

**SUBDIVISION - RULES****SU3.1 Rule Statement**

The following subdivision rules shall be read in conjunction with all other rules in the Plan and, in particular:

- (a) Rural Zone – Rules.
- (b) Residential Zone – Rules.
- (c) Commercial Zone – Rules.
- (d) Industrial Zone – Rules.
- (e) Urban Settlement Zone – Rules.
- (f) Protected Areas Zone – Rules.
- (g) Active Reserve Zone – Rules.
- (h) Transport Infrastructure and Car Parking Rules.
- (i) Financial Contributions – Rules.
- (j) Riparian Management and Public Access – Rules.
- (k) Heritage – Rules.
- (l) District Wide Rules.

A land use consent in conjunction with the subdivision consent may also be required. Consideration shall also be made to all Objectives and Policies which may be relevant to any proposed activity subject to this section, and in particular those outlined in the Subdivision Zone – Policy section of the plan and the applicable zone policy section.

The *National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health* is also applicable to the Subdivision Chapter. The National Environmental Standard (NES) applies to any piece of land on which an activity or industry described in the Hazardous Activities and Industries List (HAIL) is undertaken, or has been undertaken or is more likely than not to have been undertaken (the HAIL list is available on the Ministry for the Environment's website: www.mfe.govt.nz).

The NES applies to the following activities being undertaken on HAIL land:

- (a) Subdivision.
- (b) Land use change.
- (c) Earthworks.
- (d) Soil sampling.
- (e) Removing fuel storage systems.

The rules of the NES over-ride those of the District Plan in relation to managing the effects of contaminants in soil on human health. However, the District Plan rules still apply where they are controlling other effects, including the effects of contaminants on eco-systems.

Copies of the NES are available at Council Service Centres, and on the Ministry for the Environment's webpage: www.mfe.govt.nz. (Please note the above is only a summary of the NES.)

Advice Note:

Should any human remains or archaeological items be exposed while undertaking works, all activity shall cease immediately. The New Zealand Historic Places Trust and Kaumatua representing the local Tangata Whenua shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained. The NZ Police shall be contacted also when human remains are exposed.



The line owner should be consulted if a building or structure within 20 metres of any power lines is proposed to ensure that compliance with the New Zealand Code of Compliance for Electrical Safe Distances 34:2001 can be achieved.

SU3.2 Rules: Rural Zone

SU3.2.1 Controlled Activities

The following activities are Controlled Activities.

Such activities shall be considered without the need to obtain written approval from affected parties and without the need for notification. Applications will be assessed and conditions imposed only in respect of the matters of control specified below and the Assessment Criteria specified in Section SU3.4.1.

(a) Boundary Adjustments

Council has reserved control over the following matters:

- (i) Access.
- (ii) Servicing.
- (iii) Shape and Area of Sites.
- (iv) Easements.
- (v) Amalgamation.
- (vi) Esplanade Reserves and Strips.
- (vii) Natural Hazards.

Please see SU3.4.1 below for details.

(b) Subdivision associated with Network Utilities

There shall be no minimum area requirements for lots for network utility purposes of requiring authorities. In addition, there is no requirement to comply with the 'Coverage' requirements of the Zone.

(c) Subdivision of a site with a Computer Freehold Register issued prior to 15 December 2011 (being the date of a decision by Council on this plan) where:

- (i) A maximum of two sites are created (for purposes of clarification this means that a total of two sites can be created as a result of the subdivision).
- (ii) The minimum net site area of any site created is 1ha.
- (iii) The average net site area of all sites created by the subdivision must be at least 50ha.
- (iv) The proposed subdivision complies with the General Conditions for subdivision (SU3.2.2) and is not identified as a discretionary or non-complying activity under any other rule.

Council has reserved control of the Matters of Control set out in SU3.4.1 Controlled Activities.

Advice Note:

A subdivision within 32m of a high voltage transmission line is classified as a Restricted Discretionary Activity under SU3.2.2.

SU3.2.2 Restricted Discretionary Activities

The following activities are Restricted Discretionary Activities provided they comply with the General Conditions outlined in Section SU3.3.

Applications will be assessed against the relevant Assessment Criteria outlined in Section SU3.4.2 below:

- (a) Any Controlled Activity Subdivision, which complies with Rule SU3.2.1(c) but fails to meet one or more of the general conditions outlined in SU3.3.



- (b) Any subdivision that complies with SU3.2.1 Controlled Activities, but is within 32m of the centerline of a high voltage transmission line (as shown on the Planning Maps).
Relevant Assessment Criteria: SU3.4.2(i).

SU3.2.3 Discretionary Activities

The following activities are Discretionary Activities, provided they comply with the General Conditions outlined in section SU3.3.

Applications will be assessed against but not limited to, the Assessment Criteria noted below the General Conditions.

- (a) Subdivision of a site with a Computer Freehold Register issued prior to 15 December 2011 (*being the date of a decision by Council on this Plan*) or a new title that was created under this District Plan by way of an amalgamation, boundary adjustment or a Controlled Activity Subdivision where:
- (i) A maximum of five new sites are created (for purposes of clarification this means that a total of five sites can be created as a result of the subdivision).
 - (ii) The minimum net site area of any site created is 5,000m².
 - (iii) The average net site area for all sites created by the subdivision must be at least 4ha.
 - (iv) Does not include sites within the Future Urban Area.

Advice Note:

Subdivision containing a Group A or B listed heritage building or site in Appendix 4 of the District Plan will be assessed in accordance with the relevant objectives and policies of the Heritage section of this District Plan.

Relevant Objectives and Policies – SU2.2.2(a), SU2.3(a), (d) and (e) and RU2.2.2(a).

- (b) Subdivision of up to ten sites as part of a staged Comprehensive Structure Plan development within the Rural Zone covered by Future Urban Area Overlay to the east of Ohakune.
Relevant Objectives and Policies – RU2.7, SU2.2 and SU2.3.

SU3.2.4 Non-Complying Activities

The following activities are Non-Complying Activities:

- (a) Any subdivision that fails to comply with Rule SU3.2.3(a) and/or fails to meet one or more of the general conditions outlined in section SU3.3.
Relevant Objectives and Policies – SU2.2, SU2.3 and RU2.2.
- (b) Any subdivision with a complying building platform within 500m of:
- (i) Any existing legally established Factory Farming/Animal Boarding activity, and/or
 - (ii) The site boundary of the Tangiwai Sawmill and the Karioi Pulpmill as indicated on the District Plan maps.

Advice Note:

The owner/operator of the existing activity will be considered an affected party for any subdivision application submitted under this rule. It is recommended that evidence of consultation with the owner/operator is provided with any such application.

Relevant Objectives and Policies - RU2.6, SU2.2, SU2.3

- (c) Any subdivision within 500m of Tongariro National Park (excluding any site located within the Future Urban Area in Ohakune).



Advice Note:

For any application submitted under the above rule, evidence of consultation with affected parties including owners and managers of adjoining/nearby land is to be provided.

Relevant Objectives and Policies - RU2.4., SU2.2 and SU2.3

- (d) Subdivision within the Rural Zone for the purpose of providing for activities other than rural activity and that is within 1,000m of State Highway 47.
Relevant Objectives and Policies - RU2.3, RU2.5, SU2.2 and SU2.3

SU3.3 General Conditions: Rural

Compliance with the following Conditions is required for Controlled Activity subdivision complying with SU3.2.1(c); and for all Discretionary Activities as outlined in Rule SU3.2.3 above, subject to any amendments required to ensure compliance with Condition SU3.3.4 below.

SU3.3.1 Transportation

- (a) All activities shall demonstrate compliance with the relevant provisions of the "Transport Infrastructure and Car Parking - Rules" section of the District Plan.
Relevant Assessment Criteria: Refer "Transport Infrastructure and Car Parking - Rules" section.

