

Note: this version of the River Terrace Resource Area provisions is updated from the notified version, as follows:

- Modifications (additions and deletions) in blue are those proposed in the original submission of River Terrace Developments Limited (RTDL) (the plan change requestor).
- Modifications in green respond to amendments proposed in the original submissions of Highland Motorsport Park Limited (Submission 144) and Central Speedway Club Cromwell Incorporated (Submission 45).
- Modifications in red are additional or amended provisions discussed in evidence for RTDL (April 2019)
- Modifications in purple are additional or amended provisions since circulation of the evidence for RTDL

SECTION 20: RIVER TERRACE RESOURCE AREA

20.1 INTRODUCTION

The River Terrace Resource Area at Cromwell comprises 49 hectares across two distinct terraces, with frontage to State Highway 6 and Sandflat Road. It is approximately 1km from Cromwell's main employment/business precinct.

The Resource Area is to be comprehensively developed for urban activities including medium- and higher-density residential, retirement living, a neighbourhood centre, and a possible school, with an associated open space network, walkways, roading and infrastructure.

Development is guided by a structure plan which delineates the general layout of activities, roads, open spaces, and Development Parcels. The provisions of the Resource Area allow each of these Development Parcels to be subdivided and developed comprehensively to promote high quality residential neighbourhoods. Ready access to open space and wider vistas to the surrounding mountainous landscapes will be strong features of the development.

Rules enable the development to co-exist with the existing mix of activities in the wider area, including the motorsport activities, orchards and other rural activities, and the state highway. The River Terrace Resource Area is adjacent to a variety of existing activities that affect the nature of the existing environment. These include the Highlands Motorsport Park, the Central Otago Speedway, and orchard activities. It is recognised that these existing activities all generate noise and other effects that will compromise the amenity values of the Resource Area to varying degrees. Highlands and Speedway events and orchard activities generate noise effects on outdoor amenity for residents within the Resource Area. Acoustic insulation and ventilation will be required for some buildings within the Resource Area to mitigate the effects of Highlands and Speedway events on indoor living environments. Objectives, policies, rules and other methods are included in the Resource Area to protect existing activities from reverse sensitivity effects.

20.2 ISSUES

The resource management issues of the River Terrace Resource Area are:

- 20.2.1 Spatial expansion of Cromwell to meet current and future residential land demands**
Cromwell's popularity as a place to live, work and visit is increasing, and its population is projected to continue to grow significantly. Additional greenfields land for accommodating this growth is required to avoid a shortfall. Adequate zoned capacity and efficient use of land resources are necessary to meet housing demand and to maintain housing affordability.
- Cross-Reference
Section 2
Objectives: 20.3.1 – 20.3.4*
- 20.2.2 Quality, compact urban development**
Well thought-out masterplanning that takes into account locational attributes, market demands, and best practice urban design will deliver high quality urban intensification and efficient use of land while fostering communities, improving environmental sustainability, promoting affordability, and improving overall well-being. Diversity of housing choice, a variety of open space opportunities, safe walking and cycling connections, and slow-speed safe roads all contribute to a successful medium and higher density living environment that maintains long term amenity values and environmental quality for residents.
- Cross Reference
Section 2
Objectives: 20.3.1 – 20.3.5, 20.3.8 – 20.3.9*
- 20.2.3 Maximising infrastructural efficiencies**
Integrated planning of land use and infrastructure optimises the provision and use of roading and infrastructural services, encourages the efficient use of existing community facilities and provides for new community facilities.
- Cross Reference
Sections 2, 15, 16
Objectives: 20.3.6, 20.3.7*
- 20.2.4 Ensuring compatibility with surrounding activities**
~~New urban development should recognise existing environmental values and the existing effects of — and potential effects on — nearby activities. Methods should be adopted to ensure that activities are compatible. The existing environment surrounding the Resource Area includes significant tourism and community facilities, including the Highlands Motorsport Park and Cromwell Speedway, and orchard activities that need to be protected from reverse sensitivity effects arising from increased noise sensitive activity in close proximity. Methods must be adopted to ensure that adverse reverse sensitivity effects on these existing activities are avoided.~~
- Cross Reference
Section 2
Objectives: 20.3.10*
- 20.2.5 Other issues**
Issues 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.5, 6.2.6, 6.2.7 and 6.2.10 apply in the River Terrace Resource Area.
- Cross Reference
Section 6
Objectives: 6.3.1 – 6.3.6*
- Explanation to Issues 20.2.1 – 20.2.5**
Cromwell's population is growing at a comparatively high rate in relation to other similarly sized towns in New Zealand and Otago, and needs additional zoned land for the housing to accommodate this growth. Applying best practice urban design to new areas for urban development will deliver optimum amenity and quality of life outcomes for residents and the community, housing diversity and affordability, and efficiencies in the provision of parks, open space, roading and infrastructure. ~~Externalities can be adequately managed by adopting suitable methods for avoiding and mitigating potential effects~~ Existing activities adjacent to the Resource Area are important contributors to the social, economic and cultural wellbeing of the Cromwell and Central Otago communities that need to be protected from potential adverse reverse sensitivity effects arising from the development of the Resource Area for residential/noise sensitive purposes.

20.3 OBJECTIVES

The objectives contained in this section are specific to the River Terrace Resource Area. The objectives in the following sections of the District Plan are also relevant to the subdivision, use, development, and protection of land in the River Terrace Resource Area:

- Section 3.3 (Manawhenua)
- Section 6.3 (Urban Areas)
- Section 12.3 (District Wide)
- Section 13.3 (Infrastructure, Energy and Utilities)
- Section 14.3 (Heritage)
- Section 15.3 (Financial Contributions)
- Section 16.3 (Subdivision)
- Section 17.3 (Hazards)

~~Where any of the objectives of the River Terrace Resource Area conflict with the objectives in the sections listed above, the objectives of the River Terrace Resource Area shall prevail.—~~

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| 20.3.1 | <p><u>Objective – Efficient, co-ordinated, integrated greenfields development</u>
Efficient greenfields development that is co-ordinated by way of a Structure Plan to achieve an integrated, connected, high quality residential neighbourhood.</p> | <p><i>Cross reference to Issue 20.2.1, 20.2.2, Policies 20.4.1, 20.4.2</i></p> |
| 20.3.2 | <p><u>Objective – Diversity of housing product and housing affordability</u>
Increased housing supply, variety and choice by creating a well-designed residential development comprising a range of housing densities and typologies to enable a range of price options.</p> | <p><i>Cross reference to Issue 20.2.1, 20.2.2, Policies 20.4.2, 20.4.3,</i></p> |
| 20.3.3 | <p><u>Objective – Well-designed built environment</u>
A well-designed built environment that provides for and positively responds to roads and open spaces, provides high quality amenity for residents, and contributes to public safety.</p> | <p><i>Cross reference to Issue 20.2.1, 20.2.2, Policies 20.4.1, 20.4.2, 20.4.4, 20.4.5,</i></p> |
| 20.3.4 | <p><u>Objective – Retirement living opportunities</u>
A variety of residential opportunities for retirement-age people, along with related services and amenities.</p> | <p><i>Cross reference to Issue 20.2.1, 20.2.2, Policies 20.4.3, 20.4.8</i></p> |
| 20.3.5 | <p><u>Objective – Parks and open space network</u>
Parks and open spaces that cater for the recreation and amenity needs of residents, and a network of pedestrian and cycle connections and greenways that are safe and convenient and which, along with the road network, allow easy connections within and beyond the Resource Area.</p> | <p><i>Cross reference to Issue 20.2.2, Policies 20.4.1, 20.4.2, 20.4.4</i></p> |
| 20.3.6 | <p><u>Objective – Road network</u>
A safe and efficient road network within the Resource Area that provides for all transport modes, including walking and cycling, while also integrating with the existing transport network and possible future development in surrounding areas.</p> | <p><i>Cross reference to Issue 20.2.3, Policy 20.4.6</i></p> |
| 20.3.7 | <p><u>Objective – Public infrastructure</u>
Adequate connections to public infrastructure systems and appropriate distribution of infrastructure through the Resource Area, and an appropriate total number of dwellings within the Resource Area in line with servicing capacities.</p> | <p><i>Cross reference to Issue 20.2.3, Policy 20.4.7</i></p> |
| 20.3.8 | <p><u>Objective – Neighbourhood Centre</u>
A neighbourhood centre in a convenient location to provide for the day to day convenience needs of the residential neighbourhood, and to complement and not undermine the existing Cromwell retail and business centres.</p> | <p><i>Cross reference to Issue 20.2.1, 20.2.2, Policy 20.4.9</i></p> |

