INTRODUCTION

Most of the land in the Rotorua district can be described as rural, with agriculture and forestry the two main land uses and among the biggest economic drivers for the district. While over 80% of the district's land surface area may have a rural zoning, it only contains about 20% of the district's population. This difference provides an insight into its characteristics and character – wide open spaces where large areas have been cleared or modified in some way for productive use, in many cases against the backdrop of impressive volcanic landscapes or next to lakes.

A broad range of activities take place in the Working Rural zone, including tourist attractions and tourist accommodation, transport and logistics, renewable energy, electricity generation and network utility infrastructure [78.10; 182.24] as well as the primary industries of forestry and farming and rural industries such as quarrying and mining [193.4; FS550.63].

The Rural Lifestyle and Rural Village zones are where buildings are more concentrated, and similar in character to the suburbs within the urban area. Generally, Rural Lifestyle-zoned areas occur on the edges of the near to residential areas - for example, the southern end of Clayton Road in Rotorua, and the western and northern edges of Ngongotaha. A large proportion of the Hamurana and Kaharoa area is zoned Rural Lifestyle, as is Brunswick Park on the eastern side of Lake Rotorua. There are rural villages throughout the district, with the largest being Mamakau and Reporoa. Smaller villages include Ngakuru, Rerewhakaaitu, Broadlands and Golden Springs.

The road corridors converging on the city centre provide access for residents and for visitors approaching from different parts of the country. The appearance of the district along these corridors makes an important contribution to how the district is perceived by visitors. Most of the important landscapes outstanding natural features and landscapes [360.167] and vegetation that contribute to the district's unique character are in the rural area. Although there is a concentration of historic heritage [360.4] buildings and archaeological sites in the urban area, these features are also present throughout the rural parts of the district. For example, some of the pa sites are dominant visual features in the rural landscape. [298.51; FS584.14]

Within the catchment of Lake Rotorua District, and particularly the Lake Rotorua catchment, the overriding pre-eminent [233.10] goal is to reduce the loss of nutrients to the water environment and thereby improve water quality. Outside the catchment, provision is made to support the rural economy [233.10; 218.37; 504.20].

How land is used in the rural areas is a major factor in the lake water quality that future generations will inherit. As in most parts of New Zealand, pastoral land uses are part of the rural landscape in the Rotorua district, but nutrient runoff from land uses can affect the health of water bodies. The potential impact of land use on the highly regarded lakes is one of the major issues this district plan attempts to address. [379.183].

The Waikato River runs along the southern boundary of Rotorua district. The Vision and Strategy for the Waikato River aims to restore and protect the health and wellbeing of the River. The district plan also includes measures to help achieve this purpose. [436.16]

Whilst the goal to reduce nutrient loss to waterways is district wide, an incentive programme is proposed in a targeted area within the Lake Rotorua catchment where it is...
hoped that significant change will be achieved. In order to facilitate land use changes that have a positive effect on water quality, this chapter proposes a mechanism that will apply in a targeted area. It recognises that the incentives recognise proposals that will result in significant reductions in nutrient losses by allowing for additional subdivisions of land use change activities that would not generally be acceptable in the wider rural area. [288.2; 379.2]

The plan also provides for the transfer of development rights from one area to another. This provides an incentive to those areas where residential development of lifestyle lots is less desirable (due to difficulties of servicing, access and marketability) by allowing the owners to ‘sell’ some of their potential lifestyle lots to owners in an area where more intensive and sustainable development is feasible. Both the donor and recipient owners benefit and are therefore encouraged to carry out land use change that will have a positive effect on water quality. Incentives enable some land use activities that would otherwise be discretionary or non-complying in the wider rural zone to establish in the targeted area where the proposal will result in significant reductions in nutrient losses. [288.2; 379.2]

It is recognised that as a result of these incentives the character of the targeted area may change to an extent. [288.2; 379.2]

These provisions to improve water quality are to give effect to the Regional Policy Statement. The objectives of the district and regional councils are similar in that they both seek to achieve the improvement of water quality; however the statutory responsibilities and roles of the two authorities are separate. The district plan seeks to influence land use change, whereas the regional authority is concerned with the regulation of nutrient losses to the water environment. There are some matters that will be relevant to the work of both authorities, but the district plan does not seek to regulate or monitor activities beyond the extent to which that is relevant to the assessing and implementing implementation of resource consents.

There is an expectation that future residential growth will occur in the part of the Rotorua caldera that is zoned as rural. However the upper part of the caldera contributes significantly to the amenity values of the urban area. There is a strong community desire that the open rural character of the caldera is maintained. In order to accommodate residential growth whilst maintaining the open rural character that provides a natural setting to the urban parts of Rotorua, this chapter also provides a framework for assessing the potential impact of development on the landscape of development proposals around the caldera rim.

The characteristics of the three rural zones are set out in the following table: [417.5; FS550.75]

<table>
<thead>
<tr>
<th>Zone</th>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural 1 Working</td>
<td>RR1</td>
<td>Productive rural land for agriculture and forestry. Features that contribute to the amenity of this zone include the open space, forested landscapes, large lot sizes, low traffic levels, its relative quietness and the low numbers of buildings. The main activities provided for within this zone involve agricultural practices such as farming and forestry as well as infrastructure and network utility operations. Moderate noise levels, odour and other disturbance from agriculture, forestry, network utility infrastructure, rural industries such as mining and quarrying, and geothermal energy electricity generation activities are an expected element of the working rural environment. [193.5; FS593.97; 233.12; 420.54; 447.24]</td>
</tr>
</tbody>
</table>
Zone | Code | Description
--- | --- | ---
Rural 2 | RR2 | Rural-residential living. Lots are generally smaller than the rural 1 zone and provide for a higher density of residential development. Dwellings are spaced apart and provide for relatively large outdoor living areas and high standards of privacy. The zone has a relatively quiet environment. Small scale farming activities are carried out on site and there are low levels of hard surface and building coverage.

Rural 3 | RR3 | A mix of housing and commercial uses in a rural setting that are generally small service centres for the surrounding working rural areas. Lot sizes are generally smaller than in the surrounding rural area and therefore are more urban in character. Such settlements include Golden Springs, Reporoa, Ngākuru and Mamakū.

### 9.2 KEY ENVIRONMENTAL ISSUES

There are ten-six key issues influencing the policy framework in the rural zones:

#### 9.2.1 Activities Carried out on the Land Have an Effect on Water Quality [288.2; 379.2]

Rural land use practices have the potential to contribute large amounts of nutrients into water catchments and water bodies. This has been a major contributor to declining water quality. Rural sources of nutrients are from diverse sources such as animal waste, and fertiliser application, waste water and water fowl. The soils present within the district do not bind well with the nutrients and which diffuse readily into ground water and ultimately into the lakes. Land use has the potential to adversely impact water quality; changes need to be managed to ensure there are positive effects on the environment. The district plan seeks to reduce the level of nutrient output by providing direction for changes in land use and land management practices that better manage nutrients and improves water quality. In particular Lake Rotorua has been affected by nutrients associated with land use within the catchment entering the water environment. The plan can encourage change and provide incentives to land owners. Methods can be targeted to particular areas where the benefits are most significant.

The Waikato River runs along the south-western boundary of the Rotorua District and its catchment encompasses predominantly rural zoned land in the south-western part of the District. With the passing of the Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010, there is an increased emphasis on requirement for restoring and protecting the health and character wellbeing of the Waikato River and its catchment. In response to Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010, the Waikato River is at the heart of the social and economic development of the Waikato Region. It is important to the domestic and municipal needs of the region for many reasons, including primary production, powering the Waikato hydro scheme, providing drinking water and for cultural and recreational activities. This, along with the intensification of land use throughout its catchment, has contributed to the degradation of the health and wellbeing of the River.
9.2.2 Changes of Land Use & and Subdivision can Result in the Loss of Maintenance of Productive Rural Land [437.9]

Productive rural land is important to the economic future of Rotorua. Both Changes of [216.18] land use and subdivision can reduce the amount of land available for primary production by, for example, increasing the area occupied by residential development and lifestyle lots. Large rural lot sizes can provide for sustainable rural management of the land use and maintain a range of options for land uses by future generations. Unsustainable, intensive agricultural land use [233.14] practices have the potential to damage the natural balance of the soils and render them unproductive in the long term. However, to achieve improvements in water quality, the plan is supporting land use change which will result in some loss of productive rural land within targeted areas.

9.2.3 The Range and the Relationship Between the Activities in the Rural Zones Affect Its Character and Amenity Values [288.2; 379.2]

In the Rotorua district ‘rural character’ largely means a mix of working landscapes and natural features that are not dominated by buildings. The nature and scale of different rural activities change the appearance of a locality whilst still remaining ‘rural’ in character, for example when land changes from pastoral uses to forestry, or from forestry to cropping. [467.7] Modifying the landscape through urbanisation and changes in land use is one of the significant threats to the rural environment and its amenity values. The nature and scale of some activities require a rural location, or are dependent on an underlying resource for their location. [193.6; FS580.4; FS593.98; FS584.19] Although they some [193.6] may not immediately be thought of as typical activities in a rural environment, for example mining and quarrying, [193.6] timber processing plants and geothermal energy-electricity production. To incentivise a reduction in nutrient loss to waterways, activities that have not traditionally been considered ‘rural’ activities are encouraged which will result in a change to the character parts of the rural zone. [467.7] A significant threat to rural character is the cumulative effect of subdivision and development. The potential effects include the reduction in lot size and less space between buildings creating the appearance of urbanisation and ribbon development, more prominent clusters of houses and increasing traffic and noise levels. The maintenance and enhancement of rural character and prominence of important features and landscapes is important culturally, and contributes to the amenity for residents and tourists. [467.7; FS584.72]

9.2.4 New Activities in the Rural Zones can be Sensitive to Adverse Effects From Existing Activities—Reverse Sensitivity [288.2; 379.2]

The rural area is a working environment, a place for primary production, and associated industries and network utilities’ infrastructure. [78.11; FS550.66] Environmental effects such as contaminants, noise, odour and traffic can result from these activities and are to be expected within the rural environment. New rural living can be incompatible with the existing rural working environment. Residential development will need to mitigate the adverse effects created from such reverse sensitivity. [162.30; 193.7; FS550.71; FS596.17; 216.19; FS575.8; FS593.7; 386.23; 420.55; 427.37; 182.64]

9.2.5 The Character of Rural Settlements can be Affected by Activity in the Rural Zones [288.2; 379.2]

Within the district there are a number of small rural settlements ranging in size from larger areas such as Mamaku and Reporoa, to the smaller settlements of Ngākurū and Golden Springs. These settlements comprise small pockets of higher residential density, similar to the urban area, with an element of some commercial activity serving the surrounding area. Extension of activity of a more urban character development beyond the boundaries of the settlements has the potential to adversely affect the character of both the settlement and the neighbouring working rural area and adverse reverse
sensitivity effects may need to be mitigated. [427.3]  

9.2.6 Activity in the Rural Area can Have an Adverse Impact on Outstanding Natural Features and Landscapes, Significant Vegetation and Habitats of Cultural Heritage [288.2; 379.2]

The rural environment contains a high proportion of the district's outstanding natural features and landscapes, significant vegetation and habitats sites of heritage and cultural significance in comparison with other zones. These contribute significantly to the amenity and character of the rural environment and the district. Activities and development within or adjacent to these sites have the potential to adversely affect the importance of these features. Part 2 outlines the suitable activities that can be undertaken in these areas and those that require consent.

There is a need to ensure that development and activities that may have an adverse impact on these features are subject to appropriate assessment and management.

9.2.7 Renewable Energy Activity is an Important Economic Driver, but can Adversely Affect the Environmental Quality and Amenity Values of the Rural Zones [288.2; 379.2]

Geothermal and hydro energy generates a significant proportion of the electricity for the region and New Zealand. The council is required to have particular regard to the benefits that can be derived from the use and development of renewable energy. Rotorua has significant renewable resources that have the potential to be used to generate electricity with the majority of these located within the rural zones. Although this activity is nationally significant, the adverse effects on the resource and the surrounding environment will require assessment and management.

9.2.8 The Landscape of the Rotorua Caldera is Important to the Residents of the District, and is Sensitive to Change That Affects Its Character

The Rotorua caldera is an important natural feature that forms a largely unbuilt backdrop for the city and settlements around the lake. It is valued highly by the local community, although it is not identified as an area of outstanding landscape of wider significance. The land uses are a combination of natural vegetation and working farms that include grazing, dairy and forestry uses. Land use changes that are encouraged in order to improve water quality have the potential to adversely affect the rural character and amenity of the caldera rim. Over time it is anticipated that the urban edge will seek to extend into the higher slopes of the caldera, which provide sought after views of the lake and a semi-rural environment. This needs to be balanced with the maintenance of amenity values that the rural landscape provides close to the city.

The landscape character of the caldera rim has been analysed and those parts that are most sensitive to change have been identified as sensitive rural area on the planning maps. Design guidance has been prepared to influence the effect of new development on the landscape in that area. The emphasis is on maintenance of the important rural amenity values by controlling the intensity and scale of built structures and while minimising bulk earthworks associated with subdivision and development.
9.2.9 **The Design & Location of Development Can Adversely Affect the Efficient Operation of Significant Infrastructure.**

The design and location of development can adversely impact the efficient and safe operation of significant infrastructure such as the roading network and transmission networks. Activities located on sites containing transmission lines or those that generate effects that can impact traffic movement and safety of the roading network must be assessed against the objectives and policies of part 2.

