

Note the below provisions represent the Section 42A Report Writing Officer's recommended amendments to the provisions of the Proposed District Plan, in response to submissions (with underline used for new text and ~~strikethrough~~ for deleted text).

Underlining and strikethrough in red shows suggested amendments by Phillip Percy

Overview

The land within the Carrington Estate zone is an area being developed for recreational and tourist facilities (e.g. golf course, country club, winery and accommodation). The development was established by within a framework reflecting resource consents previously approved. The approved components of the development and the extent of the zone are defined on the Carrington Estate Development Plan and Schedule.

~~The conditions of the approved consents, therefore, form the basis for the provisions of the Carrington Estate zone. These provisions provide for the existing and proposed future development of the zone, whilst retaining and enhancing extensive areas of open space and protecting coastal and cultural values.~~

The zone ~~also~~ ensures that any further development and activities not included in the Carrington Estate Development Plan and Schedule are to be carried out in a manner which retains the character, features and landscape of the environment, recognises and provides for Māori cultural values and relationships, plus recognises ~~recognising~~ the contribution the properties make to the adjoining coastal features.

The Carrington Estate zone is also subject to certain district-wide and overlay provisions in the District Plan, including those in the Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes, and Coastal Environment chapters.¹

Commented [PPI]: In my EIC, I recommend amending the extent of the zone so it only applies to the intended development area.

Objectives

CAR-O1	Land use and subdivision of Carrington Estate is undertaken in general accordance with the approved Carrington Estate Development Plan and Schedule.
CAR-O2	Land use and subdivision within the Carrington Estate zone is carried out in a manner that recognises and protects: <ol style="list-style-type: none"> the natural character of the coastal environment; historic heritage and cultural values; natural watercourses; existing vegetation; and any part of the sitezone² <u>subject to an</u> area of significant indigenous vegetation or significant habitat of indigenous fauna, SNA,³ ONL or high natural character area.

Policies

CAR-P1	Enable land use and subdivision that is in general accordance with the approved Carrington Estate Development Plan and Schedule.
CAR-P2	Ensure that the land identified for open space and recreation activities in the Carrington Estate zone are retained for those purposes.
CAR-P3	Ensure that buildings or structures, or extensions to an existing building or structure are of scale, design and layout that are consistent with the approved Carrington Estate Development Plan and Schedule.
CAR-P4	Ensure minimal land disturbance when undertaking development or activities in the Carrington Estate zone to ensure the preservation of existing vegetation, character and

¹ Hāititaimarangi Marae Kaitiaki Trust (S394.047) and Te Hiku Iwi Development Trust (399.081 and 399.080).

² Clause 16, Schedule 1, RMA

³ Clause 10(2)(b), Schedule 1 of the RMA.

	natural landform.
CAR-P5	Protect historic heritage, and any sites and areas of cultural significance to Māori tangata whenua⁴, and cultural values associated with within the Carrington Estate zone by avoiding significant adverse effects and avoiding, remedying or mitigating any other adverse effects on the recognised heritage values, <u>cultural values</u> , or sites of cultural significance.
CAR-P6	<p>Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of any approved Carrington Estate Development Plan and Schedule, and consideration of the Consider the following matters where relevant when assessing and managing the effects of land use and subdivision in the Carrington Estate Zone to the application⁵:</p> <p><u>Manage land use and subdivision in the Carrington Estate Zone to address the effects of the activity, considering (but not limited to) the following matters:</u></p> <ul style="list-style-type: none"> a. the ability to accommodate on-site infrastructure; b. the siting, scale and design; c. the natural character of the coastal environment; d. any significant risk from natural hazards; e. any historic heritage or biodiversity values; f. any historical, spiritual or cultural association held by tangata whenua, <u>including with regard to</u> the matters set out in Policy TW-P6; g. cultural and social well-being, including health and safety; h. any <u>area of significant indigenous vegetation or significant habitat of indigenous fauna, SNA⁶, ONL or high natural character area</u>; and i. potential reverse sensitivity effects both within the zone and on adjacent zones.
Rules	

