

# Part 4: APPENDICES AND MAPS

## APPENDICES

### **APP1**

#### PARKING, ACCESS AND TURNING

## APP1

## PARKING, ACCESS AND TURNING

Status: APP1 is Operative

## 1. DISABLED PARKING STANDARDS

The following table applies to all zones except the city centre zones. There are no on-site parking requirements for the city centre zones. In all other zones on-site parking spaces shall be provided for persons with disabilities. Parking spaces for disabled persons must be provided in accordance with the following minimum requirements:

Activity	Parking Performance Standard	
Banks and Post Offices	Floor Area	Parking Spaces Required
	<40m <sup>2</sup>	0
	≥40m <sup>2</sup> but < 420m <sup>2</sup>	1
	≥ 420m <sup>2</sup>	2
Casinos	Minimum Parking Spaces	1
	2 shall be provided where:	(persons gambling facility designed to cater for/5) + (staff employed on the site at any one time/2) ≥ 10.5
	3 shall be provided where:	(persons gambling facility designed to cater for/5) + (staff employed on the site at any one time/2) ≥ 98.5
Daycare centres (includes Kōhanga Reo, playcentres, kindergartens and all like activities)	Staff	Parking Spaces Required
	Staff ≤ 9	1
	Staff > 9	2
Holiday Rental Accommodation	Unit Design Capacity	Parking Spaces Required
	Persons < 4	0
	Persons ≥ 4	1
Home based business enterprise	1 parking space required	

Activity	Parking Performance Standard	
Hospitals	Minimum Parking Spaces	1
	2 shall be provided where:	$(\text{beds}/5) + (\text{staff employed on the site at any one time}/2) \geq 10.5$
	3 shall be provided where:	$(\text{beds}/5) + (\text{staff employed on the site at any one time}/2) \geq 98.5$
<del>Household Residential</del> units (includes dwelling houses, subsidiary <del>household residential</del> units, residential accommodation and all like activities, but excludes holiday rental accommodation)	0	
Indoor and outdoor commercial recreation facilities and places of assembly (includes churches, community facilities, convention centres, marae and all like activities)	Design Capacity	
	<10 persons	0
	$\geq 10$ persons, but < 105 persons	1
	$\geq 105$ persons, but < 985 persons	2
Plus an additional 1 space for every additional 500 persons		
Industrial activities (includes storage facilities and all like activities)	Net Floor Area	
	< 2,750m <sup>2</sup>	1
	$\geq 2,750\text{m}^2$	2
Industrial activities in the rural areas such as dairy manufacturing and geothermal power station and associated steamfield activities.	Employees	
	< 5	1
	$\geq 5$ , but < 93	2
Plus an additional 1 space for every 50 employees		
Medical centres	Net Floor Area	
	<100m <sup>2</sup>	0
	$\geq 100\text{m}^2$ , but < 1,050 m <sup>2</sup>	1
	$\geq 1,050\text{ m}^2$	2
Medium Density Housing in the Commercial 3 Zone within the Wharenui Road area.	<del>Household Residential</del> Units	
	< 7	1
	$\geq 7$	2
Motor vehicle repair garage (includes service stations and all like activities)	Minimum Parking Spaces	1
	2 shall be provided where:	There are 3 or more service bays; or There are 2 service bays and 4 or more staff are employed on site at

Activity	Parking Performance Standard									
	any one time.									
Offices (includes administrative and professional offices, information centres, veterinary hospitals and all like activities)	<table border="1"> <thead> <tr> <th>Net Floor Area</th> <th>Parking Spaces Required</th> </tr> </thead> <tbody> <tr> <td>&lt;100m<sup>2</sup></td> <td>0</td> </tr> <tr> <td>≥100m<sup>2</sup>, but &lt; 1,050 m<sup>2</sup></td> <td>1</td> </tr> <tr> <td>≥ 1,050 m<sup>2</sup></td> <td>2</td> </tr> </tbody> </table>	Net Floor Area	Parking Spaces Required	<100m <sup>2</sup>	0	≥100m <sup>2</sup> , but < 1,050 m <sup>2</sup>	1	≥ 1,050 m <sup>2</sup>	2	
Net Floor Area	Parking Spaces Required									
<100m <sup>2</sup>	0									
≥100m <sup>2</sup> , but < 1,050 m <sup>2</sup>	1									
≥ 1,050 m <sup>2</sup>	2									
Other activities	To be determined on the basis of the particular proposal with a view to avoiding, remedying or mitigating any adverse effects on the environment.									
Premises for the consumption of liquor (includes taverns, bars, nightclubs, chartered clubs and all like activities)	<table border="1"> <tbody> <tr> <td>Minimum Parking Spaces:</td> <td>1</td> </tr> <tr> <td>2 shall be provided where:</td> <td>(3x bar space capacity/10) + (staff employed on the site at any one time/2) ≥ 10.5</td> </tr> <tr> <td>3 shall be provided where:</td> <td>(3x bar space capacity/10) + (staff employed on the site at any one time/2) ≥ 98.5</td> </tr> </tbody> </table>	Minimum Parking Spaces:	1	2 shall be provided where:	(3x bar space capacity/10) + (staff employed on the site at any one time/2) ≥ 10.5	3 shall be provided where:	(3x bar space capacity/10) + (staff employed on the site at any one time/2) ≥ 98.5			
Minimum Parking Spaces:	1									
2 shall be provided where:	(3x bar space capacity/10) + (staff employed on the site at any one time/2) ≥ 10.5									
3 shall be provided where:	(3x bar space capacity/10) + (staff employed on the site at any one time/2) ≥ 98.5									
Residential activities in the Wharenui Road area	0									
Restaurants	<table border="1"> <thead> <tr> <th>Design (seats)</th> <th>Parking Spaces Required</th> </tr> </thead> <tbody> <tr> <td>&lt; 4</td> <td>0</td> </tr> <tr> <td>≥ 4, but &lt; 42</td> <td>1</td> </tr> <tr> <td>≥ 42</td> <td>2</td> </tr> </tbody> </table>	Design (seats)	Parking Spaces Required	< 4	0	≥ 4, but < 42	1	≥ 42	2	
Design (seats)	Parking Spaces Required									
< 4	0									
≥ 4, but < 42	1									
≥ 42	2									
Schools (includes primary and intermediate and secondary schools)	<table border="1"> <tbody> <tr> <td>Minimum Parking Spaces:</td> <td>1</td> </tr> <tr> <td>2 shall be provided where:</td> <td>(2 x staff members / 3) + (number of students over 16 years/20) ≥ 10.5</td> </tr> <tr> <td>3 shall be provided where:</td> <td>(2 x staff members / 3) + (number of students over 16 years/20) ≥ 98.5</td> </tr> </tbody> </table>	Minimum Parking Spaces:	1	2 shall be provided where:	(2 x staff members / 3) + (number of students over 16 years/20) ≥ 10.5	3 shall be provided where:	(2 x staff members / 3) + (number of students over 16 years/20) ≥ 98.5			
Minimum Parking Spaces:	1									
2 shall be provided where:	(2 x staff members / 3) + (number of students over 16 years/20) ≥ 10.5									
3 shall be provided where:	(2 x staff members / 3) + (number of students over 16 years/20) ≥ 98.5									
Comprehensive retail developments and retail shops (includes dairies, tourist shops, premises for the sale of liquor for consumption off the premises, retail activities, ancillary retail activities, pharmacies,	<table border="1"> <thead> <tr> <th>Net Floor Area</th> <th>Parking Spaces Required</th> </tr> </thead> <tbody> <tr> <td>&lt; 18m<sup>2</sup></td> <td>0</td> </tr> <tr> <td>≥ 18m<sup>2</sup>, but &lt; 190m<sup>2</sup></td> <td>1</td> </tr> <tr> <td>≥ 190m<sup>2</sup>, but &lt; 1773m<sup>2</sup></td> <td>2</td> </tr> </tbody> </table> <p>Plus another space for every 900m<sup>2</sup> floor area</p>	Net Floor Area	Parking Spaces Required	< 18m <sup>2</sup>	0	≥ 18m <sup>2</sup> , but < 190m <sup>2</sup>	1	≥ 190m <sup>2</sup> , but < 1773m <sup>2</sup>	2	
Net Floor Area	Parking Spaces Required									
< 18m <sup>2</sup>	0									
≥ 18m <sup>2</sup> , but < 190m <sup>2</sup>	1									
≥ 190m <sup>2</sup> , but < 1773m <sup>2</sup>	2									

Activity	Parking Performance Standard							
travel agencies and all like activities)								
Supermarkets	Minimum Parking Spaces:	1						
	2 shall be provided where:	$(\text{Retail net floor area}/20) + (\text{net floor area for staff amenity, office or storage}/40) \geq 10.5$						
	3 shall be provided where:	$(\text{Retail net floor area}/20) + (\text{net floor area for staff amenity or office or storage}/40) \geq 98.5$						
Plus an additional space for every 1,000m <sup>2</sup> retail net floor area or 2,000m <sup>2</sup> net floor area for staff amenity, office or storage.								
Trade retail and Large format retail	Minimum Parking Spaces:	1						
	2 shall be provided where:	$(\text{net floor area}/40) + (\text{outdoor retail space}/100) \geq 10.5.$						
	3 shall be provided where:	$(\text{net floor area}/40) + (\text{outdoor retail space}/100) \geq 98.5$						
Plus an additional space for every 2,000m <sup>2</sup> net floor area or 5,000m <sup>2</sup> outdoor retail space.								
Backpacker lodges and Youth hostels	Minimum Parking Spaces:	1						
	2 shall be provided where:	$(\text{beds}/3) + (\text{staff employed on site at one time}/2) \geq 10.5$						
Bed and Breakfast (and all like activities)	<table border="1"> <thead> <tr> <th>Design (persons)</th> <th>Parking Spaces Required</th> </tr> </thead> <tbody> <tr> <td>&lt; 17</td> <td>1</td> </tr> <tr> <td>≥ 17</td> <td>2</td> </tr> </tbody> </table>		Design (persons)	Parking Spaces Required	< 17	1	≥ 17	2
	Design (persons)	Parking Spaces Required						
	< 17	1						
≥ 17	2							
Motels	<table border="1"> <thead> <tr> <th>Accommodation Units</th> <th>Parking Spaces Required</th> </tr> </thead> <tbody> <tr> <td>&lt; 11</td> <td>1</td> </tr> <tr> <td>≥ 11</td> <td>2</td> </tr> </tbody> </table>		Accommodation Units	Parking Spaces Required	< 11	1	≥ 11	2
	Accommodation Units	Parking Spaces Required						
	< 11	1						
≥ 11	2							
Tourist House Licensed Premises and Hotels	Minimum Parking Spaces:	1						
	2 shall be provided where:	number of accommodation units + (staff employed on the site at any one time/2) ≥ 10.5						
	3 shall be provided where:	number of accommodation units + (staff employed on the site at any one time/2) > 98.5						

Advice Note:

Accessible car parking requirements may also apply under the Building Code – refer to Acceptable Solution D1/AS1 and NZS 4121.

## 2. TURNING STANDARDS

This part outlines where on-site turning is required.

### a. Requirement to provide on-site turning

Where cars will enter a site, on-site turning shall be provided so vehicles can enter and exit the site in a forward motion. There are varying requirements to provide on-site turning areas along the different roads. The requirements are as follows:

- i. Sites adjacent to Urban Primary, Urban Secondary and Rural Primary Arterials, Rural Collector and Urban Collector Roads as identified in EIT Energy, Infrastructure and Transport are required to provide on-site turning area.
- ii. Sites adjacent to all other roads are not required to provide on-site turning area, except where:
  1. the vehicle entrance is within 15m from the edge of the carriageway of any street intersection (including the opposite side of a “T” junction; and
  2. the vehicle entrance is within 15m of any traffic calming or traffic control structures.
  3. for the purpose of this rule a traffic calming structure includes any speed hump or chicane, and a traffic control structure includes a central median or island, traffic lights, stop sign, or give way signp
- iii. Newly formed roads not yet classified in the roading hierarchy: For new roads that are not within the Residential Zone, Council will assess the classification of the road in terms of the guidelines provided in the schedule and the information available for classification. On-site turning requirements as outlined in (2)(i) and (ii) will apply in terms of the classification assigned to the new road.

## 3. DESIGN AND CONSTRUCTION

### a. Design and construction of access and on-site turning and parking areas

Where on-site turning and parking is required, the design and construction of these areas shall be in accordance with the following:

- i. **Parking and turning dimensions for light vehicles**

On-site parking areas shall be designed in accordance with the New Zealand Standards, Parking facilities: Off street car parking, NZS2890.1, and as illustrated in Figure APP1-1.
- ii. **Design of par Parking spaces required for disabled persons**

On-site parking spaces provided for persons with disabilities shall be designed in accordance with the New Zealand Standards, Parking Facilities: Off-Street Parking for people with disabilities, NZS2890.6.
- iii. **Turning curves for commercial/industrial delivery access**

To cater for the type of vehicles expected to use the site, commercial/industrial delivery access should be designed in accordance with the following document held by New Zealand Transport Agency: Land Transport New Zealand, RTS18 New Zealand: on-road

tracking curves for heavy motor vehicles.

Off-street commercial vehicle facilities should be designed in accordance with Australian Standards 2890.2: 2002, off-street commercial vehicle facilities.

**iv. Turning curves for service lanes and similar accessways**

An 8m rigid truck shall be used for design of ordinary service delivery areas and service lanes.

**b. Construction details for driveways and on-site parking and turning areas**

The construction of on-site parking areas, driveways and turning areas shall be in accordance with the following:

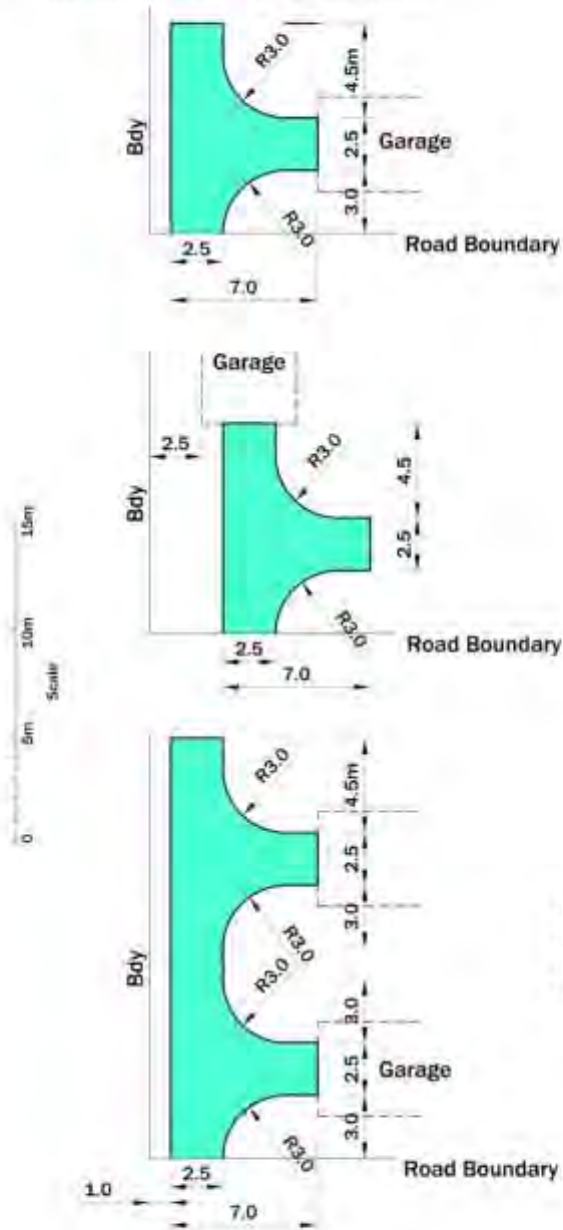
All on-site parking areas, driveways and turning areas shall be designed, formed, drained and constructed as part of the activity and shall be surfaced with permanent wearing materials {Including, but not limited to concrete, cobblestones, asphaltic concrete (hotmix), chip, sealed surfaces, or any paver with tight joints}, provided that:

- i. For any site located in a residential or rural zone where the activity is a single ~~household residential unit~~, or single ~~household residential unit~~ and an additional ~~household residential unit~~, all on-site parking areas, driveways and turning areas shall be designed, formed, drained and constructed as part of the activity and shall be surfaced with all-weather materials (e.g. metalled surfaces) subject to the following performance standard:
  1. Any driveway area with a gradient steeper than 1 in 20 shall be sealed and have a kerb and channel.
  2. The driveway and parking and turning area shall be designed so that stormwater is controlled and discharged to a drainage system and so that surface water, silt or detritus is not discharged to adjacent sites (including roads).