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| 20.3.9 | <p><u>Objective – Education precinct</u>
 Provide Land is provided for a school or other educational facility, to cater for the needs of the immediate and wider community.</p> | <p><i>Cross reference to Issue 20.2.1, 20.2.2, Policy 20.4.10</i></p> |
| 20.3.10 | <p><u>Objective – Compatibility with surrounding activities</u>
 Development which is undertaken in a manner that is compatible with the surrounding land uses including State Highway 6, motorsport activities, orcharding.
 <u>Objective – Reverse sensitivity</u>
 Protect Existing activities adjacent to the Resource Area are protected from adverse reverse sensitivity effects, on existing activities adjacent to the Resource Area, particularly Highlands Motorsport Park, Cromwell Speedway and horticulture activities/orcharding, so that constraints on those activities resulting from reverse sensitivity effects are avoided.</p> | <p><i>Cross reference to Issue 20.2.4, Policy 20.4.11, 20.4.12</i></p> |
| 20.3.11 | <p><u>Objective – Healthy buildings</u>
 Construction of buildings that provide quiet and healthy internal environments that protect residents, to the extent necessary, from effects of existing activities adjacent to the Resource Area.</p> | <p><i>Cross reference to Issue 20.2.4, Policy 20.4.11, 20.4.12</i></p> |

20.4 POLICIES

The policies contained in this section are specific to the River Terrace Resource Area. The policies in the following sections of the District Plan are also relevant to the subdivision, use, development, and protection of land in the River Terrace Resource Area:

- Section 3.4 (Manawhenua)
- Section 6.4 (Urban Areas)
- Section 12.4 (District Wide)
- Section 13.4 (Infrastructure, Energy and Utilities)
- Section 14.4 (Heritage)
- Section 15.4 (Financial Contributions)
- Section 16.4 (Subdivision)
- Section 17.4 (Hazards)

~~Where any of the policies of the River Terrace Resource Area conflict with the policies in the sections listed above, the policies of the River Terrace Resource Area shall prevail.—~~

20.4.1 Policy – Masterplanned Development

Policy 20.4.1A: Provide for the River Terrace Resource Area Structure Plan to manage the spatial layout of development in the Resource Area, including:

- (a) Roads, and the roading hierarchy;
- (b) Parks and open spaces;
- (c) Setback of built development from State Highway 6;
- (d) Two distinct residential Sub-Areas, based on residential density:
 - (i) Residential Sub-Area A, located within the main core of the Resource Area, where higher residential density is appropriate;
 - (ii) Residential Sub-Area B, located around much of the periphery of the Resource Area, with lower residential density;
- (e) A Retirement Living Overlay;
- (f) A Neighbourhood Centre Overlay;
- (g) An Education Overlay.

Cross reference:
Objectives 20.3.1, 20.3.3, 20.3.5; Rules 20.7.3(viii), 20.7.8, 20.7.9, 20.7.10, 20.7.11

Policy 20.4.1B: Ensure that development gives effect to the River Terrace Resource Area Structure Plan by:

- (a) Requiring that subdivision and development proposals are generally consistent with the Structure Plan;
- (b) Requiring subdivision and development plans to be staged in one or more Development Parcels and to demonstrate the interrelationship and future integration with adjoining areas.

20.4.2 Policy – Built environment, density and diversity

Require development to:

- (a) provide for a high quality public realm that is coordinated throughout the Resource Area, including by way of consistent road cross-sections, landscaping, road lighting and paving.
- (b) deliver sites that are an appropriate size and shape for residential development at a range of densities.

Cross reference:
Objectives 20.3.1, 20.3.2, 20.3.3, 20.3.5; Rules 20.7.3(viii), 20.7.8, 20.7.9, 20.7.10, 20.7.11

20.4.3 Policy – Housing Affordability

Enable a range of dwelling types and sizes to help meet the housing needs of households on moderate incomes, while maintaining a high quality of urban and building design.

Cross reference:
Objectives 20.3.2, 20.3.4; Rules 20.7.3(viii)(d), 20.7.1

20.4.4 Policy – Parks and Open Spaces

Require development to address the recreation and amenity needs of residents by:

Cross reference:

Objectives 20.3.3,

- (a) providing public open spaces;
- (b) enabling passive surveillance of public open spaces by ensuring public open spaces are generally fronted with roads; and
- (c) requiring pedestrian and/or cycle linkages (including cycle lanes within the road environment) to connect with the public open spaces, the neighbourhood centre, the school area, ~~and~~ the retirement living area and the adjacent public cycleway network.

20.3.5;
Rules 20.7.3(viii),
20.7.9, 20.7.10

20.4.5 Policy – Form of development

Manage the height, bulk, location, form and appearance of buildings and site landscaping and fencing, to:

- (a) achieve a variety of residential densities and character.
- (b) provide usable and accessible outdoor living space and privacy and to have access to daylight and sunlight.
- (c) allow neighbouring properties to have a reasonable standard of sunlight access and privacy.
- (d) achieve acceptable indoor amenity outcomes taking into account noise generating activities on properties adjacent to the Resource Area.

Cross reference:
Objective 20.3.3,
Rules 20.7.1,
20.7.3(ii) – (vii)

20.4.6 Policy – Transport

Require development to be designed to provide a road and block pattern which:

- (a) is easy and safe to use for motorists, pedestrians and cyclists;
- (b) is safely and efficiently connected to State Highway 6, Sandflat Road and any nearby public transport routes;
- (c) limits cul-de-sac roads where practicable;
- (d) is public;
- (e) incorporates principles of crime prevention through environmental design.

Cross reference:
Objective 20.3.6;
Rules 20.7.3(viii),
20.7.8, 20.7.9,

20.4.7 Policy – Infrastructure

Require development to provide servicing:

- (a) in a coordinated and integrated manner and in line with the capacity of the networks;
- (b) so that power and telecommunications services are reticulated underground to each site;
- (c) so that individual dwellings lots and buildings can be connected to the reticulated wastewater and potable water networks.

Cross reference:
Objectives 20.3.7;
Rules 20.7.3(viii),
20.7.8, 20.7.9,

20.4.8 Policy – Retirement Living Overlay

Provide adequate land for a retirement village within Residential Sub-Area A that:

- (a) enables a range of residential options for retirement-age people, including standalone villas, terrace housing and apartment housing;
- (b) provides for central services and amenities located to enable synergies with the neighbourhood centre and the open space and walkway network;
- (c) integrates with the wider Resource Area.

Cross reference:
Objective 20.3.4;
Rules 20.7.1(iii),
20.7.3(ii) – (iii),
20.7.8

20.4.9 Policy – Neighbourhood Centre Overlay

Policy 20.4.9A: Provide for a neighbourhood centre containing small scale retail, professional services, care facilities, community facilities, and food and beverage premises of a scale and in a location to meet the local convenience needs of residents.

