

LAKES A ZONE - PROTECTION MANAGEMENT AREA

Checklist of All District Plan Land Use Activity Rules Applicable To The Lakes A Zone - Protection Area



This checklist brings together all of the District Plan rules applicable to land use activities within the Lakes A zone - Protection Management Area. Its aim is to provide a comprehensive list of the rules in a useful format to assist both those proposing projects involving land use activities and Council staff assessing applications for projects. Working through the checklist will identify:

- rules relevant to a particular project & those that are not applicable,
- the level of information required to be provided in a Project Information Memorandum (PIM) application to ascertain compliance with rules or otherwise
- whether a land use consent is required. If so, the type of consent required.

In addition to the District Plan rules there are also regional council plans & rules that may apply to your proposal.

The Planning Services team has a Duty Planner service available free of charge to help identify which parts of the District Plan apply to your proposal. For projects within the Lakes A Zone we strongly recommended that you or your consultant make use of this service by making an appointment with the Duty Planner as early as possible during the design of your proposal. Please phone (07) 348 4199 for an appointment. Email enquiries can be sent to planenquiry@rdc.govt.nz.

It is hoped that by identifying relevant rules prior to designing site works and buildings the need for a land use consent may be avoided altogether. Alternatively, if compliance can not be achieved or it is proposed to undertake activities outside of the permitted rules this can be identified early on in the planning process. The type of land use consent required can be ascertained allowing any applicable assessment criteria to be identified, considered at the time of design and addressed in any land use application.

This checklist is not intended to be a substitute for reading the Lakes A part of the District Plan. Please consult Part Twenty of the District Plan for the complete text. Copies of the District Plan are available at the Planning Services Counter, the Rotorua Public Library, or on the Council's website www.rdc.govt.nz under Our Services/ District Plan / Policy / District Plan.

HOW TO USE THIS CHECKLIST:

This checklist can be used EITHER by filling out a hard copy of it of it OR alternatively filling it out electronically.

Copies are available from the Planning Services Office and can be posted to you. Please phone (07) 348 4199 to arrange this. An electronic version is available from the Rotorua District Council's website www.rdc.govt.nz or can be emailed to you if you contact the Planning Services Dept by phoning (07) 348 4199 or by emailing planenquiry@rdc.govt.nz.

The electronic version has field codes through it where comment is required. To turn the field codes on press Alt F9. Press F11 to reach each field code within the checklist.

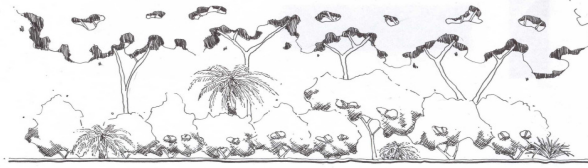
1. All words within the rules shown in *italic* are defined in the Definitions section of the Lakes A part of the District Plan (Part Twenty). Those most likely to be related to your project are attached as the last pages to this form. Please consult the definitions as you come across words in *italic* within the checklist.
2. Numbering of the rules within this checklist are the same as that within the full text.
3. Please note that in most cases the land between the private property boundary & the existing road seal is likely to be within the zoned Sensitive Rural Management Area NOT within the Protection Management Area. Please confirm by checking the Planning Maps. For any work in this area such as improvement to existing access way or new works the Sensitive Rural rules need to be used. This checklist only contains the rules applicable to land zoned Protection.

APPLICANT’S NAME: _____

PROPERTY ADDRESS: _____

BRIEF DESCRIPTION OF ACTIVITY: _____

| Rule | Permitted Activity Rules | Activities requiring Land use consent | Indicate whether the proposed work: <ul style="list-style-type: none"> • complies or will comply with the permitted rule, (demonstrate how in application) • requires land use consent. If so what type? • or alternatively that the rule is not applicable to the activity (N/A), For Council use <ul style="list-style-type: none"> • whether further information is required to determine whether permitted or otherwise |
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| | ACTIVITIES RULES | | |
| 2.0 Indigenous Vegetation Disturbance | B2.1.1 <i>Indigenous Vegetation Disturbance</i> complying with any of the following conditions: <ol style="list-style-type: none"> 1 It is <i>disturbance</i> of <i>indigenous vegetation</i> where: <ol style="list-style-type: none"> a. it is an <i>indigenous vegetation unit</i> that is less than 250m² in area; or b. it is an understorey of indigenous species within an established <i>plantation</i> forest; or c. it is natural regeneration of <i>indigenous vegetation</i> that has established on forest road margins and skid sites within an exotic <i>plantation</i> forest since it was planted, and the <i>disturbance</i> is incidental to the management of the <i>plantation</i> forest; or d. it is an understorey of <i>indigenous vegetation</i> species beneath a closed canopy of naturally established or wilding exotic tree species (refer Diagram below) | B2.2 Controlled Activities There are no <i>Controlled Activities</i> . B2.3 Restricted Discretionary Activities There are no <i>Restricted Discretionary Activities</i> . B2.4 Discretionary Activities B2.4.1 Any <i>Indigenous Vegetation Disturbance</i> that does not comply with the <i>conditions</i> for <i>Permitted Activities</i> . B2.5 Non-Complying Activities There are no <i>Non-Complying Activities</i> . | |



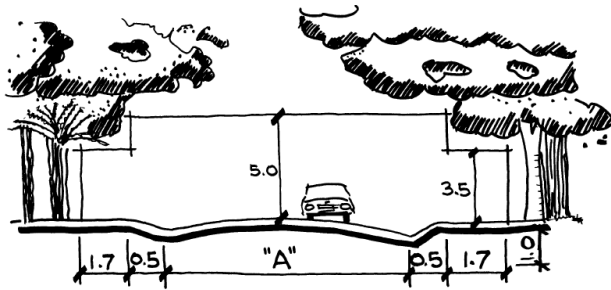
(a cover of *indigenous vegetation* beneath a scattered cover of exotic tree species is not included – refer to Diagram below);



or

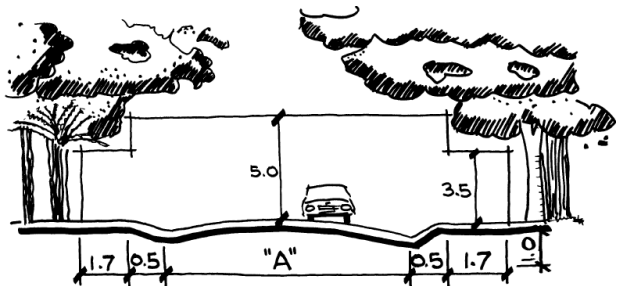
- e. it is an area of indigenous tree species planted and managed as a *plantation* forest or for other commercial purposes; or
 - f. it is indigenous plantings established for landscaping or amenity purposes; or
 - g. it is rushes in pasture; or
 - h. it is bracken fern (*Pteridium esculentum*) or hard fern (*Paesia scaberula*); or
 - i. it is *indigenous vegetation* that is less than 2 metres in height that has regenerated naturally following repeated clearance for farming purposes and the clearance is to maintain an existing farming operation, but does not include areas of tree fern-dominant *indigenous vegetation*;
- provided that the *disturbance* is located outside a *riparian area*; and is not on a *slope* that exceeds 25°; or
2. It is *disturbance* of naturally regenerating *indigenous vegetation* within 2 metres of a maintained fence; or
 3. It is *disturbance* of *indigenous vegetation* within 5 metres of a *habitable building*; or
 4. It is trimming of *indigenous vegetation* where the vegetation does or will within two years do any of the following:

- a) interfere with the operation of existing electricity and telecommunication lines that are *Permitted Activities* under **Rules A37.1.1, A37.1.2, B37.1.1** and **B37.1.2** or interfere with the safe operation of an existing underground gas pipeline; or
- b) be within 5 metres vertical height from a carriageway or the shoulder of a *public road, private road, private way* or an *on-site manoeuvring area* (i.e. overhanging branches); or
- c) be within 3.5 metres vertical height above or one (1) metre below the services corridor of a *public road* (Refer Diagram below); or



Note:

- 1. 'A' – Existing sealed carriageway width, or where the *road* is to be widened, in accordance with **Rule 33.1.1**.
 - 2. All vertical measurements are to be taken from the centreline of the carriageway formation (ie: 3.5m and 5.0m), and apply equally to each side of the *road*.
 - 3. All measurements are in metres.
 - 5. It is *disturbance of indigenous vegetation* that does or will within two years obstruct a view from a viewpoint;
- But not where:
- 6. It is *disturbance of indigenous vegetation* associated with a *geothermal feature*; or
 - 7. It is *disturbance of indigenous vegetation* within a *RAP* or a *PNA*; or
 - 8. It is *disturbance* of a rare or threatened *indigenous plant species* or *vegetation type*; or

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| | <p>9. It is <i>disturbance</i> of planted or naturally established <i>indigenous vegetation</i> that is protected as a condition of a resource consent.</p> | | |
| <p>3.0 Exotic Vegetation Disturbance in Riparian Area</p> | <p>B3.1.1 <i>Exotic Vegetation Disturbance</i> in a <i>riparian area</i> complying with any of the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. The vegetation within a minimum distance of 10 metres from a <i>waterbody</i> or <i>geothermal feature</i> is replaced with a permanent cover of <i>indigenous vegetation</i> (by natural regeneration or planting) and where the balance of the <i>riparian area</i> which has been disturbed is replanted with either exotic or indigenous tree or shrub species; or 2. The vegetation does or will within two years obstruct the view obtained from a <i>viewpoint</i>; or 3. The vegetation will adversely affect the ecological integrity or viability, or species diversity of any area of <i>indigenous vegetation</i>; or 4. It is trimming of the <i>exotic vegetation</i> where the vegetation does or will within two years do any of the following: <ol style="list-style-type: none"> a) interfere with the operation of existing electricity and telecommunications lines that are <i>Permitted Activities</i> under Rules A37.1.1, A37.1.2, B37.1.1 and B37.1.2 or interfere with the safe operation of an existing underground gas pipeline; or b) be within 5 metres vertical height from a carriageway or the shoulder of a <i>public road, private road, private way</i> or an on-site <i>manoeuvring area</i> (i.e. overhanging branches); or c) be within 3.5 metres vertical height above or one (1) metre below the services corridor of a <i>public road</i> (Refer Diagram below).  | <p>B3.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>B3.3 Restricted Discretionary Activities</p> <p>There are no <i>Restricted Discretionary Activities</i>.</p> <p>B3.4 Discretionary Activities</p> <p>B3.4.1 Any <i>Exotic Vegetation Disturbance</i> in <i>riparian areas</i> that does not comply with the <i>conditions</i> for <i>Permitted Activities</i></p> <p>B3.5 Non-Complying Activities</p> <p>There are no <i>Non-Complying Activities</i>.</p> | |

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| | <p>Note:</p> <ol style="list-style-type: none"> 1. 'A' – Existing sealed carriageway width, or where the <i>road</i> is to be widened, in accordance with Rule 33.1.1. 2. All vertical measurements are to be taken from the centreline of the carriageway formation (ie: 3.5m and 5.0m), and apply equally to each side of the <i>road</i>. 3. All measurements are in metres | | |
| <p>4.0 Spec Vegtn Disturbance & Establishment Rules</p> | <p>4.1 Permitted Activities</p> <p>4.1.1 Exotic Tree Establishment complying with the following <i>condition</i>:</p> <ol style="list-style-type: none"> 1. The vegetation does or will not when mature obstruct the view obtained from a <i>viewpoint</i>. <p>4.1.2 Notwithstanding any other rule, the removal of <i>pest plants</i> as specified in the Regional Pest Plant Management Strategy.</p> | <p>4.2 Controlled Activities</p> <p>4.2.1 Forest Harvesting on any <i>site</i> which is accessed from Spencer Road or Millar Road.</p> <p>Council shall reserve its control and may impose <i>conditions</i> on the following matters:</p> <ul style="list-style-type: none"> • The timing of transport of <i>exotic vegetation</i> off-site. • Dust prevention or mitigation measures. <p>In addition to the above, Council may impose a bond to ensure satisfaction of <i>conditions</i> of consent and a charge to cover monitoring costs.</p> <p>4.2.2 Forest harvesting in the covenanted areas at Lake Tikitapu and Lake Rotokakahi as shown on DPS 54801.</p> <p>Council shall reserve its control and may impose <i>conditions</i> on the following matters:</p> <ul style="list-style-type: none"> • The staging, the time of day, season and weather <i>conditions</i> when the harvesting can take place. | |

