

## Proposed Taiwawe Catchment Structure Plan

### Section 27.9 TAIWAWE CATCHMENT STRUCTURE PLAN

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

#### 27.9.1 DESCRIPTION

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

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

#### 27.9.2 PURPOSE

The purpose of this structure plan is to create a conservation framework focused on the enhancement and protection of the ecological values and indigenous biodiversity of the Taiwawe Stream and its tributaries to provide a context for low density residential and rural lifestyle development.

To achieve this purpose:

- (i) Restoration and protection of ecological values and enhancement of indigenous biodiversity of indigenous bush, riparian margins, wetlands and steep or potentially unstable land, within conservation areas shall be carried out to create a framework for a low density residential subdivision and development;
- (ii) Development intensity will be limited by the number of dwellings and location of identified buildings sites or Defined Building Areas located within areas identified for development;
- (iii) Isolated remnants of regenerating indigenous vegetation, together with indigenous vegetation in riparian margins of the Taiwawe Stream and its tributaries, shall be protected within a conservation area that is held in private ownership; and
- (iv) Rehabilitation, restoration, enrichment and buffer planting of indigenous vegetation shall be implemented within areas identified for conservation which shall include steep and eroding land;

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- (v) Conservation measures to be implemented shall include on going pest (animal and plant) control programmes and remediating barriers to fish migration;
- (vi) Dwellings and accessory buildings are located, designed and landscaped in a manner that complements the indigenous vegetation setting and rural character of the site; and
- (vii) Vehicle access to and within the site shall be formed to standards developed to achieve integration of the development into its natural framework and retain a rural character.

### 27.9.3 ISSUES

The future development of the land requires an integrated approach: to ensure ecological values and biodiversity are enhanced through restoration, enrichment of indigenous vegetation and shading of streams and removal of impediments to fish migration to improve aquatic habitat; and to contain development within the cells created by the ecological corridors and networks established through the conservation programme for the site.

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

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

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

### 27.9.4 OBJECTIVES & POLICIES

#### Objective 1

**Protect and enhance regenerating indigenous vegetation and habitat value of high natural character along stream margins, wetlands and springs, and restore ecological values by creating corridors to connect fragmented areas of indigenous vegetation and to enhance biodiversity.**

#### Policy 1a

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

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

#### Policy 1b

Development shall be planned, designed and managed to:

- a) Control animal and plant pests;

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<ul style="list-style-type: none"><li>b) Improve aquatic habitat by maintaining and enhancing shade and removal of impediments to migration of fish species;</li><li>c) Ensure uses and activities minimise adverse effects on the natural values of the conservation area;</li><li>d) Limit uses and activities in the conservation area to those compatible with the protection, restoration and enhancement of ecology and biodiversity values. Such activities may include shelter, seating, pathways or walking tracks, interpretive or safety signs.</li></ul>
<b>Objective 2</b> <b>A high quality low density residential/lifestyle subdivision providing a range of lot sizes is created within a conservation framework in the Rural Zone adjacent to Hot Water Beach</b>
<b>Policy 2a</b> Development within the Taiwawe Catchment Structure Plan shall be in accordance with Diagrams A, B and C.
<b>Policy 2c</b> Development shall retain a rural character and amenity consistent with establishing and extending the range of living choices for Hot Water Beach settlement.
<b>Policy 2d</b> Open space areas of indigenous vegetation with restoration and enrichment planting shall either be held in private ownership subject to conservation covenants under the Conservation Act 1987, or other approved legal mechanism.
<b>Policy 2e</b> Vehicular access (private or public) shall be low key, designed to maximise the number of lots served thereby minimising the number required to be constructed and minimising earthworks.

### 27.9.5 TAIWAVE CATCHMENT STRUCTURE PLAN RULES

#### **RULE 1 SUBDIVISION creating one or more lots**

1. Subdivision creating one or more lots is a Restricted Discretionary Activity provided:

In Development Areas 1 shown on Diagram A the following standards shall apply:

- a) Up to, but not exceeding 45 lots;
- b) The relevant subdivision standards in Section 38.7 Table 3 are met;
- c) There shall be one Defined Building Area per lot;
- d) The subdivision application shall include an Ecological Management Plan, prepared by a suitably qualified expert, which:
  - i) Provides for the enhancement, restoration and enrichment of the biodiversity values of the Conservation Area shown on Diagram A;
  - ii) Provides a programme of implementation and management of the biodiversity values identifying work required prior to signing a s 224 RMA completion certificate and that required for implementation after issue of title;
  - iii) Provides for the legal protection in perpetuity through a covenant or other legal mechanism; and

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- iv) Addresses earthworks, establishment of walking tracks and stormwater outfalls from development areas or rights of way, and methods to address adverse effects that may arise.
  - e) The subdivision application shall include a Landscape Management Plan, prepared by a suitably qualified expert, to:
    - i) Identify the location of the Defined Building Area on each lot; and
    - ii) Incorporate design standards including colour, exterior materials, maximum height and reflectivity to address the effects of future dwellings, minor units and accessory buildings; and
    - iii) Provide a landscape planting plan where appropriate to ensure buildings, including those associated with farming on the larger lots only, are integrated into the landscape;
  - f) Vehicular access in the form of public or private roads (including ROW easements) shall be designed and formed to Council's Code of Practice for Subdivision and Development with modifications: to enable rights of way to serve more than 8 lots; and to provide minimum standards for a road or right of way, in accordance with Diagram B or C;
  - g) A consent notice registered on the title of the lot to which it relates shall:
    - i) Require the owner and successors in title to meet recommendations in the Ecological Management Plan; and
    - ii) Require the owner and successors in title to meet recommendations in the Landscape Management Plan; and
    - iv) Restrict a proposed dwelling, accessory buildings and minor unit to the Defined Building Area identified on the survey plan of subdivision; and
  - h) An encumbrance shall be registered against the title(s) for the Conservation Area on Diagram A specifying that there will be no further subdivision, excluding subdivision for boundary adjustment or for network utilities.
2. The Council restricts its discretion to matters 1- 6 in Table 2 below and Table 5 in Section 38 Subdivision.
3. Subdivision that is not a restricted discretionary activity under Rule 1.1 a) to i) is a **Discretionary Activity**.