9.2.10 **Development of Sites Subject to Faultlines & Flooding can Increase Risk to Life & Property.**

Due to the volcanic origin of Rotorua, the district is subject to a number of natural hazards including earthquakes, volcanic and geothermal activity, subsidence and flooding. Development within sites subject to these hazards can significantly increase the risk to life and damage to property. Research into the methods available to mitigate and avoid each hazard in only fault lines and flooding being managed by the district plan. The remaining hazards are sufficiently managed under other legislation such as the Building Act 2004. The district plan intends to manage the design and location of development within impacted sites to avoid and mitigate any risks to life and property. Where a site is subject to fault lines or flooding, assessment against the objective and policy of part 2 is also required.
9.4.3 OBJECTIVES AND POLICIES [392.14; 162.15; 416.25]

The specific objectives and policies for the rural zones are stated below. The objectives and policies related to natural hazards, infrastructure and matters of national importance that cover all the zones in the district plan including the rural zones are [288.24] mentioned in Part 2 national and district matters of strategic importance. The objectives and policies for Iwi matters are [288.24] mentioned in Part 3.

The objectives and policies for the rural zones are stated below. The objectives and policies in Parts 1 to 3 and 14 to 16 should also be referred to where appropriate.

Activities Carried out on the Land Have an Effect on Water Quality

<table>
<thead>
<tr>
<th>Objective 9.4.1</th>
<th>9.3.1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural land use that leads to—</td>
<td>A reduction in nutrient losses from rural land uses thereby and contributes to improving the water quality of lakes, rivers, streams and wetlands, indigenous biodiversity and ecosystem functions. [436.20] stream, river, wetland and lake water quality [500.84; 500.86; 456.3; 370.31; 210.5; 410.5; 387.20; 424.18; 186.15; 186.3; 216.20; 233.16]</td>
</tr>
</tbody>
</table>

| Policy 9.4.1.1 | Avoid Manage the adverse effects of new rural [233.17] land use activities within the lake and river [436.21] catchments that have the potential to significantly [500.85] increase nutrient losses into streams, rivers, wetlands and lakes. [216.21; 436.20] |

| Policy 9.4.1.2 | Provide incentives in targeted areas to make land use and land management changes that achieve a significant reduction of nutrient losses. |

| Policy 9.4.1.3 | Consider favourably Promote indigenous re-vegetation, retirement and including the [436.22] legal protection of land and riparian areas that contribute to improving water quality, in particular on land that is: |

- Susceptible to erosion
- Along lakeshore and other riparian margins
- Adjoining already protected features
- In an area where biodiversity and ecological corridors can be improved, of existing indigenous vegetation or biodiversity, or where indigenous vegetation fragments can be reconnected as an ecological corridor [436.22; 417.7] |

| Policy 9.4.1.4 | Require the re-vegetation of gullies and wetland areas to assist both in filtering runoff and in reducing the nutrient level of stormwater before it enters the lakes and water bodies. [436.21] |

| Policy 9.4.1.5 | Require the on-going management of retirement areas so that vegetation is established, well maintained, and pest plants and pest animals [370.32] are controlled. |

Comment [AB9]: Peter Davies (Taharota Holdings Ltd) ENV-2015-AKL-000017


Comment [AB13]: Peter Davies (Taharota Holdings Ltd) ENV-2015-AKL-000017
Policy 9.4.1.6
Policy 9.3.1.6
Promote the change from high nutrient producing activities such as animal grazing to other rural activities indigenous vegetation, such as to offset the adverse effects on lake water quality, in areas where additional rural residential development is contemplated.

Policy 9.4.1.7
Policy 9.3.1.7
Ensure that land use change intending intended to improve lake water quality does not create significant adverse effects on indigenous biodiversity and rural amenity, particularly development for changes within the sensitive rural area in the Rotorua caldera.

Changes of Land Use & Subdivision can Result in the Loss of Maintenance of Productive Rural Land

Objective 9.4.2

**9.3.2**

Rural land that can be efficiently used for a wide range of productive uses.

Policy 9.4.2.1
Policy 9.3.2.1
Ensure buildings and activities do not worsen increase land instability by requiring stabilisation measures where necessary.

Policy 9.4.2.2
Policy 9.3.2.2
Manage intensive land use practices to ensure that land is capable of sustainable economic rural use without that does not harming the health and productivity of the underlying soil profile, by restricting intensive land use practices.

Policy 9.4.2.3
Policy 9.3.2.3
Control development outside SP1 area to maintain lot sizes that are large enough to ensure that lots are flexible and capable of a variety of uses by future generations.

Policy 9.4.2.4
Policy 9.3.2.4
Manage Reduce the land title fragmentation of the working rural environment by restricting the location of rural lifestyle activity, outside SP1 area.

Policy 9.3.2.5

Provide for rural based industrial activities and the use and development of the District's mineral and aggregate resources, subject to the management of adverse effects associated with these activities.

Industries that contribute to the rural economy are enabled providing there are no significant adverse effects.
## Objective 9.4.3 9.3.3
Rural zones that maintain or enhance their character and amenity. The character and amenity values of the rural environment are maintained and enhanced. [437.7, 379-188, 379-190; 420.62; 162.15]

### Policy 9.4.3.1
**Policy 9.3.1**
Ensure that land use change does not create significant adverse effects on rural character and amenity values, particularly development within the sensitive rural area on the caldera rim. [379.191; 284.3]

### Policy 9.4.3.2
**Policy 9.3.2**
Restrict activities in rural areas that adversely affect the character of the rural environment. [427.48; FS583.18; FS546.17; FS550.88; FS593.59]

### Policy 9.4.3.2
**Policy 9.3.2**
Enable activities that enhance the rural character and amenity in the rural zone, including by:

- Including diverse land uses such as pastoral use, outdoor recreation, indigenous vegetation, and exotic forestry
- Including maintaining the diverse landscape types
- Having large separation distances between dwellings and structures. A low density of buildings and generous separation distances between dwellings and other buildings. [193.19]
- Having buildings that are subordinate to the surrounding landscape
- Having an open vegetated landscape along the roads that is not affected by
- No continuous ribbons of residential roadside development along roads
- Having levels of noise and traffic appropriate to a rural environment
- Having low levels of artificial light
- Having unobtrusive and limited signage
- Having minimal earthworks or changes to landform associated with new subdivision, use or development [186.5, 379-188, 379-190, 379-192; FS546.16, FS593.59]

### Policy 9.4.3.4
**Policy 9.3.3**
Restrict the establishment of commercial and industrial activities in rural areas that are unconnected with the rural economy that may adversely affect the vitality and viability of the urban area commercial and industrial zones. [233.20; 379.193; FS550.87]

### Policy 9.4.3.5
**Policy 9.3.4**
Manage the adverse effects of rural lifestyle living on the working rural area by:

- Requiring high separation distances between dwellings and other buildings structures [193.19] on adjacent rural zones sites
- Requiring connection to existing available water and sewer
Objective 9.4.4

**Rural lifestyle living is supported by public utility services and infrastructure.**

Policy 9.4.4.1

**Encourage and provide for Restrict rural lifestyle living to where there is potential connection available to public utility services and infrastructure.**

Policy 9.4.4.2

**Avoid, remedy or mitigate the adverse effects of activities on the transport network when they could affect the function of the road within the road hierarchy and the safe and effective functioning of the wider transport network by:**

- Providing on-site vehicle parking, loading, manoeuvring and turning, and safe vehicle and pedestrian access to a road as well as pedestrian access.
- Considering the impact of increased traffic movement on the transport network, including the wider network intersections.

New Activities in the Rural Zones can be Sensitive to Adverse Effects From Existing Activities - Reverse Sensitivity

Objective 9.4.5

**New activity takes account of the potential sensitivity to disturbance from existing activity in the working rural environment. New sensitive activities are located and managed to avoid potential reverse sensitivity effects on the lawfully established activities in the rural environment.**

Policy 9.4.5.1

**Manage the location of residential or other activities potentially sensitive to disturbance from adverse effects by managing the location of new activities and buildings.**

Policy 9.4.5.2

**Require new rural industrial and commercial activities to provide mitigation measures mitigate adverse effects to ensure that established residential activities are able to continue to enjoy the qualities and character of the rural environment.**
The Character of Rural Settlements can be Affected by Activities in the Rural Zones

**Objective 9.4.6  9.3.5**
Maintain or where appropriate, enhance the rural—character of the villages of Mamakū, Reporoa, Ngākuru, Rerewhakaaitu, Kāingaroa [386.27] Broadlands and Golden Springs.

| Policy 9.4.6.1 | Policy 9.3.5.1 | Manage the effects of activities in and adjacent to the rural settlements so that their character is maintained and enhanced. |

Activity in the Rural Area can Have an Adverse Impact on Outstanding Natural Features & Landscapes, Significant Vegetation & Habitats of & Cultural Heritage [288.2; 379.2]

**Objective 9.4.7**
Outstanding natural features and landscapes and sites of cultural significance are protected and not adversely affected by activities in the rural zone.

| Policy 9.4.7.1 | Restrict activities that have the potential to adversely affect significant natural landscapes. |
| Policy 9.4.7.2 | Restrict activities that have the potential to adversely affect features of cultural significance |

Renewable Energy Activity is an Important Economic Driver, but can Adversely Affect the Environmental Quality & Amenity Values of the Rural Zones [134.14]

**Objective 9.4.8**
Development of geothermal and hydrological systems for the purpose of electricity generation that is balanced with the maintenance of the amenity and quality of the rural landscape, [182.27; 510.8; 420.64; 510.15; 235.12; 436.25]

| Policy 9.4.8.1 | Enable the efficient operation, maintenance, and upgrading of existing renewable electricity generating infrastructure and activities. [427.54; 235.13; 134.15] |
| Policy 9.4.8.2 | Manage the effects of exploration, development, construction, operation or extensions to geothermal electricity generating infrastructure and related activities to mitigate potential adverse effects on rural character and amenity. [427.55; 235.14] |
| Policy 9.4.8.3 | Restrict the location of new land uses that may potentially conflict with, restrict or compromise the existing operation of electricity generating infrastructure and activities or the ongoing or going use of the geothermal systems classified for development purposes by the relevant regional council. [427.56; 235.15; 134.17] |
**The Landscape of the Rotorua Caldera is Important to the Residents of the District and is Sensitive to Change That Affects its Character.**

**Objective 9.4.9 9.3.6 [417.10; FS583.19]**

The natural landscape (rural character) of the sensitive rural landscape (clause 16 (2)) area in the Rotorua caldera is maintained to provide a visual setting to the lake, its margins and the urban area of Rotorua.

<table>
<thead>
<tr>
<th>Policy 9.4.9.1</th>
<th>Enhance Maintain the distinctive natural landscape feature of the sensitive rural area in the Rotorua caldera through:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy 9.4.9.2</td>
<td>Ensure that new subdivision, use and development within the sensitive rural landscape area is consistent with the design guidance of the Boffa Miskell Ltd report ‘Rotorua Caldera Rim – Managing Built Change in the Rural Landscape – September 2012’[459.16] in order to protect and enhance the natural landscape of the caldera as a setting for the lake, its margins and the urban areas of Rotorua.[379.200]</td>
</tr>
<tr>
<td>Policy 9.4.9.3</td>
<td>Manage the effects of activities within the sensitive rural landscape area in the Rotorua caldera to ensure that its character and amenity is maintained by:</td>
</tr>
<tr>
<td>Policy 9.3.6.1</td>
<td>Confining buildings and structures predominantly to lake terraces</td>
</tr>
<tr>
<td>Policy 9.3.6.1</td>
<td>Minimising the visual effects associated with new subdivision, use and development</td>
</tr>
<tr>
<td>Policy 9.3.6.1</td>
<td>Limiting earthworks associated with new subdivision</td>
</tr>
<tr>
<td>Policy 9.3.6.1</td>
<td>Integrating buildings into the landscape by making use of indigenous vegetation and existing topographical features</td>
</tr>
<tr>
<td>Policy 9.3.6.2</td>
<td>Providing for limited subdivision use and development within the sensitive rural landscape area</td>
</tr>
<tr>
<td>Policy 9.3.6.2</td>
<td>Promoting subdivision use and development in areas that are screened from public view by existing development, landscape features or natural topography</td>
</tr>
<tr>
<td>Policy 9.3.6.2</td>
<td>Ensuring that the intensity and scale of proposed subdivision or land use in the sensitive rural landscape area, use and development does not create adverse cumulative effects</td>
</tr>
</tbody>
</table>
**Faultlines and Flooding [427.57]**

**Objective 9.3.7**
Manage subdivision, use and development in areas within the Waikato River catchment that are subject to high risk flood hazard to minimise risk to people and property.