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| | | <ul style="list-style-type: none"> • Measures to address nuisance <i>effects</i> such as noise. • The management of the transport of harvested logs to reduce adverse <i>effects</i> on the community and roading safety. • The replanting of areas of harvested forest in species and patterns that maintain the landscape values of the area and that are capable of being selectively managed. • Dust prevention or mitigation measures. <p>In setting <i>conditions</i> on any consent, Council will consider any agreement or covenant that exists between the Crown and the Licensee that meets the objectives of this <i>Plan</i>. In particular, Council will consider using the covenants that exist between the Crown and the Licensee dated 30 April 1990 as a basis for <i>conditions</i> on a consent. Because of the nature of the activity, Council will consider giving a long term consent with a review clause.</p> <p>In addition to the above, Council may impose a bond to ensure satisfaction of <i>conditions</i> of consent and a charge to cover monitoring costs.</p> <p>4.3 Restricted Discretionary Activities</p> <p>There are no <i>Restricted Discretionary Activities</i>.</p> <p>4.4 Discretionary Activities</p> <p>4.4.1 Any Exotic Tree Establishment that does not comply with the <i>conditions</i> for <i>Permitted Activities</i>.</p> | |
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| | | <p>4.5 Non Complying Activities There are no <i>Restricted Discretionary Activities</i>.</p> | |
| <p>5.0 Earthworks</p> | <p>Note: - Land disturbance activities are also controlled by provisions in regional plans.</p> <p>5.1 Permitted Activities</p> <p>B5.1.1 <i>Earthworks</i> are not <i>Permitted Activities</i>.</p> <p>B5.1.2 Notwithstanding Rule B5.1.1, the <i>earthworks</i> are for farm or forestry tracks or for forestry skid sites complying with the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. They cannot be <i>seen</i> from a <i>lake, viewpoint</i> or <i>public reserve</i>; and 2. The <i>earthworks</i> are outside a <i>riparian area</i>; and 3. The fill is <i>cleanfill</i>; and 4. The <i>earthworks</i> do not disturb any recorded heritage feature including <i>historic places</i>, archaeological sites and <i>waahi tapu</i>; and 5. The <i>earthworks</i> are outside an <i>ephemeral watercourse</i>; and 6. The <i>earthworks</i> are, or each planned separate stage of earthwork is, completed within 3 months. <p>B5.1.3 Notwithstanding Rule B5.1.1, <i>earthworks</i> for the upgrading of the existing formation of farm and forestry tracks or existing forestry skid sites where they can be <i>seen</i> from a <i>lake, viewpoint</i> or <i>public reserve</i> complying with the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. The <i>earthworks</i> are outside a <i>riparian area</i>; and 2. The <i>earthworks</i> are outside an <i>ephemeral watercourse</i>; and 3. The <i>earthworks</i> do not disturb any recorded heritage feature including <i>historic places</i>, archaeological sites and <i>waahi tapu</i>; and 4. The excavation has a vertical dimension that does not exceed 1500mm (1.5 metres); 5. The fill is clean fill and has a vertical dimension that does not exceed 450mm; and 6. Surplus earth material is not disposed of by sidecasting; and 7. The unvegetated bare earth <i>slope</i> faces are vegetated upon completion of the works, using rapid revegetation techniques such as hydro-seeding; and 8. The <i>earthworks</i> or each planned separate stage is/are completed | <p>B5.2 Controlled Activities There are no <i>Controlled Activities</i>.</p> <p>B5.3 Restricted Discretionary Activities</p> <p>B5.3.1 Earthworks for:</p> <ol style="list-style-type: none"> (a) the upgrading of the existing formation of farm and forestry tracks and existing forestry skid sites where they can be <i>seen</i> from a <i>lake, viewpoint</i> or <i>public reserve</i> and do not comply with the <i>conditions</i> for <i>permitted activities</i>; and (b) the construction of new farm and forestry tracks and new forestry skid sites that can be <i>seen</i> from a <i>lake, viewpoint</i> or <i>public reserve</i>; <p>and which comply with the following standards:</p> <ol style="list-style-type: none"> 1. The <i>earthworks</i> are outside a <i>riparian area</i>; and 2. The <i>earthworks</i> are outside an <i>ephemeral watercourse</i>; and 3. The <i>earthworks</i> do not disturb any recorded heritage feature including <i>historic places</i>, archaeological sites and <i>waahi tapu</i>; and 4. Surplus earth material is not disposed of by sidecasting. | |

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| | <p>within 3 months.</p> | <p>Council shall restrict its discretion to and may impose <i>conditions</i> in respect of:</p> <ul style="list-style-type: none"> * Staging, season and weather <i>conditions</i> under which <i>earthworks</i> can be undertaken and be completed by; * The maximum of bare earth <i>slope</i> faces; * Seeding and/or planting of unvegetated bare earth <i>slope</i> faces; * Screening of <i>effects</i>; * Stability and sediment management; and * The ease of public accessibility of a view being <i>seen</i> from a <i>public reserve</i>. <p>In addition to the above, Council may impose a bond to ensure satisfaction of <i>conditions</i> of consent and a charge to cover monitoring costs.</p> <p>B5.3.2 <i>Earthworks</i> in <i>ephemeral watercourses</i>.</p> <p>Council shall restrict its discretion and may impose <i>conditions</i> in respect of the following matter: in <i>ephemeral watercourses</i>.</p> <ol style="list-style-type: none"> 1. Measures to avoid sedimentation from <i>ephemeral watercourses</i>. <p>B5.4 Discretionary Activities</p> <p>B5.4.1 All <i>Earthworks</i> in the Protection Area.</p> <p>B5.5 Non-Complying Activities</p> <p>There are no <i>Non-Complying Activities</i>.</p> | |
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| <p>6.0 Building Platforms</p> | <p>6.1 Permitted Activities C6.1.1 <i>Building Platforms</i> are not <i>Permitted Activities</i>.</p> | <p>C6.2 Controlled Activities There are no <i>Controlled Activities</i>.</p> <p>C6.3 Restricted Discretionary Activities There are no <i>Restricted Discretionary Activities</i>.</p> <p>C6.4 Discretionary Activities C6.4.1 Any <i>Building Platform</i> in the Protection Area.</p> <p>C6.5 Non-Complying Activities There are no <i>Non-Complying Activities</i>.</p> | |
| <p>7.0 Buildings</p> | <p>7.1 Permitted Activities B7.1.1 <i>Buildings</i> are not <i>Permitted Activities</i>.</p> | <p>B7.2 Controlled Activities There are no <i>Controlled Activities</i>.</p> <p>B7.3 Restricted Discretionary Activities There are no <i>Restricted Discretionary Activities</i>.</p> <p>B7.4 Discretionary Activities B7.4.1 All <i>buildings</i> in the Protection Area.</p> <p>B7.5 Non-Complying Activities There are no <i>Non-Complying Activities</i>.</p> | |
| <p>8.0 Second Hand Buildings</p> | <p>8.1 Permitted Activities B8.1.1 Resited Second Hand <i>Buildings</i> on sites are not <i>Permitted Activities</i>.</p> | <p>B8.2 Controlled Activities There are no <i>Controlled Activities</i>.</p> <p>B8.3 Restricted Discretionary Activities There are no <i>Restricted Discretionary Activities</i>.</p> | |

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| | | <p>B8.4 Discretionary Activities</p> <p>B8.4.1 Resited Second hand <i>Buildings</i>.</p> <p>B8.5 Non-Complying Activities</p> <p>There are no <i>Non-Complying Activities</i>.</p> | |
| <p>9.0 Structures and fences for deer and goat farming</p> | <p>9.1 Permitted Activities</p> <p>A9.1.1 Except as provided for in Rule 37.0, <i>structures</i> complying with the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. Exterior surfaces including the roof, that are finished in reflectivity values between 0 and 37%; and 2. Except for <i>structures</i> accessory to a <i>Marae</i>, they cannot be <i>seen</i> from a <i>lake</i> or a <i>viewpoint</i>; and 3. Except for <i>structures</i> accessory to a <i>Marae</i>, they cannot be <i>seen</i> against the sky when viewed from a <i>lake</i> or <i>public reserve</i>); and 4. Except for poles for <i>road</i> safety lighting purposes that do not exceed 13 metres, the maximum <i>height</i> shall not exceed 6 metres above <i>ground level</i>. <p>A9.1.2 <i>Structures</i> that are temporary and are located on a <i>site</i> or <i>road</i> for a period that does not exceed one (1) month in any calendar year or for the time the <i>structure</i> is required to complete the construction of a <i>building</i>.</p> | <p>A9.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>A9.3 Restricted Discretionary Activities</p> <p>A9.3.1 Any <i>structures</i> that do not comply with the <i>conditions</i> for <i>Permitted Activities</i>.</p> <p>Council shall restrict its discretion and may impose <i>conditions</i> in respect of the following matters:</p> <ul style="list-style-type: none"> * Landscaping. * The <i>height</i> of <i>structures</i>. * Reflectivity values – the level of reflectivity. * The location and placement of the <i>structure</i> on <i>site</i>. * The extent to which any lighting is visible or obtrusive when <i>seen</i> from a <i>lake</i>, <i>viewpoint</i> or <i>public reserve</i>. <p>In addition to the above, Council may impose a bond to ensure satisfaction of <i>conditions</i> of consent and a charge to cover monitoring costs.</p> <p>A9.4 Discretionary Activities</p> <p>There are no <i>Discretionary Activities</i>.</p> <p>A9.5 Non-Complying Activities</p> <p>There are no <i>Non-Complying Activities</i>.</p> | |