Figure APP1-1

**TYPICAL MINIMUM OFF STREET  
 TURNING DIMENSIONS**

(85 PERCENTILE CLASS CAR AND LIGHT VAN)



**NOTE:**  
 Flats, units etc, may need  
 provision to share  
 the turning area.

DR02352: Parking facilities - Part 1: Off-street parking  
 DRAFT AUSTRALIAN / NEW ZEALAND STANDARD

10197\_003



## 4. ACCESS TO THE TRANSPORT NETWORK

### a. Information requirement for Integrated Transport Assessment

An Integrated Transport Assessment (ITA) is a comprehensive review of all the potential transport impacts of a development proposal.

Its purpose is to identify appropriate transport information that is required to assist in better aligning land use and multi-modal transport at both the local and regional level and to provide information on how a proposed development is located, designed and managed to promote access by a choice of modes and to identify any mitigation required to address the adverse impacts of a proposal on the transport system, including the state highway network.

Council staff may require an ITA to accompany an application for resource consent where this is within the discretion of Council and deemed necessary. Development scale thresholds that trigger the requirement for an ITA are provided in the Table below.

Activity	Threshold
1. Residential	100 dwellings
2. Retail (not including food)	1000m <sup>2</sup> NFA
3. Restaurant	1000m <sup>2</sup> NFA
4. Takeaway food premises	500m <sup>2</sup> NFA
5. Commercial Offices	4000m <sup>2</sup> NFA
6. Industrial activities	7000m <sup>2</sup> NFA
7. Educational facilities	100 students

NFA- Net Floor Area as per definition of 'Floor Area'.

Council staff can give guidance as to the level of detail that will be commensurate with the activity proposed. ITAs may vary in terms of the level of detail and breadth of assessment required. For developments where there is potential for adverse effects that may be more than minor, the ITA will need to be prepared by a suitably qualified person. Below is some guidance as to the content required for ITAs.

- Outline of relevant development parameters (location, size, hours of operation, configuration of access and vehicle circulation on-site).
- Baseline conditions of the road network (traffic/pedestrian movements, intersection and access way capacities, provision for public transport, walking and cycling).
- Future conditions of road network (analysis of 'likely traffic generation, impact of proposed development, provision for public transport, walking and cycling).
- Cumulative Effects (Analysis of cumulative effects in considering permitted and consented activities in the existing environment).
- Mitigation (Road network improvement measures; public transport improvement measures - walking/cycling facilities; parking management; travel plan).
- Safety Audit of access proposals and any related changes to the network through mitigation.
- Construction effects.

A more comprehensive guide on ITA content requirements is available from the New Zealand Transport Agency research report 422 - Integrated transport assessment guidelines, November 2012. That document is available at **Error! Hyperlink reference not valid..**

**b. Information requirement for a Transport Assessment (20-100 residential units or lots)**

A transport assessment is a simple review of the effects of a development on the road network immediately surrounding the site and must be prepared by a suitably qualified person. Its purpose is to assess the effects of the development on the safe and efficient operation of the adjacent road network, including ensuring the road network can accommodate relevant service vehicles (waste collection trucks, delivery trucks) and emergency service vehicles.

A transport assessment is required for a subdivision or land use consent for 20 or more residential units or lots on a site and up to 100 residential units or lots, above which an Integrated Transport Assessment will be required in accordance with APP1 (4)(a).

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# Part 3: Area-Specific Matters

## ZONES

**BIZ**

BUSINESS AND INNOVATION ZONES – PAKIHI ME TE  
AUAHTANGA

## CONTENTS

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**BIZ**

# BUSINESS AND INNOVATION ZONES – PAKIHI ME AUAHTANGA

Status: BIZ is Operative and subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough~~.

## INTRODUCTION

Business and Innovation parks are defined areas within which a cluster of businesses and organisations establish with the intent of collaboration to achieve business growth. Successful parks have the ability to enhance the social and economic wellbeing of the Rotorua community by generating additional employment, improving productivity and encouraging growth in gross domestic product (GDP). In addition they have the potential to enhance the city's competitiveness as a business location, attracting high quality firms and skilled workers, thus aligning directly with the objectives of the Rotorua Sustainable Economic Growth Strategy.

Rotorua's key economic drivers are forestry, geothermal energy, tourism and agriculture. These in combination with Rotorua's location and assets provide opportunities for the establishment of focussed business and innovation parks in strategic locations. The District Plan intends to provide an enabling environment for development within these parks subject to potential adverse effects being internalised within the park boundaries. In addition it is important to ensure that the type of activities that establish within these parks do not adversely affect the vitality of the City Centre Zones and Commercial zones.

Rotorua has three business or innovation parks, Scion Innovation Park, Waipa Business Park and Eastgate Business Park. Each of these parks has a different focus, ranging from tourism and recreation to scientific research.

### Scion Innovation Park

Scion Innovation Park is located off Sala Street (see figure below) and provides leading scientific research in regard to the forestry sector. Over time this organisation has expanded and contributes at a national and international level leading scientific research, education and innovation. The site also accommodates several other forestry-based private organisations and government agencies.

Scion is set within a park like setting with immediate proximity to the recreational and cultural activities of the Redwood Forest and Whakarewarewa geothermal features. It is important to ensure development within the campus does not detract from the well-established character and amenity of these environments.

Two different areas (precincts) exist within the Scion campus with each of these having differing characteristics and development potential. These are described further below;

#### Precinct A

This area is known as the Tree Archive and contains the nursery, plant trial locations and ancillary sheds. Significant vegetation is also present to the North East of the precinct that connects to Te Ngae Road. Development within this precinct needs to maintain the vegetation and view shafts observed from Te Ngae Road.

Precinct B

This area covers the main offices and laboratories of Scion, along with the Te Papa Tipu Innovation Park established in 2006. This consists of a range of office buildings for private forestry based organisations, government agencies and other organisations from industries for which Scion provides research and development services.



Figure BIZ-1 Scion Innovation Park with Setbacks and Precincts

### **Waipa Business Park**

The Waipa Business Park is a predominant feature of the Waipa valley at the southern gateway into Rotorua. Its direct proximity to the State Highway, Waipa Mill and Whakarewarewa Forest supports the development of a business park that supports and capitalises on the existing industrial and recreational activities.

Waipa Business Park's direct proximity to the State Highway, Waipa Mill and Whakarewarewa Forest supports the development of a business park. This provides a mix of recreational, tourism and light industrial activities related to the forest and construction industries in two distinct areas.

A more detailed description of each precinct is provided below.

#### Precinct A

Precinct A provides for development that will enhance and complement the existing public mountain biking and walking tracks located within the Whakarewarewa Forest.

Activities such as tourism accommodation, public facilities, information kiosks, and sport facilities are provided for within this precinct.

#### Precinct B

Precinct B provides for a mix of activities that are intended to support the recreational activities within Precinct A, or are related to the forestry or building industries.

Activities such as wood processing, building construction, prefabrication activities and businesses related to forest management, production, or processing are provided for in this precinct.



Figure BIZ-2 Waipa Business Park and Precincts



### Eastgate Business Park

Eastgate Business Park is strategically located in close proximity to the Rotorua Airport and adjoins State Highway 30, thus providing a convenient location for activities that support or relate to the Airport, or activities requiring direct access to the transport network.

### Zone Descriptions

Each Business and Innovation Park has specific characteristics that are discussed in more detail below:

Zone	Code	Description
<b>Scion Innovation Park</b>	BIZ1	Provides for a mix of scientific research and accessory activities related to the forestry sector, wood and biomaterial products, energy, waste and climate change. Low rise buildings are dispersed throughout the campus and not visually prominent. Features that contribute to the amenity of the zone include the forest backdrop, low noise and traffic levels and the campus' park like setting. The park is strategically located between two state highways and is close to the city centre. The Scion Innovation Park consists of two precincts with Precinct A containing the nursery, plant trial locations and accessory sheds and Precinct B covering the existing Te Papa Tipu Innovation Park, and the main offices and laboratories.
<b>Waipa Business Park</b>	BIZ2	Provides for a mix of recreational, tourism and light industrial activities related to the forest and construction industries in two distinct areas. Features that contribute to the amenity of this zone include the forest backdrop, rural setting and high vehicle and bike movements. Large open areas provide for outdoor events.  The Waipa Business Park consists of two precincts with Precinct A focusing on light industrial activities related to the forestry sector, and Precinct B having more of a focus on outdoor recreation, tourism activities and commercial businesses.
<b>Eastgate Business Park</b>	BIZ3	Provides for innovative mixed-use commercial and light industrial activities set within a high amenity park like environment. Activities are wide ranging from educational facilities through to research and development, manufacturing and other light industrial activities.

## ISSUES

There are three key issues influencing the policy framework in the business and innovation zones:

### **BIZ-11 The economic and social wellbeing of Rotorua**

Business and innovation parks provide for clusters of innovative mixed use development usually consisting of commercial, industrial and research activities and differ from industrial zones due to the higher levels of amenity provided. The high amenity and strategic location of these parks can attract businesses to establish within them. Therefore, enabling the continued development and operation of innovation or business parks can provide for significant growth in skilled and semi-skilled employment, attract residents to Rotorua and increase the economic and social wellbeing of the district.

### **BIZ-12 Industrial and commercial operations**

Each of the business and innovation parks is located within or adjoins rural or residential environments that have a different level of amenity compared to that provided for within the business and innovation parks.

Whilst ensuring innovative development continues to occur within each park it is important to internalise any operational effects generated to ensure the amenity values of adjoining zones are maintained.

### **BIZ-13 Efficient operation of Business and Innovation Zones and reverse sensitivity**

The development of the business and innovation parks needs to be focussed on providing for businesses and activities that are directly related to the intent of the park rather than providing for activities that are better suited to other zones. Establishment of inappropriate activities such as community or retail facilities within business and innovation parks can be in conflict with and constrain efficient use of the zone.

The establishment of new activities within incompatible zones or in close proximity to existing activities that have a different level of amenity can create adverse reverse sensitive effects. This has the ability to reduce the efficient operation of the existing activities or undermine the intended amenity of the zone.

## OBJECTIVES

### The economic and social wellbeing of Rotorua

<b>BIZ-O1</b> [8.3.1]	Efficient Business and Innovation Zones that provide for the co-location of businesses and organisations that increase the economic and social well-being of the district whilst maintaining the character and amenity of the business environment. <i>Policy BIZ-P1</i>
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### Industrial and commercial operations

<b>BIZ-O2</b> [8.3.2]	Enable activities to co-locate within business and innovation zones to promote their efficient development and contribute to the economic and social wellbeing of the district where the activity is consistent with the amenity values of the Business and Innovation Park. <i>Policies BIZ-P2 to BIZ-P3</i>
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### Efficient operation of Business and Innovation Zones

<b>BIZ-O3</b> [8.3.3]	Efficient use of business and innovation parks by the establishment of activities consistent with the intended use of the park. <i>Policy BIZ-P4</i>
<b>BIZ-O4</b> [1.3.10]	Subdivision, use and development that enables the continued efficient operation of existing development and activities. <i>Policies BIZ-P5</i>

### Scion Innovation Park

<b>BIZ-O5</b> [8.3.4]	An Innovation Park that promotes scientific research and accessory activities related to the forestry sector, wood and biomaterial products, energy, waste and climate change and does not detract from the amenity and cultural values of the surrounding environment. <i>Policies BIZ-P6 to BIZ-P7</i>
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### Waipa Business Park

<b>BIZ-O6</b> [8.3.5]	A business park that provides for outdoor recreation, sporting events, tourism and light industrial activities related to the forest industry and capitalises on its proximity to the Whakarewarewa Forest, Waipa Mill and State Highway 5. <i>Policies BIZ-P8 to BIZ-P10</i>
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### Eastgate Business Park

<b>BIZ-O7</b> [8.3.6]	A mixed use business park that provides for the establishment of a range of light industrial and commercial activities within high amenity settings that contribute to the economic growth of the Rotorua district. <i>Policies CCZ-P11 to CCZ-P12</i>
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## POLICIES

### The economic and social wellbeing of Rotorua

#### Objective BIZ-01

<b>BIZ-P1</b> [8.3.1.1]	Enable activities to co-locate within business and innovation zones to promote their efficient development and contribute to the economic and social wellbeing of the district where the activity is consistent with the amenity values of the Business and Innovation Park.
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### Industrial and commercial operations

#### Objective BIZ-02

<b>BIZ-P2</b> [8.3.2.1]	Maintain the economic and social vitality of the city centre and the environmental values of the rural and residential zones by restricting activities that are not suited for, or related to, the intended amenity of each Business and Innovation Park Zone.
<b>BIZ-P3</b> [8.3.2.2]	Ensure adverse effects associated with activities are internalised within Business and Innovation Park boundaries.

### Efficient operation of Business and Innovation Zones

#### Objective BIZ-03

<b>BIZ-P4</b> [8.3.3.1]	Restrict the establishment of activities in business and innovation zones where the activity is inconsistent with the amenity values and intended use of the business or innovation park.
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#### Objective BIZ-04

<b>BIZ-P5</b> [1.3.10]	Subdivision, use and development that enables the continued efficient operation of existing development and activities.
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### Scion Innovation Park

#### Objective BIZ-05

<b>BIZ-P6</b> [8.3.4.1]	<p>Enable the establishment and efficient operation of activities that are compatible with the amenity and intended use of the innovation park, including:</p> <ol style="list-style-type: none"> <li>1. High levels of vegetation and landscaping</li> <li>2. Low rise buildings that are dispersed through and nestled within the landscaped site</li> <li>3. Low levels of noise</li> <li>4. Self-contained on-site parking.</li> </ol>
<b>BIZ-P7</b> [8.3.4.2]	Ensure activities and development do not detract from the cultural and natural values associated with the adjacent Redwoods in the Tokorangi Triangle.

**Waipa Business Park***Objective BIZ-06*

<b>BIZ-P8</b> <i>[8.3.5.1]</i>	Enable the establishment and efficient operation of light industrial, tourism and recreational activities that are compatible with the amenity of the business park, with amenity including: <ol style="list-style-type: none"> <li>1. Moderate levels of noise and vibration</li> <li>2. Moderate levels of glare and light spill</li> <li>3. High levels of traffic movement to/from the State Highway associated with industrial activity</li> <li>4. High levels of building coverage</li> <li>5. Higher levels of signage complementing industrial activity.</li> </ol>
<b>BIZ-P9</b> <i>[8.3.5.2]</i>	Provide for the establishment of ancillary retail activities in the business park where they are directly associated with the industrial and recreational activities located on site.
<b>BIZ-P10</b> <i>[8.3.5.3]</i>	Ensure the development of the business park proceeds in a manner that does not detract from the recreational activities and amenity values of the Whakarewarewa Forest.