**Policy 9.3.7.1**
Manage land use and development in areas subject to high risk flood hazard within the Waikato River catchment, including avoiding the placement of habitable structures which would be vulnerable to flood events and mitigating risks for non-habitable structures through design and location measures. [427.57]

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**9.3 9.4 ENVIRONMENTAL OUTCOMES** [162.13; 417.6; FS550.76; FS584.73; 420.60]

The efficiency and effectiveness of the policy framework of this part will be the focus of on-going monitoring and review. Effectiveness or achievement of the objectives will be assessed through performance indicators. The performance indicators will be developed to measure the following outcomes that the policy framework was put in place to achieve:

1. Improvement in water quality of Lake Rotorua, the Waikato River and other lakes, rivers and streams including Waikato River. [370.30]
2. Low net loss of non-productive rural land is lost through fragmentation or damage to soil quality with the exception of SP1 area. [379.185; 186.2]
3. Rural character and amenity of the rural zones is maintained. [437.7; FS584.74; 186.2; 417.6; FS550.76; FS584.73; 379.298; 379.303]
4. Minimal reverse sensitivity effects on existing activity as a result of rural residential or other incompatible use of development. [193.9; FS576.8; 78.13; FS563.14; 426.5; FS550.77; FS593.170; 447.41; 447.26; FS550.163; FS583.16]
5. There is no reduction to the integrity of the Outstanding Natural Feature Landscapes identified in the district plan
6. No net loss of characteristics, values or significance of outstanding natural features and landscapes, significant indigenous vegetation, indigenous biodiversity, significant habitats of indigenous fauna, ecological functions in the rural zones. [370.30; 436.19]
7. No loss of sites of historic heritage or cultural value.
8. Increase in the use of renewable energy resources.
9. No reverse sensitivity issues due to renewable energy development or production in the rural zone.
9.5 RULES

Table 9.5 identifies the status of activities which are provided for in this part of the plan.

Activities undertaken within each rural zone are classified in Table 9.5.

For ease of reference the zone coding in the residential zone columns refer to:

The following abbreviations for the zones are used in activity Table 9.5:

<table>
<thead>
<tr>
<th>RR1</th>
<th>RR2</th>
<th>RR3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural 1</td>
<td>Rural 2</td>
<td>Rural 3</td>
</tr>
<tr>
<td>Working Rural</td>
<td>Rural Lifestyle</td>
<td>Rural Village</td>
</tr>
</tbody>
</table>

[360.251] The activity class codings in the rural zone columns refer to:

The following abbreviations are used for classes of activities in activity Table 9.5:

<table>
<thead>
<tr>
<th>P</th>
<th>C</th>
<th>RD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted</td>
<td>Controlled</td>
<td>Restricted Discretionary</td>
</tr>
<tr>
<td>D</td>
<td>NC</td>
<td>Pro</td>
</tr>
<tr>
<td>Discretionary</td>
<td>Non-complying</td>
<td>Prohibited</td>
</tr>
</tbody>
</table>

The activity types in Table 9.5 are explained in the User Guide at the front of the district plan.

Meanings for the terms in Table 10.5 can be found in Part 17 Definitions.

Permitted and controlled activities shall comply with the relevant performance standards in section 10.6. [288.2; 288.28]

The activity status may be altered if the site contains or is adjacent to an item identified in Appendix 1 or 2 of the plan. [288.2; 288.28]

The zone rules below, and associated performance standards, do not apply to infrastructure activities unless specifically stated or referred to. Infrastructure rules and performance standards are located in Part 15, Infrastructure.

Table 9.5: Activities in the Rural Zones [410.2; 193.20; 343.20; FS550.109]
## Rules

<table>
<thead>
<tr>
<th>Rules</th>
<th>Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>that does not meet all of the relevant performance standards stated listed in 9.6.</td>
<td>RR1</td>
</tr>
<tr>
<td>2. Activities accessory to a permitted activity, other than those accessory activities otherwise listed in 9.5 [288.2; 379.2]</td>
<td>P</td>
</tr>
<tr>
<td>3. An activity not expressly stated in 9.5 [233.22; FS594.30; FS49.8; 416.39; FS583.30; FS584.46]</td>
<td>NC</td>
</tr>
<tr>
<td>4. Any land use activity community facility (rules 25 to 34) or tourism and recreation facility (rules 35 to 42)—within areas SP1 or SP2 that would otherwise be discretionary or non-complying that contributes to a reduction of nutrient losses as specified in section 9.8.5 which meets the requirements of performance standard 9.8.2.4 [233.23; 343.16; 379.202; 500.94]</td>
<td>RD</td>
</tr>
<tr>
<td>5. Accessory farm buildings not exceeding 500m² in floor area, including animal housing with a built-in and sustainable effluent treatment system that results in a reduction of nutrient losses [233.23, 343.19, 379.202, 500.94]</td>
<td>P</td>
</tr>
</tbody>
</table>

## Primary Rural Industry

<table>
<thead>
<tr>
<th>Rules</th>
<th>Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>7. Replacement of existing dairy sheds not within 20 metres of a lake, river, or stream [343.18; FS550.11]</td>
<td>P</td>
</tr>
<tr>
<td>8. Enclosure of livestock other than provided for by 9.5.8 [233.24; 343.19; 379.2]</td>
<td>D</td>
</tr>
<tr>
<td>9. Glasshouses [216.28; 110.4]</td>
<td>D</td>
</tr>
<tr>
<td>10. Plantation Forestry including harvesting [386.31; 426.6; FS593.171; 436.26; FS584.60; FS596.33; FS593.107; 386-43]</td>
<td>P</td>
</tr>
</tbody>
</table>

## Home & and Households [420.65; 420.81; FS598.16; 186.6; 208.5; 262.5; 360.119; FS598.24; FS583.26; 379.201; 410.10; 415.3; 417.11; FS570.3; 463.22; FS583.29; 474.4; 360.117; FS583.31; 459.9] |

<table>
<thead>
<tr>
<th>Rules</th>
<th>Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>11. Household Unit, one per lot</td>
<td>P</td>
</tr>
<tr>
<td>12. Additional household unit</td>
<td>Ξ</td>
</tr>
</tbody>
</table>
Rules | Zones
---|---
13. Buildings accessory to a household unit | P P P
14. One additional household unit that is subsidiary to an established household unit | P P P
15. An additional household unit, or an additional subsidiary household unit within the sensitive landscape area of the caldera rim as shown on planning map 216 [379.216] | D D D
16. Kaumātua Housing | Refer to Part 3
17. Papakāinga | Refer to Part 3

Retail & Commercial

18. Home based business | P P P
19. Veterinary clinic | P P P
20. Additions or extensions to existing retail shops | C C P
21. Show homes | C C C
22. Retail shop | NC NC P
23. Office activities other than for home based business [111.10; FS580.25; 424.19] | NC NC C
24. Service stations, motor vehicle and machinery repair garages | NC NC D

Community Facilities

25. Additions to, and upgrades of existing holiday parks | P P P
26. Daycare centres | D D D
27. Educational facilities | D D D
28. Community facilities | D D D
29. Funeral homes | D D D
30. Activities in accordance with the Approved Twin Oaks Development Plan contained within Appendix 5 [174.2; FS599.15; FS526.66; FS523.77; 197.2; 198.2; FS523.63; 355.2; FS526.55; FS539.4; FS544.3; FS522.5; FS523.11; 379.205; 494.4] | C C C NA RD NA
31. Retirement homes and villages unless otherwise specified | NC NC D
### Rules

<table>
<thead>
<tr>
<th>Rules</th>
<th>Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>24.32. Hospitals and medical centres unless otherwise specified</td>
<td>NC</td>
</tr>
<tr>
<td>33. Community housing</td>
<td>P</td>
</tr>
<tr>
<td>34. Marae</td>
<td>Refer to Part 3</td>
</tr>
</tbody>
</table>

#### Tourism & Recreation

<table>
<thead>
<tr>
<th>Rules</th>
<th>Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>26.35. Bed and Breakfast</td>
<td>P</td>
</tr>
<tr>
<td>27.36. Tourist accommodation other than Bed and Breakfast</td>
<td>D</td>
</tr>
<tr>
<td>28.37. Destination and Resort Spas</td>
<td>D</td>
</tr>
<tr>
<td>29.38. Backpackers, hostels</td>
<td>D</td>
</tr>
<tr>
<td>30.39. Holiday parks</td>
<td>D</td>
</tr>
<tr>
<td>31.40. Outdoor recreation activities (not involving firearms or motor vehicles)</td>
<td>P</td>
</tr>
<tr>
<td>31.41. Commercial outdoor recreation [386.22]</td>
<td>D</td>
</tr>
<tr>
<td>32.42. Activities accessory to outdoor recreation activities</td>
<td>D</td>
</tr>
</tbody>
</table>

#### Industrial Activities

<table>
<thead>
<tr>
<th>Rules</th>
<th>Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>33.43. Mining and quarrying [193.26; 233.25; 271.5; 426.7; 415.4; 420.68]</td>
<td>D</td>
</tr>
<tr>
<td>34.44. Prospecting and exploration and drilling [182.28; 193.16; 271.2; 427.58; 436.28; 436.27; FS598.22; FS593.108; FS594.31]</td>
<td>P</td>
</tr>
<tr>
<td>35.45. Rural contractors depots and workshops[233.26; 243.5]</td>
<td>D</td>
</tr>
<tr>
<td>36.46. Industrial or trade processes</td>
<td>NC</td>
</tr>
<tr>
<td>37. Buildings and structures[193.19] for the purposes of new geothermal or hydro electricity generation activities and additions or extensions to existing activities [134.21]</td>
<td>D</td>
</tr>
<tr>
<td>38. Ongoing operation, upgrade and maintenance of existing geothermal and hydrological electricity generation stations and associated activities and structures[193.19; 134.21]</td>
<td>P</td>
</tr>
<tr>
<td>39.47. Offensive trades [233.27]</td>
<td>NC</td>
</tr>
</tbody>
</table>

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Comment [AB42]: BOP Regional Council ENV-2015-AKL-000009
Comment [AB43]: BOP Regional Council ENV-2015-AKL-000009, Henderson Quarry Ltd ENV-2014-AKL-000228
Comment [AB44]: BOP Regional Council ENV-2015-AKL-000009
Comment [AB45]: BOP Regional Council ENV-2015-AKL-000009
Comment [AB46]: BOP Regional Council ENV-2015-AKL-000009
Comment [AB47]: BOP Regional Council ENV-2015-AKL-000009
Comment [AB48]: BOP Regional Council ENV-2015-AKL-000009
Comment [AB49]: BOP Regional Council ENV-2015-AKL-000009
Comment [AB50]: BOP Regional Council ENV-2015-AKL-000009
Comment [AB51]: BOP Regional Council ENV-2015-AKL-000009
Comment [AB52]: BOP Regional Council ENV-2015-AKL-000009
### Rules

<table>
<thead>
<tr>
<th>Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>RR1</td>
</tr>
</tbody>
</table>

### Signs

**Advice Note:** Signs within the road reserve of the residential zone are covered by the Signs on Roads Bylaw 2008, not the rules in this sub-section.

| Signs | P | P | P |

<table>
<thead>
<tr>
<th>Rule</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>41-49</td>
<td>Signs required for or established by official statute, rule, or regulation. [165.12, 287.14, 407.9, 409.3, 463.49] Signs that comply with the signage performance standards for the zone as specified in Appendix 8 [360.82]</td>
</tr>
<tr>
<td>42</td>
<td>Any sign displayed on construction sites denoting owner and professional and construction firms associated with an active building project on that site</td>
</tr>
<tr>
<td>43</td>
<td>Temporary signs, [360.40], that comply with the performance standards in Appendix 8—non site-related signs located in Approved Temporary Sign Locations as shown on Special Planning Map 207 [360.51]</td>
</tr>
<tr>
<td>51</td>
<td>Non site related signs outside the road reserve [360.51]</td>
</tr>
<tr>
<td>52</td>
<td>Signs located on a historic site or attached to a historic structure registered with Heritage New Zealand that are listed in Appendix 1. [298.41, 298.27]</td>
</tr>
<tr>
<td>44</td>
<td>Attached site related signs unless otherwise specified</td>
</tr>
</tbody>
</table>

### Temporary Events Activities [360.18]

<table>
<thead>
<tr>
<th>Rules</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>45-53</td>
<td>Temporary events</td>
</tr>
<tr>
<td>54</td>
<td>Temporary military training activities</td>
</tr>
<tr>
<td>46-55</td>
<td>Motorised sporting events on private land [360.18]</td>
</tr>
<tr>
<td>56</td>
<td>Motorised sporting events on roads [360.18]</td>
</tr>
<tr>
<td>47-57</td>
<td>Concert involving amplified music</td>
</tr>
</tbody>
</table>

### Airport Noise Contour Controls

<table>
<thead>
<tr>
<th>Rules</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>48-59</td>
<td>Any addition to an existing activity sensitive to aircraft noise within the inner noise control area shown on the Planning Maps</td>
</tr>
<tr>
<td>49-59</td>
<td>Any new activity sensitive to aircraft noise within the inner noise control area shown on the Planning Maps</td>
</tr>
</tbody>
</table>
### Rules

<table>
<thead>
<tr>
<th>Zones</th>
<th>Rules</th>
</tr>
</thead>
<tbody>
<tr>
<td>RR1</td>
<td>RR2</td>
</tr>
<tr>
<td><strong>50 60.</strong> Any new or extension to Activity Sensitive to Aircraft noise within the Air Noise area as shown on the Planning Maps</td>
<td>Pro</td>
</tr>
</tbody>
</table>

