lane on the northern perimeter of the Structure Plan area and Taiwāwe Lane to the Hot Water Beach Road.	Upgraded to meet the Shared Access over 9 Lots standard in accordance with Diagram D.
d)	Internal Rights of Way	Constructed in accordance with Diagrams E and F to achieve low impact engineering design criteria, including planted or rock lined swales to manage stormwater runoff, or equivalent method. Any refinements to Engineering Code of Practice standards necessary to minimise earthworks and avoid the need for hard engineering solutions to stormwater management shall be included in the application for subdivision consent.
5.	<u>Code of Practice for Subdivision and Development 2013</u>	
	<u>Earthworks, low impact engineering solutions</u>	<u>Any refinements to Engineering Code of Practice standards necessary to minimise earthworks and avoid the need for hard engineering solutions to stormwater management shall be included in the application for subdivision consent.</u>

Table 2 - Restricted Discretionary Matters

Matter		Assessment Criteria	
1.	Site suitability, water supply, wastewater, stormwater and	a)	The extent to which on site water, wastewater and stormwater services meet or exceed the standards set out in Table 1.

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	electricity/ telecommunications infrastructure and services.	b)	Whether all lots can be serviced by reticulated electricity and telecommunication services or whether alternative power and telecommunications supply would be appropriate.
		c)	Whether lots will have a building platform free from inundation, erosion, subsidence, and slippage. Council may require a report on the suitability of the lot (including any restrictions) from a Chartered Professional Engineer.
		d)	The extent to which point discharges of stormwater to streams are avoided, with runoff from roof areas, overflows from rainwater collection tanks, and runoff from shared or private accessways dispersed across ground as diffuse overland flow, or to planted or rock lined swales.
2.	Ecological rehabilitation, restoration, enhancement and protection.	a)	The extent to which measures are provided to ensure rehabilitation, weed control, pest control, mechanisms for legal protection by way of covenant , restoration planting, and ecological corridors to meet the purpose of the structure plan.
		b)	Whether the Ecological Management Plan is adequate to ensure restoration or enhancement of the Conservation Area and ensure ongoing management.
3.	Rural Character & Amenity	a)	The extent to which rural character and amenity is maintained.
		b)	Whether the Defined Building Area shown on the scheme plan for the subdivision as prepared to meet Rule 1.1 c) is in the location shown in Attachment 1: Overall Development Concept, and the extent to which the matters in 9 below are otherwise addressed through the subdivision.
		c)	The extent to which the colours, materials and design of any future buildings or structures blend in with the surrounding landform and vegetation and reduce reflectivity.
4.	Staging of development.	a)	The extent to which staging of development needs to be identified at the time of subdivision.
		b)	<u>The extent to which the Ecological Management Plan and Landscape Planting plan need to be implemented for each stage or the extent of subdivision and development approved under the application, including to attenuate or offset any additional stormwater runoff generated by that level of development.</u>

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5.	Access, earthworks and vegetation clearance	a)	Whether the earthworks and vegetation clearance proposed are planned, and will be managed, to avoid adverse effects on the rural character.
		b)	Whether internal roads and driveways are located so as to integrate with the topography of the site to minimise adverse effects on landscape values.
		c)	The extent to which the earthworks required for the construction of access and dwelling sites are minimised.
		d)	Whether the effects of the earthworks on natural values and characteristics will be temporary or permanent.
		e)	The extent to which any earthworks or any landscape planting will retain the natural values and landscape characteristics.
6.	Legal mechanisms	a)	The extent to which legal mechanisms will ensure that dwellings are confined to defined building areas.
		b)	<u>Whether the ecological protection, enhancement and restoration measures required by the Ecological Management Plan are secured by way of conservation covenants under the Conservation Act 1987, QEII open space covenants, or their equivalent.</u> Whether an appropriate legal mechanism will be effectively implemented to ensure that there will be no further subdivision within the Conservation Area as specified in Rule 1.1 r).
7.	Effects of not meeting the standard(s) Table 3	a)	Whether actions (if any) taken to avoid, remedy, or mitigate the adverse effects of not meeting the standard(s) are appropriate and effective.
8.	Location, design and visibility of buildings/structures	a)	The extent to which the building or structure is designed and located to be visually unobtrusive from any public road and public place.
		b)	Whether the building or structure is designed and sited so that the particular landscape values and qualities of each discrete component or compartment within the development areas is recognised and provided for.
		c)	The extent to which the colours, materials and design of the building or structure blend in with the surrounding landform and vegetation and reduce reflectivity.
		d)	Whether the buildings, structures and site are designed to minimise light spill at night.