**Eastgate Business Park***Objective BIZ-07*

<b>BIZ-P11</b> <i>[8.3.6.1]</i>	Maintenance of the character and amenity enjoyed in the Eastgate Business Park, where character is defined by: <ol style="list-style-type: none"> <li>1. Large industrial buildings located within a high amenity park-like setting</li> <li>2. Moderate noise levels from business activities and the adjoining State Highway and airport.</li> </ol>
<b>BIZ-P12</b> <i>[8.3.6.2]</i>	Restrict the establishment of identified commercial activities that have the potential to compromise the vitality of the city centre and commercial zones.

**RULES**

The rules in this chapter are set out in three tables. The first table BIZ 1 Zone (Scion Innovation Park), the second addresses BIZ 2 Zone (Waipa Business Park) and the third BIZ 3 Zone (Eastgate Business Park). BIZ 1 and BIZ 2 Zones include precincts (refer to figures BIZ-1 and BIZ-2), which are also addressed inside these rule tables.

The rules in this chapter apply in addition to the rules in other chapters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1 - How the Plan Works.

Key relationships to note include:

1. The District Wide Matters chapters must also be considered. Examples of matters managed under these rules that are commonly associated with activities in Business and Innovation Zones include (but are not limited to) earthworks, noise and light emissions, management of noise sensitive activities near the airport and signs.

2. For subdivision in Business and Innovation Zones refer to the separate chapter SUB – Subdivision.

**Links the rule categories are provided below:**

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Rules for Activities in Business and Innovation 1 Zone: Scion Innovation Park

General		
<b>BIZ-R1</b>	<b>Any activity not listed in the table below.</b>	<i>[8.5(1)(2), 8.5(2)(2), 8.5(3(1))]</i>
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone	<b>1. Activity Status:</b> Non-Complying	

Scientific Research		
<b>BIZ-R2</b>		<b>Plantation forestry for scientific and research purposes</b> [8.5(1)(3)]
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Parking, access and turning <a href="#">BIZ-S4</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R2(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</p> <p>b. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>c. Any required financial contribution under FC - Financial Contributions; and</p> <p>d. Natural hazards <a href="#">BIZ-MD1</a>.</p>
<b>BIZ-R3</b>		<b>Buildings for laboratories, scientific trials and nursery uses</b> [8.5(1)(4)]
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">BIZ-S1</a>;</p> <p>b. Yards <a href="#">BIZ-S2</a>; and</p> <p>c. Parking, access and turning <a href="#">BIZ-S4</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R3(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</p> <p>b. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>c. Any required financial contribution under FC - Financial Contributions; and</p> <p>d. Natural hazards <a href="#">BIZ-MD1</a>.</p>
<b>BIZ-R4</b>		<b>Offices for employees of scientific research organisations located onsite or offices related to the forestry sector</b> [8.5(1)(6)]
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">BIZ-S1</a>;</p> <p>b. Yards <a href="#">BIZ-S2</a>; and</p> <p>c. Parking, access and turning <a href="#">BIZ-S4</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R4(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</p> <p>b. How the activity provides more efficient and practical use of the remainder of the</p>

		<p>site;</p> <p>c. Any required financial contribution under FC - Financial Contributions; and</p> <p>d. Natural hazards <a href="#">BIZ-MD1</a>.</p>
<b>BIZ-R5</b>		<b>Industrial or trade processes relating to scientific and research purposes</b>
	[8.5(1)(7)]	
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">BIZ-S1</a>;</p> <p>b. Yards <a href="#">BIZ-S2</a>; and</p> <p>c. Parking, access and turning <a href="#">BIZ-S4</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R5(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</p> <p>b. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>c. Any required financial contribution under FC – Financial Contributions; and</p> <p>d. Natural hazards <a href="#">BIZ-MD1</a>.</p>
<b>BIZ-R6</b>		<b>Scientific research based activities and associated buildings and accessory activities relating to natural products and environmental management</b>
	[8.5(1)(5)]	
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone: Precinct B	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">BIZ-S1</a>;</p> <p>b. Yards <a href="#">BIZ-S2</a>; and</p> <p>c. Parking, access and turning <a href="#">BIZ-S4</a>.</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R6(1) and BIZ-R6(2).</p> <p><b>Matters of Discretion:</b></p> <p>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</p> <p>b. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>c. Any required financial contribution under FC - Financial Contributions; and</p> <p>d. Natural hazards <a href="#">BIZ-MD1</a>.</p>
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone: Precinct A	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">BIZ-S1</a>;</p> <p>b. Yards <a href="#">BIZ-S2</a>; and</p> <p>c. Parking, access and turning <a href="#">BIZ-S4</a>.</p> <p><b>Matters of Control:</b></p> <p>a. Building design <a href="#">BIZ-MC1</a>;</p> <p>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</p> <p>c. Natural hazards <a href="#">BIZ-MC3</a>; and</p> <p>d. Financial contribution <a href="#">BIZ-MC4</a>.</p>	



Support Services			
<b>BIZ-R7</b>		<b>Cafeteria facilities to service Scion employees and the campus</b>	<i>[8.5(1)(8)]</i>
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone: Precinct B	<b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>; and</li> <li>c. Parking, access and turning <a href="#">BIZ-S4</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary  <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R7(1).  <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ol>	
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone: Precinct A	<b>3. Activity Status:</b> Non-Complying		
<b>BIZ-R8</b>		<b><del>Household Residential</del> units for short-term and semi-permanent staff and visiting research academics and scientists</b>	<i>[8.5(1)(9)]</i>
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone: Precinct B	<b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>; and</li> <li>c. Parking, access and turning <a href="#">BIZ-S4</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary  <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R8(1).  <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ol>	
<b>Applicable Spatial Layers</b> Business and Innovation 1: Precinct A	<b>3. Activity Status:</b> Non-Complying		

<b>BIZ-R9 Day care centres for children of staff on campus</b>		[8.5(1)(10)]
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone: Precinct B	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">BIZ-S1</a>;</li> <li>Yards <a href="#">BIZ-S2</a>;</li> <li>Parking, access and turning <a href="#">BIZ-S4</a>.</li> </ol> <b>Matters of Control:</b> <ol style="list-style-type: none"> <li>Building design and amenity <a href="#">BIZ-MC1</a>;</li> <li>Parking, access and turning <a href="#">BIZ-MC2</a>;</li> <li>Natural hazards <a href="#">BIZ-MC3</a>; and</li> <li>Financial contribution <a href="#">BIZ-MC4</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R9(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>How the activity provides more efficient and practical use of the remainder of the site;</li> <li>Any required financial contribution under FC - Financial Contributions; and</li> <li>Natural hazards <a href="#">BIZ-MD1</a>.</li> </ol>
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone: Precinct A	<b>3. Activity Status:</b> Non-Complying	
<b>Other Activities</b>		
<b>BIZ-R10 Micro scale wind turbines</b>		[8.5(1)(29), 8.5(2)(27), 8.5(3)(36)]
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone	<b>1. Activity Status:</b> Permitted <b>Where:</b> The micro scale wind turbines are rooftop/building integrated or pole/tower mounted. <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Any wind turbines located on land that are either rooftop/building integrated shall not exceed 3 metres above the building height. The rotor's blades shall not exceed 1 metre in diameter; and</li> <li>Yards <a href="#">BIZ-S2</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R10(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>How the activity provides more efficient and practical use of the remainder of the site; and</li> <li>Natural hazards <a href="#">BIZ-MD1</a>.</li> </ol>

<b>BIZ-R11</b>	<b>Fire training buildings</b>	[8.5(1)(35), 8.5(2)(30)]
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">BIZ-AC1</a>.</p>	
<b>BIZ-R12</b>	<b>Helicopter take-off and landing areas</b>	[8.5(1)(31), 8.5(2)(28)]
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. Topographical features and existing buildings and the likely effect on visual and noise impacts of the proposal;</p> <p>b. Proposals for the monitoring and regular audit of noise and other environmental impacts;</p> <p>c. The extent to which the activity complies with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas; and</p> <p>d. General <a href="#">BIZ-AC1</a>.</p>	
<b>BIZ-R13</b>	<b>Concerts</b>	[8.5(1)(30), 8.5(3)(31)]
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone	<p><b>1. Activity Status:</b> Non-Complying</p>	
<b>BIZ-R14</b>	<b>Tourist accommodation</b>	[8.5(1)(32)]
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone	<p><b>1. Activity Status:</b> Non-Complying</p>	
<b>BIZ-R15</b>	<b>Vehicle transport or storage facilities</b>	[8.5(1)(33)]
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone	<p><b>1. Activity Status:</b> Non-Complying</p>	
<b>BIZ-R16</b>	<b>Offensive trades</b>	[8.5(1)(34), 8.5(2)(29)]
<b>Applicable Spatial Layers</b> Business and Innovation 1 Zone	<p><b>1. Activity Status:</b> Prohibited</p>	

## Rules for Activities in Business and Innovation 2 Zone: Waipa Business Park

General		
<b>BIZ-R17</b>		<b>Any activity not listed in the table below.</b>
		[8.5(1)(2), 8.5(2)(2) 8.5(3)(1)]
<b>Applicable Spatial Layers</b>  Business and Innovation 2 Zone	1. <b>Activity Status:</b> Non-Complying	
Tourism and Recreation		
<b>BIZ-R18</b>		<b>Public toilets, car parking and information kiosks</b>
		[8.5(2)(3)]
<b>Applicable Spatial Layers</b>  Business and Innovation 2 Zone	1. <b>Activity Status:</b> Permitted  <b>Performance Standards:</b> a. Height <a href="#">BIZ-S1</a> ; b. Yards <a href="#">BIZ-S2</a> ; and c. Parking, access and turning <a href="#">BIZ-S4</a> .	2. <b>Activity Status:</b> Restricted Discretionary  <b>Where:</b> Compliance is not achieved with the performance standards in BIZ-R18(1).  <b>Matters of Discretion:</b> a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites; b. How the activity provides more efficient and practical use of the remainder of the site; c. Any required financial contribution under FC - Financial Contributions; and d. Natural hazards <a href="#">BIZ-MD1</a> .
<b>BIZ-R19</b>		<b>Mobile food and beverage facilities</b>
		[8.5(2)(4)]
<b>Applicable Spatial Layers</b>  Business and Innovation 2 Zone	1. <b>Activity Status:</b> Permitted  <b>Performance Standards:</b> a. Height <a href="#">BIZ-S1</a> ; b. Yards <a href="#">BIZ-S2</a> ; and c. Parking, access and turning <a href="#">BIZ-S4</a> .	2. <b>Activity Status:</b> Restricted Discretionary  <b>Where:</b> Compliance is not achieved with the performance standards in BIZ-R19(1).  <b>Matters if Discretion:</b> a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites; b. How the activity provides more efficient and practical use of the remainder of the site; c. Any required financial contribution under FC - Financial Contributions; and and

		d. Natural hazards <a href="#">BIZ-MD1</a> .
<b>BIZ-R20 Temporary or permanent offices ancillary to outdoor recreational events</b>		[8.5(2)(9)]
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>; and</li> <li>c. Parking, access and turning <a href="#">BIZ-S4</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R20(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ul>
<b>BIZ-R21 Outdoor recreation activities</b>		[8.5(2)(5)]
<b>Applicable Spatial Layer</b> Business and Innovation 2 Zone: Precinct A	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>; and</li> <li>c. Parking, access and turning <a href="#">BIZ-S4</a>.</li> </ul>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R21(1) and BIZ-R21(2).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ul>
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone: Precinct B	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>; and</li> <li>c. Parking, access and turning <a href="#">BIZ-S4</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design and amenity <a href="#">BIZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">BIZ-MC3</a>; and</li> <li>d. Financial contributions <a href="#">BIZ-MC4</a>.</li> </ul>	

<b>BIZ-R22 Sport and training facilities</b>		[8.5(2)(8)]
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 2 Zone</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">BIZ-S1</a>;</p> <p>b. Yards <a href="#">BIZ-S2</a>;</p> <p>c. Parking, access and turning <a href="#">BIZ-S4</a>.</p> <p><b>Matters of Control:</b></p> <p>a. Building design and amenity <a href="#">BIZ-MC1</a>;</p> <p>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</p> <p>c. Natural hazards <a href="#">BIZ-MC3</a>; and</p> <p>d. Financial contribution <a href="#">BIZ-MC4</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R22(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</p> <p>b. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>c. Any required financial contribution under FC - Financial Contributions; and</p> <p>d. Natural hazards <a href="#">BIZ-MD1</a>.</p>
<b>BIZ-R23 Conference facilities</b>		[8.5(2)(6)]
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 2 Zone: Precinct A</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">BIZ-S1</a>;</p> <p>b. Yards <a href="#">BIZ-S2</a>;</p> <p>c. Parking, access and turning <a href="#">BIZ-S4</a>.</p> <p><b>Matters of Control:</b></p> <p>a. Building design and amenity <a href="#">BIZ-MC1</a>;</p> <p>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</p> <p>c. Natural hazards <a href="#">BIZ-MC3</a>; and</p> <p>d. Financial contribution <a href="#">BIZ-MC4</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R23(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</p> <p>b. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>c. Any required financial contribution under FC - Financial Contributions; and</p> <p>d. Natural hazards <a href="#">BIZ-MD1</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 2 Zone: Precinct B</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">BIZ-AC1</a>.</p>	
<b>BIZ-R24 Tourist accommodation including resort spas</b>		[8.5(2)(7)]
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 2 Zone</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">BIZ-AC1</a>.</p>	

Retail and Commercial Activities		
<b>BIZ-R25</b>	<b>On-site facilities relating to the hire and servicing of cycling equipment; or to the storage and servicing of cycling activities</b>	[8.5(2)(10), 8.5(2)(11)]
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>; and</li> <li>c. Parking, access and turning <a href="#">BIZ-S4</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R25(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ol>
<b>BIZ-R26</b>	<b>Ancillary retail related to outdoor recreation activities</b>	[8.5(2)(13)]
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>; and</li> <li>c. Parking, access and turning <a href="#">BIZ-S4</a>.</li> </ol> <b>Matters of Control:</b> <ol style="list-style-type: none"> <li>a. Building design and amenity <a href="#">BIZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">BIZ-MC3</a>; and</li> <li>d. Financial contribution <a href="#">BIZ-MC4</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R26(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ol>
<b>BIZ-R27</b>	<b>Restaurants and Café</b>	[8.5(2)(12), [8.5(3)(13)]
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>a. General <a href="#">BIZ-AC1</a>.</li> </ol>	

Industrial Activities				
<b>BIZ-R28</b>	<b>Wood processing unless otherwise specified</b>		[8.5(2)(14)]	
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone: Precinct B	<b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>; and</li> <li>c. Parking, access and turning <a href="#">BIZ-S4</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary  <b>Where:</b> Compliance is not achieved with the performance standards in BIZ-R28(1).  <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ol>		
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone: Precinct A	<b>3. Activity Status:</b> Discretionary  <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>a. General <a href="#">BIZ-AC1</a>.</li> </ol>			
<b>BIZ-R29</b>	<b>Businesses related to forest management, production, or processing</b>		[8.5(2)(15)]	
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone: Precinct B	<b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>; and</li> <li>c. Parking, access and turning <a href="#">BIZ-S4</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary  <b>Where:</b> Compliance is not achieved with the performance standards in BIZ-R29(1).  <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ol>		