### Built Historic Heritage & Archaeological Sites

<table>
<thead>
<tr>
<th>Zones</th>
<th>Rules</th>
</tr>
</thead>
<tbody>
<tr>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>51 61. Internal alterations, [360.34] Maintenance and repair of historic heritage buildings, [298.23] structures and sites listed in Appendix 1 in accordance with the standards in Appendix 9</td>
<td>P</td>
</tr>
<tr>
<td>62. Internal alterations to historic structures where only the exterior of the structure is deemed to be historic</td>
<td>P</td>
</tr>
<tr>
<td>63. External [360.34] Alterations and additions, [298.24, 298.35, 298.69, 298.43, 298.56] to heritage buildings or [298.23, 34] structures listed in Appendix 1 where the internal structure or parts thereof is specifically identified as having heritage importance [360.34]</td>
<td>D</td>
</tr>
<tr>
<td>64. Disturbance of an archaeological or historic site, wāhī tapu and other tāonga identified in Appendix 1 or 2 unless provided for under A9.2.1 (386.52, 360.233)</td>
<td>D</td>
</tr>
<tr>
<td>65. Re-siting, or demolition of a historic heritage structure or building listed in Appendix 1</td>
<td>NC</td>
</tr>
</tbody>
</table>

### Significant Geothermal Features, Geothermal Vegetation, Significant Natural Areas

<table>
<thead>
<tr>
<th>Zones</th>
<th>Rules</th>
</tr>
</thead>
<tbody>
<tr>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>56 66. Restoration or re-vegetation or enhancement of geothermal features, geothermal [436.1, 500.151, 149, 436.29, 500.149] indigenous vegetation or significant natural areas associated with significant geothermal features [427.67] in accordance with the standards in Appendix 9 [386.35, 500.75, 500.36]</td>
<td>P</td>
</tr>
<tr>
<td>67. Development or other activities adjacent to Significant Geothermal Features (unless provided for under Rules 9.5.66) in accordance with the standards in Appendix 9 [436.1, 500.151, 500.38, 75, 36, 500.149, 416.39] than that provided for under Rule 9.5.65 that may impact affect a geothermal feature</td>
<td>D</td>
</tr>
<tr>
<td>68. Development that will affect a significant geothermal feature where consent has been granted under a Regional rule which has required an assessment of the effects on the significant geothermal feature, or is permitted by a Regional rule relating to the significant geothermal feature [427.28, 500.63, 427.69]</td>
<td>P</td>
</tr>
</tbody>
</table>

---

**Comment [AB54]:** Heritage NZ (NZ Historic Places Trust) ENV-2015-AKL-000005

**Comment [AB55]:** Heritage NZ (NZ Historic Places Trust) ENV-2015-AKL-000005

**Comment [AB56]:** Contact Energy Limited ENV-2015-AKL-000018, Henderson Quarry Ltd ENV-2014-AKL-000228
<table>
<thead>
<tr>
<th>Rules</th>
<th>Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>69.</strong> Use and development other than that provided for under Rules 9.6.6 - 9.6.68 that will affect a significant geothermal feature. [436.62, 379.39, 379.98, 500.62, 500.63, 500.42, 500.44, 436.30, 379.39, 385.5, 427.69, 416.39]</td>
<td>DD D D</td>
</tr>
<tr>
<td><strong>70.</strong> Disturbance, removal, restoration, re-vegetation, enhancement. [436.61 and 500.151, 36.149] indigenous vegetation in Significant Natural Areas in accordance with the standards in Appendix 9 [500.150, 85.5, 227.2, 386.35, 427.67, 500.36, 436.61 &amp; 500.151, 36.149]</td>
<td>P P P</td>
</tr>
<tr>
<td><strong>68.</strong> Development located within or on the boundary of a significant natural area unless otherwise specified</td>
<td>NG NG NA</td>
</tr>
<tr>
<td><strong>59 71.</strong> Upgrade, and alterations, maintenance or the replacement of any lawfully established building or structure of existing infrastructure. [271.6, 370.5] within a Significant Natural Area or outstanding natural feature of landscape that does not exceed the building envelope or footprint of the existing building or structure in accordance with Appendix 9 [436.32, 436.64, 271.6]</td>
<td>P P NA P</td>
</tr>
<tr>
<td><strong>60 72.</strong> Trimming or pruning of vegetation within a Significant Natural Area where its: [386.36, 426.8]</td>
<td>P P NA P</td>
</tr>
<tr>
<td>• affects the operations of existing high voltage transmission lines or [427.76] network utility structures or: [271.6, 370.5]</td>
<td></td>
</tr>
<tr>
<td>• affects the structural integrity of an existing fence [227.8] or;</td>
<td></td>
</tr>
<tr>
<td>• which will not result in the death or irreparable damage of the vegetation or: [85.5, 227.2]</td>
<td></td>
</tr>
<tr>
<td>• is directly adjoining existing pedestrian and cycle tracks for the purpose of maintaining the use of those tracks [436.67, 415.5, 420.68] or;</td>
<td></td>
</tr>
<tr>
<td>• will not result in a reduction in the identified values associated with the Significant Natural Area [436.33, 85.5, 227.2]</td>
<td></td>
</tr>
<tr>
<td>• affects the structural integrity of an existing building</td>
<td></td>
</tr>
<tr>
<td><strong>73.</strong> The maintenance of existing farm, forestry, skid sites and walking tracks within significant natural areas in accordance with Appendix 9. [436.67, 415.5, 420.68, 370.51, 85.2, 227.3, 227.6, 386.67, 415.6]</td>
<td>P P P</td>
</tr>
<tr>
<td><strong>74.</strong> Construction of new walking tracks within a significant</td>
<td>RD RD RD</td>
</tr>
<tr>
<td>Rules</td>
<td>Zones</td>
</tr>
<tr>
<td>-------</td>
<td>-------</td>
</tr>
<tr>
<td>natural area [227.10, 436.67, 420.68]</td>
<td>RR1</td>
</tr>
<tr>
<td>75. New buildings and structures located within the boundary of a significant natural area, unless otherwise specified [386.38, 420.67, 427.73, 436.123, 182.73, 85.3, 420.67]</td>
<td>NC</td>
</tr>
<tr>
<td>77.76. Disturbance or [386.36] - Removal of indigenous vegetation or grazing of livestock [420.67] within the boundaries of [386.36, 426.8, 420.67] a significant Natural Area other than that provided for under Rule 9.5.68</td>
<td>NC</td>
</tr>
<tr>
<td>77. New lake structures within the boundary of an identified significant natural area [Lakeside submitters]</td>
<td>D</td>
</tr>
<tr>
<td>Outstanding Natural Features &amp; Landscapes</td>
<td></td>
</tr>
<tr>
<td>78. Maintenance and replacement of existing lawfully established buildings, or lake structures within an identified outstanding natural feature or landscape or in accordance with Appendix 9 [436.64, 420.88, 386.34, 379.207]</td>
<td>P</td>
</tr>
<tr>
<td>79. Upgrade and maintenance of existing infrastructure including high voltage transmission lines [271.6] and infrastructure within an outstanding natural feature or landscape that does not exceed the building envelope or footprint of the existing building or structure [436.32, 370.35, 271.6, 386.35]</td>
<td>P</td>
</tr>
<tr>
<td>80. The maintenance of existing farm, forestry skid sites, and walking tracks within outstanding natural features and landscapes in accordance with Appendix 9 [436.67, 415.5, 420.68, 416.39, 227.9, 85.4, 227.10, 436.35]</td>
<td>P</td>
</tr>
<tr>
<td>88.81. Earthworks within outstanding natural features or landscapes in accordance with standards in Appendix 9 [379.2, 370.97]</td>
<td>P</td>
</tr>
<tr>
<td>82. Construction of new farm, forestry or walking tracks within an outstanding natural features or landscapes [227.10, 436.67, 420.68]</td>
<td>RD</td>
</tr>
<tr>
<td>83. Buildings or New buildings, structures and lake structures [193.19] located within the boundary of an land based [436.64] outstanding natural feature or landscape, unless otherwise specified</td>
<td>D</td>
</tr>
<tr>
<td>84. Earthworks within an outstanding natural feature or landscapes not provided for under Rule 9.5.68</td>
<td>D</td>
</tr>
<tr>
<td>Rules</td>
<td>Zones</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Appendix 10 [182.31, 379.2, 370.97]</td>
<td></td>
</tr>
<tr>
<td><strong>67.</strong> Mining and Quarrying where the extent of the ground and material land to be mined or quarried adjoins the boundary of an outstanding natural feature or landscape. [193.26]</td>
<td>D D NC NA</td>
</tr>
<tr>
<td><strong>86.</strong> Plantation forestry within the boundaries of an identified outstanding natural feature or landscape unless otherwise specified [436.69, 436.34, 426.14]</td>
<td>NC NC NC</td>
</tr>
<tr>
<td><strong>64.</strong> Removal of indigenous vegetation within the boundaries of an identified outstanding natural feature or landscape with the exception of vegetation located within residential zoned lots on the Mount Ngōngōtahā outstanding natural feature and landscape and the removal of up to 200m² of indigenous vegetation within other outstanding natural landscapes or features unless otherwise specified [436.69, 436.34]</td>
<td>NCP P P</td>
</tr>
<tr>
<td><strong>88.</strong> Removal of indigenous vegetation within the boundaries of an identified outstanding natural feature or landscape unless otherwise provided for [436.69, 436.34]</td>
<td>NC NC NC</td>
</tr>
<tr>
<td><strong>89.</strong> Forestry located on the Horohoro Bluffs [426.14], Mamakū Tors and Rainbow Mountain in accordance with Appendix [386.40]</td>
<td>P NA NA</td>
</tr>
<tr>
<td><strong>61.</strong> Buildings and structures [193.19] located within freehold lots within Mount Ngōngōtahā Outstanding Natural Landscape</td>
<td>P P NA</td>
</tr>
<tr>
<td><strong>62.</strong> Buildings and structures [193.19] ancillary residential buildings and rural farming production activities located within the Mamakū outstanding natural landscape that do not physically alter a Mamakū Tor</td>
<td>P P NA</td>
</tr>
<tr>
<td><strong>63.</strong> Earthworks and recontouring of land associated with standard farming practices that result in the modification of a Mamakū Tor feature [182.31]</td>
<td>NC NC NA</td>
</tr>
<tr>
<td><strong>64.</strong> Removal of indigenous vegetation located on a Mamakū Tor feature</td>
<td>NC RD NA</td>
</tr>
<tr>
<td><strong>65.</strong> Buildings and structures [193.19] that protrude above into the skyline when viewed from outside of the site [379.208, 288.2] within an outstanding natural feature or landscape unless otherwise specified [436.69, 436.34]</td>
<td>NC D NA</td>
</tr>
<tr>
<td><strong>70.</strong> The construction or maintenance of walking tracks to</td>
<td>B B B</td>
</tr>
<tr>
<td>Rules</td>
<td>Zones</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Provide for public access to significant natural areas, waterbodies,</td>
<td>RR1 RR2 RR3</td>
</tr>
<tr>
<td>historic sites and buildings or outstanding natural features or</td>
<td></td>
</tr>
<tr>
<td>landscapes</td>
<td></td>
</tr>
<tr>
<td>The construction of new walking, farm and forestry tracks within a</td>
<td>RD RD RD</td>
</tr>
<tr>
<td>significant natural area or outstanding natural features or landscape</td>
<td></td>
</tr>
<tr>
<td>Notable Trees</td>
<td></td>
</tr>
<tr>
<td>94. Maintenance of a notable tree or removal of dead notable tree</td>
<td>P P NA</td>
</tr>
<tr>
<td>listed Appendix 1 in accordance with the standards in Appendix 9</td>
<td></td>
</tr>
<tr>
<td>95. Removal of a notable tree identified in Appendix 1 not provided</td>
<td>D NC NA</td>
</tr>
<tr>
<td>for under Rule 9.5.71 9.5.95 [379.135]</td>
<td></td>
</tr>
<tr>
<td>undertaken within the dripline of a notable tree identified in</td>
<td></td>
</tr>
<tr>
<td>Appendix 1 that would impact on affect the integrity and health of</td>
<td></td>
</tr>
<tr>
<td>the tree [360.43, 379.38, 379.97, 288.12]</td>
<td></td>
</tr>
<tr>
<td>Esplanade Reserves or Strips</td>
<td></td>
</tr>
<tr>
<td>97. Maintenance and replacement of existing lawfully established</td>
<td>P P P</td>
</tr>
<tr>
<td>buildings, infrastructure, or structures within 25 metres from the</td>
<td></td>
</tr>
<tr>
<td>bank of a lake or from a river or stream identified on Planning Map 203 [516.19] in accordance with Appendix 9 or where the activity is located within an Electricity Generation Core site</td>
<td></td>
</tr>
<tr>
<td>98. New [4235.65]buildings, and lake structures [423.65, 516.19:162.38, 162.43, 415.5, Lakeside settlement submitters] — structures (excluding maimai stands) [162.37, 162.43, 415.5] and earthworks [182.31, Appendix 10 Hearing Report], located within 400-25 metres from the margin of banks of [420.85, 420.132] a lake, or from a river or stream identified on the planning map 203 as being an area identified for esplanade reserve acquisition, except as provided for by Rules 9.5.97 [233.38 500.144:420.85]</td>
<td>D D D</td>
</tr>
<tr>
<td>99. Removal of indigenous vegetation or earthworks within riparian</td>
<td>D D D</td>
</tr>
<tr>
<td>margins unless otherwise provided for within this part, Rules 9.5.98,</td>
<td></td>
</tr>
<tr>
<td>9.5.99, 9.5.101 or Appendix 10 [436.68]</td>
<td></td>
</tr>
<tr>
<td>100. Construction of public walking tracks within esplanade reserves</td>
<td>P P P</td>
</tr>
<tr>
<td>or strips [436.67, 415.5, 420.68]</td>
<td></td>
</tr>
<tr>
<td>75. Maimai not exceeded 6m² in floor area within 25 metres of the</td>
<td>P P P</td>
</tr>
<tr>
<td>edge of any lake or waterway as</td>
<td></td>
</tr>
</tbody>
</table>