Notes:

- There may be other rules in Part 2- District-Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter, including the Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes, and Coastal Environment.⁷ Transport, Hazardous Substances, Noise, Light and Signage chapters. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
- This zone chapter does not contain rules relating to setback to waterbodies and MHWS for building and structures or setbacks to waterbodies and MHWS for earthworks and indigenous vegetation clearance. The Natural Character contains rules relating to activities within wetland, lake and river margins and the Coastal Environment chapter contains rules for activities in the coastal environment, including setbacks to MHWS. The Natural Character and Coastal Environment⁸ chapter should be referred to in addition to this zone chapter.

CAR-R1	New buildings or structures, or extensions or alterations to existing buildings or structures	
Carrington Estate zone	Activity status: Permitted	Activity status where compliance not achieved with PER-2:
	Where:	Restricted Discretionary
	PER-1:	Matters of discretion are restricted

⁴ Hāitaitaimarangi Marae Kaitiaki Trust (394.050).

⁵ Clause 16, Schedule 1, RMA.

⁶ Clause 10(2)(b), Schedule 1, RMA.

⁷ Haititaimarangai Marae Kaitiaki Trust (S394.047) and Te Hiku Iwi Development Trust (399.081 and 399.080).

⁸ Clause 10(2)(b), Schedule 1, RMA.

	<p>The new building or structure, or extension or alteration to an existing building or structure, is sited in accordance with the Carrington Estate Development Plan and Schedule.</p> <p>PER-2 The new building or structure, or extension or alteration to an existing building or structure, complies with standards: CAR-S1 Maximum height; CAR-S2 Setbacks from boundaries; CAR-S4 Building materials and finishes; and CAR-S5 Landscaping.</p>	<p>to:</p> <p>a. the matters of discretion of any infringed standard</p> <p>Activity status where compliance not achieved with PER-1: Discretionary</p>
CAR-R2	Relocation of buildings	
Carrington Estate zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The relocation of building(s) is within or adjoins the approved building footprint in the approved Carrington Estate Development Plan and Schedule.</p> <p>PER-2 The relocation of building(s) complies with standard CAR-S3 Size and location of relocated buildings.</p> <p>PER-3 The relocation of buildings complies with standards: CAR-S1 Maximum height; CAR-S2 Setbacks from boundaries; CAR-S4 Building materials and finishes; and CAR-S5 Landscaping.</p>	<p>Activity status where compliance not achieved with PER-1 and PER-2: Controlled where it meets CAR-R6</p> <p>Matters of control are restricted to:</p> <p>a. the matters of control of any infringed standard</p> <p>Activity status where compliance not achieved with PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard</p>
CAR-R3	Residential activity and visitor accommodation	
Carrington Estate zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The maximum number of residential and visitor accommodation units shall not exceed 343, and shall be in accordance with the approved building footprint in the Carrington Estate Development Plan and Schedule.</p> <p>PER-2 The activity complies with standards: CAR-S1 Maximum height; CAR-S2 Setbacks from boundaries; CAR-S4 Building materials and finishes; and CAR-S5 Landscaping.</p>	<p>Activity status where compliance not achieved with PER-2: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of control of any infringed standard</p> <p>Activity status where compliance not achieved with PER-1: Discretionary</p>

	Note: These residential activities may be substituted between villas/condominiums and hotel/overnight accommodation units within the Country Club and Winery on a basis of one villa/condominium unit equaling three hotel/overnight accommodation units for each villa/condominium unit.	
CAR-R4	Recreation activity	
Carrington Estate zone	Activity status: Permitted Where: PER-1 The recreation activity complies with standards:- CAR-S1 Maximum height; CAR-S2 Setbacks from boundaries; CAR-S4 Building materials and finishes; and CAR-S5 Landscaping.	Activity status where compliance not achieved with PER-1:- Restricted discretionary Matters of discretion are restricted to: a. the matters of control of any infringed standard
CAR-R5	Helicopter landing area	
Carrington Estate zone	Activity status: Permitted Where: PER-1 One helicopter landing area is permitted within the Carrington Estate zone. PER-2 The helicopter landing area operates between the hours of 7.00am and 10.00pm, except in the cases of emergency. PER-3 The helicopter landing area must be at least 200m from the nearest boundary of any General Residential Zone.	Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Discretionary
CAR-R6	Conservation activity	
Carrington Estate zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
CAR-RX	Farming⁹	
Carrington Estate zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
CAR-R7	Relocation of buildings where they are not within or adjoining the approved building footprint in the Carrington Estate Development Plan and Schedule	