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| | <p>C9.1.1 Deer Farming where fences comply with the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. Minimum fence <i>height</i> above ground. 2 metres. 2. Line wires 13 – All line wires fastened to inside of posts with the exception of angle posts. 3. Wire spacings Minimum of 8 wires up to 1.2 metres high, maximum of 150mm apart. Minimum of 5 wires above 1.2 metres high, maximum of 250mm apart. 4. <i>Height</i> above ground to first wire. No greater than 75mm. 5. Batten and stay wire spacings: <ul style="list-style-type: none"> * Netting Maximum 300mm up to 1.2 metres high. Above 1.2 metres Maximum 800mm. No hinge joint netting with stay wire spacings greater than 200mm to be used for up to 1.2 metres in fence <i>height</i>. * Battens Maximum 600mm apart (fallow); Maximum 800mm apart (other deer species). 6. Wire gauge. 2.5mm galvanised high tensile or wire qual to or of greater tensile strength. 7. Post spacings. Maximum 5 metres. 8. Post sizes. <ul style="list-style-type: none"> * Rounds – minimum 100mm small end diameter; * Half Rounds – 175mm minimum face width; | <p>C9.2 Controlled Activities There are no <i>Controlled Activities</i>.</p> <p>C9.3 Restricted Discretionary Activities There are no <i>Restricted Discretionary Activities</i>.</p> <p>C9.4 Discretionary Activities There are no <i>Discretionary Activities</i>.</p> <p>C9.5 Non-Complying Activities C9.5.1 Deer or goat fences that do not comply with the conditions for <i>Permitted Activities</i>.</p> | |
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| | <ul style="list-style-type: none"> * Quarter Rounds – 100mm smallest face width; or * Minimum post length of 2.7 metres. <p>9. Strainer posts.</p> <ul style="list-style-type: none"> * Rounds – minimum of 175mm small end diameter; or * Minimum post length of 3.0 metres. <p>10. Strainer distances. Maximum of 400 metres.</p> <p>11. Stays. Minimum of 120mm shall end diameter and minimum length of 2.7 metres. Tie backs and internal angle stays are acceptable.</p> <p>12. Footings. Footings for strainer and gate posts shall be hardfill or concrete.</p> <p>13. Top-up fences Base fence must be in a sound condition, contain a minimum of 8 line wires up to 1.2 metres with maximum wire spacings no greater than that listed in number 3 above.</p> <p>14. Gates.</p> <ul style="list-style-type: none"> * Timber – minimum <i>height</i> of 1.9 metres. Rails minimum 100mm x 25mm. Three uprights (one centred) and two diagonal stays on each side of gate. Minimum of M10 bolts to be used. Rail spacings to 0.2 metres high maximum 100mm apart. Above 1.2 maximum 150mm apart. * Steel – minimum <i>height</i> over frame of 1.9 metres, minimum wall thickness of 3mm. Internal diameter 25mm. Gate covered with chain link of maximum aperture of 75mm and minimum wire gauge of 3.15mm. Mesh should be laced with minimum 2mm gauged wire. Hardfill under all external gates. <p>15. Gate hinges. Hinges and gudgeons to be a minimum of 20mm diameter. One hinge reversed or otherwise constructed to prevent the gate from being lifted off.</p> <p>16. Gate locs. Must comprise a sturdy chain and padlock.</p> | | |
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| | <p>17. Hanging gates Hung gates must butt against the full inside surface of the latching post and open inwards.</p> <p>18. Flood gates. That do not allow animals to pass through.</p> <p>19. Culverts. That do not allow animals to pass through.</p> <p>20. Staples. Hung gates must butt against the full inside surface of the latching post and open inwards. * Post – minimum of 50mm in length and minimum gauge of 4.0mm. * Battens Softwood – minimum of 30mm in length and minimum gauge of 3.15mm. Hardwood – minimum of 27mm x 2.8mm. * Steel fasteners for concrete posts can be used.</p> <p>21. Netting No hinge joint netting with spacings greater than 200mm. Stay wire spacings shall be used below 1.2 metres in <i>height</i> above <i>ground level</i>.</p> <p>22. Loading and handling facilities. Loading and handling facilities to be located within the perimeter fence.</p> <p>C9.1.2 Goat Farming where fences comply with the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. Bulldozed line or benching or best practice as defined in the Goat Farm Code of practice 2001. 2. 9 wires (kept tight at all times). * Minimum high tensile 2.5mm diameter galvanised steel. | | |
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| | <ul style="list-style-type: none"> * Bottom wire should be placed 80mm above <i>ground level</i> and, above that, wires placed at the following intervals – 0mm, 100, 100, 110, 120, 135, 150 and 165mm. The top wire should be approximately 50mm below the top of the post. 3. No internal stays. 4. Post to be at the following spacings: <ul style="list-style-type: none"> * Less than 30° ground <i>slope</i> – 5 metres. * 30° to less than 45° - 4 metre. * 45° of more – 3 metre. 5. Battens to be at 1 metre intervals. 6. Flood gates that do not allow animals to pass through. 7. Culverts that do not allow animals to pass through. | | |
| <p>10.0 Lake Structures</p> | <p>10.1 Permitted Activities</p> <p>10.1.1 The following <i>Lake Structures</i>:</p> <ul style="list-style-type: none"> 1. Existing public <i>boat launching ramps</i> and adjacent associated jetties as identified on the Planning Maps and the maintenance or replacement of these boat ramps and jetties. 2. Buoys, poles, lights, beacons, and safety booms, for navigation, safety or regulatory purposes. | <p>10.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>10.3 Restricted Discretionary Activities</p> <p>10.3.1 <i>Private lake structures</i> where no access is available to a <i>site</i> from a <i>road, private road</i> or <i>private way</i>, or jetty on adjoining <i>land</i> in same ownership.</p> <p>Council shall restrict its discretion and may impose <i>conditions</i> in respect of the matters contained in RD10.0 and RD10.2.</p> <p>10.4 Discretionary Activities</p> <p>10.4.1 New <i>public lake structures</i> where the width does not exceed 4.2 metres, the length does not exceed 20 metres and the area does not exceed 50m².</p> <p>10.5 Non-Complying Activities</p> <p>10.5.1 New <i>private lake structures</i> which are not <i>Restricted Discretionary Activities</i>.</p> | |

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| | | <p>10.5.2 New <i>public lake structures</i> which are not <i>Permitted</i> or <i>Discretionary Activities</i>.</p> | |
| <p>11.0 Hard Surfaces</p> | <p>11.1 Permitted Activities</p> <p>E11.1.1 <i>Hard Surfaces</i> are not <i>Permitted Activities</i>.</p> | <p>E11.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>E11.3 Restricted Discretionary Activities</p> <p>There are no <i>Restricted Discretionary Activities</i>.</p> <p>E11.4 Discretionary Activities</p> <p>E11.4.1 <i>Hard surfaces</i>.</p> <p>E11.5 Non-Complying Activities</p> <p>There are no <i>Non Complying Activities</i>.</p> | |
| <p>12.0 Recreational Opportunities</p> | <p>12.1 Permitted Activities</p> <p>12.1.1 Notwithstanding any rules regulating <i>indigenous vegetation disturbance</i>, <i>exotic vegetation disturbance</i>, or <i>earthworks</i>, the establishment and maintenance of walking tracks to provide pedestrian access to enable the appreciation of outstanding landscapes and natural features, and historic sites complying with the following <i>conditions</i>:</p> <ul style="list-style-type: none"> a) The track formation and/or <i>vegetation disturbance</i> is less than 1.5 metres wide; and b) Recorded heritage features including <i>historic places</i>, archaeological sites and <i>waahi tapu</i> are not disturbed; c) Earth and debris is not placed in a <i>waterbody</i>; and d) Any walkway on Spencer Road shall be on one side of the road except for any crossing points. <p>12.1.2 Recreational activities that do not involve <i>vessels</i> or <i>motor craft</i>.</p> <p>12.1.3 <i>Motor craft</i> on Lakes Rotomahana and Okataina, except for PWC (personal watercraft) and hovercraft and aircraft and helicopter landing, provided that the maximum speed shall be 5 knots within 200 metres of the shore and there shall be no person or device (other than equipment used legally for fishing) for any recreational purpose towed behind any boat.</p> <p>12.1.4 <i>Motor craft</i> on Lakes Okareka and Tarawera, provided that the maximum speed shall be 5 knots within 200 metres of the shore, except where an access lane has been established.</p> | <p>12.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>12.3 Restricted Discretionary Activities</p> <p>There are no <i>Restricted Discretionary Activities</i>.</p> <p>12.4 Discretionary Activities</p> <p>12.4.1 New access lanes.</p> <p>12.5 Non-Complying Activities</p> <p>12.5.1 Any Recreational Activities that do not comply with the <i>conditions</i> for <i>Permitted Activities</i>.</p> <p>12.5.2 <i>Vessels</i> on any <i>lake</i>.</p> | |

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| | <p>12.1.5 <i>Motor craft</i> on Lakes Tikitapu and Okaro.</p> <p>12.1.6 Existing access lanes on Lakes Okareka and Tarawera as shown on the Planning Maps.</p> | | |
| <p>13.0 Heritage Features</p> | <p>13.1 Permitted Activities</p> <p>13.1.1 Maintenance of existing domestic gardens, <i>buildings</i> and <i>structures</i> including <i>signs</i> and seasonal grazing on sites or items listed in Appendix A that is part of Rule 1.1 of the Lakes A Zone (the full text version), or recorded Archaeological sites and those Maori reserves identified on the Planning Maps.</p> <p>13.1.2 Redecoration or repair of any <i>building</i> listed in Appendix A that is part of Rule 1.1 of the Lakes A Zone (the full text version) to the design of and using the same or equivalent materials and appearance to those originally used.</p> <p>13.1.3 <i>Marae buildings</i> on <i>sites</i> identified in Appendix A that is part of Rule 1.1 of the Lakes A Zone (the full text version).</p> <p>Provided that in regards to Rule 13.1.1 and 13.1.2 Council is to be formally advised in writing prior to any work being undertaken within a <i>site</i> or on an item listed in Appendix A that is part of Rule 1.1 of the Lakes A Zone (the full text version) or a recorded archaeological site.</p> | <p>13.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>13.3 Restricted Discretionary Activities</p> <p>There are no <i>Restricted Discretionary Activities</i>.</p> <p>13.4 Discretionary Activities</p> <p>13.4.1 Alterations, additions or reconstruction of existing <i>buildings</i> or <i>structures</i> that do not comply with the <i>conditions</i> for <i>Permitted Activities</i>.</p> <p>13.4.2 Except for the placement of <i>marae buildings</i>, the placement of any <i>building</i> or <i>structure</i> on a site or item listed in Appendix A that is part of Rule 1.1 of the Lakes A Zone (the full text version), a recorded archaeological site, or a Maori reserve identified on the Planning Maps.</p> <p>13.4.3 Excavation, construction or any other work including the use of heavy machinery immediately adjacent to or on a site or item listed in Appendix A that is part of Rule 1.1 of the Lakes A Zone (the full text version) (including within the dripline of any tree listed in this Appendix), a recorded archaeological site, or a maori Reserve identified on the Planning Maps.</p> <p>Where there is doubt about the exact location and extent of the archaeological site, Council shall consider the site as officially recorded to be within a radius of 100 metres.</p> | |

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| | | <p>13.4.4 Trimming, pollarding or surgically treating a tree identified in Appendix A that is part of Rule 1.1 of the Lakes A Zone (the full text version).</p> <p>13.5 Non-Complying Activities</p> <p>13.5.1 Any Activity that does not comply with the <i>conditions</i> for <i>Permitted Activities</i> or is not a <i>Discretionary Activity</i>.</p> | |
| <p>14.0 Signs</p> | <p>14.1 Permitted Activities</p> <p>14.1.1 <i>Signs</i> complying with the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. They have a maximum area not exceeding 0.5m² per <i>site</i>; and 2. The maximum area may be utilised by more than one <i>sign</i>; and 3. No <i>signs</i> shall be erected except as it relates to the <i>site</i> on which it is situated; and 4. They do not obscure a driver’s vision or cause confusion or distraction that would compromise the safe <i>movement</i> of traffic on a public <i>road</i>; and 5. They are not illuminated, flashing, animated or made of reflectorised materials. <p>14.1.2 Temporary <i>signs</i> complying with the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. They are not displayed for more than 6 <i>weeks</i>; and 2. They have a maximum area not exceeding 3m². | <p>14.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>14.3 Restricted Discretionary Activities</p> <p>There are no <i>Restricted Discretionary Activities</i>.</p> <p>14.4 Discretionary Activities</p> <p>14.4.1 Any <i>signs</i> that do not comply with the <i>conditions</i> for <i>Permitted Activities</i>.</p> <p>14.5 Non-Complying Activities</p> <p>There are no <i>Non-Complying Activities</i>.</p> | |
| <p>15.0 Outdoor Storage</p> | <p>15.1 Permitted Activities</p> <p>B15.1.1 <i>Outdoor storage</i> complying with the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. It cannot be <i>seen</i> from a <i>lake</i>, <i>viewpoint</i> or <i>public reserve</i> provided that, when the <i>outdoor storage</i> is part of an activity on a <i>public reserve</i> and can be <i>seen</i> on the same reserve, this <i>condition</i> shall not apply; 2. It does not generate any objectionable odour at any <i>site</i> boundary; and 3. The total volume at any one time does not exceed 10m³ unless the material is required for an on-<i>site</i> work; and 4. The area on which it is stored is outside an <i>ephemeral watercourse</i>, | <p>B15.3 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>B15.3 Restricted Discretionary Activities</p> <p>There are no <i>Restricted Discretionary Activities</i>.</p> <p>B15.4 Discretionary Activities</p> <p>B15.4.1 Any <i>outdoor storage</i> that does not comply with the <i>conditions</i> for <i>Permitted Activities</i>.</p> | |