Policy 20.4.9B: Limit the extent of retail to avoid any significant adverse effects on:

- (a) the small-scale character of the neighbourhood centre,
- (b) residential amenity in the vicinity,
- (c) the vitality and viability of existing Cromwell commercial centres,
- (d) the safe and efficient operation of the transport network.

Cross reference:
Objective 20.3.8;
Rules 20.7.1(iv),
20.7.3(iv), 20.7.8

20.4.10 Policy – Education Overlay

Provide for educational facilities and for open space(s) that suit both the needs of the school and the wider community.

*Objectives 20.3.9;
Rules 20.7.1(v),
20.7.3(v), 20.7.8*

20.4.11 Policy – Compatibility with surrounding established land uses

Policy 20.4.11A: Provide for a wide, green setback from State Highway 6 to provide amenity for residents of the Resource Area and highway users.

*Cross reference:
Objective 20.3.10;
Rules 20.7.1(ii)(i),
20.7.3(viii)(f), 20.7.7
(vii), (viii), (ix), 20.7.8*

Policy 20.4.11B: Ensure that sensitive activities (including residential and any childcare or other care activity) are adequately protected from spray drift from adjoining rural production activities.

~~**Policy 20.4.11C: Ensure that potential reverse sensitivity effects on nearby activities, including State Highway 6, motorsport activities and orcharding are adequately managed.**~~

20.4.12 Policy – Reverse Sensitivity

~~**Avoid reverse sensitivity effects on existing land uses in the neighbourhood, particularly the Highlands Motorsport Park, Cromwell Speedway and horticulture / orcharding activities.**~~

*Cross reference:
Objective 20.3.11;
Rules 20.7.7(x)*

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20.5 METHODS OF IMPLEMENTATION

20.5.1 Creation of the River Terrace Resource Area

The planning maps identify the River Terrace Resource Area which has a Structure Plan (Rule 20.7.8), a Movement Plan (Rule 20.7.9), a Development Parcel Plan (Rule 20.7.10), Indicative Road Cross Section Plans (Rule 20.7.11), and rules (Rules 20.7.1 – 20.7.7) applicable only within this Resource Area.

The River Terrace Resource Area is to be comprehensively developed for urban activities in accordance with the Structure Plan. Activities include medium and higher density residential, retirement living, neighbourhood centre, an associated open space network, walkways, roading and infrastructure, and potential educational facilities.

Rules are included to manage the development of noise sensitive activities to mitigate, to the extent necessary, adverse effects of noise from Highlands Motorsport Park, Cromwell Speedway and horticulture / orcharding activities on residents within the Resource Area and to avoid reverse sensitivity effects on those nearby activities.

Reason:

Masterplanning to create desirable urban outcomes, including variety and choice in housing product, high quality public and private amenities and a wider “sense of place”, relies on establishing and implementing a robust structure plan, with associated rules that set the parameters for subdivision and development. The River Terrace Structure Plan, Movement Plan, Development Parcel Plan, Indicative Road Cross-Section Plans, and the River Terrace provisions in Section 20.7 below, will best achieve the development aspirations set out in the objectives and policies for the Resource Area.

Cross Reference

Policies: 20.4.1 -

20.4.12

Rules: 20.7.1 -

20.7.11

20.6 PRINCIPAL REASONS FOR ADOPTING OBJECTIVES, POLICIES AND METHODS

20.6.1 The land comprising the River Terrace Resource Area is greenfields and needs to be developed in a coordinated, integrated and efficient manner to yield high quality urban outcomes while helping to accommodate Cromwell's growth. The provisions provide for diversity of housing product to enable a range of price options, and a well-designed built environment comprising a range of residential living options, including retirement living, and the community amenities of a neighbourhood centre and potentially a school.

Cross Reference:
Issues 20.2.1 – 20.2.5;
Objectives 20.3.1 –
20.3.10, 23.3.11;
Policies 20.4.1 –
20.4.11, 20.4.13;
Rules 20.7.1 – 20.7.11,

The Structure Plan and Movement Plan ensure appropriate spatial layout of activities, a safe and efficient road network and a green network of reserves and open space.

~~The Resource Area is adjacent to the highway and other existing activities, and the provisions include measures to achieve compatibility with these.—~~

The Resource Area is adjacent to existing activities which generate effects that will be experienced within the Resource Area. The provisions recognise these existing effects and include measures to reduce the impact of them on people within the Resource Area.

The Resource Area provisions promote the development of a quality compact neighbourhood that:

- (a) Fosters a community by providing shared amenities and boundary conditions that encourage neighbourhood interaction, a variety of high quality open space opportunities, and diversity of housing choice;
- (b) Improves physical and mental well-being by providing safe walking and cycling connectivity, slow-speed safe roads, reduction of crime through passive road surveillance, and a variety of recreation opportunities;
- (c) Improves sustainability by encouraging walking and cycling for local trips, minimising impervious surfacing, maximising green spaces, and promoting effective solar orientation;
- (d) Enables affordability by promoting compact infrastructure, and a range of lot sizes to create a choice of housing types
- (e) Requires the construction of buildings that will address the effects of existing adjacent activities and create healthy internal living environments for people.
- (f) Recognises and avoids potential reverse sensitivity effects on existing nearby activities.

20.7 RULES – RIVER TERRACE RESOURCE AREA

20.7.1 PERMITTED ACTIVITIES

(i) **Compliance with standards**

Any activity that is not listed as a controlled, discretionary (restricted), discretionary, non-complying or prohibited activity and that complies with the rules and standards set out in Sections 11 to 15 of this Plan and the standards set out in Rules 20.7.1(ii) – (v) is a permitted activity.

(ii) **Residential activities and buildings within Residential Sub-Areas A and B**

Residential activities and buildings within Residential Sub-Areas A and B as shown on the River Terrace Resource Area Structure Plan, excluding buildings and activities within the Retirement Living Overlay for retirement living purposes, are permitted activities provided they meet the following standards:

(a) **Building Height**

The maximum height of any building shall not exceed 9m except that the maximum height of any building located within 25m of the western boundary of the Resource Area adjoining Sections 33-36, Sarita Subdivision, shall not exceed 5m.

(b) **Height in relation to boundary**

Buildings shall not project beyond a 45-degree recession plane measured from a point 4.5m vertically above ground level along rear and side boundaries.

(c) **Building coverage**

The maximum coverage for all buildings on a site shall be 45%.

(d) **Setback from boundaries**

The minimum setback from all boundaries of any building on a site shall be 1m except that, where any units share a common wall, no setback is required from the common boundary between the units.

(e) **Outlook from principal living rooms and bedrooms**

An outlook space is an open outdoor area adjacent to the window of a room, to provide daylight access to and outlook from the room.

One outlook space must be provided from external windows of a habitable room (being a living room or a bedroom), in accordance with the following:

- (i) Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of windows.
- (ii) The minimum dimensions for a required outlook space are as follows:
 - the principal living room must have an outlook space with a minimum dimension of 4m in width and 4m in depth, all located within the site;
 - the principal bedroom must have an outlook space with a minimum dimension of 3m in depth and 3m in width, all located within the site; and
 - any secondary bedroom must have an outlook space with a minimum dimension of 1m in depth and 2m in width, all located within the site.
- (iii) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.