Commented [PP2]: The definition of 'conservation activity' is pretty broad. It is surprising there aren't performance standards associated with this rule.

⁹ CEJ (S351.007)

Carrington Estate zone	Activity status: Controlled Where: CON-1 The relocation of the building is identified in the Carrington Estate Development Plan and Schedule RD CON-2 The building footprint complies with standard CAR-S3 Size and location of relocated buildings. Matters of control for CON-1 and CON-2 are limited to: <ol style="list-style-type: none"> the extent to which the proposal is in keeping with the existing character and form of the site and adjacent sites, in particular with the external scale and proportions of buildings or activities on the site and on adjacent sites; the extent to which the building(s) or activities may reduce outlook and privacy of adjacent properties; the ability to mitigate any adverse effects on the surrounding environment, for example by way of planting; the extent to which the proposal meets the design and landscaping criteria identified in the Carrington Estate Development Plan and Schedule; and the extent to which the location and design of access, manoeuvring space, loading bays and parking spaces comply with the conditions of consent as identified in the Carrington Estate Development Plan and Schedule. CON-3 The relocation of buildings complies with standards: CAR-S1 Maximum height; CAR-S2 Setbacks from boundaries; CAR-S4 Building materials and finishes; and CAR-S5 Landscaping.	Activity status where compliance not achieved with CON-1 or CON-2: Discretionary Activity status where compliance not achieved with CON-3: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> the matters of discretion of any infringed standard
	CAR-R8 The relocation, enlargement and extension of building footprints not provided for as a permitted activity	
Carrington Estate zone	Activity status: Restricted Discretionary Where: RD-14 The relocation of, and enlargement/ extension of, building footprints approved in accordance with the Carrington Estate Development Plan	Activity status where compliance not achieved with RD-1: Discretionary

Commented [PP3]: The Carrington Estate Development Plan and Schedule does not include a schedule of buildings, nor is each building specifically numbered or otherwise uniquely identified.

Commented [PP4]: The term "footprint" is not defined in the PDP.

Commented [PP5]: If this rule is to remain it needs substantial redrafting to be able to interpreted with certainty. Currently it provides for full non-compliance with permitted activity standards provided a maximum 40% increase in building footprint. Rule structure would be simpler for this level of deviation from the approved plans to be a full discretionary activity as it may involve multiple buildings and therefore a major re-design of the project.

	<p>are a restricted discretionary activity provided that the enlargement/extension is no more than 40% over and above the approved building footprint as shown in the Carrington Estate Development Plan.</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. The extent to which the proposal is in keeping with the existing character and form of development on the site and adjacent sites, in particular with the external scale and proportion of buildings or activities on the site and on adjacent site; b. the extent to which the buildings(s) or activities may reduce outlook and privacy of adjacent properties; c. the extent to which the activity may adversely affect the coastal environment; d. The actual or potential effects on Māori relationships and values. the extent to which the activity may adversely affect cultural and spiritual values; e. the ability to mitigate any adverse effects on the surrounding environment for example by way of planting; f. the extent to which the proposal meets the design and landscaping criteria identified in the Carrington Estate Development Plan Schedule; g. the extent to which the location and design of access, manoeuvring space, loading bays and parking spaces comply with the conditions of consent as identified in the Carrington Estate Development Plan Schedule. 	
CAR-R9	Activities otherwise not listed in this chapter	
Carrington Estate zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
CAR-R10	Offensive trade	
Carrington Estate zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
CAR-R11	Commercial composting	
Carrington Estate zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
CAR-R12	Community correction facility	