Advice Note:

The NZ Transport Agency will be considered an affected party for any subdivision application that requires access to a State Highway. It is recommended that evidence of consultation with NZ Transport Agency is provided with any such application.

The New Zealand Railways Corporation (KiwiRail) may be considered an affected party for any subdivision application that increases the use of an existing public or private level crossing, or requires a new crossing of the railway. If applicable, it is recommended that evidence of consultation with New Zealand Railways Corporation (KiwiRail) is provided with any such application).

SU3.3.2 Servicing

- (a) Each new lot shall be capable of adequately:
- (i) Providing potable water and firefighting water supply.
 - (ii) Disposing of stormwater and wastewater.
- to on-site facilities where reticulated services are not available.
Relevant Assessment Criteria: SU3.4.2(c).

Advice Notes

All Servicing will also need to comply with the requirements of the Regional Council One Plan rules.

NZS PAS 4509:2008 New Zealand Fire Service Firefighting Water Supply Code of Practice will be used as a guide for the provision of firefighting water for new lots.



SU3.3.3 Building Platform

- (a) Each new lot shall identify at least one stable building platform which is capable of containing a dwelling, a vehicle manoeuvring area and any accessory buildings and shall not be affected by any natural hazard overlay or rule identified in the Natural Hazards – Rule Section of the District Plan
Relevant Assessment Criteria: See ‘Natural Hazards – Rules’ Section.

SU3.3.4 Re-subdivision Potential

- (a) In the Future Urban Area Overlay, subsequent re-subdivision for urban purposes will be facilitated by any subdivision satisfying the following:
- (i) A configuration which would permit a complying urban subdivision to be carried out in future in an effective manner and which enables efficient use of urban land.
 - (ii) Appropriate regard to the constraints created by topography or other natural features on any subsequent urban subdivision.
 - (iii) Provision for feasible, adequate and economic subdivisional access and infrastructure provision, including a well connected street system between the subdivision and the surrounding area.
 - (iv) Staging that recognises the District Plan’s focus of enabling short to medium term development within the existing urban area of Ohakune, given the undeveloped land available there; and avoids flooding the realistically available market.
- (b) All subdivision applications involving land within the Future Urban Area Overlay shall be accompanied by a Comprehensive Structure Plan that includes evidence of consultation with all other landowners whose sites are within the portion of the Future Urban Area in question (ie, either north or south of Shannon Street in Ohakune), Ruapehu District Council, relevant nearby landowners where there is potential for creating a more connected street system, and infrastructure providers. The Comprehensive Structure Plan shall address those matters identified within Rule SU3.4.2(k) below.
Relevant Assessment Criteria: SU3.4.2(k).

Advice Notes:

If it is possible that archaeological sites may be affected by the proposed work then the site is subject to a consenting process under the Historic Places Act 1993.

Evidence of archaeological sites may include burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials.

If any activity associated with this proposal, such as earthworks, fencing or landscaping may modify, damage or destroy any archaeological site(s) an authority (consent) from the New Zealand Historic Places Trust must be obtained for the work prior to commencement. It is an offence to modify, damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for unauthorised site damage. The applicant is advised to contact the New Zealand Historic Places Trust for further information.

Plan users considering compliance with the general standards set out above should also take account of the Outstanding Natural Features and Landscapes Overlay.



SU3.4 Assessment Criteria: Rural

SU3.4.1 Controlled Activities

Controlled Activities – Matters over which Council has reserved Control.

- (a) Whether the sites will have safe and efficient access to a public road network.
- (b) Whether the site can be adequately serviced in terms of sewer, stormwater, potable and fire fighting water supply, and where necessary, electricity, including whether the on-site sewer waste disposal meets the standards specified in the Regional Council One Plan rules. NZS 4404:2010 *Land Development and Subdivision Infrastructure* and the SNZ PAS 4509:2008 *New Zealand Fire Service Firefighting Water Supply Code of Practice* shall be used as guides.
- (c) Whether the shape and area of the sites is adequate to provide for the reasonable needs of the site including building platforms, setbacks and parking areas, while avoiding, remedying and mitigating adverse effects on landscape and indigenous flora and fauna.
- (d) Whether any easements are required.
- (e) Whether any amalgamation of lots is required.
- (f) Whether an esplanade reserve or strip is required in terms of the Riparian Management and Public Access – Rules section of the plan.
- (g) Whether the potential risk presented by natural hazards or fire have been considered in the design and layout of the boundary adjustment and if necessary measures to avoid, remedy or mitigate such a risk are proposed.
- (h) Whether reverse sensitivity is a concern and how this will be effectively managed.

SU3.4.2 Restricted Discretionary, Discretionary and Non-Complying Activities

Restricted Discretionary Activities will be assessed only in respect of the relevant assessment criteria applicable to the rule or conditions with which the activity was unable to comply.

Discretionary and Non-Complying Activities will be assessed against, but not limited to, the assessment criteria below.

Reference to relevant assessment criteria in other sections of the District Plan may be required as stated for the General and Conditions above.

- (a) General
 - (i) The *Matters of Control* listed for Controlled Activities in section SU3.4.1 above.
 - (ii) The visual impact of any subdivision and associated development, especially when the development is set within a sensitive or highly valued landscape.

Advice Note:
Council may require a landscape assessment when development is proposed within a sensitive landscape, along with details of building platforms and access roads.
 - (iii) Any other relevant assessment criteria within other sections of the District Plan
- (b) Rural Amenity
 - (i) Whether the development is at a scale that is consistent with the landscape values, rural character and amenity of the surrounding environment.
 - (ii) Whether a landscape mitigation and maintenance plan has been submitted with the application that avoids or mitigates to minor levels any adverse visual and amenity effects on landscape values and rural character.
 - (iii) Whether potential conflicts between adjoining land uses will be avoided by future buildings and activities being sufficiently separated from one another.
 - (iv) Whether the subdivision design and layout avoids linear development.



- (v) The impact of the subdivision on indigenous vegetation and significant habitats of indigenous fauna.
 - (vi) Where the subdivision maintains or enhances indigenous vegetation and significant habitats of indigenous fauna, including ecological linkages, corridors.
 - (vii) The cumulative effect of the development on the character of the area, including the effects of development as a result of recent subdivision.
- (c) Servicing
- (i) Whether or not it is considered necessary to provide electricity to the site.
 - (ii) Whether a specific engineered design wastewater disposal system is proposed for a new lot where a standard septic tank system cannot be provided on-site.
 - (iii) Whether a specific engineered design stormwater disposal system is proposed for a new lot where there are potential flooding effects.
 - (iv) The extent to which any adverse effects can be mitigated by means other than specific engineered designed systems for the disposal of stormwater and/or wastewater.
 - (v) The impact of any stormwater and wastewater disposal system on surrounding natural systems, for example, the impact of runoff on any nearby wetlands, streams etc.
 - (vi) In the Future Urban area, whether the servicing solutions proposed adequately demonstrate a design and capacity that enables them to be integrated with the servicing requirements of full urban development in future.
 - (vii) Whether the consent of the downstream landowners has been obtained where stormwater flows are proposed to connect to adjoining landowners stormwater disposal systems.
- (d) Flora and Fauna
- (i) The proximity of any development associated with the subdivision (including both building platforms and access tracks) to any areas of significant indigenous vegetation and significant habitats of indigenous fauna, and the sensitivity of these areas to development and associated effects.
 - (ii) Any measures undertaken to retain or enhance areas of native bush and other habitats.
 - (iii) Measures to ensure that stormwater and wastewater disposal areas do not adversely affect these areas.
 - (iv) Measures to ensure that domestic pets and pest plants are not introduced into sensitive environments, for example, areas known to have rare or threatened species.
- These considerations will be assessed in relation to all rural subdivisions. However, greater weight will be placed on these when the site is identified as being an Outstanding Natural Feature or Landscape (where ecological values are identified, see the ONF&L chapter for details on specific values), or where the site is located within close proximity to Conservation Land.
- (e) Wetlands, Lakes and Rivers
- Whether the subdivision and associated development, including building platforms and access tracks:
- (i) Is designed, located and is of a scale, that the natural character of these water bodies, and their margins, is retained. Consideration will also be given to the cumulative effects of such development.
 - (ii) Ensures that any associated earthworks do not result in the sedimentation of adjoining water bodies.
 - (iv) Will not detract from the specific features protected through a water conservation order.
- (f) Outstanding Natural Features and Landscapes
- (i) The visual impact of the development, including:
 - (1) Structures.
 - (2) Earthworks.
 - (3) Vegetation clearance.on the landscape values of the area, and any measures taken to minimise the visual impact of the development over the life of the building.