<p><b>Applicable Spatial Layers</b> Business and Innovation 2 Zone: Precinct A</p>	<p><b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">BIZ-AC1</a>.</p>	
<p><b>BIZ-R30 Building, construction and prefabrication activities</b> <span style="float: right;">[8.5(2)(16)]</span></p>		
<p><b>Applicable Spatial Layers</b> Business and innovation 2 Zone: Precinct B</p>	<p><b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">BIZ-S1</a>; b. Yards <a href="#">BIZ-S2</a>; and c. Parking, access and turning <a href="#">BIZ-S4</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R30(1). <b>Matters if Discretion:</b> a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites; b. How the activity provides more efficient and practical use of the remainder of the site; c. Any required financial contribution under FC - Financial Contributions; and d. Natural hazards <a href="#">BIZ-MD1</a>.</p>
<p><b>Applicable Spatial Layers</b> Business and innovation 2 Zone: Precinct A</p>	<p><b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">BIZ-AC1</a>.</p>	
<p><b>BIZ-R31 Carriers, and couriers including transport operators</b> <span style="float: right;">[8.5(2)(17)]</span></p>		
<p><b>Applicable Spatial Layers</b> Business and Innovation 2 Zone: Precinct B</p>	<p><b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">BIZ-S1</a>; b. Yards <a href="#">BIZ-S2</a>; and c. Parking, access and turning <a href="#">BIZ-S4</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R31(1). <b>Matters of Discretion:</b> a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites; b. How the activity provides more efficient and practical use of the remainder of the site; c. Any required financial contribution under FC - Financial Contributions; and d. Natural hazards <a href="#">BIZ-MD1</a>.</p>

<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone: Precinct A	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">BIZ-AC1</a> .	
<b>BIZ-R32 Commercial storage facilities</b>		<i>[8.5(2)(18), 8.5(3)(20)]</i>
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone: Precinct B	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> a. Height <a href="#">BIZ-S1</a> ; b. Yards <a href="#">BIZ-S2</a> ; and c. Parking, access and turning <a href="#">BIZ-S4</a> . <b>Matters of Control:</b> a. Building design and amenity <a href="#">BIZ-MC1</a> ; b. Parking, access and turning <a href="#">BIZ-MC2</a> ; c. Natural hazards <a href="#">BIZ-MC3</a> ; and d. Financial contribution <a href="#">BIZ-MC4</a> .	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R32(1) <b>Matters of Discretion:</b> a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites; b. How the activity provides more efficient and practical use of the remainder of the site; c. Any required financial contribution under FC - Financial Contributions; and d. Natural hazards <a href="#">BIZ-MD1</a> .
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone: Precinct A	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">BIZ-AC1</a> .	
<b>BIZ-R33 Ancillary retail to established industrial activities</b>		<i>[8.5(2)(19)]</i>
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone: Precinct B	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> a. Height <a href="#">BIZ-S1</a> ; b. Yards <a href="#">BIZ-S2</a> ; c. Parking, access and turning <a href="#">BIZ-S4</a> . <b>Matters of Control:</b> a. Building design and amenity <a href="#">BIZ-MC1</a> ; b. Parking, access and turning <a href="#">BIZ-MC2</a> ; c. Natural hazards <a href="#">BIZ-MC3</a> ; and d. Financial contribution <a href="#">BIZ-MC4</a> .	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R33(1). <b>Matters of Discretion:</b> a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites; b. How the activity provides more efficient and practical use of the remainder of the site; c. Any required financial contribution under FC - Financial Contributions; and d. Natural hazards <a href="#">BIZ-MD1</a> .

<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone: Precinct A	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">BIZ-AC1</a> .	
<b>BIZ-R34 Pulp mill and Biomass processing</b>		<i>[8.5(2)(20)]</i>
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone	<b>1. Activity Status:</b> Non-Complying	
<b>Other Activities</b>		
<b>BIZ-R35 Micro scale wind turbines</b>		<i>[8.5(1)(29), 8.5(2)(27), 8.5(3)(36)]</i>
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone	<b>1. Activity Status:</b> Permitted <b>Where:</b> The micro scale wind turbines are rooftop/building integrated or pole/tower mounted. <b>Performance Standards:</b> a. Any wind turbines located on land that are either rooftop/building integrated shall not exceed 3 metres above the building height. The rotor's blades shall not exceed 1 metre in diameter; and b. Yards <a href="#">BIZ-S2</a> .	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R35(1). <b>Matters of Discretion:</b> a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites; b. How the activity provides more efficient and practical use of the remainder of the site; and c. Natural hazards <a href="#">BIZ-MD1</a> .
<b>BIZ-R36 Fire training buildings</b>		<i>[8.5(1)(35), 8.5(2)(30)]</i>
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone: Precinct A or B	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">BIZ-S1</a> ; b. Yards <a href="#">BIZ-S2</a> ; and c. Parking, access and turning <a href="#">BIZ-S4</a> .	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R36(1). <b>Matters of Discretion:</b> a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites; b. How the activity provides more efficient and practical use of the remainder of the site; c. Any required financial contribution under FC - Financial Contributions; and d. Natural hazards <a href="#">BIZ-MD1</a> .

<b>BIZ-R37 Helicopter take-off and landing areas</b>		[8.5(1)(31), 8.5(2)(28)]
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. Topographical features and existing buildings and the likely effect on visual and noise impacts of the proposal;</li> <li>b. Proposals for the monitoring and regular audit of noise and other environmental impacts;</li> <li>c. The extent to which the activity complies with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas; and</li> <li>d. General <a href="#">BIZ-AC1</a>.</li> </ul>	
<b>BIZ-R38 Offensive Trades</b>		[8.5(1)(34), 8.5(2)(29)]
<b>Applicable Spatial Layers</b> Business and Innovation 2 Zone	<p><b>1. Activity Status:</b> Prohibited</p>	

### Rules for Activities in Business and Innovation 3 Zone: Eastgate Business Park

<b>General</b>		
<b>BIZ-R39 Any activity not listed in the table below</b>		[8.5(1)(2), 8.5(2)(2) 8.5(3)(1)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>;</li> <li>c. Site coverage <a href="#">BIZ-S3</a>; and</li> <li>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</li> <li>e. Landscaping <a href="#">BIZ-S5</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards in BIZ-R39(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ul>

<b>BIZ-R40</b>		<b>Any activity accessory to a controlled activity</b>	[8.5(3)(2)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>;</li> <li>c. Site coverage <a href="#">BIZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</li> <li>e. Landscaping <a href="#">BIZ-S5</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design and amenity <a href="#">BIZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">BIZ-MC3</a>; and</li> <li>d. Financial contribution <a href="#">BIZ-MC4</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards in BIZ-R40(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ul>	
<b>Retail and Commercial Activities</b>			
<b>BIZ-R41</b>		<b>Ancillary retail activities</b>	[8.5(3)(5)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>;</li> <li>c. Site coverage <a href="#">BIZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</li> <li>e. Landscaping <a href="#">BIZ-S5</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R41(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ul>	
<b>BIZ-R42</b>		<b>Wholesale and retail of bulk goods, sale of vehicles, vessels and heavy machinery</b>	[8.5(3)(8)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>;</li> <li>c. Site coverage <a href="#">BIZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R42(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> </ul>	

	e. Landscaping <a href="#">BIZ-S5</a> .	b. How the activity provides more efficient and practical use of the remainder of the site; c. Any required financial contribution under Part FC – Financial contributions; and d. Natural hazards <a href="#">BIZ-MD1</a> .
<b>BIZ-R43 Internal cafeteria facilitates to service onsite employees</b>		[8.5(3)(11)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">BIZ-S1</a>;</li> <li>Yards <a href="#">BIZ-S2</a>;</li> <li>Site coverage <a href="#">BIZ-S3</a>;</li> <li>Parking, access and turning <a href="#">BIZ-S4</a>; and</li> <li>Landscaping <a href="#">BIZ-S5</a>;</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R43(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>How the activity provides more efficient and practical use of the remainder of the site;</li> <li>Any required financial contribution under FC - Financial Contributions; and</li> <li>Natural hazards <a href="#">BIZ-MD1</a>.</li> </ol>
<b>BIZ-R44 Car rental agencies</b>		[8.5(3)(14)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">BIZ-S1</a>;</li> <li>Yards <a href="#">BIZ-S2</a>;</li> <li>Site coverage <a href="#">BIZ-S3</a>; and</li> <li>Parking, access and turning <a href="#">BIZ-S4</a>; and</li> <li>Landscaping <a href="#">BIZ-S5</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R44(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>How the activity provides more efficient and practical use of the remainder of the site;</li> <li>Any required financial contribution under FC - Financial Contributions; and</li> <li>Natural hazards <a href="#">BIZ-MD1</a>.</li> </ol>
<b>BIZ-R45 Veterinary hospitals</b>		[8.5(3)(16)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">BIZ-S1</a>;</li> <li>Yards <a href="#">BIZ-S2</a>;</li> <li>Site coverage <a href="#">BIZ-S3</a>;</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R45(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>How the degree of non-compliance will</li> </ol>

	<p>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</p> <p>e. Landscaping <a href="#">BIZ-S5</a></p>	<p>reduce the amenity of the zone and adversely affect adjoining sites;</p> <p>b. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>c. Any required financial contribution under FC - Financial Contributions; and</p> <p>d. Natural hazards <a href="#">BIZ-MD1</a>.</p>
<p><b>BIZ-R46 Restaurants and Cafés</b></p>		<p>[8.5(2)(12),              8.5(3)(13),              8.5(2)(12),              8.5(3)(12)]</p>
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>a. The activity is a café;</p> <p>b. There is only one café within the whole of the BI3 Zone; and</p> <p>c. Opening hours are between the hours of 7am and 5pm.</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">BIZ-S1</a>;</p> <p>b. Yards <a href="#">BIZ-S2</a>;</p> <p>c. Site coverage <a href="#">BIZ-S3</a>;</p> <p>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</p> <p>e. Landscaping <a href="#">BIZ-S5</a>.</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R46(1) or (2).</p> <p><b>Matters of Discretion:</b></p> <p>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</p> <p>b. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>c. Any required financial contribution under FC - Financial Contributions; and</p> <p>d. Natural hazards <a href="#">BIZ-MD1</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The activity is a drive through restaurant.</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">BIZ-S1</a>;</p> <p>b. Yards <a href="#">BIZ-S2</a>;</p> <p>c. Site coverage <a href="#">BIZ-S3</a>;</p> <p>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</p> <p>e. Landscaping <a href="#">BIZ-S5</a></p> <p><b>Matters of Control:</b></p> <p>a. Building design and amenity <a href="#">BIZ-MC1</a>;</p> <p>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</p> <p>c. Natural hazards <a href="#">BIZ-MC3</a>; and</p>	

	d. Financial contribution <a href="#">BIZ-MC4</a> ;	
Business and Innovation 3 Zone	<p><b>4. Activity Status:</b> Discretionary</p> <p><b>Where:</b> The restaurant is not otherwise specified</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">BIZ-AC1</a>.</p>	
<b>BIZ-R47</b>	<b>Commercial recreation</b>	[8.5(3)(17), 8.5(3)(18)]
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b> The activity is indoor.</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">BIZ-S1</a>;</p> <p>b. Yards <a href="#">BIZ-S2</a>;</p> <p>c. Site coverage <a href="#">BIZ-S3</a>;</p> <p>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</p> <p>e. Landscaping <a href="#">BIZ-S5</a></p> <p><b>Matters of Control:</b></p> <p>a. Building design and amenity <a href="#">BIZ-MC1</a>;</p> <p>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</p> <p>c. Natural hazards <a href="#">BIZ-MC3</a>; and</p> <p>d. Financial contribution <a href="#">BIZ-MC4</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R47(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</p> <p>b. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>c. Any required financial contribution under FC - Financial Contributions; and</p> <p>d. Natural hazards <a href="#">BIZ-MD1</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Where:</b> The activity is outdoor.</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">BIZ-AC1</a>.</p>	
<b>BIZ-R48</b>	<b>Retail</b>	[8.5(3)(6), 8.5(3)(7), 8.5(3)(4), 8.5(3)(9)]
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b> The activity is retail comprising building, trade or farming supplies or motor vehicles parts.</p> <p><b>Performance Standards:</b></p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R48(1) or (2).</p> <p><b>Matters of Discretion:</b></p>



	<ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>;</li> <li>c. Site coverage <a href="#">BIZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</li> <li>e. Landscaping <a href="#">BIZ-S5</a></li> </ul>	<ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The activity is convenience retail.</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>;</li> <li>c. Site coverage <a href="#">BIZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</li> <li>e. Landscaping <a href="#">BIZ-S5</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design and amenity <a href="#">BIZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">BIZ-MC3</a>; and</li> <li>d. Financial contribution <a href="#">BIZ-MC4</a>.</li> </ul>	
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>4. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>The activity is trade retail</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one or more of the performance standards for the zone are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies.</li> <li>b. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians, cyclists and the safe and efficient functioning of the road network; and</li> <li>c. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ul>	
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>5. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. Ground floor area is less than 400m<sup>2</sup>; and</li> <li>b. The activity is not otherwise specified.</li> </ul> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">BIZ-AC1</a>.</li> </ul>	

<b>BIZ-R49</b>		<b>Tourist accommodation</b>	[8.5(3)(15)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	1. <b>Activity Status:</b> Non-Complying		
<b>Industrial Activities</b>			
<b>BIZ-R50</b>		<b>Commercial storage facilities</b>	[8.5(2)(18), 8.5(3)(20)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	1. <b>Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">BIZ-S1</a> ; b. Yards <a href="#">BIZ-S2</a> ; c. Site coverage <a href="#">BIZ-S3</a> ; d. Parking, access and turning <a href="#">BIZ-S4</a> ; and e. Landscaping <a href="#">BIZ-S5</a> .	2. <b>Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R50(1). <b>Matters of Discretion:</b> a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites; b. How the activity provides more efficient and practical use of the remainder of the site; c. Any required financial contribution under FC - Financial Contributions; and d. Natural hazards <a href="#">BIZ-MD1</a> .	
<b>BIZ-R51</b>		<b>Wholesale outlets and warehouses</b>	[8.5(3)(22)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	1. <b>Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">BIZ-S1</a> ; b. Yards <a href="#">BIZ-S2</a> ; c. Site coverage <a href="#">BIZ-S3</a> ; d. Parking, access and turning <a href="#">BIZ-S4</a> ; and e. Landscaping <a href="#">BIZ-S5</a> .	2. <b>Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for BIZ-R51(1). <b>Matters of Discretion:</b> a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites; b. How the activity provides more efficient and practical use of the remainder of the site; c. Any required financial contribution under FC - Financial Contributions; and d. Natural hazards <a href="#">BIZ-MD1</a> .	