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| | <p><i>riparian area, or the 2% AEP lake or river flood level; and</i></p> <p>5. It is inert.</p> | <p>B15.5 Non-Complying Activities</p> <p>There are no <i>Non-Complying Activities</i>.</p> | |
| <p>16.0</p> <p>Helicopter Landing Areas</p> | <p>16.1 Permitted Activities</p> <p>B16.1.1 <i>Helicopter Landing Areas</i> are not <i>Permitted Activities</i>.</p> | <p>B16.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>B16.3 Restricted Discretionary Activities</p> <p>B16.3.1 <i>Helicopter Landing Areas</i> to facilitate existing farming and conservation management activities where no access is available to a site from a <i>road, private road</i> or <i>private way</i>.</p> <p>Council shall restrict its discretion and may impose <i>conditions</i> in respect of the following matters:</p> <ul style="list-style-type: none"> * The standards of Appendix H that is part of Rule 1.1 of the Lakes A Zone (the full text version). * Frequency of use. * Specifying flight paths to maintain natural character including ambient noise levels of tranquil areas. * Specifying hours of operation. * The location and placement, <i>height</i> and reflectivity values of any <i>building</i> or structure that is included within the definition of a <i>Helicopter Landing Area</i>. <p>In addition to the above, Council may impose a bond to ensure satisfaction of <i>conditions</i> of consent and a charge to cover monitoring costs.</p> | |

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| | | <p>B16.4 Discretionary Activities There are no <i>Discretionary Activities</i>.</p> <p>B16.5 Non-Complying Activities B16.5.1 <i>Helicopter Landing Areas</i> that are not <i>Restricted Discretionary Activities</i>.</p> | |
| | BUILDING DESIGN RULES | | |
| 17.0 Site Coverage of Buildings | <p>17.1 Permitted Activities E17.1.1 There are no <i>Permitted Activities</i>.</p> | <p>E17.1.1 Controlled Activities E17.4.1 There are no <i>Controlled Activities</i>.</p> <p>E17.2.1 Restricted Discretionary Activities There are no <i>Restricted Discretionary Activities</i>.</p> <p>E17.3 Discretionary Activities E17.3.1 All <i>buildings</i> are <i>Discretionary Activities</i>. Therefore <i>site coverage</i> will be assessed as part of a <i>Discretionary Activity</i> application.</p> | |
| 19.0 Height | <p>19.1 Permitted Activities C19.1.1 <i>Marae buildings</i> where the maximum <i>height</i> does not exceed 7.5 metres above <i>ground level</i>.</p> | <p>C19.3 Discretionary Activities C19.4.1 Except for permitted <i>marae buildings</i>, all <i>buildings</i> are <i>Discretionary Activities</i>. Therefore <i>height</i> will be assessed as part of a <i>Discretionary Activity</i> application.</p> | |
| 20.0 Solar Access | <p>20.1 Permitted Activities</p> | <p>C20.4 Discretionary Activities C20.4.1 All <i>buildings</i> are <i>Discretionary Activities</i>. Therefore solar access will be assessed as part of a <i>Discretionary Activity</i> application.</p> | |
| 21.0 Reflectivity | <p>21.1 Permitted Activities</p> | <p>C21.4 Discretionary Activities C21.4.1 All <i>buildings</i> are <i>Discretionary</i></p> | |

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| Values | | <i>Activities</i> . Therefore reflectivity values will be assessed as part of a <i>Discretionary Activity</i> application. | |
| 22.0 Viewpoints | 22.1 Permitted Activities C22.1.1 <i>Marae buildings</i> . | C22.4 Discretionary Activities C22.4.1 Except for <i>marae buildings</i> , all <i>buildings</i> are <i>Discretionary Activities</i> . Therefore <i>viewpoints</i> will be assessed as part of a <i>Discretionary Activity</i> application. | |
| 23.0 Skylines | 23.1 Permitted Activities C23.1.1 <i>Marae buildings</i> . | C23.4 Discretionary Activities C23.4.1 Except for <i>marae buildings</i> , all <i>buildings</i> are <i>Discretionary Activities</i> . Therefore <i>skylines</i> will be assessed as part of a <i>Discretionary Activity</i> application. | |
| 24.0 Floor Levels | 24.1 Permitted Activities | C24.4 Discretionary Activities C24.4.1 All <i>buildings</i> are <i>Discretionary Activities</i> . Therefore floor levels will be assessed as part of a <i>Discretionary Activity</i> application. | |
| 25.0 Buffers | 25.1 Permitted Activities | C25.4 Discretionary Activities C25.4.1 All <i>buildings</i> are <i>Discretionary Activities</i> . Therefore <i>buffers</i> will be assessed as part of a <i>Discretionary Activity</i> application. | |
| 26.0 Electromagnetic Radiation | 26.1 Permitted Activities 26.1.1 Any activity producing radio frequency energy shall meet the recommended non-occupational limits set out in the New Zealand Standard NZS 2772.1 (1999) – Maximum Exposure Levels – 3kHz to 300 GHz at any point where any member of the public may be exposed to the source of such energy. | 26.2 Controlled Activities There are no <i>Controlled Activities</i> . 26.3 Restricted Discretionary Activities There are no <i>Restricted Discretionary Activities</i> . 26.4 Discretionary Activities There are no <i>Discretionary Activities</i> . | |

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| | | <p>26.5 Non-Complying Activities</p> <p>26.5.1 Any activity that does not comply with the <i>conditions</i> for <i>Permitted Activities</i>.</p> | |
| <p>27.0 Spill Light or Stray Light Emissions</p> | <p>27.1 Permitted Activities</p> <p>A27.1.1 Any activity that results in spill light or stray light emissions complying with the following <i>condition</i>:</p> <ol style="list-style-type: none"> Any direct artificial illumination shall not exceed ten (10) <i>lux</i> when measured at the nearest <i>site</i> boundary. <p>Illuminance levels shall be measured vertically and horizontally in accordance with professional illumination engineering practice.</p> <p>A27.1.2 Any activity that results in glare complying with the following <i>condition</i>:</p> <ol style="list-style-type: none"> Lighting shall be aimed no higher than 30° below the horizontal and shall be aimed, hooded or screened, to minimize glare. | <p>A27.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>A27.3 Restricted Discretionary Activities</p> <p>There are no <i>Restricted Discretionary Activities</i>.</p> <p>A27.4 Discretionary Activities</p> <p>There are no <i>Discretionary Activities</i>.</p> <p>A27.5 Non-Complying Activities</p> <p>A27.5.1 Any activity that does not comply with the <i>conditions</i> for <i>Permitted Activities</i>.</p> | |
| <p>28.0 Noise</p> | <p>28.1 Permitted Activities</p> <p>28.1.1 Activities complying with the following <i>condition</i>:</p> <ol style="list-style-type: none"> The provision of Appendix 5 of Volume 2 of the Lakes A Zone. | <p>28.2 Controlled Activities</p> <p>28.2.1 The noise generated at the time of the forest harvesting that exceeds the levels specified in Appendix 5 of Volume 2, of the Lakes A Zone, provided that the machinery used has mufflers and silencers installed and is operated in accordance with the manufacturers’ specifications.</p> <p>Council shall reserve its control and may impose <i>conditions</i> on the following matters:</p> <ul style="list-style-type: none"> * Staging, the time of day, season and weather <i>conditions</i> when specified aspects of harvesting can take place. | |

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| | | <p>* Specifying the on-site location and design of log handling and static noise areas in relation to <i>site</i> boundaries.</p> <p>In addition to the above, Council may impose a bond to ensure satisfaction of <i>conditions</i> of consent and a charge to cover monitoring costs.</p> <p>28.3 Restricted Discretionary Activities</p> <p>There are no <i>Restricted Discretionary Activities</i>.</p> <p>28.4 Discretionary Activities</p> <p>28.4.1 Any Activity that does not comply with the <i>conditions</i> for <i>Permitted Activities</i> or is not a <i>Controlled Activity</i>.</p> <p>28.5 Non-Complying Activities</p> <p>There are no <i>Non-Complying Activities</i>.</p> | |
| <p>29.0 Traffic Generation</p> | <p>B29.1 Permitted Activities</p> <p>B29.1.1 <i>Traffic Generation</i> complying with any of the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. It is generated from up to two <i>houses</i> per <i>site</i>; or 2. It is generated from <i>commercial vehicle movement</i> associated with conservation, agriculture and forestry; or 3. It is generated from a <i>Marae</i>; or 4. It is generated from <i>public reserves</i>; or 5. The number of <i>vehicle movements</i> does not exceed 12 <i>vehicle movements</i> per day from any <i>site</i>, averaged over a <i>week</i>, provided that, for the purpose of assessing compliance with this condition, when an activity occurs on a <i>site</i> on which <i>house(s)</i> are also located, each <i>house</i> shall be deemed to generate 6 <i>light vehicle movements</i> per day. | <p>B29.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>B29.3 Restricted Discretionary Activities</p> <p>There are no <i>Restricted Discretionary Activities</i>.</p> <p>B29.4 Discretionary Activities</p> <p>B29.4.1 <i>Traffic Generation</i> that does not comply with the <i>conditions</i> for a <i>Permitted Activity</i>.</p> <p>For the purpose of assessing compliance with this Rule, when an activity occurs on a <i>site</i> on which <i>house(s)</i> are also located each <i>house</i> shall be deemed to generate 6 <i>light vehicle movements</i> per day.</p> | |

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| | | <p>B29.5 Non-Complying Activities There are no <i>Non-Complying Activities</i>.</p> | |
| <p>30.0 On-site Carparking and Manoeuvring</p> | <p>30.1 Permitted Activities 30.1.1 Any activity complying with the following <i>condition</i>: 1. The on-site carparking and <i>manoeuvring</i> provisions of Appendix F that is part of Rule 1.1 of the Lakes A Zone (the full text version).</p> | <p>30.2 Controlled Activities There are no <i>Controlled Activities</i>.</p> <p>30.3 Restricted Discretionary Activities There are no <i>Restricted Discretionary Activities</i>.</p> <p>30.4 Discretionary Activities 30.4.1 Any Activity that does not comply with the <i>conditions</i> for <i>Permitted Activities</i>.</p> <p>30.5 Non-Complying Activities There are no <i>Non-Complying Activities</i>.</p> | |
| <p>31.0 Vehicle Crossings</p> | <p>31.1 Permitted Activities 31.1.1 Vehicle Crossings – Light Vehicles Any activity involving <i>light vehicle movements</i> to or from any road complying with the following <i>condition</i> unless Rules 31.1.4 or 31.1.5 apply: 1. There shall be a <i>vehicle</i> crossing provided to each <i>site</i> that is formed, drained, constructed and sealed in accordance with Plan No. RD22 (Refer Appendix 3.0 of Volume 2 of the Lakes A Zone). 31.1.2 Vehicle Crossings – Commercial Vehicles Any activity involving <i>commercial vehicle movements</i> to or from a low volume or low speed sealed road complying with the following <i>condition</i>: 1. There shall be a <i>vehicle</i> crossing provided to each <i>site</i> that is formed, drained, constructed and sealed in accordance with Plan No. RD23. (Refer Appendix 3.0 of Volume 2 of the Lakes A Zone). 31.1.3 Vehicle Crossings – Commercial Vehicles Any activity involving <i>commercial vehicle movements</i> to or from a high</p> | <p>31.2 Controlled Activities There are no <i>Controlled Activities</i>.</p> <p>31.3 Limited Discretionary Activities 31.3.1 Except for <i>vehicle</i> crossings on State Highways, any activity that does not comply with the <i>vehicle</i> crossing <i>conditions</i> for <i>Permitted Activities</i> Council shall restrict its discretion and may impose <i>conditions</i> in respect of the following matters: * The width and shape of accessways and the adjoining road. * Sight distances in either direction. * The nature and characteristics of traffic generated and the timing of traffic flows.</p> | |