- (ii) Both areas identified as Outstanding Natural Features and Landscapes and development within the setting of identified Conservation Land will be considered (please see the District Plan maps).
- (g) Subdivision adjoining a Factory Farming/Animal Boarding Activity, the Tangiwai Sawmill or the Karioi Pulp Mill.
 - (i) The frequency, character and intensity of the relevant adverse effect.
 - (ii) The degree of effect of the relevant existing activity in its particular environment having regard to such factors as direction and velocity of wind movement and the extent to which mitigation of adverse effects is reasonable.
 - (iii) Whether the potential reverse sensitivity effects can be mitigated by way of design, earthworks, planting or moving the proposal (either by increasing the separation from the relevant existing activity, or by changing the bearing from the relevant existing activity by moving a proposed house site within a lot).
 - (iv) Whether the owner/operator of the relevant existing activity has been consulted with regarding developments, and the outcome of that consultation.
- (h) Subdivision and development adjoining identified Conservation Land (as per SU3.2.4(c)).
 - (i) Whether any subdivision and development adjoining these areas has been designed in a manner that will not detract from the valued characteristics of the area (including but not limited to the design and location of dwellings or structures, orientation and layout of subdivisions, and any covenants and consent notices proposed as part of a subdivision).
 - (ii) Whether a landscape mitigation plan has been provided to ensure the adverse landscape visual effects of the proposal when viewed from Conservation Land, are adequately addressed.
 - (iii) The impact of the subdivision, and subsequent use, on biodiversity values. Specific consideration will be given to measures proposed to ensure pest plant and animal species are not introduced into Conservation Land as a result of the development, along with measures to ensure that stormwater and wastewater do not affect water quality.
 - (iv) Whether affected parties including owners and managers of adjoining/nearby land have been consulted with regard the subdivision and development, and the outcome of that consultation.
- (i) Subdivision within the Transmission Corridor
 - (i) The extent to which the subdivision design mitigates the effects on the lines, for example, through the location of roads and reserves under the line, or through lot layout.
 - (ii) The ability for maintenance and inspection of the transmission line, including ensuring access for the same.
 - (iii) The extent to which the design and development will minimise risk or injury and/or property damage from the lines.
 - (iv) The extent to which potential adverse effects including visual impacts are mitigated, for example, through the location of building platforms and landscape design.
 - (v) The location of any building platforms.
 - (vi) Compliance with New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).
 - (vii) The outcomes of any consultation with the affected utility operator.
- (j) Subdivision and development of a site adjoining an operational or consented windfarm, or other electricity generation activity and infrastructure.
 - (i) The extent to which the proposed subdivision may affect any windfarm, or other electricity generation activity and infrastructure taking into account:
 - (1) The frequency, character and intensity of the relevant adverse effect.
 - (2) The degree of effect of the relevant windfarm or other electricity generation activity in its particular environment having regard to such factors as noise and visual amenity.



- (ii) The extent to which any actual or potential reverse sensitivity effects of the subdivision on the windfarm or other electricity generation activity can be mitigated by way of design, house orientation and insulation, earthworks, planting or moving the proposal (either by increasing the separation from the existing activity, or by changing the bearing from the relevant existing activity by moving a proposed house site within a lot).
- (iii) Whether the owner/operator of the windfarm or other electricity generation operator has been consulted with, and the outcome of that consultation.

Advice Note:

The assessment criteria acknowledges that subdivision in the rural zone has the potential to generate adverse effects in terms of reverse sensitivity on windfarms or other electricity generation activity on adjoining sites. Windfarms are a nationally significant renewable energy generation source and as such warrant a degree of protection from adjoining subdivision that may inhibit their operation and the national benefits that brings. The approach set forth does not alter the status of a subdivision if it adjoins a windfarm site or other electricity generation activity but instead requires consideration of the ways in which the subdivision can mitigate its effects on the windfarm or other electricity generation activity via a range of measures.

- (k) Subdivision and development within the Future Urban Area Overlay.
Where any subdivision includes a Comprehensive Structure Plan the following criteria will apply:
 - (i) Context
The extent to which the proposal
 - (1) provides a context analysis of the site within the context of the town and the social, cultural, economic and other activities within this; the area, including other future urban areas and the rural area; key natural and built elements and places, including landscape context and character; ecological values, including waterways, and stormwater and other requirements; public spaces, including streets; historic heritage and any other matters relevant to a context analysis.
 - (2) takes a long term view in responding positively to the above, and to the factors set out below.
 - (ii) Good connections
The extent to which the proposal provides for:
 - (1) A safe, attractive and well connected street network that enables choice of routes by those in vehicles, including emergency vehicles, or walking and cycling, and ensures appropriate car parking, infrastructure services, street tree planting and landscape treatment.
 - (2) Agreed connections to other existing and future urban areas for a connected street system to the north, south, east and west.
 - (3) The movement and place functions of streets, the opportunities they present for social and cultural interaction and their role as public spaces.
 - (4) Safe attractive pathways for walking and cycling through green networks, including stormwater and other reserves, and that safely and directly link schools, reserves, and commercial and residential areas, and public and private spaces.
 - (5) Stormwater management features such as rain gardens, swales and permeable paving to be incorporated into roading design, as is space for infrastructure services, street tree planting and landscape treatment;
 - (6) Streets that support the character of the new and surrounding area, with appropriate capacity and that protects the safety of road users, including cyclists and walkers.
 - (iii) Infrastructure location, capacity and design for stormwater, water and wastewater
The extent to which:
 - (1) Infrastructure for stormwater, wastewater and water supply are designed to ensure techniques are used to minimise water use and wastewater generation.
 - (2) The infrastructure provided to serve any new development is of a recognised public standard.



- (3) Development retains and enhances riparian margins and provides protection through a range of building setbacks and replanting measures.
 - (4) Development incorporates on-site stormwater mitigation techniques that limit stormwater runoff.
 - (5) An integrated approach to stormwater management is adopted for stormwater mitigation, with the emphasis being in the first instance on the reduction of stormwater generated from sites through reuse of stormwater and increased permeable areas, including de-compaction of soils following earthworks.
 - (6) The lots to be created are of a size and dimension that can meet (at later building and development stage), provision for stormwater mitigation on-site.
 - (7) The design of development defines the 200 year flood plain, and limits development within that floodplain to infrastructure, including roads, water supply, wastewater, stormwater facilities and reserves.
 - (8) Stormwater retention and treatment facilities are to be designed to retain in stream ecological values and add additional habitat (e.g. wetlands) where possible.
 - (9) Stormwater is managed to avoid any potential effects of development on downstream properties, including the ability for stormwater flows to be retained on site.
 - (10) Earthworks and other site works are undertaken in such a way as to avoid adverse effects on watercourse, areas of ecological values and neighbouring properties arising from changes in landform and the generation of sediments.
- (iv) Provision for public open space and community facilities while retaining and enhancing natural features, having regard to the integration of any subdivision or development with adjoining land.
- The extent to which:
- (1) The proposal responds positively to existing characteristics, including the built and natural environment, that make the site, town and area distinctive.
 - (2) Public open space is designed to provide a sense of order and proportion with specific regard given to the human scale.
 - (3) Public open space is orientated and designed to provide pedestrians with adequate access to sunlight. In particular, public spaces should be designed to maximise sunlight access between 10am and 2pm on the shortest day.
 - (4) Seating and landscaping is made available in a pleasant, clearly visible, convenient and safe location. Landscaping should comprise low shrubs and plants or tall open trees and shrubs which do not visually obscure the seating from public viewing.
 - (5) Adequate provision is made for access and use of the public space by the disabled, including visually impaired.
 - (6) The proposal addressed the need for reserves; including drainage reserves, and ensuring these (where possible) have street frontages, provide alternative linkages between streets and are overlooked by surrounding activities.
 - (7) Subdivision and development will enable building frontages with windows, balconies, and doors providing oversight of public open space to contribute to vitality, interest and public safety.
- (v) Bulk, scale, design and location of sites, buildings, car parking and driveways.
- The extent to which:
- (1) The development requires landscaping and/or screening to reduce the visibility of parking, loading and servicing areas from streets or public open spaces;
 - (2) The development's visual appeal will not be undermined by the location of intended service areas, and rubbish storage and recycling facilities can be located away from habitable spaces and screened from public places.
 - (3) Vehicle ingress and egress to sites can be designed so that it is primarily considered from the perspective of pedestrians and cyclists, particularly in terms of visibility and the use of paving materials;