Carrington Estate	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
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zone		
CAR-R13	Cleanfill and landfill	
Carrington Estate zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
CAR-R14	Primary production activity (excluding farming)¹⁰	
Carrington Estate zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
Standards		
CAR-S1	Maximum height	
Carrington Estate zone	<p>The maximum height of a building or structure, or extension or alteration to an existing building or structure is 10m above ground level.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. Solar and water heating components not exceeding 0.5m in height on any elevation; ii. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation; iii. Satellite dishes and aerials not exceeding 1m in height and/or diameter on any elevation; or iv. Architectural features (e.g. finials, spires) not exceeding 1m in height on any elevation. 	Where the standard is not met, matters of discretion are restricted to: Not applicable
CAR-S2	Setbacks from boundaries	
Carrington Estate zone	<ol style="list-style-type: none"> 1. Buildings or structures, or extension or alteration to an existing building or structure must be set back at least 10m from all site boundaries, except: <ul style="list-style-type: none"> • where a boundary adjoins MHWS or a waterbody and that setback must be at least 30m. 2. Compliance with the Natural Character chapter.¹¹ <p>Note: This standard does not apply to below-ground components of wastewater disposal systems.</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the extent to which the building(s) reduces outlook and privacy of adjacent properties; b. the extent to which the buildings restrict visibility for access and egress of vehicles; and c. the ability to mitigate any adverse effects on the environment, for example by way of planting.
CAR-S3	Size and location of relocated buildings	
Carrington Estate zone	<ol style="list-style-type: none"> 1. The footprint of the relocated building is no larger than the approved building footprint shown in the Carrington Estate 	Where the standard is not met, matters of discretion are restricted to:

Commented [PP6]: Standards are not required if the rules above are deleted (they are the only rules that refer to the standards).

Commented [PP7]: There are no building footprint areas shown on the Development Plan. These would need to be added to provide rule certainty.

¹⁰ CEJ (S351.007)

¹¹ Clause 16, Schedule 1, RMA.

	Development Plan and Schedule; and 2. The relocated building footprint remains 800m or more landward of MHWS.	a. the extent to which the proposal is in keeping with the existing character and form of development on the site and adjacent sites, in particular with the external scale and proportion of buildings or activities on the site and on adjacent site; b. the extent to which the buildings(s) or activities may reduce outlook and privacy of adjacent properties; c. the ability to mitigate any adverse effects on the surrounding environment for example by way of planting; d. the extent to which the proposal meets the design and landscaping criteria identified in the Carrington Estate Development Plan and Schedule; and e. the extent to which the location and design of access, manoeuvring space, loading bays and parking spaces comply with the conditions of consent as identified in the Carrington Estate Development Plan and Schedule.
CAR-S4	Building materials and finishes	
Carrington Estate zone	Buildings shall be completed in the materials and colour schemes identified in the Design Guidelines in the Carrington Estate Development Plan and Schedule and as further detailed on Drawings RC1 to RC8 (Country Club) and RC3 (Winery).	Where the standard is not met, matters of discretion are restricted to: a. the extent to which the building adversely affects the existing character of the Estate development; b. the visual appearance of the building from other parts of the zone; and c. the extent to which landscaping, in particular the planting of indigenous species, can mitigate adverse visual effects.
CAR-S5	Landscaping	
Carrington Estate zone	Landscaping of the completed stages of the development shall be undertaken in accordance with the Design Guidelines identified in the Carrington Estate Development Plan and Schedule.	Where the standard is not met, matters of discretion are restricted to: a. the extent to which landscaping is appropriate to the character

		<div>of the activity;</div> <div>b. the extent of visible change to the landscape of the estate which may result from the activity; and</div> <div>c. the extent to which the activity affects the character of the locality in terms of coastal values;</div>
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