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| | <p>volume or high speed sealed road complying with the following <i>condition</i>:</p> <ol style="list-style-type: none"> There shall be a <i>vehicle</i> crossing provided to each <i>site</i> that is formed, drained, constructed and sealed in accordance with Plan No. RD24. (Refer Appendix 3.0 of Volume 2 of the Lakes A Zone). <p>31.1.4 Vehicle Crossings – Unsealed Local Road Any activity involving any <i>vehicle movements</i> to or from an unsealed local <i>road</i> complying with the following <i>conditions</i>:</p> <p>31.1.5 <ol style="list-style-type: none"> There shall be a metalled <i>vehicle</i> crossing provided to each <i>site</i> that is otherwise formed, drained and constructed in accordance with the requirements for sealed crossings. </p> <p>31.1.6 Vehicle Crossings – Any Activity From a State Highway Notwithstanding the above, any activity involving any <i>vehicle movement</i> to or from a State Highway complying with the following <i>condition</i>:</p> <ol style="list-style-type: none"> There shall be a <i>vehicle</i> crossing provided to each <i>site</i> that is formed, drained and constructed and sealed in accordance with the standards of the Road Controlling Authority. | <p>* The safety of pedestrians or cyclists.</p> <p>In addition to the above, Council may impose a bond to ensure satisfaction of <i>conditions</i> of consent and a charge to cover monitoring costs.</p> <p>31.4 Discretionary Activities</p> <p>31.4.1 Any activity from a State Highway that does not comply with the <i>conditions</i> for <i>Permitted Activities</i>.</p> <p>31.5 Non-Complying Activities</p> <p>There are no <i>Non-Complying Activities</i>.</p> | |
| <p>32.0 Private Roads and Privateways</p> | <p>32.1 Permitted Activities</p> <p>32.1.1 Any activity complying with the following <i>condition</i>:</p> <ol style="list-style-type: none"> The requirements for <i>Private Roads</i> or <i>Private Ways</i> for <i>Permitted Activities</i> as set out in Appendix 10.0 of Volume 2 of the Lakes A Zone. | <p>32.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>32.3 Restricted Discretionary Activities</p> <p>32.3.1 <i>Private Roads</i> or <i>Private Ways</i> that do not comply with the <i>conditions</i> for <i>Permitted Activities</i>, but comply with the standards for <i>Restricted Discretionary Activities</i> set out in Appendix 10.0 of Volume 2 of the Lakes A Zone.</p> <p>Council shall restrict its discretion and may impose <i>conditions</i> in respect of the following matters:</p> | |

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| | | <ul style="list-style-type: none"> * Topography of the <i>land</i>. * The nature and characteristics of traffic generated and the timing of traffic flows. * Safety of pedestrians and cyclists. <p>32.4 Discretionary Activities</p> <p>32.4.1 Any Activity that does not comply with the standards for <i>Restricted Discretionary Activities</i> set out in Appendix 10.0 of Volume 2 of the Lakes A Zone.</p> <p>32.4.2 Any Activity that complies with the standards for <i>Discretionary Activities</i> set out in Appendix 10.0 of Volume 2 of the Lakes A Zone.</p> <p>32.5 Non-Complying Activities</p> <p>There are no <i>Non-Complying Activities</i>.</p> | |
| <p>33.0 Roads</p> | <p>33.1 Permitted Activities</p> <p>33.1.1 Maintenance and upgrading of the existing formation of existing <i>roads</i> complying with the following <i>condition</i>:</p> <ol style="list-style-type: none"> 1. Notwithstanding the <i>vehicle</i> crossing Rule 31.1.5 and notwithstanding the <i>hard surface</i> rule (Rule 11.0 of this Volume (Volume 1)), the <i>hard surface coverage</i> on public <i>roads</i> not exceeding 350mm per metre width of <i>road</i>. <p>Note: A 20 metre <i>road</i> reserve may have a 7 metre formed sealed carriageway and shoulder.</p> <p>Note: If it is intended to transfer a <i>private road</i> to a Road Controlling Authority, the system must comply with the <i>conditions</i> of Asset Transfer of the Road Controlling Authority concerned.</p> | <p>33.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>33.3 Restricted Discretionary Activities</p> <p>33.3.1 Construction of new <i>road</i> formations or realignment of existing <i>road</i> formations.</p> <p>Council shall restrict its discretion and may impose <i>conditions</i> in respect of the following matters:</p> <ul style="list-style-type: none"> * Whether the <i>hard surface coverage</i> on public <i>roads</i>, excluding intersections, exceeds 350mm per metre width of <i>road</i>; and | |

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| | | <ul style="list-style-type: none"> * Whether they are designed and constructed with a design life of a minimum of 25 years, except for <i>vehicle</i> paving surfaces which may be designed for resurface treatment in 12 year stages; and * Whether they are designed and constructed in accordance with Appendix 2.0 Criteria and Standards for Public Roads (Refer Volume 2 of the Lakes A Zone); and * Whether stormwater can be managed without increasing flows into a <i>lake</i>. <p>In addition to the above, Council may impose a bond to ensure satisfaction of <i>conditions</i> of consent and a charge to cover monitoring costs.</p> <p>Note: If it is intended to transfer a <i>private road</i> to a Road Controlling Authority, the system must comply with the <i>conditions</i> of Asset Transfer of the Road Controlling Authority concerned.</p> <p>33.4 Discretionary Activities</p> <p>33.4.1 Maintenance of existing <i>road</i> formations or the construction of new <i>road</i> formations that does not comply with the <i>conditions</i> for <i>Permitted Activities</i> or the standards for <i>Restricted Discretionary Activities</i>.</p> <p>33.4.2 <i>Buildings</i> and <i>structures</i> on roads.</p> <p>33.5 Non-Complying Activities</p> <p>There are no <i>Non-Complying Activities</i>.</p> | |
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| <p>34.0 Portable Water Supply</p> | <p>34.1 Permitted Activities</p> <p>34.1.1 <i>Water</i> supply systems complying with the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. Every <i>habitable building</i> shall be provided with a potable water supply system and either: <ol style="list-style-type: none"> a) At the time of applying for a Building Consent, evidence shall be supplied that the <i>on-site</i> potable <i>water</i> supply complies with section 14(3)(a) and (b) of the <i>RMA</i>; or b) There shall be a connection to an operational private or public <i>community water supply</i> system that meets the <i>conditions</i> for a <i>Permitted Activity</i>. <p>34.1.2 Operational private or public <i>community water supply</i> systems complying with the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. The <i>water</i> supply system has capacity for fire protection purposes in accordance with the Fire Service Code of Practice within any Gazetted Fire District; and 2. The system is designed and constructed for a functional life of a minimum of 50 years; and 3. The system is constructed to prevent leakage of <i>water</i> and easy connection for service connection fittings; and 4. Each <i>site</i> has practicable access to enable connection to the system; and 5. The system delivers to every <i>habitable building</i> a minimum of 20 metre head and 30 litres per minute. <p>Note: If it is intended to transfer a private <i>community water supply</i> system to a Utility Operator, the system must comply with the <i>conditions</i> of Asset Transfer of the Utility Operator concerned.</p> | <p>34.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>34.3 Restricted Discretionary Activities</p> <p>There are no <i>Restricted Discretionary Activities</i>.</p> <p>34.4 Discretionary Activities</p> <p>34.4.1 Any Activity that does not comply with the <i>conditions</i> for <i>Permitted Activities</i>.</p> <p>34.5 Non-Complying Activities</p> <p>There are no <i>Non-Complying Activities</i>.</p> <p>Note: An applicant is advised that non-compliance with regional rules or where a <i>water</i> permit has not been obtained for a private or public <i>community water supply</i> system, will need to be addressed with Environment BOP.</p> | |
| <p>35.0 Collection and Disposal of Stormwater</p> | <p>35.1 Permitted Activities</p> <p>35.1.1 All <i>buildings</i> and all <i>hard surfaces</i> (including all driveways), shall be provided with a stormwater collection and disposal system within the <i>site</i> complying with the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. It is designed to accommodate at least a 10% <i>AEP</i> storm event by: <ol style="list-style-type: none"> a) Soakage; b) Vegetated swales; c) Ponding; d) <i>Wetlands</i>; and 2. Surface <i>water</i> does not enter <i>habitable buildings</i> from a 2% <i>AEP</i> storm event; and | <p>35.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>35.3 Restricted Discretionary Activities</p> <p>35.3.1 Any system intended for the collection and disposal of stormwater from <i>buildings</i> and <i>hard surfaces</i> not within the <i>site</i>.</p> <p>Council shall restrict its discretion and may impose <i>conditions</i> in respect of the following matters:</p> | |

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| | <p>3. Where the system uses pipes that:</p> <ul style="list-style-type: none"> a) accessible inspection chambers are provided at all changes of grade and direction; and b) self cleansing velocities are maintained; and c) the system has a functional design life of 50 year. <p>Note: If it is intended to transfer a private stormwater collection and disposal system to a Utility Operator, the system must comply with the <i>conditions</i> of Asset Transfer of the Utility Operator concerned.</p> | <ul style="list-style-type: none"> * Whether the system is designed to accommodate at least a 10% <i>AEP</i> storm event by: <ul style="list-style-type: none"> (a) Soakage; (b) Vegetated swales; (c) Ponding; (d) <i>Wetlands</i>; and * Whether surface <i>water</i> from a 2% <i>AEP</i> storm event will enter any <i>habitable buildings</i>; and <ul style="list-style-type: none"> (a) Accessible inspection chambers are provided at all changes of grade and direction; and (b) Self cleansing velocities are maintained; and (c) The system has a functional design life of 50 years. * Any <i>effect</i> on <i>land</i> stability or from stormwater flows on neighbouring properties. <p>In addition to the above, Council may impose a bond to ensure satisfaction of <i>conditions</i> of consent and a charge to cover monitoring costs.</p> <p>Note: An applicant is advised that non-compliance with regional rules or where a permit has not been obtained for a stormwater <i>discharge</i> will need to be addressed with Environment Bay of Plenty.</p> | |
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35.4 Discretionary Activities

There are no *Discretionary Activities*.