- (4) Car parking, driveways and circulation can be integrated into the overall site and building design.
- (5) The development will provide well lit parking areas and pedestrian linkages, with defined footpaths.
- (vi) Landscape Treatment and Screening
The extent to which:
 - (1) The proposal ensures that activity and property boundaries are located so as to support sound landscape outcomes.
 - (2) It is feasible to retain existing vegetation and landforms.
 - (3) The proposed form of buildings resulting from subdivision lot development can complement the natural rise and fall of the land and existing trees
 - (4) The subdivision considers building placement or off setting in relation to maintaining amenity across the overall development, and between future buildings.
- (vii) Acoustic and visual amenity between the sites to be developed and existing development on adjoining and adjacent land
 - (1) The extent to which sites have been designed to minimise conflict between noisy or visually intrusive activities and activities requiring a higher acoustic or visual amenity. This is particularly relevant to the North Island Main Trunk Line and State Highway 49.
- (viii) Protection and enhancement of natural landscape qualities including the protection of sites, features or values (cultural, ecological, historical or amenity related)
The extent to which:
 - (1) The proposal responds positively to distinctive landforms (including Mount Ruapehu and other mountains), including rivers, streams and other water bodies, the needs of indigenous plants and animals and protects landscapes and ecological systems.
 - (2) Any site of cultural, ecological, historical or amenity related value has been identified.
 - (3) Any identified areas will be protected and enhanced and the methods to achieve this.
 - (4) The proposal responds positively to the area's cultural, built and natural heritage, including histories, buildings, places and landscapes and whether these are incorporated and referenced in what is developed.
- (ix) Areas of contamination and the rehabilitation standards required
 - (1) Identification of any areas of contamination within the site, including but not limited to, contamination associated with past rural uses of any site.
 - (2) The extent to which any identified areas of contamination require remediation and the methods to achieve this.
- (x) Protection, safety and access requirements of existing or future Network Utility infrastructure.
 - (1) The extent to which adequate provision has been made to enable protection, safety and access for existing or future network utility infrastructure, including the assessment of the potential effects of the development on this infrastructure.
- (xi) Consideration as to whether the proposal has the potential to increase the risk resulting from any natural hazard
 - (1) The extent to which the development may result in an increased risk from natural hazards, including but not limited to, erosion, subsidence, slippage, or inundation from any source, or liquefaction.
- (xii) The comprehensive structure plan shall demonstrate how the overall development will be staged, including:
 - (1) Recognising the District Plan's focus of enabling short to medium term development within the existing urban area of Ohakune, given the undeveloped land available there; and avoiding flooding the realistically available market.
 - (2) Any retrofitting to connect existing streets with streets to be developed, and how this will be achieved.



- (3) Identification of critical infrastructure and other works that need to be undertaken or installed to serve each stage of the comprehensive structure plan, and the realistic timing of such infrastructure, taking into account (a) above.

SU3.5 Rules: Residential Zone

SU3.5.1 Controlled Activities

The following activities are Controlled Activities.

In Ohakune, the owners and occupiers of:

- (i) Lot 1 DP 55624 (on the corner of River Road and Old Station Road);
- (ii) Lots 34 - 36 DP 29360 and Part Lot 37 DP 29360 on River Road; and
- (iii) Lots 1 – 4, 7 - 8 and 10 - 11 DP 63105 (Old Station Road and Kowhai Crescent)

(together “the parent sites”) shall be served notice of any application for resource consent in the Kowhai Residential Area unless unconditional written approval has been given by those owners and occupiers prior to Council making its notification decision, provided that:

- (iv) should any new lot(s) be created by way of subdivision (or otherwise) of the parent sites; and
- (v) the character, intensity and scale of the land use on the new lot(s) is the same or similar to that which existed on the parent site(s) before 12 September 2014

then the owners and occupiers of the new lot(s) shall also be served notice of any application for resource consent on the Kowhai Residential Area in accordance with this Rule.

With the exception of applications in the Kowhai Residential Area as set out above, Controlled activities under this Rule shall be considered without the need to obtain written approval from affected parties and without the need for notification. Applications will be assessed and conditions imposed only in respect of the matters of control specified below and the Assessment Criteria specified in section SU3.7.1.

- (a) Boundary adjustments
- (b) Any subdivision along Ruapehu Road and Egmont Street within the Heritage Conservation Area resulting in a minimum lot size of 700m² (net site area) provided the subdivision complies with the General Conditions outlined in Section SU3.6.

Advice Note:

The provisions of this Rule override those of SU3.5.1(c) below.

- (c) Any subdivision within Taumarunui, Ohakune, and Waiouru resulting in a minimum lot size of 450m² (net site area) provided the site complies with the General Conditions outlined in section SU3.6.
- (d) Any subdivision within National Park, Raetihi and Rangataua resulting in a minimum lot size of 600m² (net site area) provided the site complies with the General Conditions outlined in section SU3.6.

In relation to (a) – (d) above, Council has reserved control over the following matters:

- (i) Access.
- (ii) Servicing.
- (iii) Shape and Area of Sites.
- (iv) Easements.
- (v) Amalgamation.
- (vi) Esplanade Reserves and Strips.
- (vii) Natural Hazards.



- (viii) Financial Contributions.
For more details see SU3.7.1 below.
- (e) Subdivision associated with Network Utilities
There shall be no minimum area requirements for lots for network utility purposes of requiring authorities. In addition, there is no requirement to comply with the 'Coverage' requirements of the Zone.
Council has reserved control over the following matters:
 - (i) Access.
 - (ii) Financial Contributions.
- (f) Any subdivision in the Kowhai Residential Area in Ohakune that complies with Rule RE3.3.13. The minimum net site area specified in (c) above shall continue to apply.

SU3.5.2 Restricted Discretionary Activities

The following activities are Restricted Discretionary Activities provided they comply with the General Conditions outlined in section SU3.6.

In Ohakune, the owners and occupiers of:

- (i) Lot 1 DP 55624 (on the corner of River Road and Old Station Road);
- (ii) Lots 34 - 36 DP 29360 and Part Lot 37 DP 29360 on River Road; and
- (iii) Lots 1 - 4, 7 - 8 and 10 - 11 DP 63105 (Old Station Road and Kowhai Crescent)

(together "the parent sites") shall be served notice of any application for resource consent in the Kowhai Residential Area unless unconditional written approval has been given by those owners and occupiers prior to Council making its notification decision, provided that:

- (iv) should any new lot(s) be created by way of subdivision (or otherwise) of the parent sites; and
- (v) the character, intensity and scale of the land use on the new lot(s) is the same or similar to that which existed on the parent site(s) before 12 September 2014

then the owners and occupiers of the new lot(s) shall also be served notice of any application for resource consent in the Kowhai Residential Area in accordance with this Rule.