Comment [AB68]: Federated Farmers of NZ ENV-2015-AKL-000016
### Rules

<table>
<thead>
<tr>
<th>Zones</th>
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<tbody>
<tr>
<td>RR1</td>
</tr>
<tr>
<td>RR2</td>
</tr>
<tr>
<td>RR3</td>
</tr>
</tbody>
</table>

**Activities Subject to Flooding**

76. New buildings, replacement of or additions to existing buildings on land subject to flooding as shown by the flood level on planning map 209

77. Activities temporary and minor buildings and structures (clause 16(2): 192.19) not for purposes of habitation within areas subject to flooding as shown on planning map 209

78. New or extensions to public recreational facilities and flood control structures by public works on land subject to flooding as shown on planning map 209

**Activity Within the National Grid Subdivision an Electricity Transmission Line Corridor**

79. Activities buildings and structures (193.19) in accordance with permitted criteria.

80. Any sensitive activity, building or structure located within the inner electricity transmission corridor within the rural zone and not permitted by rule 9.5.79

81. Any sensitive activity closer than 8 metres to the outer edge of a pole support structure or closer than 12 metres to a tower support structure

82. Earthworks within the inner electricity transmission corridor (182.31, appendix 10 Hearing Report)

83. Any buildings, structure or activity sensitive to the transmission network located within the outer electricity transmission corridor

101. Any building, structure or activity (other than subdivision), within the National Grid Subdivision Corridor that is not a non-complying activity within the National Grid yard. [447.various]

**Within any part of the National Grid Yard: [447.various]**

102. The following buildings and structures more than 12m from the outer visible edge of a National Grid support structure foundation or stay wire:

   a) Fences less than 2.5m high.

   b) Alterations and additions to existing buildings that do not involve an increase in the building envelope or height.
### Rules

**c)** Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid.

**d)** Uninhabitable farm buildings and structures for farming activities excluding milking sheds (accessory structures are permitted) and intensive farming activities.

**e)** Any official or safety sign required by law or provided by any statutory body in accordance with its powers under any law.

**f)** Uninhabitable horticultural buildings and structures excluding commercial glass houses, PSA structures and intensive farming activities.

---

### Zones

<table>
<thead>
<tr>
<th>Rules</th>
<th>Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RR1</strong></td>
<td><strong>RR2</strong></td>
</tr>
<tr>
<td>c) Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid.</td>
<td>P</td>
</tr>
<tr>
<td>d) Uninhabitable farm buildings and structures for farming activities excluding milking sheds (accessory structures are permitted) and intensive farming activities.</td>
<td></td>
</tr>
<tr>
<td>e) Any official or safety sign required by law or provided by any statutory body in accordance with its powers under any law.</td>
<td></td>
</tr>
<tr>
<td>f) Uninhabitable horticultural buildings and structures excluding commercial glass houses, PSA structures and intensive farming activities.</td>
<td></td>
</tr>
</tbody>
</table>

103. The following buildings and structures within 12m from the outer visible edge of a National Grid support structure foundation or stay wire:

- **a)** Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid.
- **b)** Fences less than 2.5m in height and more than 5m from the nearest support structure.
- **c)** Horticultural Structures between 8m and 12m from a pole (but not a tower) support structure that:
  - meet the requirements of New Zealand Electrical Code Of Practice for Electrical Safe Distances (NZECP 34:2001)
  - are no more than 2.5m high
  - are removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance purposes; and
  - allow all weather access to the pole and a sufficient area for maintenance equipment, including a crane.
- **d)** An agricultural or horticultural structure where Transpower has given written approval in accordance with Clause 2.4.1 of NZECP34:2001 to be located within 12m of a tower or 6m of a pole support structure.

104. Within any part of the National Grid Yard:

- **a)** Any new building or addition to an existing building that involves an increase in the building envelope or height, for a sensitive activity.
- **b)** A change of use to a sensitive activity or the
### Rules

<table>
<thead>
<tr>
<th>Zones</th>
<th>RR1</th>
<th>RR2</th>
<th>RR3</th>
</tr>
</thead>
<tbody>
<tr>
<td>establishment of a new sensitive activity.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Milking shed, commercial glasshouses, PSA Structures or other buildings for an intensive rural production activity (excluding accessory structures).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Any activity, buildings and structures (including those within Rules 103 and 104) within the National Grid Yard that do not meet the performance standards within 9.6.12 and Appendix 10.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) Any building or structure within the National Grid that is not a permitted activity under Rules 103 and 104</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Activities Affected by Fault Lines

<table>
<thead>
<tr>
<th>Rule</th>
<th>Description</th>
<th>Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>84.1</td>
<td>Additions to existing buildings or replacement buildings located within the fault avoidance area on Planning Map 211 [360.55]</td>
<td>P</td>
</tr>
<tr>
<td>85.1</td>
<td>Non-habitable Buildings of low importance and structures [193.19] or replacement buildings located within the fault avoidance area on Planning Map 211 e.g. farm buildings, fences, structures with a floor areas of less than 30 square metres, masts/towers in rural situations and temporary structures [360.55]</td>
<td>P</td>
</tr>
<tr>
<td>86.1</td>
<td>New habitable buildings located within the fault avoidance area on Planning Map 211 [360.55]</td>
<td>RD</td>
</tr>
</tbody>
</table>

### Other Activities

<table>
<thead>
<tr>
<th>Rule</th>
<th>Description</th>
<th>Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>87.1</td>
<td>Buildings, structures or activities requiring earthworks, or clearance of indigenous vegetation within 100 metres of the bank of the Waikato river</td>
<td>RD</td>
</tr>
<tr>
<td>108.1</td>
<td>Buildings [182.31; Appendix 10 Hearing Report] within 25 metres of the bank of the main stem of the Waikato River and clearance of indigenous vegetation and earthworks (excluding where associated with the reasonable and normal activity of forestry) within 20 metres from the top of the banks of the main stem of the Waikato River other than within the Electricity Generation Core Site [233.44; FS598.23; FS593.23; 370.101; FS593.49; 386.41; FS550.102; FS596.29; 427.79; 436.36; FS593.111; FS529.21]</td>
<td>RD</td>
</tr>
<tr>
<td>109.1</td>
<td>Earthworks [182.31; FS584.59; FS594.46; S529.16; FS596.54]</td>
<td>P</td>
</tr>
<tr>
<td>88.1</td>
<td>Felling or destruction of any indigenous tree with a height of less than 6 metres and having a trunk</td>
<td>P</td>
</tr>
</tbody>
</table>
### Rules

**RR 1** | **RR 2** | **RR 3**
---|---|---

| **9.9.10** | Disturbance and removal of indigenous vegetation on land identified on the Planning Maps as bio-vegetation areas. \([436.37; 436.38; FS546.20; FS584.58; FS596.53; FS594.47; FS593.112; FS580.20; FS589.14]\) | **RD** | **RD** | **RD** |
| **9.9.11** | Felling of exotic vegetation other than forestry in accordance with Rule 9.5.10 not within an area identified in Appendix 1 or 2 \([233.45; FS593.24; FS596.26; 243.6; FS593.32; FS596.27; 343.21; FS593.42; FS550.101; FS596.28; 386.42; FS550.103; FS596.30; 426.9; FS593.174; 427.80; FS584.57; FS593.71; FS596.32; 391.2]\) | **D** | **P** | **P** |
| **9.9.12** | Planting for the purposes of amenity improvement, erosion control and riparian management \([386.43]\) | **P** | **P** | **P** |
| **9.9.13** | Parking of heavy vehicles on rural-residential site. \([243.7]\) | **NA** | **P** | **D** |
| **9.9.14** | Activities undertaken on a site of potential contamination without remediation | **D** | **D** | **D** |
| **9.9.15** | Stockpiling of fill or other materials not otherwise associated with on-site general farming and forestry practices | **D** | **NC** | **NC** |
| **9.9.16** | Helicopter take-off and landing areas | **D** | **NC** | **NC** |
| **9.9.17** | Utilities. \([447.30; FS583.27]\) | See Part 15 | |
| **9.9.18** | Any activity that involves the use, storage, transportation or disposal of hazardous substances and/or contaminants; or any activity on contaminated or potentially contaminated land | See Part 16 | |
| **11.9** | Demolition of buildings \([379.2; 447.2]\) | **P** | **P** | **P** |
| **12.0** | Any noise sensitive activity within the 45 dB LAeq Noise Control boundary surrounding the Reporoa Dairy Manufacturing site \([343.20; FS550.109]\) | **D** | **NA** | **NA** |
| **12.1** | Activities in accordance with the Approved Whangamoa Trust Development Plan contained within Appendix 5 \([110.3]\) | **C** | **C** | **C** |
| **12.2** | Activities in accordance with the Approved Kāingaroa Papakāinga Development Plan contained within Appendix 5 \([110.3; 386.22]\) | **P** | **P** | **P** |

Comment [AB70]: Mighty River Power Limited  ENV-2015-AKL-000023

Comment [AB71]: Federated Farmers of NZ  ENV-2015-AKL-000016

Comment [AB72]: Peter Davies (Taharota Holdings Ltd)  ENV-2015-AKL-000017
### Rules

<table>
<thead>
<tr>
<th>Rules</th>
<th>Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>123. Application for approval of a new development plan as outlined under Appendix 5 [420.103, 504.9]</td>
<td>D</td>
</tr>
<tr>
<td>124. Development in accordance with the Ōturoa Vista development plan [48.6]</td>
<td>RD</td>
</tr>
<tr>
<td>125. Development in accordance with the Taheke 8C development plan. [420.50, 429.5]</td>
<td>Refer to Appendix 5</td>
</tr>
<tr>
<td>126. Development in accordance with the Ōwhatiura development Plan. [21.5]</td>
<td>Refer to Appendix 5</td>
</tr>
<tr>
<td>127. Operation, maintenance, demolition and replacement of existing lake structures.</td>
<td>P</td>
</tr>
<tr>
<td>128. Replacement of existing lake structures outside the existing footprint, where the scale is the same or reduced and the number of structures is reduced.</td>
<td>C</td>
</tr>
<tr>
<td>129. Lake structures not otherwise provided for as permitted or controlled activities.</td>
<td>RD</td>
</tr>
</tbody>
</table>

### NOTICE: NATIONAL GRID: [447 VARIOUS]

1. Where an activity requires resource consent because it is within the National Grid Corridor or National Grid Yard then the application need not be publicly notified and need not be served on any affected party apart from Transpower New Zealand limited who will be considered an affected party.

2. Vegetation to be planted within the National Grid Corridor should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

3. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001) contains restrictions on the location of structures and activities around electricity lines. Compliance with this code is mandatory. Compliance with this plan does not ensure compliance with NZECP34:2001. The electricity line operator can be contacted for advice for any activities around the electricity network.
9.6 PERFORMANCE STANDARDS [416.28; FS583.39]

Permitted or controlled activities undertaken within the rural zones shall comply with all the following performance standards. [182.33]

1 Maximum Height and Daylight Envelope

a. Except as provided for by any other performance standard in 9.6, the maximum height of a building or structure [193.19] shall not exceed;

i. 7.5 [5.4; 387.5; 417.12; 420.69; 437.5; 459.7; FS590.4; 463.23; FS583.22; 467.9] metres above the natural ground level within any rural zone unless otherwise specified.

ii. 10 metres above the natural ground level for non-habitable buildings in the Rural 1 zone. [416.28; fs583.39]

iii. 5.0 metres above the finished ground level of the building platform within area A of the Pukehangi Estate area as identified in Appendix 5.

iv. 7.5 metres above the finished ground level of the building platform within area B of the Pukehangi Estate area as identified in Appendix 5.

v. 6.0 metres above the natural ground level for or sites within the Sensitive Rural area Area on the Rotorua caldera rim.

vi. Wind turbines shall not exceed 20 metres in height from natural ground level.

vii. Telecommunication structures for domestic purposes (e.g. aerials, tv antennas) attached to a building shall not exceed 5 metres above the relevant height standard set out above.

b. The maximum height specified under 9.6.1.a. is subject to complying with the following:

i. No building or structure [193.19] shall penetrate the Obstacle Limitation Surface as defined by Rotorua Regional Airport Limited Designation a6.12 in Appendix 6 and shown on Special Map 208.

ii. No part of a building shall extend outside the daylight envelope. [379.209]

2 Yard Requirements [386.45; FS583.33;35.11; FS593.11]

a. Buildings and Structures [193.19; 182.65; FS576.7]

All buildings and structures [193.19] must meet the following yard requirements: [182.65]

a i. Front Yards

The minimum front yard within sites under [379.210] 4 hectares in the Rural 1 zone

The minimum front yard within sites above 4 hectares in the Rural 1 zone

The minimum front yard in the Rural 2 zone

The minimum front yard in the Rural 3 zone

b ii. Side Yards

The minimum side yard within sites under [379.210]
4 hectares in the Rural 1 zone 10.0 metres \([459.6; FS576.10; FS590.5]\)

The minimum side yard within sites above 4 hectares in the Rural 1 zone 20.0 metres \([387.18]\)

The minimum side yard in the Rural 2 zone 7.5 metres

The minimum side yard in the Rural 3 zone 2.5 metres

c iii. Rear & and Rear Site Yards

The minimum rear or and rear site yard for sites under 4 hectares in the Rural 1 zone 10.0 metres

The minimum rear or rear site yard for sites over 4 hectares in the rural 1 zone 20.0 metres \([387.19]\)

The minimum rear or and rear site yard in the Rural 2 zone 7.5 metres

The minimum rear or and rear site yard in the Rural 3 zone 2.5 metres

Provided that:

Where the site is located within the Pukehangi Estate area of the Rural 2 zone, as identified in Appendix 5, the yard requirements stated in the Approved Development plan shall be met.

b.d Single Storey Accessory Buildings in the Side or Rear Yards in Rural 3 zone \([186.7; 576.9; 379.211]\)

Single storey accessory buildings (e.g. garages, carports and sheds) may be constructed no less than 1.0m of the side or rear yard boundary provided they comply with all other performance standards and the following standards:

i. Only one accessory building is permitted on each rear or side boundary.

ii. The maximum length of the accessory building on a side or rear boundary is 6.0 metres.

iii. The maximum height of the accessory building is no more than 3.2 metres.

iv. Any external wall shall be a minimum of 1.0 metre from any side or rear boundary and no part of the building above or below the ground shall transgress the boundary (e.g. eaves).

v. No door shall be created in any exterior wall of the building that is within 2.5 metres of the boundary and faces that boundary (i.e. at an angle to the boundary of less than 90 degrees).

c.e Yards where the site adjoins a water body.