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| | | <p>35.5 Non-Complying Activities</p> <p>35.5.1 Any Activity that does not comply with the <i>conditions</i> for <i>Permitted Activities</i> or is not a <i>Restricted Discretionary Activity</i>.</p> | |
| <p>36.0 Sewage Collection and Disposal</p> | <p>36.1 Permitted Activities</p> <p>36.1.1 Sewage collection and disposal systems complying with the following <i>conditions</i>:</p> <ol style="list-style-type: none"> 1. Every <i>habitable building</i> shall be provided with a sewage collection and disposal system and either: <ol style="list-style-type: none"> a) There shall be an <i>on-site</i> sewage collection and disposal system (that may include a separate <i>grey water</i> disposal system) that complies with the regional rules or a regional consent is held; or b) There shall be a connection to an operational community sewage collection and disposal system that meets the <i>conditions</i> for a <i>Permitted Activity</i>. 2. Operational private or public community sewage disposal systems designed to cater for minimum flows of 220 litres per head per day and a peak factor of four complying with the following <i>conditions</i>: <ol style="list-style-type: none"> a) Each <i>site</i> has practicable access to enable connection to the system; and b) The system is designed and constructed to eliminate the ingress of stormwater and ground <i>water</i> and also avoids the occurrence of system surcharging or overflows; and c) The reticulation system is designed so that each <i>site</i> is provided with a minimum 100mm diameter connection to a minimum of 500mm inside the <i>site</i> boundary and at a depth capable of servicing all <i>habitable buildings</i> on the <i>site</i>; and d) Accessible inspection chambers are provided at all changes of grade, direction and pipe size; and e) That self-cleansing velocities are maintained within reticulation systems; and f) The reticulation and pumping system be designed and constructed to allow the passing of 75mm solids; and | <p>36.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>36.3 Restricted Discretionary Activities</p> <p>36.3.1 Private sewage pumping stations.</p> <p>Council shall restrict its discretion and may impose <i>conditions</i> in respect of the following matters:</p> <ul style="list-style-type: none"> * Whether private sewage reticulation systems are not able to <i>discharge</i> via gravity. * Whether ownership and responsibility of the private sewage pumping station relating to the design, maintenance and operational procedures is to be registered on the <i>land</i> title. <p>In addition to the above, Council may impose a bond to ensure satisfaction of <i>conditions</i> of consent and a charge to cover monitoring costs.</p> <p>36.4 Discretionary Activities</p> <p>36.4.1 Activities that do not comply with the <i>conditions</i> for <i>Permitted Activities</i> or the standards for <i>Restricted Discretionary Activities</i>.</p> | |

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| | <p>g) The reticulation and disposal system is designed and constructed for a minimum functional life of 50 years, except for electrical and mechanical equipment which may be designed and constructed for a functional life of 15 years.</p> <p>Note: If it is intended to transfer a private sewage collection and disposal system to a Utility Operator, the system must comply with the <i>conditions</i> of Asset Transfer of the Utility Operator concerned.</p> | <p>Note: An applicant is advised that non-compliance with regional rules or where a permit has not been obtained for a <i>discharge</i> from a private or public community sewage disposal system, will need to be addressed with Environment Bay of Plenty.</p> <p>36.5 Non-Complying Activities</p> <p>There are no <i>Non-Complying Activities</i>.</p> | |
| <p>37.0 Electricity and Telecommunications on Lines</p> | <p>37.1 Permitted Activities</p> <p>A37.1.1 Above ground utilities complying with the following <i>condition</i>:</p> <ol style="list-style-type: none"> 1. Existing electric lines, including support <i>structures</i> for these lines, and lines defined by Section 2(1) and (1A) of the Telecommunications Act 1987, where the lines are above ground and the activity involves the operation, maintenance, replacement, upgrading (including increases in voltage and/or capacity), resiting or repositioning of existing above ground services (including their foundations), within a three dimensional corridor over the entire length of a line existing as at the time this Plan was Publicly Notified (13 May 2000) consisting of the following dimensions: <ol style="list-style-type: none"> a) Corridor height: the greater of either 10 metres above <i>ground level</i> or the <i>height</i> of the existing support <i>structures</i> including conductors; and b) Corridor width: the maximum width of the existing support <i>structures</i> including conductors. <p>The <i>height</i> in (a) above may be exceeded by up to 4 metres for earth wires, earth peaks and lightning rods.</p> <p>A37.1.2 Below ground electricity and telecommunication lines complying with the <i>conditions</i> for <i>Permitted Activities</i> in Rules 2.0, 3.0 and 5.0.</p> | <p>A37.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>A37.3 Restricted Discretionary Activities</p> <p>A37.3.1 Existing above ground electric lines, including support <i>structures</i>, and existing above ground lines defined by Section 2(1) and (1A) of the Telecommunications Act 1987 where the:</p> <ol style="list-style-type: none"> (a) Corridor <i>height</i> exceeds either 10 metres or the <i>height</i> of the existing support <i>structures</i> including conductors; and (b) Complies with the corridor width for <i>Permitted Activities</i>. <p>Council shall restrict its discretion and may impose <i>conditions</i> in respect of the following matter:</p> <ul style="list-style-type: none"> • Whether the visual <i>effects</i> on a <i>viewpoint</i> can be avoided, remedied or mitigated. <p>In addition to the above, Council may impose a bond to ensure satisfaction of <i>conditions</i> of consent and a charge to cover monitoring costs.</p> | |

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| | | <p>A37.4 Discretionary Activities</p> <p>A37.4.1 Activities that do not comply with the <i>conditions</i> for <i>Permitted Activities</i> or is not a <i>Restricted Discretionary Activity</i>.</p> <p>A37.4.2 Activities that do not comply with the <i>conditions</i> for <i>Permitted Activities</i> in Rules 2.0, 3.0 and 5.0</p> <p>A37.5 Non-Complying Activities</p> <p>There are no <i>Non-Complying Activities</i>.</p> | |
| <p>38.0</p> <p>Introduction To Subdivision</p> | <p>38.1 Permitted Activities</p> <p>C38.1.1 Subdivision is not a <i>Permitted Activity</i>.</p> | <p>C38.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>C38.3 Restricted Discretionary Activities</p> <p>There are no <i>Restricted Discretionary Activities</i>.</p> <p>C38.4 Discretionary Activities</p> <p>C38.4.1 Subdivision, provided that the <i>site</i> to be created is for the purpose of a reserve, conservation, or planting of indigenous or exotic forests.</p> <p>C38.5 Non-Complying Activities</p> <p>Subdivision that is not a <i>Discretionary Activity</i>.</p> | |
| <p>39.0</p> <p>Subdivision Rules For Roads, Private Roads and Private Ways, Reserves, Utility Services and Boundary Adjustments</p> | <p>39.1 Permitted Activities</p> <p>39.1.1 Subdivision is not a <i>Permitted Activity</i>.</p> | <p>39.2 Controlled Activities</p> <p>There are no <i>Controlled Activities</i>.</p> <p>39.3 Restricted Discretionary Activities</p> <p>Notwithstanding any other subdivision rule:</p> <p>39.3.1 Subdivision for Roads</p> <p>Subdivision to create <i>sites</i> for <i>roads</i> complying with the following standards:</p> | |

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| | | <ol style="list-style-type: none"> 1. The <i>hard surface coverage</i> shall comply with the <i>Permitted Activity conditions</i> for roads; and 2. The matters specified in Appendix 2.0 of Volume 2 of the Lakes A Zone. <p>Council shall restrict its discretion and may impose <i>conditions</i> in respect of the following matters:</p> <ul style="list-style-type: none"> • Vesting of the <i>land</i> in the appropriate <i>Roading Authority</i>. • The standard of formation in relation to the function of the <i>road</i> and traffic characteristics in accordance with the standards specified in Appendix 2.0 of Volume 2 of the Lakes A Zone. <p>39.3.2 Subdivision for Private roads and Private Ways</p> <p>Subdivision to create <i>sites</i> for <i>private roads</i> and <i>private ways</i> complying with the following standards:</p> <ol style="list-style-type: none"> 1. The matters specified in Appendix 10.0 of Volume 2 of the Lakes A Zone. <p>Council shall restrict its discretion and may impose <i>conditions</i> in respect of the following matters:</p> <ul style="list-style-type: none"> • The standard of formation in relation to the function of the <i>private road</i> and <i>private ways</i> in accordance with the standard specified in Appendix 10.0 of Volume 2 of the Lakes A Zone. | |
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| | | <p>39.3.3 Subdivision for Reserves</p> <p>Subdivision to create <i>sites</i> for reserves complying with the following standard:</p> <ol style="list-style-type: none">1. No <i>buildings</i> shall be erected. <p>Council shall restrict its discretion and may impose <i>conditions</i> in respect of the following matters:</p> <ul style="list-style-type: none">• Nominating the purpose of the reserve.• Vesting of the reserve in the appropriate management authority. <p>39.3.4 Subdivision for Boundary Adjustments</p> <p>Boundary Adjustments between existing <i>sites</i> complying with the following standards:</p> <ol style="list-style-type: none">1. The <i>sites</i> shall be abutting; and2. There shall be no additional Certificates of Title created before and after the subdivision; and3. Any <i>site</i> created shall comply with the standards for the relevant Management Area or the degree of non-compliance with those standards shall not be increased before and after the subdivision; and4. Each <i>site</i> created after the boundary adjustment shall be able to meet the <i>conditions</i> for <i>building platforms</i> as <i>Permitted Activities</i> (refer Rule 6.0); and5. Each <i>site</i> created after the boundary adjustment shall be | |
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| | | <p>able to meet the <i>site coverage</i> requirements for the relevant management area (refer Rule 17.0) of the degree of non-compliance with those rules shall not be increased; and</p> <p>6. The Standards of Rule 40.3.</p> <p>(a) The stopping or closing of a <i>road</i>; and</p> <p>(b) The creation of a separate certificate of title under the Public Works Act 1981, or under the Local government Act 1974, or by way of survey office plan, or under any previous enactment for <i>land</i> severance purposes and where such <i>sites</i> have an area of less than 5 hectares are not being used for a public work or <i>network utility</i>; and</p> <p>(c) Where there is no <i>building platform</i> that could comply with the <i>conditions for building platforms</i> as a <i>Permitted Activity</i> (Refer Rule 6.0).</p> <p>Council shall restrict its discretion and may impose conditions in respect of the following matters:</p> <p>* Limits on the area of <i>land</i> involved in the boundary adjustment to ensure:</p> <ul style="list-style-type: none">- Boundaries are in practical locations. | |
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| | | <ul style="list-style-type: none"> - <i>Site coverage</i> requirements can be met. - The degree of non-compliance is not increased. * Complying <i>building platforms</i> ensured and where necessary nominated. area of <i>land</i> involved in the boundary adjustment to ensure: <p>39.3.5 Subdivision for <i>Network Utilities</i></p> <p>Subdivision to create <i>sites</i> for <i>network utilities</i> complying with the following standards:</p> <ol style="list-style-type: none"> 1. Each <i>site</i> shall contain a <i>building platform</i> that: <ol style="list-style-type: none"> (a) Complies with the <i>conditions</i> for <i>building platforms</i> as a <i>Permitted Activity</i> (refer Rule 6.0); and (b) Can be located so that <i>buildings</i> cannot be <i>seen</i> from a <i>viewpoint</i>; and (c) Would not necessitate the <i>disturbance</i> of <i>indigenous vegetation</i> or that a <i>land</i> use consent required for any <i>disturbance</i> of <i>indigenous vegetation</i> shall have been obtained. 2. The General Subdivision Standards in Rule 40.3.1(1-6). <p>Council shall restrict its discretion and may impose <i>conditions</i> in respect of the following matters:</p> | |
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| | | <ul style="list-style-type: none"> * The size and shape of the <i>site</i>. * The location of <i>building platforms</i> away from skylines, ridgelines and <i>viewpoints</i>. * The size and placement of <i>buildings</i>. * Controlling the <i>disturbance</i> of <i>indigenous vegetation</i>. * Controlling <i>earthworks</i>. * Where required for a particular <i>network utility</i>, the provision of any relevant services as listed in the General Subdivision Standards in Rule 40.3.1(1-12). <p>39.4 Discretionary Activities</p> <p>39.4.1 Subdivision to create <i>sites</i> for <i>roads, private roads</i> and <i>private ways, network utilities</i> or reserves that do not comply with the standards for <i>Restricted Discretionary Activities</i>.</p> <p>39.5 Non-Complying Activities</p> <p>39.5.1 Subdivision for Boundary Adjustments that does not comply with the standards for <i>Restricted Discretionary Activities</i>.</p> | |
| <p>40.0 General Subdivision</p> | <p>40.3 General Standards for Subdivision as a Restricted Discretionary or Discretionary Activity</p> <p>40.3.1 In addition to all preceding subdivision rules the following standards and terms shall apply to all subdivisions in all Management Areas in the Lakes A Zone.</p> <p>Standards applicable to all subdivision:</p> <p>1. On-Site Access</p> <p>It shall be demonstrated that access can be provided to <i>land</i> within any nominated <i>building platform</i> clear of:</p> <ul style="list-style-type: none"> (a) Any <i>riparian area</i>. (b) Any <i>ephemeral watercourse</i>. | | |