<b>BIZ-R52 Service stations</b>		[8.5(3)(21)]
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. The maximum trading floor space devoted to the display, sale or hire of retail goods (other than motor vehicle parts, accessories or goods associated with motoring) shall not exceed 250m<sup>2</sup>.</li> <li>b. Height <a href="#">BIZ-S1</a>;</li> <li>c. Yards <a href="#">BIZ-S2</a>;</li> <li>d. Site coverage <a href="#">BIZ-S3</a>; and</li> <li>e. Parking, access and turning <a href="#">BIZ-S4</a>; and</li> <li>f. Landscaping <a href="#">BIZ-S5</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design and amenity <a href="#">BIZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">BIZ-MC3</a>; and</li> <li>d. Financial contribution <a href="#">BIZ-MC4</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R52(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ul>
<b>BIZ-R53 Motor vehicle repair garages</b>		[8.5(3)(21)]
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>;</li> <li>c. Site coverage <a href="#">BIZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</li> <li>e. Landscaping <a href="#">BIZ-S5</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design and amenity <a href="#">BIZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">BIZ-MC3</a>; and</li> <li>d. Financial contribution <a href="#">BIZ-MC4</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R53(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ul>

Community Infrastructure		
<b>BIZ-R54</b>		<b>Convention centres</b>
		<i>[8.5(3)(23)]</i>
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>;</li> <li>c. Site coverage <a href="#">BIZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</li> <li>e. Landscaping <a href="#">BIZ-S5</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design and amenity <a href="#">BIZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">BIZ-MC3</a>; and</li> <li>d. Financial contribution <a href="#">BIZ-MC4</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R54(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ul>
<b>BIZ-R55</b>		<b>Funeral homes</b>
		<i>[8.5(3)(24)]</i>
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>;</li> <li>c. Site coverage <a href="#">BIZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</li> <li>e. Landscaping <a href="#">BIZ-S5</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design and amenity <a href="#">BIZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">BIZ-MC3</a>; and</li> <li>d. Financial contribution <a href="#">BIZ-MC4</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R55(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ul>
<b>BIZ-R56</b>		<b>Industrial trade and trade training facilitates</b>
		<i>[8.5(3)(25)]</i>
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>;</li> <li>c. Site coverage <a href="#">BIZ-S3</a>;</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R56(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and</li> </ul>

	<p>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</p> <p>e. Landscaping <a href="#">BIZ-S5</a>.</p> <p><b>Matters of Control:</b></p> <p>a. Building design and amenity <a href="#">BIZ-MC1</a>;</p> <p>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</p> <p>c. Natural hazards <a href="#">BIZ-MC3</a>; and</p> <p>d. Financial contribution <a href="#">BIZ-MC4</a>.</p>	<p>adversely affect adjoining sites;</p> <p>b. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>c. Any required financial contribution under FC - Financial Contributions; and</p> <p>d. Natural hazards <a href="#">BIZ-MD1</a>.</p>
<b>BIZ-R57 Community facilities</b>		[8.5(3)(26)]
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">BIZ-S1</a>;</p> <p>b. Yards <a href="#">BIZ-S2</a>;</p> <p>c. Site coverage <a href="#">BIZ-S3</a>;</p> <p>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</p> <p>e. Landscaping <a href="#">BIZ-S5</a>.</p> <p><b>Matters of Control:</b></p> <p>a. Building design and amenity <a href="#">BIZ-MC1</a>;</p> <p>b. Parking, access and turning <a href="#">BIZ-MC2</a>;</p> <p>c. Natural hazards <a href="#">BIZ-MC3</a>; and</p> <p>d. Financial contribution <a href="#">BIZ-MC4</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R57(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</p> <p>b. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>c. Any required financial contribution under FC - Financial Contributions; and</p> <p>d. Natural hazards <a href="#">BIZ-MD1</a>.</p>
<b>Other Activities</b>		
<b>BIZ-R58 Micro scale wind turbines</b>		[8.5(1)(29), 8.5(2)(27), 8.5(3)(36)]
<p><b>Applicable Spatial Layers</b></p> <p>Business and Innovation 3 Zone</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The micro scale wind turbines are rooftop/building integrated or pole/tower mounted.</p> <p><b>Performance Standards:</b></p> <p>a. Any wind turbines located on land that are either rooftop/building integrated shall not exceed 3 metres above the building height. The rotor's blades shall not exceed 1 metre in diameter;</p> <p>b. Yards <a href="#">BIZ-S2</a></p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R58(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</p> <p>b. How the activity provides more efficient and practical use of the remainder of the site; and</p> <p>c. Natural hazards <a href="#">BIZ-MD1</a>.</p>

<b>BIZ-R59 Ancillary offices</b>		[8.5(3)(30)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>;</li> <li>c. Site coverage <a href="#">BIZ-S3</a>; and</li> <li>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</li> <li>e. Landscaping <a href="#">BIZ-S5</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R59(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ul>
<b>BIZ-R60 Call centres associated with an existing use</b>		[8.5(3)(33)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">BIZ-S1</a>;</li> <li>b. Yards <a href="#">BIZ-S2</a>;</li> <li>c. Site coverage <a href="#">BIZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">BIZ-S4</a>; and</li> <li>e. Landscaping <a href="#">BIZ-S5</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. How it is proposed to ensure the call centre is associated with and continues to be associated with an existing use within the Business Park so it does not detract from the vitality of the city centre;</li> <li>b. Building design and amenity <a href="#">BIZ-MC1</a>;</li> <li>c. Parking, access and turning <a href="#">BIZ-MC2</a>;</li> <li>d. Natural hazards <a href="#">BIZ-MC3</a>; and</li> <li>e. Financial contribution <a href="#">BIZ-MC4</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for BIZ-R60(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. How the degree of non-compliance will reduce the amenity of the zone and adversely affect adjoining sites;</li> <li>b. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>c. Any required financial contribution under FC - Financial Contributions; and</li> <li>d. Natural hazards <a href="#">BIZ-MD1</a>.</li> </ul>
<b>BIZ-R61 Residential units accommodation</b>		[8.5(3)(27)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">BIZ-AC1</a>.</li> </ul>	

<b>BIZ-R62</b>	<b>Retirement homes</b>	[8.5(3)(28)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">BIZ-AC1</a> .	
<b>BIZ-R63</b>	<b>Offices</b>	[8.5(3)(29)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">BIZ-AC1</a> .	
<b>BIZ-R64</b>	<b>Concerts</b>	[8.5(1)(30), 8.5(3)(31)]
<b>Applicable Spatial Layers</b> Business and Innovation 3 Zone	<b>1. Activity Status:</b> Non-Complying	

## Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

### **BIZ-S1 Maximum height and daylight envelope**

[8.6.1(1)][8.6.2(1)][8.6.3(1)]

#### **1. Business and Innovation 1 Zone:**

- a. The maximum height of a building or structure shall not exceed 15m above the natural ground level.
- b. The maximum height specified under BIZ-S1(1)(a) is subject to complying with the following:
  - i. Where sites adjoin a residential zone no part of a building shall extend outside the daylight envelope.

#### **2. Business and Innovation 2 Zone and Business and Innovation 3 Zone:**

- a. The maximum height of a building or structure shall not exceed 12m above the natural ground level.

Advice Note:

There is no daylight envelope for the BIZ2 and BIZ3 Zones.

### **BIZ-S2 Yard requirements**

[8.6.1(2)][8.6.2(2)][8.6.3(2)]

#### **1. Business and Innovation 1 Zone:**

- a. Boundaries adjoining Te Ngae Road: 10m

- b. Boundaries adjoining a Residential Zone: 10m
- c. Boundaries adjoining a Rural Zone: 10m
- d. No building or waste disposal facility may be erected within 25m of the Puarenga Stream (with the exception of bridges) or within 5m of any esplanade reserve or strip. This buffer shall not be used for the storage of pallets, containers, raw materials, machinery or goods of any kind. This area shall be planted with trees, shrubs and/or grass.

## 2. Business and Innovation 2 Zone:

- a. No side, rear or rear site yards are required except where the site adjoins a rural zone or State Highway. In these cases, the yard shall be:
  - i. Any yard where abutting a Rural Zone: 5m
  - ii. Any yard abutting a State Highway: 10m
- b. No building or waste disposal facility may be erected within 25m of any river or stream (with the exception of bridges) or within 5m of any esplanade reserve or strip. This buffer shall not be used for the storage of pallets, containers, raw materials, machinery or goods of any kind. This area shall be planted with trees, shrubs and/or grass.

## 3. Business and Innovation 3 Zone:

- a. Any yard where abutting a zone other than the Business and Innovation 3 zone shall be 5m except for along the eastern and southern boundary of the Business and Innovation 3 zone where the yard shall be 10m.
- b. No building or waste disposal facility may be erected within 25m of any river or stream, or within 5m of any esplanade reserve or strip. This buffer shall not be used for the storage of pallets, containers, raw materials, machinery or goods of any kind. This area shall be planted with trees, shrubs and/or grass.

### BIZ-S3 Site coverage

*[8.6.1(3)][8.6.2(3)][8.6.3(3)]*

#### 1. Business and Innovation 3 Zone:

- a. The maximum site coverage for this zone shall be 65%.

Advice Note:

There is no maximum site coverage for the BIZ1 and BIZ2 Zones.

### BIZ-S4 Parking, access and turning

*[8.6.1(5)][8.6.2(5)][8.6.3(5)]*

#### 1. All Business and Innovation Zones

- a. Parking and on-site turning of vehicles shall be provided in accordance with Appendix APP1 – Parking Turning and Access.
- b. All vehicle crossings onto local roads shall be provided and constructed to the standards of Rotorua District Council. Where new vehicle crossings are proposed onto a State Highway, written consent from the New Zealand Transport Agency shall be provided.



**BIZ-S5 Landscaping***[8.6.3(11)]***1. Business and Innovation 3 Zone:**

The landscaping requirements shall be as follows:

- a. All required yards shall be landscaped. All required landscaping shall consist of trees, shrubs and grassed lawn areas. It may also involve fencing, screening, other amenity features.
- b. No such landscaped area may be used for the parking, loading or turning of vehicles, except that every site may have two two-way vehicle crossings not more than 6.5m wide over the landscaped area.
- c. No vegetation capable of growing more than 0.5m high will be permitted within 5m of any vehicle crossing.
- d. Pallets, containers, raw materials, machinery or goods of any kind shall, if stored outside, be screened from public places and shall not be stored on any area provided for landscaping, parking, loading or turning area or the buffer area provided for rivers or lakes.
- e. Where the site abuts or is across the road from a rural or residential zone, a 5m wide buffer strip adjoining the zone shall be planted with species allowed to reach and to be maintained at a minimum height of 12m, in a manner that provides an effective continuous screen in all seasons.

**Matters of Control**

The following matters of control apply if listed in the rule table for the relevant activity.

**BIZ-MC1 Building design, site layout and amenity***[8.7(1)(1)]*

1. How the activity may detract from the vitality of the city centre.
2. Any vegetative screening, landscaping or hard screening within the yards to maintain amenity.
3. The visual impact on the streetscape and the amenity values of the City Entranceway.
4. The control of earthworks, landfilling and other soil retention or removal methods.
5. Potential reverse sensitivity of the activity on adjoining zones or in the case of Eastgate Business Park the efficient and safe operation of the Airport.
6. Any cultural or social effects created on the surrounding environment, with particular regard to Whakarewarewa.
7. Consistency with the intended use of the business or innovation park.
8. Location of buildings or activities onsite to reduce the impact of noise on adjoining activities
9. Methods employed to mitigate the adverse effects of noise and vibration.

**BIZ-MC2 Parking, access and turning***[8.7(1)(2)]*

1. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.

2. Adequate sight distances are provided to prevent adverse effects on traffic flow and safety.
3. Access to the site is designed to be consistent with the standards of the Road Controlling Authority.
4. The recommendations in an integrated transport assessment if one is required under Appendix APP1 – Parking Turning and Access. An integrated transport assessment is not required for activities in the Eastgate Business Park (BIZ3).
5. How the activities will avoid, remedy or mitigate any adverse effects on the function and safe and efficient operation of the transport network.

### **BIZ-MC3      Natural hazards**

*[8.7(1)(3)]*

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. 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.

### **BIZ-MC4      Financial contributions**

*[8.7(1)(5)]*

- a. All resource consent activities shall be assessed under FC – Financial Contributions to determine if a financial contribution is required.

## Matters of Discretion

The following matters of discretion apply where listed in the rule table for the relevant activity.

### **BIZ-MD1      Natural hazards**

*[8.8(1)(1)]*

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. 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, may be required for activities subject to flooding. This applies primarily for significant developments.

## Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

### **BIZ-AC1      General assessment criteria**

*[8.9(1)]*

1. The extent to which the proposal complies with the performance standards of the zone.
2. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity and vitality of the city centre zone, and the character and amenity of the City Entranceways.
3. The extent to which the proposal will avoid, remedy, or mitigate adverse effects on the amenity of neighbouring residents, including protection of privacy and outlook and protection from

- adverse effects from any source of disturbance or nuisance, including noise, glare, illumination and light levels.
4. How the activity provides for efficient use and development of industrial zoned land.
  5. The extent to which the proposal will avoid, remedy, or mitigate the effects on the streetscape and on-site landscaping.
  6. The extent to which the proposal will avoid, remedy, or mitigate effects on water quality.
  7. The ability for the activity to be connected to existing transport networks and utility services.
  8. The extent to which the proposal will avoid, remedy, or mitigate effects on the function and safe and efficient operation of the transport network.
  9. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.
  10. The extent to which the proposal will avoid, remedy, or mitigate effects on the qualities and characteristics of an outstanding landscape or feature identified in the schedules for Historical and Cultural Heritage or the natural character of the environment.
  11. The extent to which the proposal will avoid, remedy, or mitigate adverse effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules for Historical and Cultural Heritage or Natural Environmental Values.
  12. The extent to which the proposal is an efficient use and development of Business and Innovation zoned land and consideration of alternative locations for the activity.
  13. The recommendations in an integrated transport assessment if one is required under Appendix APP1 – Parking Turning and Access. An integrated transport assessment is not required for activities in the Eastgate Business Park (BIZ3).
  14. Whether the proposal requires a financial contribution under the provisions of FC – Financial Contributions.
  15. Natural hazards
    - i. Adverse effects from natural hazards or the worsening of any hazard identified on the the planning maps. The likelihood and consequences of a natural hazard event will be assessed to determine the level of risk associated with natural hazards.
    - ii. 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, may be required for activities subject to flooding. This applies primarily for significant developments. The report shall identify the potential risk from flooding, any recommendations for floor levels, earthworks or engineering works.
  16. The assessment criteria for development and activities that affect a Significant Geothermal Feature, as set out in Natural Environmental Values.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

<b>BIZ-AER1</b>	An increase in sustainable and competitive forestry and industry businesses.
<b>BIZ-AER2</b>	Increased employment rates of skilled and semi-skilled professions.
<b>BIZ-AER3</b>	A more defined cluster of business and science based companies located within business and innovation zones that are consistent with the intended use of the park.
<b>BIZ-AER4</b>	Increase in development of business parks whilst ensuring the vitality of the city center and amenity of the commercial, rural and residential environments are maintained.
<b>BIZ-AER5</b>	Avoidance of reverse sensitivity effects

# Part 3: Area-Specific Matters

## ZONES

**CCZ**

CITY CENTRE ZONES – POKAPŪ TĀONE

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# CITY CENTRE ZONES – POKAPŪ TĀONE

Status: CCZ is Operative and subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough~~.

## INTRODUCTION

The city centre is the main retailing, entertainment, administration and employment centre of the district, providing a dynamic work environment and the main gathering point for locals and tourists for social and cultural activities.

The vision for the city centre is for a public space where residents and visitors can live, work, and enjoy shopping, recreation, outdoor dining and entertainment activities. The aim is to develop a city centre that has:

1. Well defined boundaries
2. Intensified activity, including new tourist and residential accommodation
3. Safe public spaces
4. Attractive workplaces
5. Employment opportunities

To achieve these aims the city centre is guided by the urban design framework, which is a long-term strategy that is intended to guide council corporate planning decisions for this area. The District Plan is one of several methods of implementing the urban design framework.