Applications will be assessed against the relevant Assessment Criteria outlined in Section SU3.7.2 below:

- (a) Any subdivision that complies with SU3.5.1 Controlled Activities, but is within 32m of the centerline of a high voltage transmission line (as shown on the Planning Maps).

SU3.5.3 Discretionary Activities

The following activities are Discretionary Activities.

In Ohakune, the owners and occupiers of:

- (i) Lot 1 DP 55624 (on the corner of River Road and Old Station Road);
- (ii) Lots 34 - 36 DP 29360 and Part Lot 37 DP 29360 on River Road; and
- (iii) Lots 1 - 4, 7 - 8 and 10 - 11 DP 63105 (Old Station Road and Kowhai Crescent)

(together "the parent sites") shall be served notice of any application for resource consent in the Kowhai Residential Area unless unconditional written approval has been given by those owners and occupiers prior to Council making its notification decision, provided that:



- (iv) should any new lot(s) be created by way of subdivision (or otherwise) of the parent sites; and
- (v) the character, intensity and scale of the land use on the new lot(s) is the same or similar to that which existed on the parent site(s) before 12 September 2014

then the owners and occupiers of the new lot(s) shall also be served notice of any application for resource consent in the Kowhai Residential Area in accordance with this Rule.

- (a) Any subdivision within Owhango resulting in a minimum lot size of 600m² (net site area).
Relevant Objectives and Policies – SU2.4, RE2.2 and RE2.3
- (b) Any subdivision that is provided for as a Controlled Activity by Rule SU3.5.1(b) - (e) but fails to meet one or more of the General Conditions outlined in section SU3.6.

Advice Note:

Applications will be assessed against but not limited to, the Assessment Criteria noted below the General Condition(s) with which the activity is unable to comply.

Relevant Objectives and Policies – SU2.4 and RE2.2

- (c) Comprehensive Residential Development that complies with all of the specific standards within section RE3.4.7

Advice Note:

Applications will be assessed against but not limited to, the Assessment Criteria noted in the “Residential – Rules” section, below the General Condition(s) with which the activity is unable to comply.

Relevant Objectives and Policies – SU2.4, RE2.2. and RE2.3

- (d) Any subdivision containing a Group A or B listed heritage feature in Appendix Four of the District Plan.

Advice Note:

Applications will be assessed against but not limited to, the relevant Assessment Criteria outlined in the Heritage – Rules section of the plan.

The New Zealand Historic Places Trust shall be regarded as an affected party to an application for resource consent concerning any Group A or B heritage item identified in the District Plan. Written approval to the proposed activity will be required from the Trust whether or not the item is registered with the New Zealand Historic Places Trust. It is recommended that applicants consult with the New Zealand Historic Places Trust and provide evidence of such consultation (including written approval if gained) when lodging consent applications under this rule.

Relevant Objectives and Policies – HE2.2 and RE2.4

SU3.5.4 Non-Complying Activities

- (a) Any subdivision along Ruapehu Road and Egmont Street that is within the Heritage Conservation Area (see District Plan Maps) that cannot comply with the minimum lot size requirement of 700m² (net site area).
Relevant Objectives and Policies – CA2.2 and CA2.3



- (b) Any subdivision within any other Residential Zone within Taumarunui, Ohakune, or Waiouru that cannot comply with the minimum lot size requirement of 450m² (net site area)
Relevant Objectives and Policies – SU2.4. and RE2.2
- (c) Any subdivision within any other Residential Zone within National Park, Raetihi, Rangataua, and Owhangō that cannot comply with the minimum lot size of 600m² (net site area).
Relevant Objectives and Policies – SU2.4. and RE2.2.
- (d) Any subdivision incorporating a Comprehensive Residential Development that cannot comply with all of the specific standards contained within section RE3.4.7
Relevant Objectives and Policies – SU2.4, RE2.2 and RE2.3

SU3.6 General Conditions

Compliance with the following conditions is required for the Controlled Activities as outlined in Rule SU3.5.1(b) - (e) above.

SU3.6.1 Shape

- (a) Each new lot shall be of a shape that can accommodate a 10m x 15m rectangle within the permitted yard setbacks unless the purpose of the site is to accommodate a network utility.
Relevant Assessment Criteria: SU3.7.2(c) (i) and (ii)

SU3.6.2 Transportation

- (a) All activities shall demonstrate compliance with the relevant provisions of the “Transport Infrastructure and Car Parking - Rules” section of the District Plan.
Relevant Assessment Criteria: Refer “Transport Infrastructure and Car Parking - Rules” section
- (b) No new lot shall obtain access to State Highway 4 between the intersection of Bell Road with State Highway 4 and State Highway 41, Taumarunui, and to State Highway 4 in National Park Township, and to State Highway 49 in Ohakune.

Advice Notes:

NZTA will be considered an affected party where any proposed new lot requires access to a State Highway. It is recommended that evidence of consultation with NZTA is provided with any such application.

The New Zealand Railways Corporation (KiwiRail) may be considered an affected party for any subdivision application that increases the use of an existing public or private level crossing, or requires a new crossing of the railway. (If applicable, it is recommended that evidence of consultation with New Zealand Railways Corporation (KiwiRail) is provided with any such application).

SU3.6.3 Servicing

- (a) All sites shall have a reticulated sewerage and stormwater system contiguous, or passing through the site, that can be connected with to provide sewerage and stormwater services to the site.
- (b) All sites shall be provided with an underground electricity supply to the boundary of the site.
- (c) Any necessary easements for the protection of telecommunications services shall be provided where they cross any right of way or access lot. All such easements shall be in favour of the telecommunications provider.



- (d) All sites shall be adequately serviced in terms of firefighting water supply, with the exception of Rangataua.
Relevant Assessment Criteria: SU3.7.1, SU3.7.2(d)(i), (ii) & (iii).

Advice Notes:

1 NZS PAS 4509:2008 *New Zealand Fire Service Firefighting Water Supply Code of Practice* will be used as a guide for the provision of firefighting water for new lots.

2 **Archaeological**

If it is possible that archaeological sites may be affected by the proposed work then the site is subject to a consenting process under the Historic Places Act 1993.

Evidence of archaeological sites may include burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials.

If any activity associated with this proposal, such as earthworks, fencing or landscaping may modify, damage or destroy any archaeological site(s) an authority (consent) from the New Zealand Historic Places Trust must be obtained for the work prior to commencement. It is an offence to modify, damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for unauthorised site damage. The applicant is advised to contact the New Zealand Historic Places Trust for further information.

SU3.7 Assessment Criteria: Residential Zone

SU3.7.1 Controlled Activities

Controlled Activities – Matters over which Council has reserved Control.

- (a) Whether the sites will have safe and efficient access to a public road network.
- (b) Whether the site can be adequately serviced in terms of electricity supply, sewage disposal, potable and fire fighting water supply, and stormwater disposal. NZS 4404:2010 *Land Development and Subdivision Infrastructure* and the SNZ PAS 4509:2008 *New Zealand Fire Service Firefighting Water Supply Code of Practice* shall be used as guides.
- (c) Whether the shape and area of the sites is adequate to provide for the reasonable needs of the site including building platforms, setbacks and parking areas.
- (d) Whether any easements are required.
- (e) Whether any amalgamation of lots is required.
- (f) Whether an esplanade reserve or strip is required in terms of the Riparian Management and Public Access – Rules section of the plan.
- (g) Whether the potential risk presented by natural hazards has been considered in the design and layout of the subdivision or boundary adjustment and if necessary measures to avoid, remedy or mitigate such a risk are proposed.
- (h) Whether consideration has been given to the impact of stormwater discharges on downstream properties.
- (i) Whether underground reticulated telecommunications have been provided to the boundary of the site.
- (j) In the Kowhai Residential Area, measures to mitigate noise from the nearby Industrial Zone.
- (k) Consistency with the Kowhai Residential Area Plan.