- (iv) The width of the outlook space is measured parallel to the window to which it applies.
- (v) Outlook spaces required from different rooms within the same building may overlap.
- (vi) Outlook spaces may overlap where they are on the same building face plane.
- (vii) Outlook spaces must:
- be clear and unobstructed by buildings;
 - not extend over adjacent sites, except where the outlook space is over a public or common space;
 - not extend over an outlook space or outdoor living space required by another dwelling.
- (f) **Outdoor living space**
An outdoor living space is an outdoor area intended for amenity and outdoor recreation. An outdoor living space must be provided as follows:
- (i) An outdoor living space of minimum diameter of 4m that opens directly from the primary living area of the dwelling must be provided. The outdoor living space must be clear of any parking or vehicle manoeuvring area and any buildings except for decks, terraces, pergolas or similar open structures, and building eaves.
- (g) **Internal Boundary fences and walls**
The maximum height of boundary fences and walls shall be:
- On front boundaries: 0.9m
 - On side boundaries in front gardens (in front of the principal front building line): 0.9m
 - On side boundaries (behind the principal front building line) when adjoining another private property: 1.8m
 - On rear boundaries when adjoining another private property: 1.8m
 - On side or rear boundaries when adjoining a lane, accessway, greenway or other public or common space: 1.2m
- For the purposes of this Rule and Rule 20.7.1(e) above:
- Any fence or wall located within 1m of a boundary is deemed to be on the boundary;
 - The principal front building line is a line drawn along the largest building face which faces an adjoining road and extending to the side boundaries;
 - Any private land legally accessible to or by more than one individual property is a common space.
- (h) **Driveways**
Driveways shall be a minimum of 5m in length or a maximum of 1.5m in length (but not between 1.5 – 5m).
- (i) **Set-back from Resource Area boundary**
The minimum setback of buildings from the Resource Area boundary shall be 5m.
- (j) **Carparking**
A minimum of 1 carpark space per dwelling shall be provided on site and at least 2 spaces per dwelling including on-street parking shall be provided, ~~provided that~~ plus an additional carpark shall be provided in association with a home occupation.

Reasons:

The spatial layout of activities across the Resource Area is guided by the

Structure Plan. The development standards for permitted residential activities in the Residential Sub-Areas ensure that the bulk and location of dwellings (including building height, height in relation to boundary, setbacks from boundaries, outlook space, and outdoor living space) are appropriate in the medium and higher density residential environment and do not, individually or collectively, create adverse effects on the amenities of the neighbouring properties or on the wider neighbourhood.

The permitted activity status for dwellings that meet the standards minimises the consenting costs for individual landowners and the Council, and contributes to overall affordability for landowners.

The permitted standards specify maximum heights for walls and fences along property boundaries. These are intended to enable a reasonable degree of privacy while maintaining visibility and passive surveillance from dwellings to public and common open spaces. Boundary hedges are not restricted.

The standard for the length of driveways discourages car parking that results in the ends of cars hanging over lanes or footpaths.

Setback from Resource Area boundaries is required to avoid reverse sensitivity effects on rural activities on adjoining properties.

(iii) Activities within the Retirement Living Overlay

The following activities are permitted activities within the Retirement Living Overlay:

- (a) Residential activities including Living Accommodation.
- (b) Centralised activities including food preparation and related activities, Care Centre activities, and medical activities limited to the premises of doctors and other health care professionals.

*Breach:
Non-complying activity
– see Rule 20.7.5(v)*

(iv) Activities within the Neighbourhood Centre Overlay

The following activities are permitted activities within the Neighbourhood Centre Overlay:

- (a) Retail activities.
- (b) Cafés, restaurants.
- (c) Care Centre activities.
- (d) Community activities.
- (e) Medical activities, limited to the premises of doctors and other health care professionals.
- (f) Residential activities.
- (g) Recreational activities.
- (h) Travellers Accommodation.

*Breach:
Non-complying activity
– see Rule 20.7.5(v)*

(v) Activities within the Education Overlay

The following activities are permitted activities within the Education Overlay:

- (a) Community facilities, limited to educational facilities and pre-school care activities.

*Breach:
Non-complying activity
– see Rule 20.7.5(v)*

Reasons:

The activities listed as permitted activities are those expected within the Overlay areas of the Resource Area. Within the Overlay areas buildings to contain the permitted activities are a discretionary (restricted) activity (see Rule 20.7.3 below). Other general standards for the activities, including, for example, for noise, also apply (see Rule 20.7.7 below).

20.7.2 CONTROLLED ACTIVITIES

(i) **Subdivision**

Subdivision for the following purposes shall be a controlled activity:

- (a) Network and public utilities.
- (b) Reserves.
- (c) Boundary adjustments.

The Council shall exercise its control in respect of the following matters:

1. The area of the proposed allotment taking into consideration the proposed use of the allotment.
2. The location, design and construction of access, and its adequacy for the intended purpose of the subdivision.
3. The amenities of neighbouring properties.
4. Public access requirements.
5. The provision of services and their adequacy for the intended purpose of the subdivision.
6. Any amalgamations and easements that are appropriate.
7. Any financial contributions necessary for the purposes set out in Section 15 of the Plan.
8. Any other matters provided for in section 220 of the Act.

Any application made under this rule will generally not be notified or require the written consent of affected persons.

Reason:

Subdivision for these activities has only a limited effect on the environment. A minimum allotment size to control density of development is not necessary given the purpose of these activities.

20.7.3 **DISCRETIONARY (RESTRICTED) ACTIVITIES**

(i) **Breach of Standards for Permitted or Controlled Activities**

Any activity or building listed in Rule 20.7.1(ii) that does not meet the relevant standards listed with that activity or building is a discretionary (restricted) activity, with the Council's discretion restricted to:

1. The purpose of the standard;
2. The effects of the infringement of the standard;
3. The effects on the amenity of neighbouring sites;
4. The effects of any special or unusual characteristic of the site which is relevant to the standard;
5. The characteristics of the development proposed; and
6. Where more than one standard will be infringed, the effects of all infringements.

Any application made under this rule will generally not be notified where the written approval of affected persons is provided.

Reason:

Any proposal that does not meet the relevant development standards is a discretionary (restricted) activity to enable the Council to review the effects of the proposed infringement(s) on the environment.

The Council has flexibility as to whether to notify any application made under these rules. In some instances discretionary (restricted) activities will only have a minor effect and do not justify notification. Applications will be processed non-notified where affected neighbours have given their written approval to the proposal. Applicants have greater certainty in that attention can be focused upon those matters identified for consideration. This in turn will increase efficiency in

processing such applications.

- (ii) **Buildings for residential activities within the Retirement Living Overlay**
Buildings for residential activities within the Retirement Living Overlay used for retirement living purposes (including single unit, duplex or multiple unit buildings) are a discretionary (restricted) activity provided that any building meets the following standards:

*Breach:
Discretionary activity – see
Rule 20.7.4(iii)*

- (a) **Building Height**
The maximum height of any building shall not exceed 9m.
- (b) **Height in relation to boundary**
Buildings shall not project beyond a 45-degree recession plane measured from a point 4.5m vertically above ground level along rear and side boundaries.
- (c) **Building coverage**
The maximum coverage for all buildings on a site shall be 45%.
- (d) **Set-back from Resource Area boundary**
The minimum setback of buildings from the Resource Area boundary shall be 5m.
- (e) **Carparking**
A minimum of 0.7 carpark spaces per independent residential unit shall be provided on site.

The Council's discretion is restricted to:

1. The external appearance and design of buildings;
2. Associated earthworks and landscaping;
3. Vehicle access;
4. Relationship with and accessibility to outdoor living space and outlook space for each residential unit;
5. The location and layout of vehicle parking;
6. Integration between the proposed building(s) and other consented development within the Overlay.