To provide a compact city centre Victoria Street and Ranolf Street are being used as boundaries defining the southern and western extent. Well defined boundaries are required to support the objective of intensifying activities within the city centre, along with strong policies within other zones restricting the establishment of commercial activities better suited within the city centre.

To intensify activities the plan creates an enabling environment that encourages the establishment of a broad range of activities within the city centre. Resource consent will not be required unless the activity is identified as incompatible with the zone, the proposal involves a new building or a proposed external alteration affects the 'building façade' of a building. Most types of signage will also not require resource consent.

The manner in which a building façade is designed and the type of activities established, impact on the amenity of an area. Pedestrian focused streets have been identified within the city centre with the intent being to enhance amenity, safety and walkability through the use of urban design elements through Tutanekai Street to the lakefront. This also enforces Tutanekai Street as the spine of the city centre.

The redevelopment of the lakefront will increase connectivity with Tutanekai Street and the Rotorua Central Mall and enhance pedestrian movement between the two locations. This will be achieved through providing for a mix of commercial, recreation and community uses whilst protecting open space and public access. The private land located within the eastern area of the lakefront will be developed through a master plan process that primarily focuses on the edges that face the Village Green and lake edge. This will create an active vibrant

environment that complements Tutanekai Street and the remainder of the lakefront with a focus on dining, tourism, accommodation and speciality retail activity.

Inner city living is enabled in the City Centre ~~1~~ zones to promote vibrancy. Allowing more people to live in the city centre increases pedestrian movement and expands the range of activities permitted to make more efficient use of the extensive commercial, retail and office footprint ~~zones as City Centre 1~~. This will help to achieve a compact vibrant business and retail hub.

The city centre is made up of three zones, with each providing for specific activities and defined by a specific character. A detailed description of each is provided in the following table:

Zone	Code	Description
<b>City Centre 1 Zone</b> Mid City	CCZ1	With Tutanekai Street as its spine, this zone provides Rotorua district's main location for a mix of retail, entertainment, restaurants, accommodation and office activities. Characteristics include small shop frontages, high pedestrian movement, noise, lighting and signage which create a vibrant, active environment. Buildings are designed to contribute to and enhance the pedestrian experience of the centre.
<b>City Centre 2 Zone</b> Southern City	CCZ2	This zone provides for a range of retail and commercial outlets with a focus on large format and vehicle orientated retail, and smaller retail stores and food and beverage outlets within the main mall precinct. <u>Accommodation is enabled above ground floor level.</u> The mall provides a strong pedestrian connection to Tutanekai Street, with this intending to be enforced through the plan. Access to each large format retail store is vehicle dependent and accordingly the zone has high levels of sealed parking areas and traffic movement. The area is recognised as a regionally important retail centre due to its location within the city centre.
<b>City Centre 3 Zone</b> Northern Edge	CCZ3	This zone encompasses both private and public land and is designed to enable a mix of uses including residential accommodation, health, retail, tourism, hospitality and community recreation along with the provision for an active and vibrant lakefront through the use of comprehensive mixed use activities within the lakefront east development plan area. This zone is designed to be pedestrian orientated with strong links to public space along the lakefront and the rest of the city centre.

### Lakefront East Precincts and Development Area

The Lakefront East area within City Centre 3 Zone is covered by two precincts and a development area. The precinct rules are incorporated within this chapter and set specific performance standards and activity status for activities inside the precinct. The development area rules are in a separate chapter and set additional requirements in relation to structure planning and master planning.



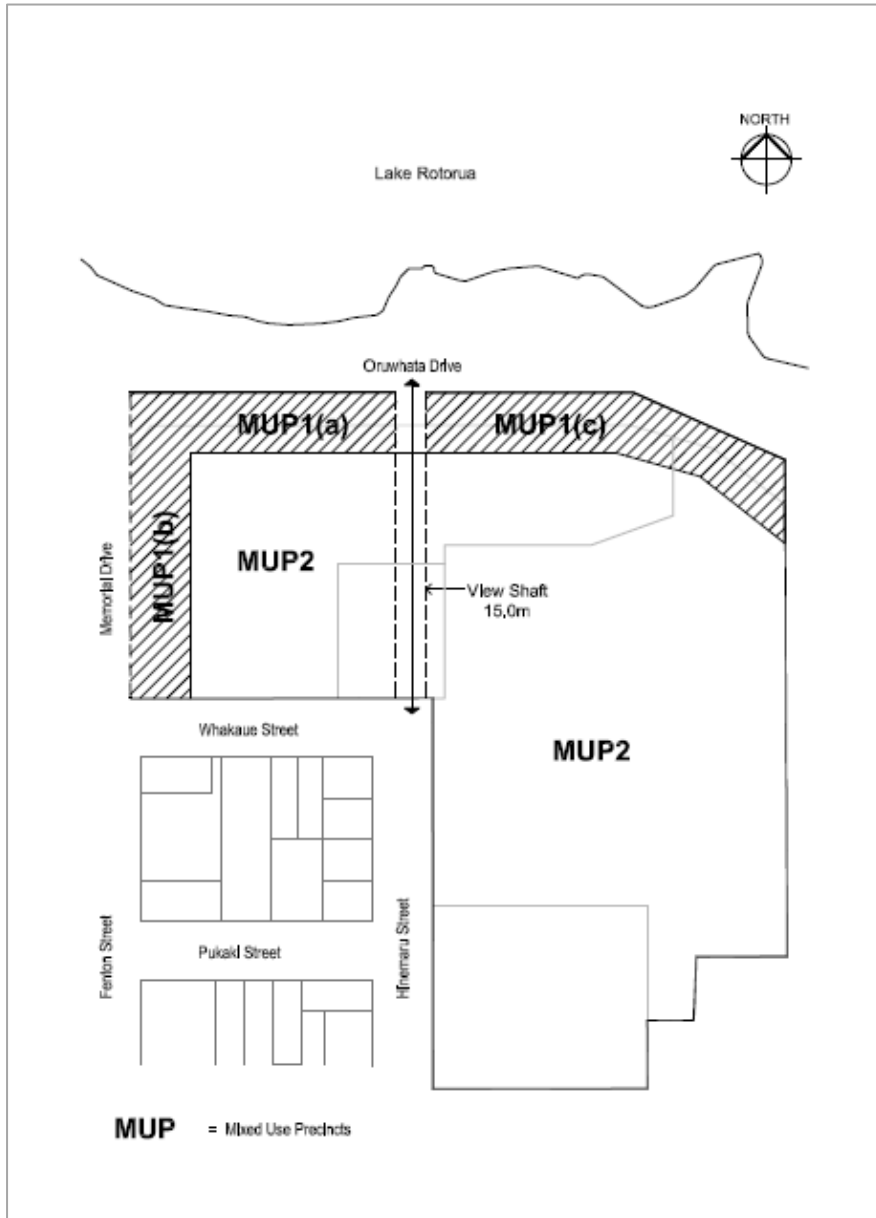


Figure CCZ-1 Lakefront East Precincts

### City Centre 2 Precincts

There are also two precincts inside the City Centre 2 Zone, which have distinct rules.

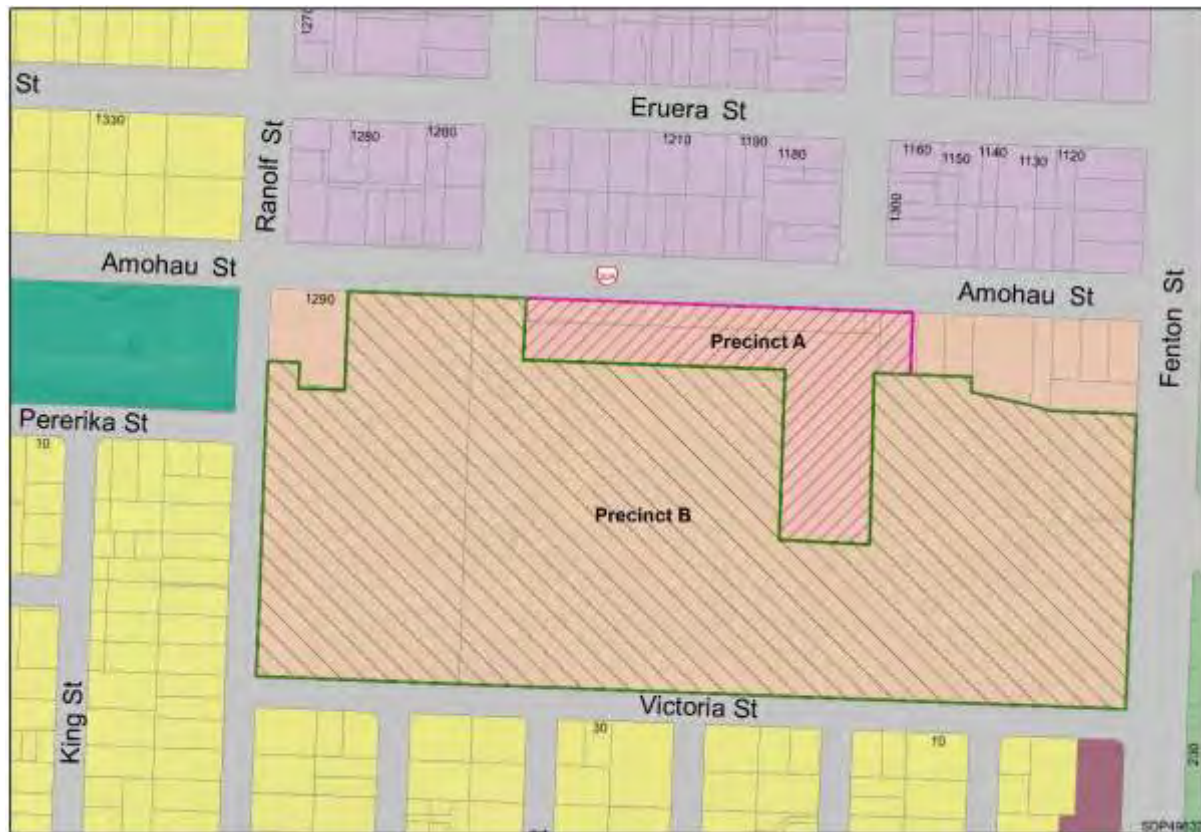


Figure CCZ-2 City Centre 2 Precincts A and B

## ISSUES

There are three key issues shaping the policy framework in the city centre zones:

### CCZ-I1 Vibrancy and vitality of the city centre

To increase vibrancy and vitality the city centre needs to be reinforced as the primary commercial centre of the district. The plan will achieve this by providing a permissive regulatory environment within the zone and restricting the establishment of commercial activities outside of the city centre boundaries. This will encourage development into the city centre, reduce vacancy rates, and enable the establishment and efficient operation of a diverse range of activities. With increased activity comes an increase in safety, pedestrian movement, and investment, in turn enhancing local employment opportunities. The city centre's success and vibrancy will support Rotorua city's competitiveness and attractiveness both regionally and nationally.

Increasing the amount of residential living and tourist accommodation in the city centre is considered one way of introducing activity and vibrancy as these activities increase pedestrian movement. However, these can conflict with elements of the commercial environment such as noise and glare. It is important to provide for the efficient operation of commercial activities as they also contribute to the vibrancy and vitality of the city centre. To enable these activities to co-exist, habitable buildings must be designed to mitigate effects generated from commercial activities to avoid reverse sensitivity issues.

### CCZ-I2 Design and appearance of buildings

The design of a building can contribute positively to the amenity and perceived safety of an environment and therefore, is important to the vitality of the city centre. The objectives, policies and rules of the city centre aim to achieve these outcomes through incorporating practical urban design elements and providing guidance on

the design of buildings to include active frontages, variations in building design and architectural features. These urban design elements will also increase visual interest, provide passive surveillance and in turn increase safety and walkability of the city centre. Resource consent is also required for new buildings, or for external alterations to buildings, to enable a qualitative assessment of development proposals and ensure that good design outcomes are achieved.

### CCZ-13 Reverse sensitivity

The establishment of new activities within incompatible zones or in close proximity to existing activities that have a different level of amenity can create adverse reverse sensitive effects. This has the ability to reduce the efficient operation of the existing activities or undermine the intended amenity of the zone.

## OBJECTIVES

### Vibrancy and vitality of the city centre

<b>CCZ-01</b> [5.3(1)]	<p>A vibrant city centre that is the primary commercial and retail centre for the establishment and operation of a diverse range of commercial and residential activities which promote and enhance the economic viability, employment opportunities, walkability and safety of the city centre.</p> <p><i>Policies CCZ-P1 to CCZ-P5</i></p>
<b>CCZ-02</b> [5.3(2)]	<p>Lakefront development that accommodates a broad range of tourism, commercial services, hospitality, health, retail, accommodation and recreational activities and that has a connected built form promoting vibrant activity with pedestrian movement between the Lakefront and Tutanekai Street.</p> <p><i>Policies CCZ-P6 to CCZ-P7</i></p>
<b>CCZ-03</b> [5.3(3)]	<p>A lakefront environment that maintains the high amenity, historic and cultural values associated with Lake Rotorua as an outstanding natural feature and landscape, whilst providing for development that enhances public use, access, recreational values and supports the lakefront's important role in the Rotorua tourism industry.</p> <p><i>Policy CCZ-P8</i></p>
<b>CCZ-04</b> [5.3(4)]	<p>Rotorua Central Mall having an integral role to the primary commercial and retail centre of the district.</p> <p><i>Policies CCZ-P9 to CCZ-P11</i></p>

### Design and appearance of buildings

<b>CCZ-05</b> [5.3(5)]	<p>Building design that increases the amenity, safety, functionality and vibrancy of the city centre for people.</p> <p><i>Policies CCZ-P12 to CCZ-P13</i></p>
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### Reverse sensitivity

<b>CCZ-06</b> [1.3.10]	<p>Subdivision, use and development that enables the continued efficient operation of existing development and activities.</p> <p><i>Policy CCZ-P14.</i></p>
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## POLICIES

### Vibrancy and vitality of the city centre

#### Objective CCZ-O1

<b>CCZ-P1</b> [5.3(1)(1)]	Enable and facilitate the development and operation of commercial and retail activities to increase the vibrancy and employment opportunities within the city centre.
<b>CCZ-P2</b> [5.3(1)(2)]	Increase connectivity, safety and pedestrian walkability within the city centre and to other destinations outside of the city centre by managing vehicle movements, guiding building design and the location of activities.
<b>CCZ-P3</b> [5.3(1)(3)]	Require at the time of subdivision, or upon land use consent, service lanes to be vested in council for identified areas, (Planning Map 204) where the service lane will be for the purpose of: <ol style="list-style-type: none"> <li>1. Strengthening the city centre urban design principles</li> <li>2. Providing a safe and efficient servicing network for the city centre</li> <li>3. Maintaining the safe and efficient functioning of the city centre transportation network</li> <li>4. Promoting a safe pedestrian focussed environment.</li> </ol>
<b>CCZ-P4</b> [5.3(1)(4)]	Enable residential and tourism accommodation throughout the city centre but only on the upper storeys of pedestrian focussed streets when designed in a manner that avoids reverse sensitivity impacts on commercial activities.
<b>CCZ-P5</b> [5.3(1)(5)]	Encourage the provision of high amenity residential <del>units accommodation within the City Centre 1 zone above ground level.</del> This will be achieved by ensuring residential units provide <del>good access to sunlight from living rooms,</del> good quality outdoor living spaces, <del>outlook spaces, storage spaces,</del> appropriate noise insulation, and are of a size and shape that will enable for the functional use of the units.