### **RULE 2      One dwelling per lot                  Accessory buildings                  Minor unit**

1. An activity in Rule 2 that is a permitted activity in the Rural Zone retains its activity status provided:
- a) It is located within a Defined Building Area; and
  - b) It meets the standards in Table 5 at the end of Section 56.

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2. An activity in Rule 2 that does not retain its activity status under Rule 2.1 b) shall be a restricted discretionary activity provided it is located within a Defined Building Area.
3. The Council restricts its discretion to Matters 7 and 8 in Table 2 below.
4. An activity in Rule 2 that does not retain its activity status under Rule 2.1 a) is a discretionary activity.

### **RULE 3 Any other activity in the Taiwawe Catchment Structure Plan**

1. Any other activity in the Taiwawe Catchment Structure Plan that is a **permitted** or **restricted discretionary** or **discretionary activity** in Section 56 Rural Zone, the overlay or the district-wide rules retains its activity status provided that:
  - a) Activities involving the placement or erection of temporary or permanent buildings and structures are not located within any Conservation Area shown on Diagram A; and
  - b) Buildings for farming or intensive farming may be located outside of the **Defined Building Area** but shall not be within any Conservation Area shown on Diagram A.
  - c) One only cell tower shall be a permitted activity within a Development Area shown on Diagram A.
  - d) In the event of a conflict between the zone, overlay or district-wide rules and the Hot Water Beach Structure Plan, the rules of the Taiwawe Catchment Structure Plan shall prevail.
2. Any other activity in the Taiwawe Catchment Structure Plan that does not retain its activity status under Rule 3.1 is a **discretionary activity**.

Table 2 - Restricted Discretionary Matters			
Matter		Assessment Criteria	
1.	<b>Site suitability, water supply, wastewater, stormwater and electricity/telecommunications infrastructure and services.</b>	a)	Whether water, wastewater and stormwater services are provided to Council standards.
		b)	Whether all lots can be serviced by reticulated electricity and telecommunication services or whether alternative power and telecommunications supply would be appropriate.
		c)	Whether lots will have a building platform free from inundation, erosion, subsidence and slippage. Council may require a report on the suitability of the lot (including any restrictions) from a Chartered Professional Engineer.
2.	<b>Ecological rehabilitation, restoration, enhancement and protection.</b>	a)	The extent to which measures are provided to ensure rehabilitation, weed control, pest control, mechanisms for legal protection by way of covenant, restoration planting, and ecological corridors to meet the purpose of the structure plan.

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		b)	Whether the Ecological Management Plan is adequate to ensure restoration or enhancement of the Conservation Area and ensure ongoing management.
3.	Rural Character & Amenity	a)	The extent to which rural character and amenity is maintained.
		b)	The extent to which the colours, materials and design of any future buildings or structures blend in with the surrounding landform and vegetation and reduce reflectivity.
4.	Staging of development.	a)	The extent to which staging of development needs to be identified at the time of subdivision.
5.	Access, earthworks and vegetation clearance	a)	Whether the earthworks and vegetation clearance proposed are planned, and will be managed, to avoid adverse effects on the rural character.
		b)	Whether internal roads and driveways are located so as to integrate with the topography of the site to minimise adverse effects on landscape values.
		c)	The extent to which the earthworks required for the construction of access and dwelling sites are minimised.
		d)	Whether the effects of the earthworks on natural values and characteristics will be temporary or permanent.
		e)	The extent to which any earthworks or any landscape planting will retain the natural values and landscape characteristics.
6.	Legal mechanisms	a)	The extent to which legal mechanisms will ensure that dwellings are confined to defined building areas.
		b)	Whether an appropriate legal mechanism will be effectively implemented to ensure that there will be no further subdivision on lots in the Structure Plan as specified in Rule 1.1 h).
7.	Effects of not meeting the standard(s) in Section 48 Table 3	a)	Whether actions (if any) taken to avoid, remedy, or mitigate the adverse effects of not meeting the standard(s) are appropriate and effective.
8.	Location, design and visibility of buildings/structures	a)	The extent to which the building or structure is designed and located to be visually unobtrusive from any public road and public place.
		b)	Whether the building or structure is designed and sited so that the particular landscape values and qualities of the each discrete component or compartment within the development areas is recognised and provided for.

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		c)	The extent to which the colours, materials and design of the building or structure blend in with the surrounding landform and vegetation and reduce reflectivity.
		d)	Whether the buildings, structures and site are designed to minimise light spill at night.
		e)	The extent to which landscaping and planting can integrate buildings and structures into the surrounding landscape.
		f)	The extent to which architectural elements of the building can assist with integrating buildings and structures into the surrounding landscape.

### 27.9.4 DEFINITIONS FOR THE TAIWAVE CATCHMENT STRUCTURE PLAN

For the purpose of the standards, terms and conditions used in this structure plan, the following definitions shall apply:

**DEFINED BUILDING AREA** means a nominated area for the purpose of locating building platforms for one dwelling, accessory buildings and a minor unit and be shown on a survey plan and subject to consent notice.

### 27.9.5 TAIWAVE CATCHMENT STRUCTURE PLAN DIAGRAM A

### 27.9.6 TAIWAVE CATCHMENT STRUCTURE PLAN DIAGRAM B & DIAGRAM C