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		e)	The extent to which landscaping and planting can integration buildings and structures into the surrounding landscape.
		f)	The extent to which architectural elements of the building can assist with integrating buildings and structures into the surrounding landscape.
9	Building platform identified on subdivision outside Defined Building Area	a)	The extent to which the Defined Building Area shown on the scheme plan for the subdivision as prepared to meet Rule 1.1c) is outside the Defined Building Area shown on Attachment 1: Overall Development Concept.
		b)	The extent to which any additional landscape or visual effect arising from the location of the building platform outside the Defined Building Area shown on Attachment 1: Overall Development Concept, can be mitigated.
		c)	Whether the building platform needs to be located outside the Defined Building Area shown on Attachment 1: Overall Development Concept, to avoid geotechnical instability constraints or minimise site preparation earthworks, as a result of building site topography, or avoid archaeological remains.
10	Reverse Sensitivity (for subdivision of any land including Defined Building Areas 14, 15 and 16 as shown on Attachment 1: Overall Development Concept).	a)	The extent to which reverse sensitivity effects are avoided or mitigated, including by way of consent notice or equivalent, advising the lot owners of the level of amenity to be expected from the operation of existing and lawfully established rural activities on [151 Boat Harbour Road], and restraining any complaints, legal or other enforcement action regarding such lawfully established rural activities.

NOTE

1. *Should any activity be proposed in the vicinity of an identified archaeological site Heritage New Zealand should be consulted as to whether an archaeological authority is required pursuant to the Heritage New Zealand Pouhere Taonga Act 2014.*
2. *In the event that an unidentified archaeological site is located, the 'Accidental Site Discovery Protocol' in Section 31 Historic Heritage must be followed, provided that (in addition, and without limitation) if burials, human remains/kōiwi tāngata are uncovered, the kaumatua of Ngāti Hei must be notified immediately.*

Table 3: Standards for Buildings and Earthworks

1.	Maximum Building Height	68m
2.	Maximum Building Footprint Site Coverage	3500m ²

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3.	Maximum Number of Buildings <u>on a lot</u>	2
4.	Minimum setback from stream or wetland	20m
5.	<u>Earthworks</u>	<u>Provisions of Section 56 Rule 7 for the Coastal Environment Overlay shall apply.</u>

27.9.7 DEFINITIONS FOR THE TAIWĀWE CATCHMENT STRUCTURE PLAN

For the purpose of the standards, terms and conditions used in this structure plan, the following definitions shall apply in addition to those in section 3 of the District Plan:

BUILDING FOOTPRINT means the area of land beneath any building(s) (excluding water storage tanks for domestic or firefighting purposes).

DEFINED BUILDING AREA means a nominated area for the purpose of locating buildings to platforms for one dwelling, minor unit and accessory buildings and be shown on a survey plan and subject to consent notice at the time of subdivision. For the avoidance of doubt, water storage tanks for domestic or firefighting purposes may be located outside of a Defined Building Area.

RURAL LIFESTYLE predominantly a residential lifestyle within a rural environment on lots smaller than those of the General rural and Rural production zones, while still enabling primary production to occur.

LARGE LOT RESIDENTIAL predominantly for residential activities and buildings such as detached houses on lots larger than those of the Low density residential and General residential zones, and where there are particular landscape characteristics, physical limitations or other constraints to more intensive development.

27.9.8 TAIWĀWE CATCHMENT STRUCTURE PLAN DIAGRAM A: Conservation and Development Areas

27.9.9 TAIWĀWE CATCHMENT STRUCTURE PLAN DIAGRAM B: Hot Water Beach, Te Puia Place and Taiwāwe Lane Intersection Design and DIAGRAMS C-F (Typical Road Cross Sections)

27.9.10 TAIWĀWE CATCHMENT STRUCTURE PLAN ATTACHMENT 1: Overall Development Concept

27.9.11 TAIWĀWE CATCHMENT STRUCTURE PLAN Attachment 2: Conservation and Landscape Planting

27.9.12 TAIWĀWE CATCHMENT STRUCTURE PLAN Attachment 3: Proposed Accessway Types.