#### Objective CCZ-O2

<b>CCZ-P6</b> [5.3(2)(1)]	Ensure the continued use of public open space by the community and visitors by: <ol style="list-style-type: none"> <li>1. Avoiding permanent buildings on the village green</li> <li>2. Reserving lakeside land for activities provided for within the Lakefront East Development Area</li> <li>3. Allowing temporary community events.</li> </ol>
<b>CCZ-P7</b> [5.3(2)(2)]	Enable the comprehensive mixed use development of the lakefront which provides for: <ol style="list-style-type: none"> <li>1. An active environment with high amenity, and with visual and pedestrian connectivity to Tutanekai Street</li> <li>2. A range of mixed use activities including retail, dining, recreation, accommodation, public space and tourism uses that increase the vibrancy and activity of the lakefront</li> <li>3. Sites and buildings that are designed and located to contribute to the provision of a safe, active and pedestrian focussed environment.</li> </ol>

#### Objective CCZ-O3

<b>CCZ-P8</b> [5.3(3)(1)]	The continued operation and development of the lakefront along the northern interface of the lake where this complements the natural and cultural values associated with Lake Rotorua.
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*Objective CCZ-04*

<b>CCZ-P9</b> [5.3(4)(1)]	Provide a staged approach to the integration of small format retail along the northern edge of the zone upon construction of the Victoria Street Arterial to complement the existing mall and the re-development of Amohau Street as a boulevard.
<b>CCZ-P10</b> [5.3(4)(2)]	Provide for Rotorua Central Mall to continue as part of the city centre through maintaining strong pedestrian linkages with Tutanekai Street.
<b>CCZ-P11</b> [5.3(4)(3)]	Encourage a practical and effective pattern for pedestrian and vehicle movements within the Rotorua Central site that: <ol style="list-style-type: none"> <li>1. Maintains or enhances pedestrian linkage into the site from Tutanekai Street</li> <li>2. Maintains vehicular connection between the entry points from Amohau, Fenton, and Victoria Streets</li> <li>3. Maintains connection between the future entry point from Ranolf Street</li> <li>4. Enhances pedestrian movement and safety throughout the site.</li> </ol>

**Design and appearance of buildings***Objective CCZ-05*

<b>CCZ-P12</b> [5.3(5)(1)]	The application of urban design principles within building design to promote a vibrant, active and safe pedestrian focussed environment.
<b>CCZ-P13</b> [5.3(5)(2)]	Seek innovative building design that provides visual interest and diversity to the streetscape and enhances the walkability of the city centre through the use of prominent entrances and different building elements.

**Reverse sensitivity***Objective CCZ-06*

<b>CCZ-P14</b> [1.3.10.1]	Manage the location and design of new subdivision, use and development within each zone to avoid adverse reverse sensitivity effects on existing activities.
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## RULES

The rules in this chapter are set out in two tables. The first addresses activities in City Centre 1 and 2 Zones and the second addresses activities in City Centre 3 zone.

The following precincts apply in City Centre zones and the rules for these precincts are included inside the rule tables below:

- Precinct A and Precinct B apply inside the City Centre 2 Zone; and
- The Lakefront East Mixed Use Precincts 1 and 2 apply inside the City Centre 3 Zone.

The rules in this chapter apply in addition to the rules in other chapters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

Key relationships to note include:

1. The District Wide Matters chapters must also be considered. Examples of matters managed under these rules that are commonly associated with activities in City Centre Zones include (but are not limited to) earthworks, noise and light emissions, management of noise sensitive activities near state highways and signs.
2. The Lakefront East precincts are also subject to the chapter LEDA – Lakefront East Development Area, which sets additional requirements for structure planning and master planning inside the precincts / development area.
3. For subdivision in City Centre Zones refer to the separate chapter SUB – Subdivision.

**Links to the rule categories are provided below:**

Rules for Activities in the City Centre 1 Zone and City Centre 2 Zone	11
General	11
Building and Site Design	11
Retail and Commercial Activities	15
Tourist Accommodation	19
Households-Residential	20
Community Facilities	23
Other Activities	25
Rules Activities in the City Centre 3 Zone	27
General	27
Building and Site Design	27
Retail and Commercial	29
Residential and Tourist Accommodation	34
Community Facilities	35
Spas and Resorts	37

## Rules for Activities in the City Centre 1 Zone and City Centre 2 Zone

General		
<b>CCZ-R1</b>	<b>Any activity not listed in this table</b>	
		[5.5(1)(1)]
<b>Applicable Spatial Layers</b> City Centre 1 and 2 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Height <a href="#">CCZ-S1</a> (City Centre 1 Zone);</li> <li>b. Yards <a href="#">CCZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">CCZ-S5</a>;</li> <li>d. Glazing <a href="#">CCZ-S6</a> (City Centre 1 Zone);</li> <li>e. Verandahs <a href="#">CCZ-S7</a>;</li> <li>f. Service lanes <a href="#">CCZ-S8</a> (City Centre 1 Zone); and</li> <li>g. Landscaping (City Centre 1 Zone) <a href="#">CCZ-S9</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in CCZ-R1(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">CCZ-MD1</a>; and</li> <li>e. Financial contributions <a href="#">CCZ-MD3</a>.</li> </ol>
Building and Site Design		
<b>CCZ-R2</b>	<b>Alterations to <del>the</del> building <del>façade exterior</del></b>	
		<del>[5.5(1)(3)]</del> <del>5.5(1)(4)</del> <del>5.5(1)(5)]</del>
<b>Applicable Spatial Layers</b> City Centre 2 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. <del>Yards <a href="#">CCZ-S2</a>;</del></li> <li>b. <del>Parking, access and turning <a href="#">CCZ-S5</a>;</del></li> <li>c. <del>Verandahs <a href="#">CCZ-S7</a>; and</del></li> <li>d. <del>Landscaping <a href="#">CCZ-S9</a>.</del></li> </ol>	<b>4. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in CCZ-R2(1)(2) or (3). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</li> </ol>
<b>Applicable Spatial Layers</b> City Centre 1 <u>and 2</u> Zones	<b>2 Activity Status:</b> Permitted <b>Where:</b> <ol style="list-style-type: none"> <li>a. The activity is maintenance and repair of the building <del>façade exterior</del>; or</li> <li>b. <del>The external alterations do not modify the external cladding of the building façade unless otherwise specified. External</del></li> </ol>	

	<p><u>alterations are less than 25m<sup>2</sup>; and</u></p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <u>CCZ-S1</u>;</li> <li>b. Yards <u>CCZ-S2</u>;</li> <li>c. Parking, access and turning <u>CCZ-S5</u>;</li> <li>d. Glazing <u>CCZ-S6</u>;</li> <li>e. Verandahs <u>CCZ-S7</u>; and</li> <li>f. Service lanes <u>CCZ-S8</u>.</li> </ul>	<ul style="list-style-type: none"> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <u>CCZ-MD1</u>; and</li> <li>e. Financial contributions <u>CCZ-MD3</u>.</li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 1 and 2 Zones</p>	<p><b>3. Activity Status:</b> <del>Controlled</del> <u>Restricted Discretionary</u></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. <del>The external alterations modify the external cladding of the building façade unless otherwise specified. The external alterations are 25m<sup>2</sup> or more.</del></li> </ul> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <u>CCZ-S1</u>;</li> <li>b. Yards <u>CCZ-S2</u>;</li> <li>c. Parking, access and turning <u>CCZ-S5</u>;</li> <li>d. Glazing <u>CCZ-S6</u></li> <li>e. Verandahs <u>CCZ-S7</u>; and</li> <li>f. Service lanes <u>CCZ-S8</u>.</li> </ul> <p><b>Matters of <del>Control</del> Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Building design and site layout <u>CCZ-MDAMD1</u>;</li> <li>b. Parking, access and turning <u>CCZ-MC2MDB</u>;</li> <li>c. Noise <u>CCZ-MC3MDC</u>;</li> <li>d. Natural hazards <u>CCZ-MC4MD1</u>; and</li> <li>e. Financial contributions <u>CCZ-MC5MD3</u>.</li> </ul> <p><b>Notification</b></p> <p><u>An application will be considered without public or limited notification or the need to obtain written approval from affected parties, unless the Council decides that special circumstances exist under the Resource Management Act 1991.</u></p>	



	<p><b>Exception:</b></p> <p><u>Rule CCZ-R3 shall not apply to service stations or motor vehicle repair garages in City Centre 1 and 2 Zones, which are addressed by Rule CCZ-R11</u></p>	
<b>CCZ-R3</b>	<b>Construction of new buildings</b>	[5.5(1)(6)]
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 2 Zone</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. <del>Yards <u>CCZ-S2</u>;</del></p> <p>b. <del>Parking, access and turning <u>CCZ-S5</u>;</del></p> <p>c. <del>Verandahs <u>CCZ-S7</u>; and</del></p> <p>d. <del>Landscaping <u>CCZ-S9</u>.</del></p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in CCZ-R3(1) or (2).</p> <p><b>Matters of Discretion:</b></p> <p>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. <u>Building design and site layout CCZ-MDA</u></p> <p>e. <u>Parking, access and turning CCZ-MDB</u></p> <p>f. <u>Noise CCZ-MDC</u></p> <p>g. Natural hazards <u>CCZ-MD1</u>; and</p> <p>h. Financial contributions <u>CCZ-MD3</u>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 1 and 2 Zones</p>	<p><b>2. Activity Status:</b> <del>Controlled</del> <u>Restricted Discretionary</u></p> <p><b>Performance Standards:</b></p> <p>a. Height <u>CCZ-S1</u>;</p> <p>b. Yards <u>CCZ-S2</u>;</p> <p>c. <del>Household unit density <u>CCZ-S3</u>;</del></p> <p>d. <u>Household Residential</u> unit design <u>CCZ-S4</u>;</p> <p>e. Parking, access and turning <u>CCZ-S5</u>;</p> <p>f. Glazing <u>CCZ-S6</u>;</p> <p>g. Verandahs <u>CCZ-S7</u>; and</p> <p>h. Service lanes <u>CCZ-S8</u>.</p> <p><b>Matters of <del>Control</del>Discretion:</b></p> <p>a. Building design and site layout <u>CCZ-MDAMDA</u>;</p> <p>b. Parking, access and turning <u>CCZ-MC2MDB</u>;</p> <p>c. Noise <del>CCZ-MC3</del><u>MDC</u>;</p> <p>d. Natural hazards <u>CCZ-MC4MD1</u>; and</p> <p>e. Financial contributions <u>CCZ-MC5MD3</u>.</p> <p><b>Notification</b></p> <p><u>An application will be considered without public or limited notification or the need to obtain written approval from affected parties, unless the Council decides that special circumstances exist</u></p>	

	<a href="#">under the Resource Management Act 1991</a>		
	<p><b>Exception:</b></p> <p><a href="#">Rule CCZ-R3 shall not apply to service stations or motor vehicle repair garages in City Centre 1 and 2 Zones, which are addressed by Rule CCZ-R11.</a></p>		
<b>CCZ-R4</b>	<b>Relocation and maintenance of existing vehicle crossings</b>		[5.5(1)(7)]
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 1 and 2 Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Parking, access and turning <a href="#">CCZ-S5</a>;</p> <p>b. Service lanes <a href="#">CCZ-S8</a>; and</p> <p>c. Landscaping <a href="#">CCZ-S9</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in CCZ-R4(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">CCZ-MD1</a>; and</p> <p>e. Financial contributions <a href="#">CCZ-MD3</a>.</p>	
<b>CCZ-R5</b>	<b>New vehicular access over footpaths</b>		[5.5(1)(8)]
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 1 Zone</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General assessment criteria <a href="#">CCZ-AC1</a>.</p>		
<b>CCZ-R6</b>	<b>Modification of the service lane network</b>		[5.5(1)(9)]
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 1 Zone</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General assessment criteria <a href="#">CCZ-AC1</a>.</p>		

<b>CCZ-R7</b>		<b>Loading docks and car parking less than 10 metres from the front boundary on pedestrian focussed streets</b>	[5.5(1)(10)]
<b>Applicable Spatial Layers</b> City Centre 1 Zone	1. <b>Activity Status:</b> Non-Complying		
<b>Retail and Commercial Activities</b>			
<b>CCZ-R8</b>		<b>Retail shops and restaurants</b>	[5.5(1)(11) 5.5(1)(12)]
<b>Applicable Spatial Layers</b> City Centre 1 and 2 Zones	<p>1. <b>Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. If located in Precinct B of City Centre 2 Zone, as shown on the planning maps, prior to the construction of the Victoria Street Arterial, the activity is greater than 400m<sup>2</sup> ground floor area.</p> <p>b. Height <a href="#">CCZ-S1</a> (City Centre 1 Zone);</p> <p>c. Yards <a href="#">CCZ-S2</a>;</p> <p>d. Parking, access and turning <a href="#">CCZ-S5</a>;</p> <p>e. Glazing <a href="#">CCZ-S6</a> (City Centre 1 Zone);</p> <p>f. Verandahs <a href="#">CCZ-S7</a>;</p> <p>g. Service lanes <a href="#">CCZ-S8</a> (City Centre 1 Zone); and</p> <p>h. Landscaping (City Centre 2 Zone) <a href="#">CCZ-S9</a>.</p>	<p>2. <b>Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in CCZ-R8(1)(b) to (h).</p> <p><b>Matters of Discretion:</b></p> <p>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">CCZ-MD1</a>; and</p> <p>e. Financial contributions <a href="#">CCZ-MD3</a>.</p>	
<b>Applicable Spatial Layers</b> City Centre 2 Zone	<p>3. <b>Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in CCZ-R8(1)(a).</p> <p><b>Assessment Criteria:</b></p> <p>a. General assessment criteria <a href="#">CCZ-AC1</a>.</p>		
<b>CCZ-R9</b>		<b>Offices</b>	[5.5(1)(13) 5.5(1)(14) 5.5(1)(15)]
<b>Applicable Spatial Layers</b> City Centre 1 and 2 Zones	<p>1. <b>Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>a. The activity is located in Precinct B of City Centre 2 Zone, as shown on the planning maps, after the</p>	<p>2. <b>Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in CCZ-R9(1).</p> <p><b>Matters of Discretion:</b></p>	

	<p>construction of the Victoria Street Arterial; or</p> <p>b. The activity is located in Precinct A of City Centre 2 Zone, as shown on the planning maps; or</p> <p>c. The activity is located in City Centre 1 Zone and is not on the ground floor of Tutanekai Street or Whakaue Street.</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">CCZ-S1</a> (City Centre 1 Zone);</p> <p>b. Yards <a href="#">CCZ-S2</a>;</p> <p>c. Parking, access and turning <a href="#">CCZ-S5</a>;</p> <p>d. Glazing <a href="#">CCZ-S6</a> (City Centre 1 Zone);</p> <p>e. Verandahs <a href="#">CCZ-S7</a>;</p> <p>f. Service lanes <a href="#">CCZ-S8</a> (City Centre 1 Zone); and</p> <p>g. Landscaping <a href="#">CCZ-S9</a> (City Centre 2 Zone).</p>	<p>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">CCZ-MD1</a>; and</p> <p>e. Financial contributions <a href="#">CCZ-MD3</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 1 Zone</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>The office is located on the ground floor of Tutanekai Street and Whakaue Street.</p> <p><b>Matters of Discretion:</b></p> <p>a. In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</p> <p>b. How the building façade is designed to provide an active street frontage through the use of different materials and architectural design features;</p> <p>c. How vehicular access for servicing purposes is able to be gained from the rear of buildings that have street frontage;</p> <p>d. Natural hazards <a href="#">CCZ-MD1</a>; and</p> <p>e. Financial contributions <a href="#">CCZ-MD3</a>.</p>	
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 2 Zone</p>	<p><b>4. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>The activity is located in Precinct B, as shown on the planning maps, prior to the construction of the Victoria Street Arterial.</p> <p><b>Assessment Criteria:</b></p> <p>a. General assessment criteria <a href="#">CCZ-AC1</a>.</p>	