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| | <p>(c) Any <i>land</i> within the 2% AEP Lake Flood Level.</p> <p>(d) Any <i>land</i> with <i>slopes</i> exceeding 24°.</p> <p>2. Site Boundaries</p> <p>The boundaries of any <i>site</i> shall follow landform features to enable practical <i>land</i> management.</p> <p>3. Management Area Boundaries</p> <p>The boundary of any <i>site</i> forming the boundary between a Settlement Management Area and any Sensitive Rural Management Area shall be placed so as to allow reasonable vehicular access along the base or top of any hill face steeper than 15° in the non-settlement area, unless the hill face is, or is to be, a reserve.</p> <p>4. Earthworks</p> <p>Any <i>land</i> use consent required for any <i>earthworks</i> to be carried out as part of the subdivision shall have been obtained.</p> <p>In the case of <i>Restricted Discretionary Activities</i>, Council shall restrict its discretion and impose <i>conditions</i> in respect of the following matters:</p> <ul style="list-style-type: none"> * Location and size of <i>building platforms</i>. * Location of <i>site</i> boundaries. * The location on-<i>site</i>, the extent, staging, time of day, season and weather <i>conditions</i> under which <i>earthworks</i> can be undertaken. <p>5. Bond</p> <p>A bond may be imposed to ensure satisfaction of any <i>condition(s)</i> of consent.</p> <p>6. Monitoring</p> <p><i>Conditions</i> may be imposed to:</p> <ul style="list-style-type: none"> (a) Monitor the performance of any <i>condition</i> of consent; or (b) To impose a specific charge to cover monitoring costs. <p>7. Sewage Disposal</p> <p>For each <i>site</i> containing a <i>building platform</i>; either:</p> <ul style="list-style-type: none"> (a) It shall be demonstrated that each <i>site</i> is capable of supporting an on-<i>site</i> effluent disposal system that meets the sewage disposal <i>Permitted Activity conditions</i> for such systems; or (b) Each <i>site</i> shall be provided with a connection to an operational private or public community sewage disposal system that meets the sewage disposal <i>Permitted Activity conditions</i> for such systems; and <p>In the case of <i>Restricted Discretion Activities</i>, Council shall restrict its discretion and impose <i>conditions</i> in respect of the following matter:</p> <ul style="list-style-type: none"> * The Matters set out in Rule 36.1.1.2. <p>8. Water Supply</p> <p>For each <i>site</i> containing a <i>building platform</i>; either</p> | |
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- (a) It shall be demonstrated that each *site* has available a potable *water* supply from a nominated source; and
- (b) Where the nominated supply is an operational private or public *community water supply* system, and that system complies with the *conditions* for a *Permitted Activity*, there shall be a connection to the system provided at the boundary of each *site*.

In the case of *Restricted Discretion Activities*, Council shall restrict its discretion and impose *conditions* in respect of the following matter:

* The Matters set out in **Rule 34.1.1. and 34.1.2.**

9. Stormwater

The design of the subdivision shall make provision for the anticipated requirements for the collection and disposal of stormwater for each *site*, and access to it, to accommodate any *building* or *hard surface* that would be permitted.

In the case of *Restricted Discretionary Activities*, Council shall restrict its discretion and impose *conditions* in respect of the following matter:

* The Matters set out in **Rule 35.1.1.**

10. Access and Vehicle Crossings

Each *site* shall be provided with access to a *road* or *private road* or *private way*.

Where the location of an access is either confined by *site* boundaries or limited for traffic safety reasons, a **vehicle crossing** shall be provided in accordance with the *Permitted Activity* rules for *vehicle* crossings.

In the case of *Restricted Discretionary Activities*, Council shall restrict its discretion and impose *conditions* in respect of the following matter:

* The Matters set out in **Rule 31.1.**

11. Private Roads and Private Ways

Any *private road* or *private way* shall be provided in accordance with the relevant rules for *Private roads* and *Private Ways*.

In the case of *Restricted Discretionary Activities*, Council shall restrict its discretion and impose *conditions* in respect of the following matter:

* The Matters set out in **Appendix 10.0 of Volume 2** of the Lakes A Zone.

12. Roads

Any *road* shall be provided in accordance with the relevant rules for *roads* and shall be provided with a street naming *sign*.

In the case of *Restricted Discretionary Activities*, Council shall restrict its discretion and impose *conditions* in respect of the following matter.

* The Matters set out in **Rule 33.1.1 and Appendix 2.0 of Volume 2** of the Lakes A Zone.

13. Esplanade Reserves

- (a) Where an *esplanade reserve* or *strip* is to be taken adjacent to a *lake* with a controlled level, the esplanade instrument shall be measured from the edge of the *water* when the *lake* is at its maximum permitted operating

level. It shall not be assumed that *lakes* are level (flat), and the actual edge of the *water* when the *lake* is at its maximum operating level shall be determined by survey.

Note: The maximum operating level (Moturiki Datum) of Lake Okareka at its outlet (set in the year 2000) is 353.90 metres.

(b) On the creation of *sites under 4 ha* adjoining:

- * *Lakes* over 8 ha; or
 - * *Rivers* over 3 metres within or adjacent to the Tarawera and Okareka Settlement or Bush Settlement Areas; or
 - * The Wairoa River where it is over 3 metres wide:
- 20 metre *esplanade reserves* shall be required on all margins. Any *esplanade strip* already present may be converted to an *esplanade reserve* in conformity with this rule.

In the case of *Restricted Discretionary Activities*, Council shall restrict its discretion and impose *conditions* in respect of the following matter:

- * Where an *esplanade reserve* is required that exceeds 20 metres, regard shall be had to **Policy P15.2** and matters relating to compensation.

(c) On the creation of *sites under 4 ha adjoining rivers over 3 metres* wide, except as identified in **Rule 40.3.1.13(b)**, *esplanade strips* not less than 5 metres wide shall be created on both sites. Where an *esplanade reserve strip* exceeds 5 metres, the widths shall be determined by:

- * Natural Processes
- * Existing *indigenous vegetation*
- * Topography
- * Buffering function
- * Practicality
- * Access requirements
- * Indigenous fauna present

In the case of *Restricted Discretionary Activities*, Council shall restrict its discretion and impose *conditions* in respect of the following matter:

- * Where an *esplanade reserve* is required that exceeds 20 metres, regard shall be had to **Policy P15.2** and matters relating to compensation.

(d) On the creation of *sites under 4 ha adjoining permanently flowing rivers less than 3 metres* wide within the Tarawera and Okareka Settlement and Bush Settlement Areas, reserves of not less than 5 metres wide shall be created on both sides. Where a reserve exceeds 5 metres, the width shall be determined by:

- * Natural Processes
- * Existing *indigenous vegetation*

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| | <ul style="list-style-type: none"> * Topography * Buffering function * Practicality * Access requirements * Indigenous fauna present <p>In the case of <i>Restricted Discretionary Activities</i>, Council shall restrict its discretion and impose <i>conditions</i> in respect of the following matter:</p> <ul style="list-style-type: none"> * Where an <i>esplanade reserve</i> is required that exceeds 20 metres, regard shall be had to Policy P15.2 and matters relating to compensation. <p>14. Land Improvement Agreements</p> <p>(e) Where a <i>LIA</i> (Land Improvement Agreement) already exists in situations identified in Rule 40.3.1.13(b), <i>esplanade reserves</i> will be required in accordance with that rule; and</p> <ul style="list-style-type: none"> * Where the area retired under the <i>LIA</i> (Land Improvement Agreement) is less than 20 metres wide the <i>esplanade reserve</i> required will be 20 metres; * Where the area retired is more than 20 metres wide the <i>esplanade reserve</i> will: <ul style="list-style-type: none"> - Have a similar width unless there are exceptional circumstances, but may exclude areas identified within the <i>LIA</i> (Land Improvement Agreement) as being available for productive uses; or - Be 20 metres wide with the balance protected by an alternative protective instrument. <p>In the case of <i>Restricted Discretionary Activities</i>, Council shall restrict its discretion and impose <i>conditions</i> in respect of the following matter:</p> <ul style="list-style-type: none"> * Where an <i>esplanade reserve</i> is required that exceeds 20 metres, regard shall be had to Policy P15.2 and matters relating to compensation. <p>40.4 Discretionary Activities</p> <p>40.4.1 Subdivision that does not comply with the General Standards for Subdivision 2, 7, 8, 9, 10, 11, 12 and 14 as <i>Restricted Discretionary Activities</i>.</p> <p>40.5 Non-Complying Activities</p> <p>40.5.1 Subdivision that does not comply with the General Standards for Subdivision 1, 3, 4, and 13 as <i>Restricted Discretionary Activities</i>.</p> | |
| <p>41.0 Consultation</p> | <p>41.2 General Standards for Land Use and Subdivision as a Controlled or Restricted Discretionary Activity</p> <p>41.2.1 In addition to all preceding rules, the following standards and terms shall apply to all <i>Controlled</i> and <i>Restricted</i></p> | |

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| <p>With The Tangata Whenua</p> | <p><i>Discretionary Activity</i> applications and applies in All Management Areas within the Lakes A Zone. Standards applicable to all <i>Controlled</i> and <i>Restricted Discretionary Activities</i>.</p> <p>1. At the time of lodgement of any application for Resource Consent, the application shall be referred to nominated Tangata Whenua representative of the hapu holding Mana Whenua status for the <i>site</i> that is the subject of the application.</p> <p>41.3 General Standards for Land Use and Subdivision as a Discretionary or Non-Complying Activity</p> <p>41.3.1 In addition to all preceding rules, the following standards and terms shall apply to all Resource Consent applications, and applies in All Management Areas within the Lakes A Zone. Standards applicable to all Discretionary and <i>Non-Complying Activities</i>.</p> <p>1. Prior to the lodgement of any application for Resource Consent, consultation shall be required with nominated Tangata Whenua representatives of the hapu holding Mana Whenua status for the <i>site</i> that is the subject of the application.</p> | |
| <p>43.0 Tangata Whenua Structure Plans</p> | <p>No Sites for Tangata Whenua Structure Plans have been identified within these Management Areas.</p> | |

I..... (Applicant or Agent for Applicant) have completed the above checklist. To the best of my knowledge have answered correctly and provided the information required with my application for a Project Information Memorandum or with my land use consent application.

SIGNED: _____

DATE: _____

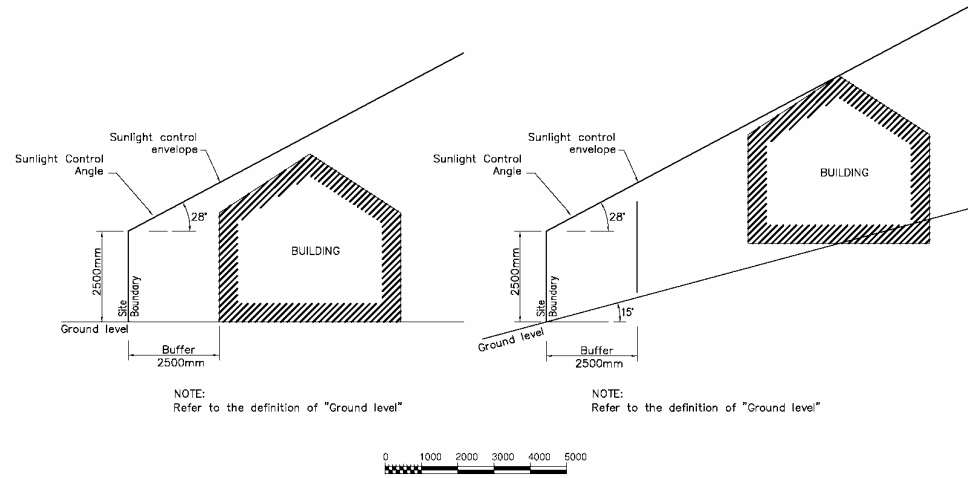
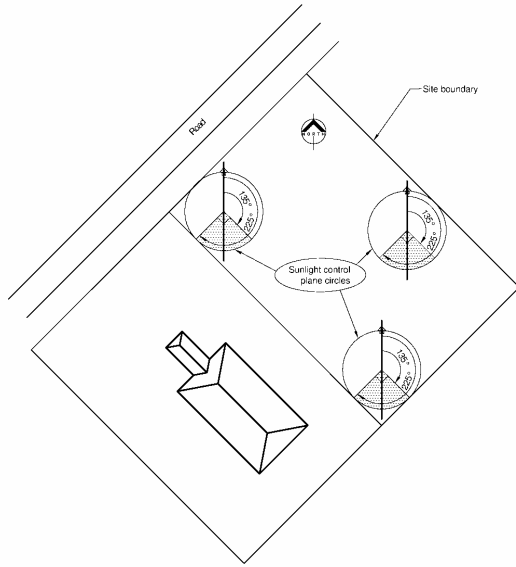
LAKES A ZONE - PROTECTION MANAGEMENT AREA - CUSTOMERS COPY

All words shown in *italics* within the Lakes A part of the District Plan and the attached checklist are defined within the District Plan. Those definitions most likely to need consulting while completing the attached checklist are reproduced below to assist with use of this checklist. Please consult the full text within the District Plan for definitions not listed.