Reason: Development within the Retirement Living Overlay may comprise single units, duplex or multiple unit buildings. The discretionary (restricted) activity status and development standards are appropriate to provide sufficient flexibility in the layout of the units, while retaining control over various design aspects of the development.

- (iii) **Buildings for centralised activities within the Retirement Living Overlay**
Buildings for centralised activities, including food preparation and related activities, residential care and communal facilities, within the Retirement Living Overlay are a discretionary (restricted) activity provided that any building meets the following standards:

*Breach:
Discretionary activity – see
Rule 20.7.4(iii)*

- (a) **The standards in Rule 20.7.1(ii)(a) – (j), except that the following standard applies:**
- (i) The maximum height of any building shall not exceed 12m.
- (b) **Carparking**
A minimum of 0.7 carpark spaces per independent residential unit shall be provided on site, in a shared configuration. For central facilities or Care Centre, one carpark for every 40m² GFA of the central facilities or Care Centre and in addition one carpark for every 100m² GFA for visitors shall be provided.

The Council shall exercise its discretion in respect of the matters in 20.7.3(vi) below.

Reasons:

Buildings for centralised activities within the Retirement Living Overlay are a discretionary (restricted) activity provided they achieve certain development standards. The standards are generally the same that apply to the Residential areas within the Resource Area, in relation to bulk and location of buildings, other than a specific standard enabling greater building height.

Carparking rates for retirement living are based on rates accepted in the industry, for per-unit parking, visitor parking, and parking for central facilities and assisted residential care.

(iv) **Buildings within the Neighbourhood Centre Overlay**

Buildings within the Neighbourhood Centre Overlay are a discretionary (restricted) activity provided that any building meets the following standards:

Breach:

Discretionary activity – see Rule 20.7.4(iii)

(a) **Building Height**

The maximum height of any building shall not exceed 12m;

(b) **Building coverage**

The maximum coverage for all buildings on a site shall be 75%.

(c) **Setback from boundaries**

No set-back of any building from road boundaries is required. Buildings shall be set back a minimum of 1.5m from all other boundaries.

(e) **Maximum Floor Area per premise**

The maximum gross floor area of any retail or service premise shall be 200m² except that any medical centre / general practitioner facility shall have a maximum gross floor area of 400m².

(f) **Maximum Total Floor Area**

The total combined gross floor area of all retail premises shall be 1000m².

(g) **Carparking**

Minimum on-site carparking shall be provided as follows:

Retail and café/restaurant activities	1 carpark per 30m ² GFA for staff and visitors
Childcare facilities	0.10 carparks per child or other person other than employees, plus 0.5 carparks per full time employee
Community facilities (including medical facilities)	1 carpark per 10m ² public floor area of the facility
Residential	1 carpark per residential unit and one additional carpark shall be provided in association with a home occupation.

The Council shall exercise its discretion in respect of the matters in Rule 20.7.3(vi) below.

Reasons:

Buildings within the Neighbourhood Centre Overlay are a discretionary (restricted) activity provided they achieve certain development standards. The standards provide for a reasonable critical mass of building within a small land area, to create a focal point for the centre and to enable co-location of activities

including small scale retail, childcare facilities, and medical care facilities in close proximity to the Retirement Living Overlay. Carparking rates for the activities are based on rates accepted in the industry.

(v) **Buildings within the Education Overlay**

Buildings within the Education Overlay are a discretionary (restricted) activity provided they meet the following standards:

*Breach:
Discretionary activity –
see Rule 20.7.4(iii)*

(a) **Building Height**

The maximum height of any building shall not exceed 15m.

(b) **Height in relation to boundary**

Buildings shall not project beyond a 45-degree recession plane measured from a point 4.5m vertically above ground level along rear and side boundaries of the Overlay.

(c) **Building coverage**

The maximum coverage for all buildings on a site shall be 50%.

(d) **Setback from road boundary**

The minimum set-back from road boundaries of any building shall be 1.5m.

(e) **Carparking**

Minimum on-site carparking shall be provided as follows: 0.5 carparks per full time equivalent employee plus 1 visitor carpark per classroom.

The Council shall exercise its discretion in respect of the matters in Rule 20.7.3(vi) below.

Reasons:

Buildings within the Education Overlay are a discretionary (restricted) activity provided they achieve certain development standards. The standards provide for a reasonable balance of building area and open space for a school.

Carparking rates are based on rates accepted in the industry for staff and visitor parking.

(vi) **Matters over which discretion is restricted**

For buildings within the Retirement Living Overlay, the Neighbourhood Centre Overlay and the Education Overlay, the Council's discretion is restricted to the following matters:

1. The external appearance and design of buildings, having regard to the assessment matters in Rule 20.7.3(vii) below;
2. Associated earthworks and landscaping;
3. Access;
4. The location and layout of vehicle parking;
5. Hours of operation;
6. Noise;
7. Signage;
8. Integration between the proposed building and other consented development within the Overlay.
9. **For a school or other educational facility within the Education Overlay, the effects of traffic on the local transportation network including the State Highway 6 / Sandflat Road intersection.**

Reasons:

Buildings within the Retirement Living Overlay, the Neighbourhood Centre Overlay, and the Education Overlay are a discretionary (restricted) activity with

the Council's discretion restricted to a range of matters. This is to provide the Council with power to impose conditions on these matters, where necessary.

(vii) Assessment matters for the external appearance and design of buildings

- (a) The extent to which the external appearance and design of the building contribute to a coherent neighbourhood theme,
- (b) That the building integrates appropriately with the neighbourhood including with the road, open space and pedestrian connections, and existing buildings;
- (c) That orientation of buildings takes into account views, sun exposure and relationship with open space;
- (d) That building façades help define and give character to open spaces, roads, paths, greenways and parks.

Reasons: The assessment matters provide guidance to applicants and the Council when, respectively, formulating and assessing proposals for discretionary (restricted) activity buildings. The assessment matters focus on ensuring that developments contribute to a high quality urban setting and integrate into the neighbourhood.

(viii) Subdivision

Except as provided by Rule 20.7.2(i), subdivision is a discretionary (restricted) activity provided that the subdivision complies with the following standards:

(a) Adherence to the River Terrace Resource Area Structure Plan and Movement Plan

All subdivision must be in general accordance with the River Terrace Resource Area Structure Plan at Rule 20.7.8 and the Movement Plan at Rule 20.7.9, in respect of the location of sub-area boundaries, roads, overlay boundaries, and greenway locations.

A location variation of up to 50m shall be considered to be in general accordance with the Structure Plan and Movement Plan.

(b) Roading

All roads shall comply with the minimum overall width and minimum carriageway widths of the Indicative Road Cross Section Plans in Rule 20.7.10 below; and shall be in general accordance with the other features of those cross-sections.

(c) Development Parcels

An application to subdivide any Development Parcel shown on the Development Parcel Plan at Rule 20.7.10 within Residential Sub-Area A shall include an access lane that:

- (i) Serves all lots within the Development Parcel, except any lots that have access direct from an adjoining road;
- (ii) Have a width of 5m – 6m (for two-way access) or 3m (for a subsidiary one-way access or pedestrian only access);
- (iii) Integrates with the adjoining road(s);
- (iv) Integrates with the adjoining Development Parcel(s) where it is logical to connect the access lane to access lanes in the adjoining Development Parcels.