No building shall be erected within 20 metres \([387.7]\) of the edge of any river or stream identified on planning map 203, or any lake with a surface area in excess of 8 hectares or within 5 metres of any esplanade reserve of strip, or in relation to the Waikato River (including Lake Ōhakuri and Lake Atiamuri), within the 25 metres of the Waikato River Operating Easement boundary \([427.82]\).

df. No building may be constructed over any part of a site that has been identified for road widening in Appendix 6 without the consent of the relevant road controlling authority \([379.212]\).

d.g Where road widening is identified as being required, any required yard shall be measured from the boundary of the road widening designation, rather than the lot boundary.
e. Notwithstanding other provisions in 9.6.2, yard requirements shall not apply to service infrastructure and geothermal pipelines that cross a property boundary.

3 Site Coverage [186.8; FSS94.50; 379.213; FSS94.49; FSS83.34; 417.13; FSS64.10]

a. Rural 1 zone

Site coverage for sites under 4 hectares in area shall not exceed 1000m². [387.8]

Site coverage for sites above 4 hectares in area shall not exceed 25% of the land area.

Impermeable surfaces shall not exceed 40% of the site.

Accessory farm buildings shall not exceed 500m² in total [233.23, 343.16, 379.202, 500.94].

b. Rural 2 zone

Site coverage shall not exceed 1000m² or 25% of the site area, whichever is the less.

However, where the site is located within the Pukehangi Estate area of the Rural 2 zone, as identified in Appendix 5, the site coverage requirements stated in the Approved Development plan shall be met.

c. Rural 3 zone

Site coverage shall not exceed 40% of the site.

A minimum of 10% of the net site area shall be provided as useable outdoor recreation and amenity space for each dwelling, shall not intrude into any of the required yard areas and shall be separate from any open area used for parking and turning of vehicles.

4 Household Unit Density [417.14; 424.20; 437.6; FSS83.35]

a. Rural 1 zone

One household unit per site, except:

i. For sites that exceed an area of 40-80 hectares, one household unit per 15-40 useable [379.214] [343.25] hectares.

ii. One additional household unit not exceeding 72m² net gross floor area and that is subsidiary to an existing household unit. [387.9]

b. Rural 2 zone

i. No more than one household unit per 8,000m² of the site area shall be constructed onsite within areas not serviced by public reticulation for sanitary sewer wastewater, provided that the requirements of the relevant regional council for the treatment and management of sanitary sewer wastewater including any associated disposal field is met.

ii. No more than one household unit per 4,000m² of the site area shall be constructed onsite within areas serviced and connected to public reticulation for sanitary sewer.

iii. One additional household unit not exceeding 72m² gross net floor area and that is subsidiary to an existing household unit [233.47; FSS83.36]

iv. i, ii and iii above do not apply to the Brunswick Park area, where no more than one household unit per 8000m² of the site area shall be...
constructed onsite. In addition to an existing household unit in the Brunswick Park area, one additional household unit not exceeding 72m² net gross floor area may be constructed as a subsidiary part of the principal unit, but not as a separate building.

c. Rural 3 zone
   i. No more than one household unit per 1,500m² net of the site area shall be constructed onsite within areas not serviced by public reticulation for sanitary sewer wastewater provided that the requirements of the relevant regional council for the treatment and management of sanitary sewer wastewater, including any associated disposal field is met.
   ii. No more than one household unit per 1000m² of the site area shall be constructed onsite within areas serviced and connected to public reticulation for sanitary sewer.
   iii. One additional household unit not exceeding 72m² net gross floor area and that is subsidiary to an existing household unit.

5 Parking, Access & Turning
   i. Shall be provided in accordance with the provisions of Appendix 4.
   ii. All vehicle crossings shall be provided and constructed to the standards of the relevant Road Control Authority.
   iii. There is no requirement for on-site parking and turning for forestry activities.

6 Noise

Noise levels from any activity within any rural zone shall not exceed the following limits when measured at the notional boundary of the receiving site:

<table>
<thead>
<tr>
<th>Time</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daytime</td>
<td>7am to 10pm, any day</td>
</tr>
<tr>
<td>Night-time</td>
<td>and at all other times</td>
</tr>
</tbody>
</table>

The following activities are exempt from the above noise restrictions:

a. Construction noise. (NZS6803:1999 will be used for assessment of construction noise.)

b. Temporary military training.

c. Helicopters,

d. Aircraft operating for a purpose accessory to a permitted agricultural activity.

e. Emergency services.

f. Vehicles and mobile machinery associated with agricultural and forestry production that are of limited duration and not in a fixed location (note that the requirements of s16 and s17 of the Resource Management Act or any relevant provision superseding them will need to be satisfied).
g. Noise levels from well drilling shall not exceed the following limits when measured at the notional boundary of a dwelling within the rural zone:

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Noise Levels</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daytime</td>
<td>7am to 10pm, any day</td>
</tr>
<tr>
<td>Night-time</td>
<td>At all other times</td>
</tr>
</tbody>
</table>

h. Any new building with habitable rooms within the Electricity Generation Core Site Noise Control Boundary identified on Planning Maps 214 and 540 shall be designed to achieve an internal noise level of 35LAeq. If windows are required to be closed to achieve the required internal noise level the building shall be designed and constructed to provide an alternative means of ventilation in accordance with clause G4 of the New Zealand Building Code.

7 Noise: Bird Scaring Devices and Frost Fans [147.1]

a. Any audible bird scaring devices shall be operated as follows:

i. Noise from audible explosive bird scaring devices shall only be operated between sunrise and sunset, and shall not exceed 100dB LZpeak, when measured within the notional boundary of any rural zoned site, or within the site boundary of any residential zoned site.

ii. Discrete sound events of a bird scaring device including shots or audible sound shall not exceed 3 events within a 1 minute period and shall be limited to a total of 12 individual events per hour.

iii. Where audible sound is used over a short or variable time duration, no event may result in a noise level greater than 50dB SEL when assessed at the notional boundary of any rural zoned site, or within the site boundary of any residential zoned site.

iv. A legible notice is fixed to the road frontage of the property on which the device is being used, giving the name, address and telephone number of the person responsible for the operation of any such device(s).

b. Any frost fans shall be operated as follows:

i. Noise generated by frost fans shall not exceed 55dB LAeq [15min] when assessed within the notional boundary of any rural zoned site, or within the site boundary of any residential zoned site.

ii. A legible notice is fixed to the road frontage of the property on which it is being used, giving the name, address and telephone number of the person responsible for its operation.

8 9. Glare & Light

a. Activities shall be managed so that direct or indirect illumination measures not more than 10 lux on any site boundary.

b. Provided that for buildings and structures [193.19] located within the Pukehangi Estate area of the Rural 2 zone, as identified in Appendix 5, the lighting and glare requirements stated in the Approved Development plan, shall be met.

9 40. Earthworks

All activities shall comply with the earthworks performance standards contained in Appendix 10. [426.13; FS593.178; FS585.41]
10.14. Temporary Events Activities [360.53]

Any temporary military training activity shall be permitted.

Notwithstanding any other performance standard in 9.6, temporary activities and events shall be permitted subject to the following –

a. Any temporary event as defined in part 17 is a permitted activity subject to complying with the glare and light standards of the zone.

b. Where deemed to be required by council a Traffic Management plan shall be submitted to council prior to the commencement of the temporary event. The plan shall include (without limitation) all site entry and access points, parking layout, pedestrian routes and traffic control measures that address any safety issues. The Traffic Management plan must be agreed to by council prior to commencement of the activity.

c. Any temporary military training activity shall be permitted.

a. Any noise from an amplification system shall not be used earlier than 8:00am and shall finish no later than 10:30pm (Sunday to Thursday) or 11:00pm (Fridays and Saturdays). Testing shall not last more than six hours between 9.00am and 7.00pm.

d. If the activity has access to the State Highway then New Zealand Transport Agency must be consulted with.

b. All temporary events shall comply with the glare and light noise standards of the zone.

11.12. Signs

a. Please refer to Appendix 8 for performance standards relating to signs. (379.11)

12.4. Reflectivity of Buildings & Structures [193.19]

The permitted reflectivity shall be as follows:

a. For buildings and structures located within the Pukehangi Estate area of the rural 2 zone, as identified in Appendix 5, the reflectivity of buildings and structures requirements stated in the Approved Development plan shall be met.

b. For sites within the sensitive and less sensitive landscapes within the Rotorua caldera rim as shown on the planning map 216, the reflectivity value of external walls and roofs shall not exceed 37%.

13.12. Activity Activities, buildings and structures within the National Grid Yard Transmission Corridor

a. Each building or structure shall not exceed 2.5 metres in height and 10 m² in floor area.

b. Upgrading and the replacement of existing buildings is provided for subject to the existing floor area and height not being exceeded.

ba. Activities, buildings and structures within the National Grid Yard, as defined in Chapter 17 and [Cl.16] identified on the planning maps, shall comply with at least one of the following performance standards:

i. A minimum vertical clearance of 10 metres below the lowest point of the conductor associated with National Grid lines; or

ii. Demonstrate that safe electrical clearance distances are maintained in accordance with Sections 2 and 3 of The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001).
14.13. Micro or Mini-Scale Wind Turbines

Any wind turbines located on land that are either rooftop/attached to a building integrated shall not exceed 3 metres above the building height. The rotor blades shall not exceed 1 metre in diameter.

15.14. Location of Buildings within the Rotorua Caldera Rim

a. No new building shall be erected within 20 metres of the top of an escarpment with a slope of 15 degrees or more. [379.217]

b. Location of buildings within the Caldera Rim: No new building shall be located within 20 metres of the top of an escarpment with a slope of 15 degrees or more. (97.2)

c. Within Lot 3 DPS 394524 no buildings shall be located between the 340m and 370m contour. (97.2)

16.15. Plantation Forestry

The permitted plantation forestry shall be as follows [379.218; FS596.34; 35.11; FS593.1]

a. Upon establishment or replanting [426.11; FS594.55; FS593.176] of plantation forest no planted area shall be closer than 30 metres [218.38; FS593.11; FS550.117; FS594.57; FS596.39; 504.21; FS550.118; FS594.56; FS596.40] from:

i.a. Any dwelling or building.

ii.b. The boundary of any residential zone.

iii.c. The boundary of any Rural 2 or 3 zone. [233.50; FS596.38; FS594.54; FS593.25]

iv.d. Public roads where vegetation could shade the paved part of the road between the hours of 10am and 2pm on the shortest day of the year, unless:

v. Topography is already preventing the direct access of sunlight onto the road; or

vi. The road is a private road, an unsealed road (which is not programmed to be sealed within the lifetime of this plan) or the vegetation existed at the time of notification of the proposed plan; or

vii. The written consent of the relevant road controlling authority is obtained, and submitted to the Rotorua District Council, prior to the commencement of planting, which clearly shows the location of the vegetation, and confirms that the road controlling authority is satisfied that the vegetation does not pose a safety risk. [386.48; FS596.35]

b.e. Upon establishment or replanting of plantation forest no planted area shall be closer than:

i. 5 metres from any perennial river and stream with a channel width less than 3 metres.

ii. 10.5 metres [426.11] from any perennial rivers and streams with a channel width greater than 3 metres.

iii. 10.5 metres from the edge of [379.218] lakes, wetlands and remnant areas of indigenous biodiversity including significant natural areas (SNA). [436.40]

iv. Any plantation forestry located within outstanding natural features and landscapes or cultural sites, or significant natural areas (SNA)
shall be in accordance with the provisions of Part 2 and 3.

c. No proposed dwelling or building shall be located within 30 metres from the edge of any established plantation forest.

d. When replanting immediately adjacent to indigenous vegetation identified, mapped or scheduled in a district of regional plan as a significant natural area replanting must not take place closer than the stump line of the previous crop.