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| AEP | : Means Annual Exceedence Probability. A 2% AEP identifies a 2% (1 in 50) chance of there being an event (e.g. a flood) of this size or larger in any given year. Also known as a 50 year return period event. With regard to river AEP flood levels, the levels include margins to cover design assumptions, estimate imprecision, and artificial interferences with flow paths. With regard to lake levels, the levels include margins to cover estimate imprecision, waves and local wind set-up, seiche, and the length of time lake levels can remain high. The 2% AEP lake flood levels are: Okareka – 355.20 metres RL Moturiki datum Tarawera – 299.40 metres RL Moturiki datum Okataina – 314.90 metres RL Moturiki datum Rotokakahi – 395.90 metres RL Moturiki datum Tikitapu – 419.50 metres RL Moturiki datum |
| Building | : Means any thing constructed, whether temporary or permanent, moveable or immovable, including but not limited to: <ul style="list-style-type: none"> • Additions to buildings; • Tanks, containers, reservoirs or swimming pools exceeding 25,000 litres capacity; • Cable cars, cable ways and similar devices; and • Any thing that is a structural part of, or structurally attached to, a building including equipment, devices, tanks, masts, aerials, poles and satellite dishes; But excludes <ul style="list-style-type: none"> • The interior of any building; • Scaffolding erected temporarily while in the course of construction or maintenance purposes; • Structures and Lakes Structures; • Connections between structures and buildings by way of cables, wires, ropes and the like; • Hard surfaces; • Platforms, bridges, deckings and the like where they are less than 1 metre from the ground; • Outdoor storage; • Septic tanks and infrastructure or utility services placed below ground level; and • Signs. |
| Building Platform | : Means the area of land on which a building is built or is to be built and includes any on-site effluent disposal system (e.g. a septic tank and its disposal field). The platform does not have to be shaped but can follow the natural lie of the land. |
| Buffer | : Means a separation distance or an area used to mitigate or avoid adverse effects that arise from one place being experienced in another. Special management may be required within the buffer, such as planting or exclusion of buildings. |
| Disturbance | : Means the removal, clearance, destruction, cutting, crushing, desiccation or burning of exotic or indigenous vegetation; except: <ul style="list-style-type: none"> • For normal domestic-scale trimming and maintenance; and • The day to day maintenance of walking tracks; and • The collection of plant material for scientific purposes, and • The collection of plant material by the Tangata Whenua for maintaining traditional practices of rongoa (medicinal purposes), raranga (weaving) and mahi whakairo (carving). |
| Earthworks | : Means the disturbance of land surfaces by excavation or filling, but excludes normal domestic and reserve gardening activities, normal turf and pasture maintenance and renovation practices, and the maintenance of walking tracks, farm and forestry tracks, driveways and roads. |

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| Ground Level | : | Means the natural level of ground before any earthworks have taken place. It also means the level of the ground after any authorised earthworks have been carried out before any subdivision is completed pursuant to section 224(c) of the RMA. |
| Groundwater table | : | Means the surface of the watertable. For the purposes of subdivision and development: <ol style="list-style-type: none"> 1. Where the groundwater is influenced by a river or stream, either an identified winter groundwater level is used, or the groundwater table is established with reference to the water level in the river or stream; or 2. Where the groundwater is influenced by a lake, the groundwater table is established with reference to the maximum control level for a controlled lake, or the 2% AEP flood level for an uncontrolled lake. |
| Hard Surface | : | Means an area of land that is paved with an all weather impermeable surface, such as concrete, asphalt or cobblestones, or covered with a decking or platform, but excluding: <ul style="list-style-type: none"> • Paved strips less than 1 metre in width; • Driveways less than 3.5 metres in width (for the purpose of Rule 11.0 but not for Rule 35.0); • Farm tracks less than 3.5 metres in width; • Decking or platforms less than 10 m² in area; • Timber decking that has gaps between the boards, where the rainwater falls through the gaps to the ground; • Buildings; • Structures; • Lake Structures |
| Hard Surface Coverage | : | Means the portion of a site that may be paved or covered with hard surfaces. Any area provided for the purposes of access and including but not limited to roads, Maori roadways, rights-of-way, access lots, and access legs, shall be excluded from the calculation of hard surface coverage for any site. |
| Indigenous vegetation | : | Means any plant community containing indigenous species (which may include a canopy, subcanopy, understorey and ground cover as structural elements). It includes vegetation that has regenerated naturally or vegetation established with human assistance following disturbance or as mitigation for another activity. (Refer also to Indigenous Plant Species, Vegetation Unit and Vegetation Type.) |
| Lake Structures | : | Means any thing constructed, whether temporary or permanent, moveable or immovable, where any part intrudes into, or is placed over, the waters of a lake, or is on land that would be covered by water when the lake is at its 2% AEP flood level; and including: <ul style="list-style-type: none"> • Buildings • Structures • Walls and retaining walls built of any material including rock riprap or spawls <p>But excluding</p> <ul style="list-style-type: none"> • Boats, motor craft and vessels. |
| Site | : | Means: <ol style="list-style-type: none"> a) An area of land which is the smaller land area of either: <ol style="list-style-type: none"> i) Land comprised in a single allotment held in one certificate of title; or ii) Land comprised in a single allotment or the balance area on an approved subdivision scheme plan for which a separate certificate of title can be issued without further Council involvement. b) An area of land comprising two or more adjoining allotments held in one certificate of title that cannot be treated separately without the Council granting its consent. c) An area of land comprising two or more adjoining allotments held in two or more certificates of title where the titles are: <ol style="list-style-type: none"> i) Subject to Section 37 of the Building Act 1991: “Construction of building on 2 or more allotments”; or ii) Held together in such a manner that they cannot be assessed individually without the consent of the Council. d) An area of Maori freehold <i>land</i> that either: <ol style="list-style-type: none"> i) Is <i>land</i> created by way of partition under Sections 297 and 301 of Te Ture Whenua Maori Act 1993 (The Maori Land Act 1993) and held in one Maori Land Court Title, or ii) Is <i>land</i> defined by survey and created by way of partition into one parcel to be held by an owner who is a member of the same hapu, or owners who are members of the same hapu, or |

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| | <p>iii) Is <i>land</i> defined by survey and held in a Maori Land Court Title and for which ownership can be determined, or</p> <p>iv) Is <i>land</i> defined by survey and created by way of partition for a site for a dwelling under Section 296 of Te Ture Whenua Maori Act 1993 (The Maori Land Act 1993).</p> |
| | <p>e) An area of Maori Customary <i>Land</i>.</p> <p>f) Is <i>land</i> defined by survey and reserved under the Reserves Act 1977 or Te Ture Whenua Maori Act 1993 (The Maori Land Act 1993).</p> <p>Notwithstanding paragraphs a-f above, where <i>land</i> has been subdivided under the cross lease or company lease systems (other than unit titles), a <i>site</i> means an area of <i>land</i> containing:</p> <p>i) <i>Building(s)</i> for residential, commercial and industrial activities with any accessory <i>building(s)</i> and <i>land</i> exclusively set aside for the occupants/users of the <i>building(s)</i>; or</p> <p>ii) Any share in the fee simple which creates a vacant part of the whole for future cross lease or company lease purposes; and</p> <p>Notwithstanding paragraphs a-f above, any <i>land</i> subdivided under the Unit Titles Act 1972 (other than unit titles) a <i>site</i> shall mean either:</p> <p>i) The area of <i>land</i> containing the principal unit (or proposed unit) on the unit plan, and any identified accessories to that principal unit, or in addition to the above, the following shall apply:</p> <p>ii) The underlying certificate of title of the <i>land</i> containing the unit titles, immediately prior to subdivision.</p> <p>In addition to the above, the following shall apply:</p> <p>i) Where a <i>site</i> is crossed by a Zone boundary, the <i>site</i> is deemed to be divided into two or more <i>sites</i> by the Zone boundary; and</p> <p>ii) Where a <i>site</i> is divided by the District boundary, the area of the <i>site</i> remaining within the District shall be considered the <i>site</i>.</p> |
| Site Coverage | <p>: Means that portion of the <i>site</i> over which <i>buildings</i> may be constructed.</p> <p>Any area provided for the purposes of access and including but not limited to <i>roads</i>, Maori roadways, rights-of-way, access lots, and access legs, and any eaves of a <i>building</i> that do not exceed 0.6m in width shall be excluded from the calculation of <i>site coverage</i>.</p> |
| Structures | <p>: Means any thing constructed, whether temporary or permanent, moveable or immovable, that is not a building and that is above ground level, including but not limited to:</p> <ul style="list-style-type: none"> • Tanks, swimming pools or containers that exceed 5000 litres capacity; and • Walls or retaining walls that exceed 0.5 metres above ground level in height; • Fences with panels, or with boards, pickets or rails that are closer together than their widths; • Utility services; • Towers, pylons, poles or aerials; • Antennas, satellite dishes, rods; • Caravans, tents, or other structures intended to be habitable; • Constructions designed for children to play on; <p>but excluding</p> <ul style="list-style-type: none"> • Hard surfaces; • Lake structures; • Outdoor storage; • Road formations and access formations; <p>Scaffolding or falsework erected temporarily while used in the course of construction or maintenance purposes.</p> |
| Sunlight Control Plane | <p>: Means a surface through which no part of a building may protrude. It is defined by:</p> <ul style="list-style-type: none"> • Drawing sunlight control lines commencing at a height of 2.5 metres above and along the affected site boundaries; and • Pointing the sunlight control lines into the site at a 28° angle above the horizontal at right angles along the affected site boundaries. <p>The site boundaries affected by the sunlight control plane are those that are touched by the shaded portion of the Sunlight Control Plane Circle (i.e. between 135° and 225° from true north).</p> <p>Boundaries affected by the Sunlight Control Plane (refer to illustration examples below):</p> <ol style="list-style-type: none"> 1. Identify true north on the site plan and orientate the Sunlight Control Plane Circle to the true north point. 2. Place the outside of the Sunlight Control Plane Circle to the inside of the site boundary. Move the sunlight control plane circle around the entire length of the site boundaries. The sunlight control plane shall apply only to the boundaries where the shaded area of the circle touches the site boundary. |



Viewpoint : Means a *viewpoint* identified in the Viewpoint Map and the schedule of *viewpoints* attached thereto. Check with Planning Services Dept or Volume II full text Lakes A. The assessment of any effect on a view shall be confined to those effects within any pair of viewshaft bearings as identified in the Viewpoint Map and schedule, when seen from the *viewpoint* that forms the origin of that pair of viewshaft bearings.

Appendix K

See Lakes A zone - Volume II for details

Appendix F – As it applies to Lakes A zone for houses. For other activities see Appendix F of the District Plan

| Activity | Parking Performance Standard |
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| Household units (including dwelling houses, subsidiary household units, residential accommodation and all like activities) | 1 for each unit, except for the Lakes A zone where 2 parking spaces for each unit shall be provided. |