SU3.7.2 Restricted Discretionary, Discretionary and Non-Complying Activities

Restricted Discretionary Activities will be assessed only in respect of the relevant assessment criteria applicable to the rule or conditions with which the activity was unable to comply.



Discretionary and Non-Complying Activities will be assessed against, but not limited to, the assessment criteria below.

- (a) General
 - (i) The *Matters of Control* listed for Controlled Activities in section SU3.7.1 above.
 - (ii) Any other relevant assessment criteria within other sections of the District Plan.
- (b) Urban Amenity
 - (i) Whether any mature trees that contribute to urban amenity will be retained.
 - (ii) The extent to which subdivision design features have been incorporated that contribute to the existing character of the urban area and improved amenity.
- (c) Shape
 - (i) Whether there is adjoining open space that can be used by occupants of the lot, thereby reducing the need for a complying shape.
 - (ii) Whether it has been demonstrated that a suitable dwelling and living area can be provided on the lot resulting in adverse effects that are no more than minor.
 - (iii) Whether the sites are orientated in a way that enables the majority of dwellings to be located to maximise energy efficiency, i.e. maximise solar gain. For example, this may be achieved through maximising the number of sites which are east/west facing, and roads that run north/south.
- (d) Servicing
 - (i) Whether a specific engineered design wastewater disposal system can be provided where a connection to Council's wastewater reticulation is not available.
 - (ii) Whether a specific engineered design stormwater disposal system is proposed for a new lot where a connection to Council's stormwater reticulation is not available.
 - (iii) The extent to which any adverse effects can be mitigated by means other than specific engineered designed systems for the disposal stormwater and / or wastewater where connections to Council's reticulation is not available.
 - (iv) Whether the consent of the downstream landowners' has been obtained where stormwater flows are proposed to connect to adjoining landowners stormwater disposal systems.

Advice Note:

All servicing will also need to comply with the requirements of Regional Council One Plan rules.

- (e) Subdivision within the Transmission Corridor
 - (i) The extent to which the subdivision design mitigates the effects on the lines, for example, through the location of roads and reserves under the line, or through lot layout.
 - (ii) The ability for maintenance and inspection of the transmission line, including ensuring access for the same.
 - (iii) The extent to which the design and development will minimise risk or injury and/or property damage from the lines.
 - (iv) The extent to which potential adverse effects including visual impacts are mitigated, for example, through the location of building platforms and landscape design.
 - (v) The location of any building platforms.
 - (vi) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) and
 - (vii) The outcomes of any consultation with the affected utility operator.

**SU3.8 Rules: Commercial Zone****SU3.8.1 Controlled Activities**

The following activities are Controlled Activities.

Such activities shall be considered without the need to obtain written approval from affected parties and without the need for notification. Applications will be assessed and conditions imposed only in respect of the matters of control specified below and the Assessment Criteria specified in section SU3.10.1.

- (a) Boundary adjustments
Council has reserved control over the following matters:
- (i) Access.
 - (ii) Servicing.
 - (iii) Shape and Area of Sites.
 - (iv) Easements.
 - (v) Amalgamation.
 - (vi) Esplanade Reserves and Strips.
 - (vii) Natural Hazards.

Please see SU3.10.1 below for more details.

SU3.8.2 Restricted Discretionary Activities

The following activities are Restricted Discretionary Activities provided they comply with the General Conditions outlined in section SU3.9.

Applications will be assessed against the relevant Assessment Criteria outlined in Section SU3.10.2 below:

- (a) Any subdivision that complies with SU3.8.1 Controlled Activities, but is within 32m of the centerline of a high voltage transmission line (as shown on the Planning Maps).

SU3.8.3 Discretionary Activities

The following activities are Discretionary Activities

Applications will be assessed against but not limited to, the Assessment Criteria noted below in section SU3.10.

- (a) Any subdivision that can comply with all of the relevant General Conditions contained within section SU3.9.
Relevant Objectives and Policies – CM2.3

SU3.8.4 Non-Complying Activities

- (a) Any subdivision which cannot meet all of the general conditions contained within section SU3.9.
Relevant Objectives and Policies – CM2.3.



SU3.9 General Conditions: Commercial Zone

Compliance with the following Conditions is required for all Discretionary Activities as outlined in Rule SU3.8.2 above.

SU3.9.1 Transportation

- (a) All activities shall demonstrate compliance with the relevant provisions of the “Transport Infrastructure and Car Parking - Rules” section of the District Plan.
Relevant Assessment Criteria: Refer “Transport Infrastructure and Car Parking - Rules” section
- (b) No new lot shall obtain access to State Highway 4 between the intersection of Bell Road with State Highway 4 and State Highway 41, Taumarunui, and to State Highway 4 in National Park Township, and to State Highway 49 in Ohakune.

Advice Note:
NZTA will be considered an affected party where any proposed new lot requires access to a State Highway. It is recommended that evidence of consultation with NZTA is provided with any such application.

The New Zealand Railways Corporation (KiwiRail) may be considered an affected party for any subdivision application that increases the use of an existing public or private level crossing, or requires a new crossing of the railway. (If applicable, it is recommended that evidence of consultation with New Zealand Railways Corporation (KiwiRail) is provided with any such application).

SU3.9.2 Servicing

- (a) All sites shall be appropriately serviced in terms of electricity and shall have a reticulated water, sewerage and stormwater system contiguous, or passing through the site, that can be connected with to provide water, sewerage and stormwater services to the site.
Relevant Assessment Criteria: SU3.10.2(c) (i), (ii) and (iii)
- (b) All sites shall be adequately serviced in terms of firefighting water supply.
Relevant Assessment Criteria: SU3.10.1(b)

- Advice Notes:*
- 1 NZS PAS 4509:2008 New Zealand Fire Service Firefighting Water Supply Code of Practice will be used as a guide for the provision of firefighting water for new lots.
 - 2 If it is possible that archaeological sites may be affected by the proposed work then the site is subject to a consenting process under the Historic Places Act 1993.

Evidence of archaeological sites may include burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials.

If any activity associated with this proposal, such as earthworks, fencing or landscaping may modify, damage or destroy any archaeological site(s) an authority (consent) from the New Zealand Historic Places Trust must be obtained for the work prior to commencement. It is an offence to modify, damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for unauthorised site damage. The applicant is advised to contact the New Zealand Historic Places Trust for further information.



SU3.10 Assessment Criteria: Commercial Zone

SU3.10.1 Controlled Activities

Controlled Activities – Matters over which Council has reserved control.

- (a) Whether the sites will have safe and efficient access to a public road network.
- (b) Whether the site can be adequately serviced in terms of electricity supply, sewage disposal, potable and firefighting water supply and stormwater disposal. NZS 4404:2010 *Land Development and Subdivision Infrastructure* and NZS PAS 4509:2008 *New Zealand Fire Service Firefighting Water Supply Code of Practice* shall be used as guides.
- (c) Whether underground reticulated telecommunications have been provided to the boundary of the site.
- (d) Whether the shape and area of the sites is adequate to provide for the reasonable needs of the site including building platforms, setbacks and parking areas.
- (e) Whether any easements are required.
- (f) Whether any amalgamation of lots is required.
- (g) Whether an esplanade reserve or strip is required in terms of the Riparian Management and Public Access – Rules section of the plan.
- (h) Whether the potential risk presented by natural hazards has been considered in the design and layout of the subdivision or boundary adjustment and if necessary measures to avoid, remedy or mitigate such a risk are proposed.