17.16. **Prospecting, Exploration and Drilling**

The minimum permitted exploration shall be Prospecting, exploration and drilling activities shall comply with the following standards:

a. The maximum area for a drill pad shall be **200,750 m²**.

b. Bulk sampling shall not exceed a maximum of 500 m³.

c. Excavated material shall not cover more than 500 m³, or exceed a maximum height of 2 metres.

d. The maximum height for a drill rig and ancillary plant and machinery shall be 30 metres.

The prospecting and exploration activities shall not involve the use of explosives.

e. Within one calendar year of the conclusion of any prospecting and exploration activities the site shall be fully restored to the condition prior to the start of the activity. Unless an alternative restoration plan has been agreed in writing by the council before the cessation of the activity, all excavations shall be backfilled, topsoil redistributed, hard surfaces removed or broken up and covered with soil, all equipment, buildings, structures and waste materials removed from the site, and any vegetation removed shall be replanted with similar species.

f. No prospecting, exploration and drilling shall be carried out within an area of outstanding natural features or landscape or a significant natural area.

g. The duration of the activity on site shall not exceed six months.

18. **Reverse Sensitivity**

a. A 150 metre separation distance shall be maintained between a sensitive activity and the following activities on a site under separate ownership:

   - Rural contractor’s depot
   - An enclosure for livestock
   - A dairy shed
   - Land use for storage and disposal of animal waste
   - Land use for storage and disposal of dairy factory waste water and dairy liquids
   - A silage pit

b. A separation distance of 300 metres shall be maintained between a sensitive activity and an existing quarry or existing mining activity.
19. **Lake Structures**

An existing lawful lake structure is a Permitted Activity provided that the lake structure complies with the following performance standards:

i. is maintained in a structurally sound condition for the purpose for which it was constructed;

ii. where upgrading or replacement occurs, does not result in any increase in the base area or height of the lake structure (except as provided for in viii below) and is located within the existing lake structure’s footprint. The addition of a handrail is permitted;

iii. is not painted with any anti-fouling coating designed to emit any toxic substance;

iv. has design components and surface colours that are the same or similar in character to those existing;

v. the use is limited to the purpose for which it was established;

vi. does not stop or impede public access from public places to the jetty at any reasonable time or period, without preventing the reasonable use of the lake structure by the owner of the structure;

vii. The height of the deck of any jetty may be increased, but in such an event it shall not exceed 1.2 metres above the mean lake water level.

Advice Note: The lake structure must be securely connected into the bank or bed of the lake to meet the standards set under the Building Code.

20. **Natural Hazards**

a. Setbacks from geothermal hazards,

   i. No building shall be erected within 5 metres of the edge of any geothermal feature.

   ii. No hard surfaces shall be constructed within 5 metres of the edge of any geothermal feature.

b. Replacement buildings within the fault avoidance area should be within the existing building footprint.


   i. Building platform must be above the stated maximum lake level.

   ii. The maximum height of a building or structure shall not exceed 7.5 metres above the natural ground level. The following may apply: for sites where the building platform has to be raised to be above the stated maximum lake level, the roof structure may exceed the 7.5 metres height limit by up to 1.0 metre, providing the building does not extend outside the daylight envelope.

d. Except as required by rule 9.6.20.e, development of Land or Buildings Susceptible to Inundation from Surface Water.

   i. Any habitable additions to existing buildings shall provide a building platform filled to above the 2% AEP flood level.
ii. Any replacement building shall provide a building platform filled to above the 2% AEP flood level and be located entirely within the existing building footprint.

e. Other than buildings within the Electricity Generation Core Site, any building located within the Waikato River catchment shall provide a building platform to above the 1% AEP flood level. [Evidence by submitter 427]
9.7 CONTROLLED ACTIVITIES: METHOD OF ASSESSMENT

The matters over which council shall reserve its control are stated in rule 9.7.1 and 9.7.2. Controlled activities shall comply with the performance standards in the zone.

Controlled activities are identified in Table 9.5 above and shall comply with the performance standards in the zone. The Council must grant consent but may impose conditions in relation to matters over which it has reserved its control. The matters over which council reserves its control are stated in this section. [288.28]

9.7.1 General Matters of Control

Council will consider the relevant assessment criteria below for activities listed as controlled activities:

Where activities in Table 9.5 are listed as controlled activities they shall comply with the performance standards for the zone, in which they are located. For the avoidance of doubt, Rule 9.5.1 states that controlled activities that do not meet the performance standards stated in 9.6 are restricted discretionary activities.

Where activities in 9.5 are stated as controlled activities, the matters over which council has reserved its control and may impose conditions of consent in relation to are stated in Rules 9.7.1 and 9.7.2.

9.7.1 Matters Over Which Control is Reserved

Council may impose conditions in relation to:

1. Building Design, Site Layout and Amenity

The extent to which:

a. The privacy and outlook for neighbouring occupiers is maintained.

b. The principles of CPTED are implemented, including provision for the passive surveillance of any adjoining road or reserve.

c. The amenity of the adjoining properties and of the zone is maintained and enhanced.

d. The character and environmental quality of the adjoining properties, the street scene and the zone is maintained and enhanced.

e. The principles of sustainable building design are implemented to make use of solar gain.

f. Building design and site layout does not compromise the future subdivision by demonstrating subdivision can be undertaken in a complying manner.

a. The specific design of the site layout and orientation of buildings and structures.

b. The relationship of the location of activities on the site with those on adjoining sites.

c. External materials of buildings and structures affecting the character and amenity of the rural landscape.

d. Existing and proposed hard and soft landscaping and means of enclosure.

e. The method of earthworks incidental to the activity.

f. Adverse effects from natural hazards or the worsening of any hazard.
2. Parking, Access & Turning

The extent to which:

a. On site design, location and surfacing of access, parking and turning areas provides for practical use and maintains the amenity of neighbouring occupiers.

b. Adequate sight distances to prevent adverse effects on traffic flow and safety is provided.

c. The requirements of an integrated transport assessment carried out in accordance with Appendix 4 can be implemented.[448.5]

d. How the activities will avoid, remedy or mitigate any adverse effects on the function and safe and efficient operation of the transport network.[448.5]

a. Design, location, and surfacing of parking and vehicle circulation areas to ensure safe and efficient vehicle, pedestrian and cyclist movements.

b. Design, location, number and surfacing of access to ensure the function and safe and efficient operation of the transport network is maintained.

c. The results of any required traffic impact assessment as outlined under Appendix 4.[360.124]

3. Noise

a. Potential adverse effects generated from noise associated with the congregation of people and vehicles.

b. The hours of operation of any activity which generates noise.

c. The location of noise generating activities in relation to adjoining, existing residential activities.

d. Potential for there to be reverse sensitivity arising from the location of new residential activities adjoining, existing non-residential activities.

e. Methods employed to mitigate the adverse effects of noise and vibration.

4. Measures to Secure Water Quality Improvement [370.36]

a. The revegetation, retirement and legal protection of land, gullies, wetlands and riparian areas.

b. Revegetation of land, gullies, and wetlands and riparian areas [233.51]

c. The management and maintenance of revegetation and retirement areas.

5. Natural Hazards [500.65; 500.7; 500.49; 500.64, 500.71]

a. Adverse effects from natural hazards or the worsening of any hazard identified on the Special Interest Series maps 209 to 214 are managed.

b. Activities subject to flooding may be required to provide a flood risk assessment by a suitably qualified person that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk. This applies primarily for significant developments, [500.145]

c. The extent to which new or replacement buildings or additions to existing buildings, for the purpose of habitation located within the Waikato River catchment mitigate the flood risk caused by a 1% Annual Exceedance Probability storm event (1 in 100 year return period flood event). [Evidence by submitter 427]
9.7.2 Additional Matters Over which Control is Reserved for Specific Activities

In addition to the criteria of 9.7.1, Council may impose conditions in relation to the following matters for the specific activities listed below:

1. Flooding
   a. Development of Land or Buildings Susceptible to Inundation From Surface Water
      i. Any habitable additions to existing buildings shall provide a building platforms filled to above the 2% AEP flood level
      ii. Any replacement building shall provide a building platforms filled to above the 2% AEP flood level and be located entirely within the existing building footprint.

2. Development of Land or Buildings Susceptible to High Ground Water Tables & Flood Levels
   a. The ground water table must be established with reference to the average water level of the river or stream or the maximum desirable lakes level as determined by the relevant regional authority.
   b. Filling to not less than 1.0 metre above mean water table level (as established under b above) and to not less than the 2% AEP flood level shall be provided in order to provide a dry building platform in accordance with relevant statutory requirements.
   c. Any fill completed above shall not result in displacement of surface ponding off the site onto other properties.

3. The Following Shall Apply to the Design of Stormwater Treatment & Management for Sites:
   a. Secondary flow (normally surface flow) paths shall be designed and constructed to ensure that surface water shall not enter buildings; and
   b. All required surface flow paths shall be on public land vested in Council, except where secondary flow paths are designed and constructed over shared vehicle access ways or rights of way.
   c. Roads maybe used to provide stormwater ponding and overland flow paths when the primary system is overloaded.

2. Lake Structures
   a. The design of the lake structure to meet the reasonable needs of water craft using the structure taking into account the morphology of the lake bed and depth of the lake water and weather conditions.
   b. The availability of the jetty for public use from public places at reasonable times and periods, without hindrance preventing the reasonable use of the lake structure by the owner of the structure.
   c. The extent to which public access along public areas adjoining the lake are adversely affected.
   d. The extent to which design components and surface colours are in harmony with the landscape character and amenity of the surrounding area.
   e. Re-instatement of vegetation to integrate the lake structure with the existing landscape character and amenity of the surrounding area.
9.8  

**RESTRICTED DISCRETIONARY ACTIVITIES: METHOD OF ASSESSMENT**

Where activity in 9.5 are stated as restricted of discretionary activities the matters to which council shall restrict its discretion are stated in Rule 9.8.1 and 9.8.2.

Activity is expected to meet the performance standards of the zone, however in instances where one or more performance standards are not met, Council will limit its discretion to the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matter of discretion. (379.2, 288.17)

### 9.8.1 General Assessment Criteria

Council shall restrict its discretion to the following matters in the case of all restricted discretionary activities. (c16; 288.2; 379.2)

1. **Natural Hazards** [500.66; 500.146, 500.7; 500.49; 500.64, 500.71]
   a. Adverse effects from natural hazards or the worsening of any hazard identified on the Special Interest Series maps 209 to 214 are managed.
   b. Activities subject to flooding may be required to provide a flood risk assessment by a suitably qualified person that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk. This applies primarily for significant developments. [500.145]
   c. The extent to which new or replacement buildings or additions to existing buildings, for the purpose of habitation located within the Waikato River catchment mitigate the flood risk caused by a 1% Annual Exceedance Probability storm event (1 in 100 year return period flood event). [Evidence by submitter 427]
   d. New Habitable Buildings Located Within the Fault Avoidance Area. [360.107; 360.122; 360.123]

   In order to assess the risk arising from locating a habitable building within a fault avoidance area, a natural hazard assessment report from a suitably qualified person/geotechnical engineer shall be provided for new buildings located within the fault avoidance area with this identifying the potential location of the Fault line, its recurrence interval and any subsequent building design and location requirements or restrictions on use. [379.2; 288.2; 427.3]

2. **Character and amenity values for the zone**

   The extent to which the activity adversely affects the character and amenity values of the zone.

3. **Financial contribution**

   Whether the proposal requires a financial contribution under the provisions of Part 14.
9.8.2 Additional Assessment Criteria for Specific Activities

The council will consider the relevant assessment criteria below for activities listed as restricted discretionary activities. (379.2)

1. Permitted & Controlled Activities that do not meet the Performance Standards [379.219]

   Activity is expected to meet the performance standards for the zone, however in cases where one or more performance standards are not met, an application will be assessed against the following criteria and council will limit its discretion to:

   a. The extent of the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the particular standard.

   b. The extent to which not meeting the performance standard will have reverse sensitivity effects on existing lawful activity or existing infrastructure can be avoided, remedied or mitigated.

   c. Whether the proposal requires a financial contribution under the provisions of Part 14.

   Council will limit its discretion to the effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies.

   a. How the aspect of non-compliance will reduce the amenity of the zone and affect neighbouring residents.

   b. How the Activity provides more efficient and practical use of the remainder of the site.

   c. Provision of adequate sight distances to prevent on-street congestion caused by ingress or egress of vehicles to and from sites.

   d. To ensure that access, on-site parking, queuing and manoeuvring areas are suitably designed and located to provide efficient circulation on site and to avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.

   e. Protection of specified qualities and characteristics of an outstanding natural feature or landscape. If the activity is within the Sensitive Rural Area, consideration to the Boffa Miskell Ltd report “Rotorua Caldera Rim Managing Built Change in the Rural Landscape September 2012.”