(d) Minimum and maximum lot sizes

The minimum and maximum lot sizes shall be:

Sub-Area	Minimum lot size	Maximum lot size
Residential Sub-Area A	160m ²	500m ²
Retirement Living Overlay	No minimum	No maximum

Residential Sub-Area B	400m ²	1000m ²
Neighbourhood Centre Overlay	No minimum	No maximum
Education Overlay	No minimum	No maximum

(e) **Open Space Sub-Areas and Greenways**

The Open Space Sub-Areas and Greenways shown on the Structure Plan at Rule 20.7.8 and the Movement Plan at Rule 20.7.9 shall be designed and implemented in stages, as part of the development of the adjacent Development Parcels, in accordance with the following:

- (i) An application for subdivision of any Development Parcel that adjoins an Open Space Sub-Area and/or Greenway shall include the adjoining Open Space Sub-Area and/or Greenway (unless that Open Space Sub-Area and/or Greenway is vested or consented);
- (ii) The application for subdivision of the Development Parcel shall be accompanied by a design plan(s) for the adjacent part of the Open Space Sub-Area and/or Greenway;
- (iii) The design plan(s) shall show the layout of the open space and outdoor recreational purpose of the relevant part of the Open Space Sub-Area and/or Greenway, including walkways, cycleways, and associated landscaping, and shall show how these integrate with any adjoining sections of the Open Space Sub-Area and/or Greenway;
- (iv) The approved design plan(s) shall be implemented as part of the works required to achieve s224(c) certification for the subdivision of the relevant Development Parcel.

(f) **Periphery treatment at boundaries of the Resource Area**

- (i) At the time of subdivision, every lot within Residential Sub-Areas A or B with a boundary adjoining the western boundary of the River Terrace Resource Area and adjoining Section 98, Block I Cromwell SD shall be planted in vegetation to provide a suitable buffer from the potential effects of rural activities on the opposite side of the boundary. The planting shall:
 - (a) be a width of 2m parallel with the Resource Area boundary.
 - (b) be evergreen, and have a minimum height at planting of 2m and planted at a density of not less than 1m centres;
 - (c) not be trimmed below a minimum height of 3m;
 - (d) be retained and maintained in perpetuity, and this shall be ensured by the imposition of a consent notice on the title of each affected lot.
- (ii) At the time of subdivision, a solid fence of minimum height 2m shall be constructed along the Resource Area boundary adjoining Lots 1 – 3 DP25841 and Section 98, Block I Cromwell SD.
- (iii) At the time of subdivision, a solid fence of minimum height 3m shall be constructed along the Resource Area boundary adjoining Sections 33 – 36, Sarita Subdivision. The fence shall:
 - (a) be 3m high above the ground based on the final contours along its length;
 - (b) have a surface density not less than 10kg/m²;
 - (c) have no gaps, and if palings are used they shall be overlapped or the joints battened to prevent gaps appearing;
 - (d) have no gaps along the bottom between the barrier and the ground.
- (iv) The fences required by (ii) and (iii) above shall be retained and maintained in perpetuity, and this shall be ensured by the imposition of a consent notice on the title of each affected lot within the Resource Area.

This rule, and mechanisms to implement it, shall cease to apply when, and to the extent that, the adjoining land is not zoned Rural Resource Area or Rural Residential Resource Area.

(g) Greenways

The width of the Greenways as shown on the Movement Plan at Rule 20.7.9 shall be 15m.

(h) Infrastructure

All lots (other than any lot created for the purpose of roads, utilities, or reserves) shall be connected to reticulated services for potable water, wastewater, telecommunications and power.

(i) Accidental archaeological discovery protocol

Any subdivision consent shall include a condition requiring that, if during site works pre-European (Māori) material is discovered, Kai Tahu ki Otago and Heritage New Zealand must be consulted, and all work is to cease immediately with a 20m exclusion zone established around the find with damage to any material minimised or avoided, until Kai Tahu ki Otago and/or Heritage New Zealand have finished assessing the find.

(j) The matters set out in 1 – 8 of Rule 20.7.2(i) for controlled activity subdivision.

(k) Water races

Prior to any works commencing on the site, the water races shall be topographically surveyed and an archaeological authority from Heritage New Zealand shall be obtained for any modifications to the race. The northern race shall be retained provided that any modifications shall be for access across it only.

(l) Staging of the development

Stage One of the subdivision of the Resource Area shall comprise at least 400 residential lots, and shall include the following works:

- (i) The sealing of the balance of Sandflat Road to Pearson Road;
- (ii) The shoulder sealing of Pearson Road between Sandflat Road and Bannockburn Road;
- (iii) The intersection upgrades required at the State Highway 6 / Sandflat Road intersection under Rule 20.7.7(ii) (left turn deceleration and acceleration lanes);
- (iv) A formed off-road walkway/cycleway 3m wide along Sandflat Road and Pearson Road connecting River Terrace to Bannockburn Road.

For subdivision, the Council shall restrict the exercise of its discretion to the following:

1. The provision of adequate network utility services and in particular the location, design and construction of these services.
2. The location, design and construction of access to public roads and the upgrading of public roads.
3. Earthworks necessary to prepare the site for development and/or use.
4. Subdivision design including the shape and arrangement of allotments to:
 - Facilitate convenient, safe and efficient access to all lots.
 - Facilitate the safe and efficient operation and the economic provision of roading and network utility services to secure an appropriate and coordinated ultimate pattern of development.
 - Maintain and enhance amenity values.
 - Facilitate adequate access to any rear lots.

6. The design of the Open Space Sub-Areas and Greenways, to provide for the open space and recreational needs of the community.
7. The design of road amenities including the species and spacing of road trees to provide a coherent streetscape throughout the Resource Area.
8. Provision for pedestrian movement, including the provision of walkways and cycleways within and connecting to the Resource Area.
9. Any financial contributions necessary for the purposes set out in Section 15 of this Plan.
10. Any amalgamations and easements that are appropriate.

Note: see Section 16.7 General Standards (page 16:14) for the standards that are likely to be imposed as conditions of consent.

Any application made under this rule will generally not be notified or require the written approval of affected parties.

Reasons:

Subdivision in the Resource Area is required to be in general accordance with the Structure Plan and the Movement Plan, so that the overall desired spatial layout of roads and open spaces is achieved. Roads are required to be in general accordance with the Indicative Road Cross Sections.

Providing for a range of lot sizes across the Resource Area promotes a variety of dwelling typologies and range of affordability across the Resource Area

The adverse effects of subdivision can generally be overcome by appropriate conditions and standards. The minimum allotment sizes identified reflect the expected range of densities in the various Sub-Areas and Overlays within the Resource Area. Subdivision (other than subdivision allowed as a controlled activity under Rule 20.7.2(i)) is a discretionary (restricted) activity to ensure that the Council can impose conditions in relation to the matters listed, and if necessary the Council can refuse the application if any potential adverse effects cannot be addressed through conditions.

Upgrades to the transportation network are required to properly service the Resource Area.

(ix) Travellers Accommodation in Residential Sub-Areas A and B

Travellers accommodation in Residential Sub-Areas A and B is a discretionary (restricted) activity. The Council's discretion is restricted to the effects of

1. Compatibility with surrounding landuse, character and amenity values;
2. Noise, lighting and loss of privacy;
3. Traffic generation, vehicle access and parking;
4. The nature and scale of the buildings and activities;
5. Hours of operation.

Reason:

The effects of travellers accommodation activities within the residential areas of the Resource Area have the potential to compromise residential amenity values through larger buildings and the generation of traffic and noise. Discretionary (restricted) activity status enables the Council to impose conditions that will ensure amenity standards are maintained, or if necessary to refuse consent for a proposal if adverse effects cannot be adequately avoided or mitigated by conditions.

(x) Development of between 840 and 900 residential units within the Resource Area

Any subdivision or development which will result in the total residential units

(including retirement units) within the Resource Area exceeding 840.

The Council's discretion is restricted to the effects on the safety and efficiency of the intersection of Sandflat Road and State Highway 6.