SU3.10.2 Restricted Discretionary, Discretionary and Non-Complying Activities

Restricted Discretionary Activities will be assessed only in respect of the relevant assessment criteria applicable to the rule or conditions with which the activity was unable to comply.

Discretionary and Non-Complying Activities will be assessed against, but not limited to, the assessment criteria below.

Reference to relevant assessment criteria in other sections of the District Plan may be required as stated for the General and Conditions above.

- (a) General
 - (i) The *Matters of Control* listed for Controlled Activities in section SU3.10.1 above
 - (ii) Any other relevant assessment criteria within other sections of the District Plan
- (b) Urban Amenity
 - (i) Whether any mature trees that contribute to urban amenity will be retained
 - (ii) The extent to which subdivision design features have been incorporated that contribute to the existing character of the urban area and improved amenity.
- (c) Servicing
 - (i) Whether a specific engineered design wastewater disposal system can be provided where a connection to Council's wastewater reticulation is not available.
 - (ii) Whether a specific engineered design stormwater disposal system is proposed for a new lot where a connection to Council's stormwater reticulation is not available.
 - (iii) The extent to which any adverse effects can be mitigated by means other than specific engineered designed systems for the disposal stormwater and / or wastewater where connections to Council's reticulation is not available.
 - (iv) Whether the consent of the downstream landowners has been obtained where stormwater flows are proposed to connect to adjoining landowners stormwater disposal systems.
- (d) Subdivision within the Transmission Corridor



- (i) The extent to which the subdivision design mitigates the effects on the lines, for example, through the location of roads and reserves under the line, or through lot layout.
- (ii) The ability for maintenance and inspection of the transmission line, including ensuring access for the same.
- (iii) The extent to which the design and development will minimise risk or injury and/or property damage from the lines.
- (iv) The extent to which potential adverse effects including visual impacts are mitigated, for example, through the location of building platforms and landscape design.
- (v) The location of any building platforms.
- (vi) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) and
- (vii) The outcomes of any consultation with the affected utility operator.

SU3.11 Rules: Industrial Zone

SU3.11.1 Controlled Activities

The following activities are Controlled Activities.

Such activities shall be considered without the need to obtain written approval from affected parties and without the need for notification. Applications will be assessed and conditions imposed only in respect of the matters of control specified below and the Assessment Criteria specified in section SU3.13.1.

- (a) Boundary adjustments
Council has reserved control over the following matters:
 - (i) Access.
 - (ii) Servicing.
 - (iii) Shape and Area of Sites.
 - (iv) Easements.
 - (v) Amalgamation.
 - (vi) Esplanade Reserves and Strips.
 - (vii) Natural Hazards.

Please see SU3.13.1 below for more details.

SU3.11.2 Discretionary Activities

The following activities are Discretionary Activities

Applications will be assessed against but not limited to, the Assessment Criteria noted below in section SU3.13.

- (a) Any subdivision that can comply with all of the General Conditions contained within section SU3.12 Relevant Objectives and Policies – IN2.2.2(a) and IN2.2.3(a) and (b)

SU3.11.3 Non-Complying Activities

The following activities are Non-Complying Activities:

- (a) Any subdivision which cannot meet all of the General Conditions contained within section SU3.12 Relevant Objectives and Policies – IN2.2.2(a) and IN2.2.3(a) and (b)



SU3.12 General Conditions: Industrial Zone

Compliance with the following Conditions is required for all Discretionary Activities as outlined in Rule SU3.11.2 above.

SU3.12.1 Transportation

- (a) All activities shall demonstrate compliance with the relevant provisions of the “Transport Infrastructure and Car Parking - Rules” section of the District Plan.
Relevant Assessment Criteria: Refer “Transport Infrastructure and Car Parking - Rules” section
- (b) No new lot shall obtain access to State Highway 4 between the intersection of Bell Road with State Highway 4 and State Highway 41, Taumarunui, and to State Highway 4 in National Park Township, and to State Highway 49 in Ohakune.

Advice Note:

NZTA will be considered an affected party where any proposed new lot requires access to a State Highway. It is recommended that evidence of consultation with NZTA is provided with any such application.

The New Zealand Railways Corporation (KiwiRail) may be considered an affected party for any subdivision application that increases the use of an existing public or private level crossing, or requires a new crossing of the railway. (If applicable, it is recommended that evidence of consultation with New Zealand Railways Corporation (KiwiRail) is provided with any such application).

SU3.12.2 Servicing

- (a) All sites shall be appropriately serviced in terms of electricity; and shall have a reticulated water, sewerage and stormwater system contiguous, or passing through the site, that can be connected with to provide water, sewerage and stormwater services to the site.
- (b) Any necessary easements for the protection of telecommunications services shall be provided where they cross any right of way or access lot. All such easements shall be in favour of the telecommunications provider.
- (c) All sites shall be adequately serviced in terms of firefighting water supply.
Relevant Assessment Criteria: SU3.13.2(c) (i), (ii) and (iii)

Advice Note:

- 1 *NZS PAS 4509:2008 New Zealand Fire Service Firefighting Water Supply Code of Practice will be used as a guide for the provision of firefighting water for new lots.*
- 2 *If it is possible that archaeological sites may be affected by the proposed work then the site is subject to a consenting process under the Historic Places Act 1993.*

Evidence of archaeological sites may include burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials.

If any activity associated with this proposal, such as earthworks, fencing or landscaping may modify, damage or destroy any archaeological site(s) an authority (consent) from the New Zealand Historic Places Trust must be obtained for the work prior to commencement. It is an offence to modify, damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for unauthorised site damage. The applicant is advised to contact the New Zealand Historic Places Trust for further information.

**SU3.13 Assessment Criteria : Industrial Zone****SU3.13.1 Controlled Activities**

Controlled Activities – Matters over which Council has reserved Control.

- (a) Whether the sites will have safe and efficient access to a public road network.
- (b) Whether the site can be adequately serviced in terms of electricity supply, sewage disposal, potable and firefighting water supply and stormwater disposal. NZS 4404:2010 *Land Development and Subdivision Infrastructure* and NZS PAS 4509:2008 *New Zealand Fire Service Firefighting Water Supply Code of Practice* shall be used as guides.
- (c) Whether the shape and area of the sites is adequate to provide for the reasonable needs of the site including building platforms, setbacks and parking areas.
- (d) Whether any easements are required.
- (e) Whether any amalgamation of lots is required.
- (f) Whether an esplanade reserve or strip is required in terms of the Riparian Management and Public Access – Rules section of the Plan.
- (g) Whether the potential risk presented by natural hazards has been considered in the design and layout of the subdivision or boundary adjustment and, if necessary, measures to avoid, remedy or mitigate such a risk are proposed.

SU3.13.2 Discretionary and Non-Complying Activities

Discretionary and Non-Complying Activities will be assessed against, but not limited to, the assessment criteria below.

Reference to relevant assessment criteria in other sections of the District Plan may be required as stated for the General and Conditions above.

- (a) General
 - (i) The *Matters of Control* listed for Controlled Activities in section SU3.13.1 above.
 - (ii) Any other relevant assessment criteria within other sections of the District Plan.
- (b) Urban Amenity
 - (i) Whether any mature trees that contribute to urban amenity will be retained.
 - (ii) The extent to which subdivision design features have been incorporated that contribute to the existing character of the urban area and improved amenity.
- (c) Servicing
 - (i) Whether a specific engineered design wastewater disposal system can be provided where a connection to Council's wastewater reticulation is not available.
 - (ii) Whether a specific engineered design stormwater disposal system is proposed for a new lot where a connection to Council's stormwater reticulation is not available.
 - (iii) The extent to which any adverse effects can be mitigated by means other than specific engineered designed systems for the disposal of stormwater and/or wastewater where connections to Council's reticulation is not available.
 - (iv) Whether the consent of the downstream landowners' has been obtained where stormwater flows are proposed to connect to adjoining landowners stormwater disposal systems.