2. Any Addition to an Existing Activity Sensitive to Aircraft Noise within the Inner Noise Control Area

   Council shall restrict its discretion to the following matters:

   a. The nature, size and scale of the proposed additions.

   b. The application of the applicable acoustic performance standards listed in Appendix 7 to existing parts of the structure housing the activity sensitive to aircraft noise.

   c. Whether, having regard to all the circumstances (including location in relation to the Airport, likely exposure of the site to aircraft noise, noise attenuation and ventilation measures proposed, and the number of people to be accommodated) the nature, size and scale of the addition is likely to lead to potential conflict with and adverse effects upon airport activities.

   d. Whether it is reasonable to require acoustic treatment measures (including measures for internal air quality purposes) in existing rooms, or whether such measures should be limited to the additions.

   e. Any assessment criteria applicable to the activity under any other part of the
3. Exploration

Council shall restrict its discretion to the following matters:

a. Ongoing maintenance and management of rehabilitated areas,

b. The requirement of a bond to guarantee the satisfactory implementation of a restoration scheme,

c. Provision of public liability insurance to cover the duration of the activities for an amount based on a consideration of the nature and scale of activities proposed and the likely and reasonable cost of the risk to the environment. The indemnity expressed in the insurance policy may be required to include coverage for claims arising from damage caused by or resulting from fire, and all fire-fighting costs. [239.19]

4. Buildings, Structures, or Activities Requiring Earthworks, or Clearance of Indigenous Vegetation within 100–25 Metres of the Bank main stem of the Waikato River [233.52; F5549.13; F5590.27; 436.42; F5593.115; F5550.122]

Council shall restrict its discretion to the following matters:

a. The potential adverse effects on the character, health and wellbeing of the Waikato River and its surroundings.

b. How the activity complies with the objectives of the zone and Parts 2 and 3.

c. The extent to which the activity provides for the ongoing functioning of ecological processes, maintenance and enhancement of natural character and amenity values, water quality, restoration and connectivity of habitats and improved public access to and along the river. [436.42]

5. Activity within area SP1 or SP2 that would otherwise be Discretionary or Non-Complying that contributes to a reduction of Nutrient Losses

Council shall restrict its discretion to the following matters:

a. Discretion shall be restricted to consideration of the positive effects on water quality [379-204],

b. How the activity complies with the objectives of the zone and Parts 2 and 3.

c. The extent to which the land use change will result in a minimum reduction of nutrient losses on the site, at 500kg of Nitrogen per annum. [379-204]

6. Enclosure of Livestock

An activity involving the enclosure of livestock shall be assessed by consideration of the extent to which the activity:

a. Avoids, manages or mitigates the adverse effects of traffic, noise, odour, and dust,

b. Avoids, manages or mitigates the adverse visual effects.

6. Development in accordance with the Ōtūroa Vista Development plan (48.6)

See Appendix 5.
7. Development in accordance with the Twin Oaks Development plan
(48.6)
See Appendix 5

8. Lake Structures [Evidence by submitter Aaron Collier]

a. The existing provision, availability and suitability of existing lake structures in
   the vicinity of the site that would otherwise enable reasonable lake access.

b. The extent to which the new structure would contribute to the cumulative
   adverse effects on the carrying capacity of the bay and the recreational
   opportunity.

c. The effects of the lake structure on the public access and use of the lake
   and adjoining public areas.

d. The extent to which the structure contributes to the recreational and social
   benefits and environmental wellbeing.

e. The design of the lake structure to meet the reasonable needs of water craft
   using the structure taking into account the morphology of the lake bed and
   depth of the lake water and weather conditions.

f. The availability of the jetty for public use from public places at reasonable
   times and periods without preventing use of the lake structure by the owner
   of the structure.

g. The extent to which the main design components and surface colours of the
   lake structure are in harmony with the landscape character and amenity of
   the surrounding area, whilst allowing reasonable provision for the safety and
   protection of vessels using the structure.

h. The extent to which re-instatement of vegetation will integrate the lake
   structure with the existing landscape character and amenity of the
   surrounding area.

i. The management of adverse effects on resources, sites or areas of spiritual,
   cultural and historical significance to tangata whenua where those
   resources, sites or areas have been identified by tangata whenua.

Advice Note: In the case of Lake Structures the Plan’s general criteria for restricted
discretionary activities shall not apply.
9.9 **DISCRETIONARY ACTIVITIES: METHOD OF ASSESSMENT**

Council may decline an application for a discretionary activity or grant a resource consent subject to conditions that will ensure that the activity does not have any significant adverse effects on the environment and that the relevant objectives and policies of this Part and Parts 2 and 3 are upheld.

Council may grant or decline an application for a discretionary activity and may impose conditions.

In assessing the proposal, Council can consider all relevant objectives and policies within the district plan, all potential environmental effects, and any matters outlined in the Act without limitation as part of the decision making. Conditions may be imposed in relation to any of these matters. [288.2; 288.28]

Whilst not limiting the exercise of its discretion, Council may also consider the particular matters below for the activities listed as Discretionary in the activity table. [288.2; 288.28]

9.9.1 **General Assessment Criteria [379.220]**

The general criteria for assessing applications for discretionary activities and conditions that may be imposed are set out below:

1. The effect on the character and amenity zone.
2. The effect on the amenity of the neighbouring residents, including protection of privacy and outlook and protection from adverse effects from any source of disturbance.
3. The effect on the landscape and on-site landscaping, in particular where the activity is prominent when viewed from the road or other public land.
4. The cumulative effect on the character and amenity area.
5. How the activity implements sustainable building design and promotes energy efficiency.
6. The impact of the proposal promotes on the function and safe and efficient operation of the transport network.
7. The quality of private recreation and amenity space and of parking and turning space.
8. How the activity is in accordance with the provisions of Appendix 4.
9. Promotion of the principles of CPTED.
10. The risk from geothermal features that affect the site.
11. The effects of no-residential activity on the character and amenity of the zone.
12. The effects on the quality of the water environment streams, rivers, lakes and wetlands.
13. Where the activity can be connected to existing transport networks and utility services.
14. Access to or increase in the demand on public opens space and reserves.
15. The quality of the landscape and of any proposed landscaping scheme designed to mitigate the potential adverse effects of the activity.
16. Any potential adverse effects of noise, vibration, light or any other source of disturbance.
17. The potential for reverse sensitivity to the effects of noise, vibration, light or any other source of disturbance. [193.20; 78.22]
18. The potential adverse effect on the sustainable use of the land and quality of the soils.

19. The positive effects of revegetation, retirement and legal protection of land and riparian areas, re-vegetation of gullies and wetland areas and the management and maintenance of retirement areas.

20. The extent to which the activity impacts [clause 16(2)] or alters geothermal surface features and associated vegetation.

21. The location and or design of the proposal detracts from the qualities and characteristics specified of a landscape or feature identified in Appendix 2 or the natural character of the environment.

22. Adverse effects from natural hazards or the worsening of any hazard. The extent to which the proposal contributes to indigenous biodiversity, ecosystems, the protection of significant natural areas [436.43; FS584.68].


24. How the activity complies with the Objectives and Policies of the zone and Parts 1, 2 and 3.

25. The level of compliance with the performance standards of the zone.

26. The extent to which the requirements of an integrated transport assessment carried out in accordance with Appendix 4 can be implemented. (448.5)

27. Natural Hazards
   a. Adverse effects from natural hazards or the worsening of any hazard identified on the Special Interest Series maps 209 to 214. The likelihood and consequences of a natural hazard event will be assessed to determine the level of risk associated with natural hazards. [500.67] [500.145; 500.77; 500.71; 500.69; 500.7; 500.49; 500.64, 500.71]
   b. Activities subject to flooding may be required to provide a flood risk assessment by a suitably qualified person that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk. This applies primarily for significant developments. [500.145] The report shall identify the potential risk from flooding, any recommendations for floor levels, earthworks or engineering works. [379.2; 288.2; 427.3]
   c. The extent to which new or replacement buildings or additions to existing buildings, for the purpose of habitation located within the Waikato River catchment mitigate the flood risk caused by a 1% Annual Exceedance Probability storm event (1 in 100 year return period flood event). [Evidence by submittor 427]

9.9.2 Additional Assessment Criteria for Specific Activities

In addition to the criteria of 9.9.1, the following additional assessment criteria shall apply to specific activities:

I. Any New Activity Sensitive to Aircraft Noise, within the Inner Noise Control Area
   a. Whether, having regard to all the circumstances (including location in relation to the Airport, likely exposure of the site to aircraft noise, noise attenuation and ventilation measures proposed, and the number of people to be accommodated) the nature, size and scale of the activity is likely to lead to potential conflict with and adverse effects upon airport activities.
   b. Any particular issues of safety relating to occupants of the site, or aircraft, in relation to any proposed activities or buildings on the site.
c. The desirability of reasonably limiting the intensity of development and activities within the Inner Control area, including in relation to proposed subdivisions and higher density residential development.

d. Whether it is reasonable to require acoustic treatment measures (including measures for internal air quality purposes) in existing rooms, or whether such measures should be limited to the additions.

2. **Activities within the Sensitive Rural Landscape [379.216] Area of the Rotorua Caldera [379.221]**

In addition to the other general matters of discretion the following relate specifically to the sensitive rural area.

a. The extent to which buildings, roads and infrastructure in the sensitive rural area are located to be sympathetic to the landscape character and amenity by avoiding ridgelines, escarpments, and the edge of prominent terrace areas.

b. The ability to cluster development to minimise adverse effects on landscape and rural character.

c. The extent to which buildings are designed to blend in with the surrounding landscape avoiding earthworks that change the land contour to any significant extent.

d. The extent of compliance with the reflectivity performance standards relating to the colour and finish of buildings.

e. The effectiveness of building design to avoid adverse visual effects by using modulation to minimise the dominance of buildings.

f. The extent to which natural materials are used on buildings to integrate into the rural environment.

g. The extent to which earthworks for access, building sites and infrastructure result in visual effects that cannot be mitigated or result in a significant change to the rural character of the area.

h. The extent to which proposed roads and accessways cut across a hillside or into a prominent slope.

i. The extent to which new infrastructure is located to avoid the caldera rim ridgeline and prominent upper slopes of the caldera.

j. The extent to which buildings and development exceeds the permitted activity standards.

8. **Activities within an Electricity Transmission Corridor**

Buildings and structures [193.19] not related to the electricity transmission line that are located within the existing inner electricity transmission corridor, shall be assessed in terms of the following:

a. Practical access and maintenance to the transmission line and any support structure;

b. The risk to the structural integrity of the transmission electric line;

c. The risk of activities causing electrical faults resulting in disruption to electricity supply;

d. The risk of electrical hazards affecting public safety and risk of property damage;

e. The nature and location of any proposed earthworks;

f. The identification of building platforms; [Evidence by submitter 447]
93. Helicopter Take-Off and Landing Areas
   a. Approach paths to and from all helicopter facilities, other than for temporary or emergency purposes. These shall be located so that no residential zones are flown over at lower than 300 metres above ground level at that point.
   b. Topographical features and existing buildings and the likely effect on visual and noise impacts of the proposal.
   c. Proposals for the monitoring and regular audit of noise and other environmental impacts.

10. New Habitable Buildings Located Within the Fault Avoidance Area

A natural hazard assessment report from a suitably qualified person/geotechnical engineer shall be provided for new buildings located within the fault avoidance area with this identifying the potential location of the faultline, its recurrence interval and any subsequent building design and location requirements or restrictions on use.
9.10 NON-COMPLYING ACTIVITIES: METHOD OF ASSESSMENT

Applications for resource consent must be assessed on their merits against the requirements of the act. Consent for a non-complying activity may be granted only if Council is satisfied that either:

a. —— the adverse effects of the activity on the environment (other than any effect on a person who has given written approval to the application) will be minor;

or

b. —— the application is for an activity that will not be contrary to the objectives and policies of the plan or proposed plan.

If the proposal meets either of the two tests, council can then consider all other relevant matters and may grant or decline an application. If neither test is met, Council must decline the resource consent application.

Non-complying activities have the potential to create adverse effects on the environment that are more than minor. Such activities may be provided for in other zones, where the environment is more suited to accommodating the adverse effects of these activities. Consent may be refused or granted subject to conditions. Council must be satisfied that the adverse effects of the activity on the environment will be minor or the activity will not be contrary to the objectives and policies of the plan contained within the zone and parts 2 and 3. To help determine this, the activity will be assessed against any relevant discretionary criteria for the zone as well as assessment against the requirements of the act. [420.71]

9.11 FINANCIAL CONTRIBUTIONS

A financial contribution for reserves and heritage historic heritage purposes shall be taken for those activities specified in Part 14. The contribution shall be taken in accordance with the provisions of Part 14, as if the activity was subject to an application for resource consent.

Where the existing council services cannot sustain a proposed new activity, the applicant must demonstrate the new activity has the ability to meet its own servicing needs, or a condition may be imposed requiring the applicant to upgrade council services. To enable this to occur, a condition may be imposed requiring a financial contribution up to the maximum of the actual cost of the necessary works.

9.12 SUBDIVISION

Subdivisions complying with the provisions stated in 9.6 and with the provisions of Part 13 shall be a discretionary activity unless otherwise specified in Table 13.10 such as subdivision that protects a significant natural area, or that results in a reduction of nutrients entering the water environment. The criteria on which a subdivision application will be assessed, and any conditions that council may impose, are included in Part 13.