Reason:

Development of more than 840 units within the Resource Area is likely to require an upgrade to the intersection of State Highway 6 and Sandflat Road. Discretionary (restricted) activity status enables the Council to assess the effects of any additional units on the performance of the intersection and either refuse the consent or impose conditions in respect of the performance of the intersection.

20.7.4 **DISCRETIONARY ACTIVITIES**

(i) **Breach of General Standards in Rule 20.7.7**

Any proposal that does not meet the general standards at Rule 20.7.7 except Rules 20.7.7 (viii) and 20.7.7 (ix).

(ii) **Breach of subdivision standards in Rule 20.7.3(viii)**

Any subdivision that does not meet the standards for discretionary (restricted) subdivision in Rule 20.7.3(viii).

(iii) **Breach of standards for buildings in Overlay areas**

Any proposal that does not meet the standards for buildings in the Overlay areas at Rules 20.7.3(ii) – 20.7.3(v)

20.7.5 **NON-COMPLYING ACTIVITIES**

(i) **Noxious effects**

Rule 7.3.5(i) of the Residential Resource Area (Noxious Effects) applies in the River Terrace Resource Area.

(ii) **Direct Access onto Sandflat Road**

Any direct vehicle access from a private property onto Sandflat Road.

Reason:

Non-complying status discourages any proposal for direct vehicle access from any private property onto Sandflat Road to ensure traffic safety standards are maintained.

(iii) **Any proposal that infringes Rule 20.7.3(iv) (e) or (f)** (for retail floor areas in the Neighbourhood Centre Overlay).

(iv) **In Residential Sub-Area A, any subdivision that creates an individual residential lot that is not part a comprehensive subdivision of all of a Development Parcel.**

(v) **Activities not listed as permitted, controlled, discretionary (restricted) or discretionary activities in Rules 20.7.1 – 20.7.4 and not listed as prohibited activities in Rule 20.7.6**

Reasons:

These activities are not anticipated in the Resource Area and are therefore non-complying. Any proposal will need to be assessed under section 104D of the Act.

(vi) **Horn's Shaft setback area**

Within the Horn's Shaft setback area marked on the Structure Plan:

- (a) No buildings shall be constructed; and
- (b) There shall be no stormwater discharge to ground.

Reason:

The Horn's Shaft setback marked on the Structure Plan is close to where a historic mineshaft (Horn's Shaft) existed on neighbouring land. The mineshaft has been filled in, but there is potential risk of ground settlement in the event of an earthquake or from the discharge of stormwater nearby the filled area.

(vii) Outdoor fires

Burning of any garden wastes, rubbish, or materials of any kind whatsoever other than solid fuel (such as wood or coal) burned within a barbeque when cooking. For the purposes of this rule "barbeque" means any portable or permanent device constructed or placed for the purpose of outdoor cooking.

(viii) Breach of General Standards in Rule 20.7.7

Any proposal that does not meet the general standards at Rules 20.7.7(viii) and 20.7.7(ix).

20.7.6 PROHIBITED ACTIVITIES

(i) Any road or direct vehicle access from the River Terrace Resource Area onto State Highway 6.

Reason:

All vehicle access to the Resource Area is via new roads connecting with Sandflat Road. Any direct vehicle access onto State Highway 6 is likely to have adverse safety and efficiency effects on the State Highway and is therefore prohibited.

20.7.7 GENERAL STANDARDS

Except as set out in Rules 20.7.1 – 2.7.3 above, The following standards shall apply in the River Terrace Resource Area:

*Breach:
Discretionary activity –
see Rule 20.7.4(ii)*

(i) Traffic generation and characteristics of activities

Rule 7.3.6(i) in the Residential Resource Area except that Rule 7.3.6(i) does not apply to retailing activities and services in the Neighbourhood Centre Overlay, or educational facilities in the Education Overlay.

(ii) State Highway 6 / Sandflat Road intersection upgrade

(a) No more than 40 residential lots shall be created within the Resource Area until a median separated left-turn deceleration lane is constructed at the State Highway 6 / Sandflat Road to the NZ Transport Agency standards or as otherwise agreed with NZ Transport Agency. ~~intersection in accordance with Austroads Guide to Road Design Part 4A ("Unsignalised and Signalised Intersections").~~

(b) No more than 300 residential lots shall be created within the Resource Area until a left-turn acceleration lane is constructed at the State Highway 6 / Sandflat Road intersection to the NZ Transport Agency standards or as otherwise agreed with NZ Transport Agency ~~in accordance with Austroads Guide to Road Design Part 4A ("Unsignalised and Signalised Intersections").~~

(iii) Signs in the Residential Sub-Areas

Rule 7.3.6(vii) in the Residential Resource Area applies in the Residential Sub-Areas A and B.

(iv) Signs in the Neighbourhood Centre Overlay

Rule 8.3.6(iv) in the Business Resource Area applies in the Neighbourhood Centre Overlay.

(v) Keeping of animals

Rule 7.3.6(viii) in the Residential Resource Area.

Reasons:

The rule ensures that new urban development will not be adversely affected by the keeping of animals.

(vi) Total number of residential units within the Resource Area

The maximum number of residential units (including retirement living units) in the River Terrace Resource Area shall be 900.

Reason:

The limit is imposed because of infrastructural and spatial limits to the amount of development that can be contained within the Resource Area.

(vii) Acoustic insulation of dwellings near State Highway 6

Any new residential buildings, or buildings containing activities sensitive to road noise, located within 80m of the boundary with State Highway 6 shall be designed, constructed and maintained to ensure that the internal noise level does not exceed 40dB $L_{Aeq(24hr)}$ in bedrooms and all other habitable spaces. This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.

The titles affected shall be encumbered with a consent notice requiring ongoing compliance with this standard in perpetuity.

Reason:

The rule avoids the potential for adverse effects of road noise from the State Highway on ~~sensitive~~-sensitive- activities within the Resource Area.

(viii) Reverse sensitivity – Motorsports Activities

(a) Activities enabled under Rules 20.7.1, 20.7.3 and 20.7.4 must be subject to a restrictive no-complaint covenant in favour of:

- (i) Cromwell Motorsport Park Trust Limited in respect of Lot 400 DP466637 and Lot 1 DP 307492 as the benefitting land;
- (ii) Central Otago District Council in respect of Lot 1 DP 403966 as the benefitting land.

(b) For the purposes of this rule a “restrictive no-complaint covenant” is a restrictive covenant which:

- (i) is registered against the title(s) to the servient land on which the activities will take place in favour of the benefitting land;
- (ii) in the case of Lot 400 DP466637 and Lot 1 DP 307492, prevents any owner or occupier of the servient land from complaining about or taking any steps to prevent motorsports and related activities lawfully carried out as authorised by the terms and conditions of resource consent numbers RC150225 ~~and RC150281~~ including any variations operative prior to 19 May 2018.
- (iii) in the case of Lot 1 DP 403966, prevents any owner or occupier of the servient land from complaining about or taking any steps to prevent speedway and stock car track and related activities lawfully carried out as authorised by the terms and conditions of the planning consent for those activities issued by the (former) Vincent County Council dated 29 September 1980 including any variations ~~effective prior to [insert date RTRA notified]~~ operative prior to 19 May 2018;
- (iv) is binding on successors in title; and
- (v) is in a the format and detailed in Rule 20.7.13 or Rule 20.7.14 (whichever is applicable) or alternative wording approved by the Council.