SU3.14 Rules: Urban Settlement Zone

SU3.14.1 Controlled Activities

The following activities are Controlled Activities.

Such activities shall be considered without the need to obtain written approval from affected parties and without the need for notification. Applications will be assessed and conditions imposed only in respect of the matters of control specified below and the Assessment Criteria specified in section SU3.15.1.

- (a) Boundary adjustments
 - Council has reserved control over the following matters:
 - (i) Access.
 - (ii) Servicing.
 - (iii) Shape and Area of Sites.
 - (iv) Easements.
 - (v) Amalgamation.
 - (vi) Esplanade Reserves and Strips.
 - (vii) Natural Hazards.
 - Please see SU3.15.1 for more details.
- (b) Subdivision associated with Network Utilities
 - (i) There shall be no minimum area requirements for lots for network utility purposes of requiring authorities. In addition, there is no requirement to comply with the 'Coverage' requirements of the Zone.

SU3.14.2 Non-Complying Activities

The following activities are Non-Complying Activities:

- (a) All subdivision, except those provided for in SU3.14.1 above.
Relevant Objectives and Policies – US2.2 and SU2.5.

Advice Note:

- 1 *If it is possible that archaeological sites may be affected by the proposed work then the site is subject to a consenting process under the Historic Places Act 1993.*
- 2 *Evidence of archaeological sites may include burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials.*

If any activity associated with this proposal, such as earthworks, fencing or landscaping may modify, damage or destroy any archaeological site(s) an authority (consent) from the New Zealand Historic Places Trust must be obtained for the work prior to commencement. It is an offence to modify, damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for unauthorised site damage. The applicant is advised to contact the New Zealand Historic Places Trust for further information



SU3.15 Assessment Criteria: Urban Settlement Zone

SU3.15.1 Controlled Activities

Controlled Activities – Matters over which Council has reserved Control.

- (a) Whether the sites will have safe and efficient access to a public road network.
- (b) Whether the site can be adequately serviced in terms of electricity supply, sewage disposal, potable and firefighting water supply and stormwater disposal. NZS 4404:2010 *Land Development and Subdivision Infrastructure* and NZS PAS 4509:2008 *New Zealand Fire Service Firefighting Water Supply Code of Practice* shall be used as guides
- (c) Whether the shape and area of the sites is adequate to provide for the reasonable needs of the site including building platforms, setbacks and parking areas.
- (d) Whether any easements are required
- (e) Whether any amalgamation of lots is required
- (f) Whether an esplanade reserve or strip is required in terms of the Riparian Management and Public Access – Rules section of the plan.
- (g) Whether the potential risk presented by natural hazards has been considered in the design and layout of the subdivision or boundary adjustment and if necessary measures to avoid, remedy or mitigate such a risk are proposed.

SU3.15.2 Non-Complying Activities

Non-Complying Activities will be assessed against, but not limited to, the assessment criteria below.

Reference to relevant assessment criteria in other sections of the District Plan may be required as stated for the General and Conditions above.

- (a) General
 - (i) The *Matters of Control* listed for Controlled Activities in section SU3.15.1 above.
 - (ii) Any other relevant assessment criteria within other sections of the District Plan.
- (b) Servicing
 - (i) Whether a specific engineered design wastewater disposal system can be provided where a connection to Council's wastewater reticulation is not available.
 - (ii) Whether a specific engineered design stormwater disposal system is proposed for a new lot where a connection to Council's stormwater reticulation is not available.
 - (iii) The extent to which any adverse effects can be mitigated by means other than specific engineered designed systems for the disposal of stormwater and/or wastewater where connections to Council's reticulation is not available.
 - (iv) Whether the consent of the downstream landowners has been obtained where stormwater flows are proposed to connect to adjoining landowners stormwater disposal systems.
- (c) Urban Amenity
 - (i) Whether any mature trees that contribute to urban amenity will be retained.
 - (ii) The extent to which subdivision design features have been incorporated that contribute to the existing character of the urban area and improved amenity.
- (d) Shape
 - (i) Whether the sites are orientated in a way that enables the majority of dwellings to be located to maximise energy efficiency, i.e., maximise solar gain. For example, this may be achieved through maximising the number of sites which are east/west facing, and roads that run north/south.



SU3.16 Rules: Protected Areas Zone And Active Reserve Zone

SU3.16.1 Controlled Activities

The following activities are Controlled Activities.

Such activities shall be considered without the need to obtain written approval from affected parties and without the need for notification. Applications will be assessed and conditions imposed only in respect of the matters of control specified below and the Assessment Criteria specified in section SU3.17.1.

- (a) Boundary Adjustments
Council has reserved control over the following matters:
- (i) Access
 - (ii) Servicing
 - (iii) Shape and Area of Sites
 - (iv) Easements
 - (v) Amalgamation
 - (vi) Esplanade Reserves and Strips
 - (vii) Natural Hazards
- Please see SU3.17.1 below for more details.

SU3.16.2 Discretionary Activities

The following activities are Discretionary Activities

Applications will be assessed against but not limited to, the Assessment Criteria noted in section SU3.17 below.

- (a) All subdivision
Relevant Objectives and Policies – PA2.2.2(a), AR2.2.2(a) and AR2.2.3(a)

Advice Note:

If it is possible that archaeological sites may be affected by the proposed work then the site is subject to a consenting process under the Historic Places Act 1993.

Evidence of archaeological sites may include burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials.

If any activity associated with this proposal, such as earthworks, fencing or landscaping may modify, damage or destroy any archaeological site(s) an authority (consent) from the New Zealand Historic Places Trust must be obtained for the work prior to commencement. It is an offence to modify, damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for unauthorised site damage. The applicant is advised to contact the New Zealand Historic Places Trust for further information.



SU3.17 Assessment Criteria: Protected Areas and Active Reserve Zone

SU3.17.1 Controlled Activities

Controlled Activities – Matters over which Council has reserved Control.

- (a) Whether the sites will have safe and efficient access to a public road network.
- (b) Whether the site can be adequately serviced in terms of electricity supply, sewage disposal, potable and firefighting water supply and stormwater disposal. NZS 4404:2010 *Land Development and Subdivision Infrastructure* and NZS PAS 4509:2008 *New Zealand Fire Service Firefighting Water Supply Code of Practice* shall be used as guides.
- (c) Whether the shape and area of the sites is adequate to provide for the reasonable needs of the site including building platforms, setbacks and parking areas.
- (d) Whether any easements are required.
- (e) Whether any amalgamation of lots is required.
- (f) Whether an esplanade reserve or strip is required in terms of the Riparian Management and Public Access – Rules section of the Plan.
- (g) Whether the potential risk presented by natural hazards has been considered in the design and layout of the subdivision or boundary adjustment and if necessary measures to avoid, remedy or mitigate such a risk are proposed.

SU3.17.2 Discretionary Activities

Discretionary Activities will be assessed against, but not limited to, the assessment criteria below.

- (a) General
 - (i) The *Matter of Control* listed for Controlled Activities in section SU3.17.1 above
 - (ii) Any other relevant assessment criteria within other sections of the District Plan
- (b) Servicing
 - (i) Whether a specific engineered design wastewater disposal system is proposed for a new lot where a standard septic tank system cannot be provided on-site.
 - (ii) Whether a specific engineered design stormwater disposal system is proposed for a new lot where there are potential flooding effects.
 - (iii) The extent to which any adverse effects can be mitigated by means other than specific engineered designed systems for the disposal stormwater and/or wastewater.
 - (iv) Whether the consent of the downstream landowners has been obtained where stormwater flows are proposed to connect to adjoining landowners stormwater disposal systems.

SU3.18 Exceptions for All Zones

SU3.18.1 Permitted Activities

The following activities are Permitted Activities.

- (a) Reserves and Public Access
 - (i) Any subdivision created for the purposes of creating a public reserve or public access.