~~(c) This rule does not apply if the owner of the benefitting land does not allow~~

~~registration of the restrictive covenant.~~

(c) This rule shall be complied with by one of the following methods (listed in order of preference):

- (i) ~~by registration of a restrictive covenant (under the Property Law Act 2007 and the Land Transfer Act 2017) registered against the titles to the servient land and the benefitting land, if the owner of the benefitting land allows and enables such registration;~~
- (ii) ~~if the owner of the benefitting land does not allow and enable registration under (i) above, by subdivision consent condition imposing the restrictions required by this rule and recorded in a consent notice registered against the title(s) to the servient land;~~
- (iii) ~~by land use consent condition imposing the restrictions required by this rule and the requiring registration of a covenant under s108(2)(d) of the Resource Management Act 1991 against the titles to the servient land;~~

Reason:

Existing motorsports and speedway activities on land near the Resource Area are entitled to protection from reverse sensitivity effects caused by residents and occupiers within the Resource Area.

(ix) Reverse sensitivity – Orcharding activities

(a) Activities enabled under Rules 20.7.1, 20.7.3 and 20.7.4 must be subject to a restrictive no-complaint covenant in favour of Lot 2 DP 300152 and Section 28-36 Sarita Subdivision as the benefitting land.

(b) For the purposes of this rule a “restrictive no-complaint covenant” is a restrictive covenant which:

- (i) is registered against the title(s) to the servient land on which the activities will take place in favour of the benefitting land;
- (ii) prevents any owner or occupier of the servient land from complaining about or taking any steps to prevent noise being lawfully generated in the normal course of orcharding activities being undertaken on the benefitting land, including noise from frost-fighting, ~~and~~ bird-scaring ~~and orchard-related helicopter activities~~;
- (iii) is binding on successors in title;
- (iv) is in a the format and detailed in Rule 20.7.15 or alternative wording approved by the Council.

~~(e) This rule does not apply if the owner of the benefitting land does not allow registration of the restrictive covenant.~~

~~(e) This rule does not apply if the owner of the benefitting land does not allow registration of the restrictive covenant.~~

(c) This rule shall be complied with by one of the following methods (listed in order of preference):

- (i) ~~by registration of a restrictive covenant (under the Property Law Act 2007 and the Land Transfer Act 2017) registered against the titles to the servient land and the benefitting land, if the owner of the benefitting land allows and enables such registration;~~
- (ii) ~~if the owner of the benefitting land does not allow and enable registration under (i) above, by subdivision consent condition imposing the restrictions required by this rule and recorded in a consent notice registered against the title(s) to the servient land;~~
- (iii) ~~by land use consent condition imposing the restrictions required by this rule and requiring registration of a covenant under s108(2)(d) of the Resource Management Act 1991 against the titles to the servient land.~~

Reason:

Existing orcharding activities on land near the Resource Area are entitled to protection from reverse sensitivity effects caused by residents and occupiers within the Resource Area.

(x) Acoustic insulation of buildings containing noise sensitive activities

(a) Noise Sensitive Spaces located within the Resource Area shall be designed, constructed and maintained to ensure that the following Outdoor-Indoor Transmission Class (OITC) noise level reductions are achieved in the Acoustic Insulation Zones shown on the Acoustic Insulation Plan at Rule 20.7.11

<u>Acoustic Insulation Zone</u>	<u>OITC for Bedrooms</u>	<u>OITC for other Noise Sensitive Spaces</u>
<u>A</u>	<u>30</u>	<u>30</u>
<u>B</u>	<u>33</u>	<u>25</u>
<u>C</u>	<u>30</u>	<u>25</u>

(b) The OITC assessment shall be determined in accordance with ASTM E1332-16 Standard Classification for Rating Outdoor-Indoor Sound Attenuation;

(c) Noise Sensitive Spaces includes:

- (i) Bedrooms, kitchens, living areas and any other habitable rooms in dwellings;
- (ii) classrooms and indoor learning areas, lecture theatres in schools or educational facilities;
- (iii) conference of function spaces, bedrooms and living areas associated with visitor accommodation;
- (iv) Noise sensitive spaces in medical facilities; and
- (v) Any other rooms containing noise sensitive activities that are occupied frequently or for extended periods –
but this does not include spaces insensitive to noise such as hallways, laundries, bathrooms, toilets, garages, closets, lobbies, workshops or storage spaces.

(d) Compliance with this rule shall be demonstrated by a report from a suit ably qualified and experienced acoustics expert. The report shall detail the constructions and assumptions used in the calculation process. Noise measurement is not required.

(e) Where the design requires windows and doors to be closed to meet the OITC requirements, all Noise Sensitive Spaces shall be ventilated or supplied with fresh air to meet the requirements of the Building Act, and shall be mechanically cooled (air conditioned) to ensure that the occupants do not need to open windows or doors for thermal comfort.

(f) The titles affected shall be encumbered with a consent notice requiring ongoing compliance with this standard in perpetuity.

Reason:

The standard ensures that noise sensitive areas of dwellings and other developments within the Resource Area are constructed so that occupants are not adversely affected by noise generated by existing noise generating activities on land near the Resource Area, including motorsport activities and orcharding activities. The standard will work in tandem with the standards in Rules 20.7.7(vii), (viii) and (ix) to manage the effects of noise on residents and the reverse sensitivity effects on the noise generating activities.

(xi) Heating

Any wood burner installed has a discharge of less than 1.5g/kg of dry wood burnt and has a thermal efficiency of not less than 65%.

20.7.8 **[Structure plans and related plans attached]**

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20.7.12

Reasons:

The Structure Plan and Movement Plan co-ordinate the spatial layout of activities, roads and open space throughout the Resource Area. The Indicative Road Type Cross Sections provide for the consistent width and features of the different roads within the Resource Area.

20.7.13 –

20.7.15 [Restrictive No-Complaint Covenants attached]

Reason:

The restrictive no-complaint covenants are an essential aspect of development within the Resource Area.

20.7.8 RIVER TERRACE RESOURCE AREA: STRUCTURE PLAN

20.7.9 RIVER TERRACE RESOURCE AREA: MOVEMENT PLAN

20.7.10 RIVER TERRACE RESOURCE AREA: DEVELOPMENT PARCEL PLAN

20.7.11 RIVER TERRACE RESOURCE AREA: ACOUSTIC INSULATION PLAN

20.7.4412 RIVER TERRACE RESOURCE AREA: INDICATIVE ROAD TYPE CROSS-SECTIONS

20.7.13 RIVER TERRACE RESOURCE AREA: MOTORSPORT RESTRICTIVE NO-COMPLAINT COVENANT

20.7.14 RIVER TERRACE RESOURCE AREA: SPEEDWAY RESTRICTIVE NO-COMPLAINT COVENANT

20.7.15 RIVER TERRACE RESOURCE AREA: ORCHARD RESTRICTIVE NO-COMPLAINT COVENANT

20.8 ENVIRONMENTAL RESULTS ANTICIPATED

- 20.8.1 An integrated, masterplanned urban development providing for residential (including retirement) living, a small neighbourhood centre, a network of open space areas, the opportunity for a school, and suitable road and infrastructure networks.
- 20.8.2 Co-ordinated public walkway and cycleway access throughout the Resource Area.
- 20.8.3 A wide range of residential living opportunities and affordability levels, and managed distribution of residential densities with emphasis on increased density centrally and less density peripherally.
- 20.8.4 A safe and efficient road network that integrates with the existing roading network and likely future development on adjoining land.
- 20.8.5 A well-designed built environment that provides a high quality of amenity for residents and visitors.
- 20.8.6 A conveniently located neighbourhood centre with amenities to serve the Resource Area while complementing and not undermining the existing business centres in Cromwell.
- 20.8.7 Adverse reverse sensitivity effects on adjoining rural activities, the State Highway and the nearby motorsport activities will be avoided ~~or mitigated~~.