<b>CCZ-R10 Supermarkets</b>		[5.5(1)(16), 5.5(1)(17)]
<b>Applicable Spatial Layers</b> City Centre 2 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Yards <a href="#">CCZ-S2</a>;</li> <li>b. Parking, access and turning <a href="#">CCZ-S5</a>;</li> <li>c. Verandahs <a href="#">CCZ-S7</a>; and</li> <li>d. Landscaping <a href="#">CCZ-S9</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in CCZ-R10(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">CCZ-MD1</a>; and</li> <li>e. Financial contributions <a href="#">CCZ-MD3</a>.</li> </ul>
<b>Applicable Spatial Layers</b> City Centre 1 Zone	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. Activities on the Ground Floor of Tutanekai Street: <ul style="list-style-type: none"> <li>i. How the building façade is designed to provide an active street frontage through the use of different materials and architectural design features; and</li> <li>ii. How vehicular access for servicing purposes is able to be gained from the rear of buildings that have street frontage;</li> </ul> </li> <li>c. Natural hazards <a href="#">CCZ-MD1</a>; and</li> <li>d. Financial contributions <a href="#">CCZ-MD3</a>.</li> </ul>	
<b>CCZ-R11 Service stations and motor vehicle repair garages</b>		[5.5(1)(18), 5.5(1)(19)]
<b>Applicable Spatial Layers</b> City Centre 2 Zone	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The activity is an extension to or upgrade of an existing service station or motor vehicle repair garage.</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Yards <a href="#">CCZ-S2</a>;</li> <li>b. Parking, access and turning <a href="#">CCZ-S5</a>;</li> <li>c. Verandahs <a href="#">CCZ-S7</a>; and</li> <li>d. Landscaping <a href="#">CCZ-S9</a>.</li> </ul>	

	<p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design and site layout <a href="#">CCZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">CCZ-MC2</a>;</li> <li>c. Noise <a href="#">CCZ-MC3</a>;</li> <li>d. Natural hazards <a href="#">CCZ-MC4</a>; and</li> <li>e. Financial contributions <a href="#">CCZ-MC5</a>.</li> </ul>	
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 1 and 2 Zones</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>The activity is not an extension to or upgrade of an existing service station or motor vehicle repair garage in City Centre 2 Zone.</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General assessment criteria <a href="#">CCZ-AC1</a>.</li> </ul>	
<b>CCZ-R12</b>	<b>Convention centres</b>	[5.5(1)(20)]
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 1 Zone</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The activity is not located on Tutanekai Street.</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>h. Height <a href="#">CCZ-S1</a> (City Centre 1 Zone);</li> <li>i. Yards <a href="#">CCZ-S2</a>;</li> <li>j. Parking, access and turning <a href="#">CCZ-S5</a>;</li> <li>k. Glazing <a href="#">CCZ-S6</a> (City Centre 1 Zone);</li> <li>l. Verandahs <a href="#">CCZ-S7</a>;</li> <li>m. Service lanes <a href="#">CCZ-S8</a> (City Centre 1 Zone); and</li> <li>n. Landscaping <a href="#">CCZ-S9</a> (City Centre 2 Zone).</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in CCZ-R12(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">CCZ-MD1</a>; and</li> <li>e. Financial contributions <a href="#">CCZ-MD3</a>.</li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 1 Zone</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>The activity is located of Tutanekai Street.</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. How the building façade is designed to provide an active street frontage through the use of different materials and architectural design features;</li> <li>c. How vehicular access for servicing purposes is able to be gained from the rear of buildings that have street frontage;</li> <li>d. Natural hazards <a href="#">CCZ-MD1</a>; and</li> </ul>	

	e. Financial contributions <a href="#">CCZ-MD3</a>	
<b>Applicable Spatial Layers</b> City Centre 2 Zone	<b>4. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General assessment criteria <a href="#">CCZ-AC1</a> .	
<b>CCZ-R13</b>	<b>Wholesale outlets and warehouses</b>	[5.5(1)(21)]
<b>Applicable Spatial Layers</b> City Centre 1 and 2 Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> b. General assessment criteria <a href="#">CCZ-AC1</a> .	
<b>Tourist Accommodation</b>		
<b>CCZ-R14</b>	<b>Tourist accommodation</b>	[5.5(1)(22)]
<b>Applicable Spatial Layers</b> City Centre 1 Zone	<b>1. Activity Status:</b> Permitted <b>Where:</b> The tourist accommodation (with the exception of foyers) is not located on the ground floor of Tutanekai Street. <b>Performance Standards:</b> a. Height <a href="#">CCZ-S1</a> (City Centre 1 Zone); b. Yards <a href="#">CCZ-S2</a> ; c. Parking, access and turning <a href="#">CCZ-S5</a> ; d. Glazing <a href="#">CCZ-S6</a> (City Centre 1 Zone); e. Verandahs <a href="#">CCZ-S7</a> ; f. Service lanes <a href="#">CCZ-S8</a> (City Centre 1 Zone); and g. Landscaping <a href="#">CCZ-S9</a> (City Centre 2 Zone).	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in CCZ-R14(1). <b>Matters of Discretion:</b> a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Natural hazards <a href="#">CCZ-MD1</a> ; and e. Financial contributions <a href="#">CCZ-MD3</a>
<b>Advice Note</b> Refer to the Noise Chapter for additional rules and acoustic treatment standards regarding noise sensitive activities in City Centre Zones.		
<b>Applicable Spatial Layers</b> City Centre 1 Zone	<b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> The tourist accommodation is on the ground floor of Tutanekai Street and is not limited to foyers.	

	<p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one or more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. How the building façade is designed to provide an active street frontage through the use of different materials and architectural design features;</li> <li>c. How vehicular access for servicing purposes is able to be gained from the rear of buildings that have street frontage;</li> <li>d. Natural hazards <a href="#">CCZ-MD1</a>; and</li> <li>e. Financial contributions <a href="#">CCZ-MD3</a>.</li> </ul>	
<p><b>Applicable Spatial Layers</b>                  City Centre 2 Zone</p>	<p><b>4. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General assessment criteria <a href="#">CCZ-AC1</a>.</li> </ul>	
<b>Households-Residential</b>		
<b>CCZ-R15</b>	<b>Home based business within established <del>household residential</del> units</b>	<i>[5.5(1)(23)]</i>
<p><b>Applicable Spatial Layers</b>                  City Centre 1 <del>and 2</del> Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">CCZ-S1</a>;</li> <li>b. Yards <a href="#">CCZ-S2</a>;</li> <li>c. <del>Household unit density</del> <a href="#">CCZ-S3</a>;</li> <li>d. <del>Household-Residential</del> unit design <a href="#">CCZ-S4</a>;</li> <li>e. Parking, access and turning <a href="#">CCZ-S5</a>;</li> <li>f. Glazing <a href="#">CCZ-S6</a>;</li> <li>g. Verandahs <a href="#">CCZ-S7</a>; and</li> <li>h. Service lanes <a href="#">CCZ-S8</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in CCZ-R15(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">CCZ-MD1</a>; and</li> <li>e. Financial contributions <a href="#">CCZ-MD3</a>.</li> </ul>
<p><b>Applicable Spatial Layers</b>                  City Centre 2 Zone</p>	<p><b>3. Activity Status:</b> Non-Complying</p>	



<b>CCZ-R16 <del>Household Residential</del> units</b>		[5.5(1)(24) 5.5(1)(25)]
<b>Applicable Spatial Layers</b> City Centre 1 <del>and 2</del> Zones	<b>1. Activity Status:</b> Permitted <b>Where:</b> The <del>household residential</del> unit is not located on the ground floor of Tutanekai Street. <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">CCZ-S1</a>;</li> <li>Yards <a href="#">CCZ-S2</a>;</li> <li><del>Household unit density</del> <a href="#">CCZ-S3</a>;</li> <li><del>Household Residential</del> unit design <a href="#">CCZ-S4</a>;</li> <li>Parking, access and turning <a href="#">CCZ-S5</a>;</li> <li>Glazing <a href="#">CCZ-S6</a>;</li> <li>Verandahs <a href="#">CCZ-S7</a>; and</li> <li>Service lanes <a href="#">CCZ-S8</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in CCZ-R16(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</li> <li>How the activity provides more efficient and practical use of the remainder of the site;</li> <li><a href="#">Building design and site layout CCZ-MDA</a></li> <li>Natural hazards <a href="#">CCZ-MD1</a>;</li> <li><del>Household Residential</del> units – <a href="#">specific non-compliance matters CCZ-MD2</a>; and</li> <li>Financial contributions <a href="#">CCZ-MD3</a>.</li> </ol>
Advice Note Refer to the Noise Chapter for additional rules and acoustic treatment standards regarding noise sensitive activities in City Centre Zones.		
<b>Applicable Spatial Layers</b> City Centre 1 Zone	<b>3. Activity Status:</b> Discretionary <b>Where:</b> The <del>household residential</del> unit is located on the ground floor of Tutanekai Street. <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General assessment criteria <a href="#">CCZ-AC1</a>.</li> </ol>	
<b>Applicable Spatial Layers</b> City Centre 2 Zone	<b>4. Activity Status:</b> Non-Complying	

<b>CCZ-R16A</b>		<b>Conversion of a building to residential units</b>	[5.5(1)(24) 5.5(1)(25)]
<b>Applicable Spatial Layers</b> <u>City Centre 1 and 2 Zones</u>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b> <u>The residential unit is not located on the ground floor of Tutanekai Street.</u></p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. <u>Height CCZ-S1;</u></li> <li>b. <u>Yards CCZ-S2;</u></li> <li>c. <u>Residential unit design CCZ-S4;</u></li> <li>d. <u>Parking, access and turning CCZ-S5;</u></li> <li>e. <u>Glazing CCZ-S6;</u></li> <li>f. <u>Verandahs CCZ-S7; and</u></li> <li>g. <u>Service lanes CCZ-S8.</u></li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> <u>Compliance not achieved with the performance standards in CCZ-R16(1).</u></p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. <u>Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</u></li> <li>b. <u>How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</u></li> <li>c. <u>How the activity provides more efficient and practical use of the remainder of the site;</u></li> <li>d. <u>Building design and site layout CCZ-MDA</u></li> <li>e. <u>Natural hazards CCZ-MD1;</u></li> <li>f. <u>Residential units – specific non-compliance matters CCZ-MD2; and</u></li> <li>g. <u>Financial contributions CCZ-MD3.</u></li> </ul>	
<p><b>Advice Note</b></p> <p><u>Refer to the Noise Chapter for additional rules and acoustic treatment standards regarding noise sensitive activities in City Centre Zones.</u></p>			
<b>Applicable Spatial Layers</b> <u>City Centre 1 Zone</u>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Where:</b> <u>The residential unit is located on the ground floor of Tutanekai Street.</u></p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. <u>General assessment criteria CCZ-AC1.</u></li> </ul>		
<b>CCZ-R17</b>		<b>Community housing</b>	[5.5.1(26)]
<b>Applicable Spatial Layers</b> City Centre 1 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b> The community housing is not located on the ground floor of Tutanekai Street.</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <u>CCZ-S1;</u></li> <li>b. Yards <u>CCZ-S2;</u></li> <li>c. <del>Household unit density</del> <u>CCZ-S3;</u></li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> Compliance not achieved with the performance standards in CCZ-R17(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> </ul>	

	<ul style="list-style-type: none"> <li>d. <u>Household Residential</u> unit design <a href="#">CCZ-S4</a>;</li> <li>e. Parking, access and turning <a href="#">CCZ-S5</a>;</li> <li>f. Glazing <a href="#">CCZ-S6</a>;</li> <li>g. Verandahs <a href="#">CCZ-S7</a>; and</li> <li>h. Service lanes <a href="#">CCZ-S8</a>.</li> </ul>	<ul style="list-style-type: none"> <li>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. <u>Building design and site layout</u> <a href="#">CCZ-MDA</a></li> <li>e. Natural hazards <a href="#">CCZ-MD1</a>; and</li> <li>f. <u>Residential units – specific non-compliance matters</u> <a href="#">CCZ-MD2</a></li> <li>g. Financial contributions <a href="#">CCZ-MD3</a>.</li> </ul>
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## Advice Note

Refer to the Noise Chapter for additional rules and acoustic treatment standards regarding noise sensitive activities in City Centre Zones.

<b>Applicable Spatial Layers</b> City Centre 1 Zone	<b>3. Activity Status:</b> Discretionary <b>Where:</b> The community housing is located on the ground floor of Tutanekai Street. <b>Assessment Criteria:</b> a. General assessment criteria <a href="#">CCZ-AC1</a> .
<b>Applicable Spatial Layers</b> City Centre 2 Zone	<b>4. Activity Status:</b> Non-Complying

## Community Facilities

<b>CCZ-R18</b>	<b>Medical centres</b>	[5.5(1)(27)]
<b>Applicable Spatial Layers</b> City Centre 1 Zone	<b>1. Activity Status:</b> Permitted <b>Where:</b> The Medical Centre is not located on the ground floor of Tutanekai Street. <b>Performance Standards:</b> a. Height <a href="#">CCZ-S1</a> (City Centre 1 Zone); b. Yards <a href="#">CCZ-S2</a> ; c. Parking, access and turning <a href="#">CCZ-S5</a> ; d. Glazing <a href="#">CCZ-S6</a> (City Centre 1 Zone); e. Verandahs <a href="#">CCZ-S7</a> ; f. Service lanes <a href="#">CCZ-S8</a> (City Centre 1 Zone); and g. Landscaping <a href="#">CCZ-S9</a> (City Centre 2 Zone).	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in CCZ-R18(1). <b>Matters of Discretion:</b> a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Natural hazards <a href="#">CCZ-MD1</a> ; and

		e. Financial contributions <a href="#">CCZ-MD3</a>
<b>Applicable Spatial Layers</b> City Centre 1 Zone	<b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> The medical centre is located on the ground floor of Tutanekai Street. <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>How the building façade is designed to provide an active street frontage through the use of different materials and architectural design features;</li> <li>How vehicular access for servicing purposes is able to be gained from the rear of buildings that have street frontage; and</li> <li>Natural hazards <a href="#">CCZ-MD1</a>; and</li> <li>Financial contributions <a href="#">CCZ-MD3</a>.</li> </ol>	
<b>Applicable Spatial Layers</b> City Centre 2 Zone	<b>4. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> General assessment criteria <a href="#">CCZ-AC1</a> .	
<b>CCZ-R19</b>	<b>Community and educational facilities</b>	[5.5(1)(28)]
<b>Applicable Spatial Layers</b> City Centre 1 Zone	<b>1. Activity Status:</b> Permitted <b>Where:</b> The activity is not located on the ground floor of Tutanekai Street. <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">CCZ-S1</a> (City Centre 1 Zone);</li> <li>Yards <a href="#">CCZ-S2</a>;</li> <li>Parking, access and turning <a href="#">CCZ-S5</a>;</li> <li>Glazing <a href="#">CCZ-S6</a> (City Centre 1 Zone);</li> <li>Verandahs <a href="#">CCZ-S7</a>;</li> <li>Service lanes <a href="#">CCZ-S8</a> (City Centre 1 Zone); and</li> <li>Landscaping <a href="#">CCZ-S9</a> (City Centre 2 Zone).</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in CCZ-R19(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</li> <li>How the activity provides more efficient and practical use of the remainder of the site;</li> <li>Natural hazards <a href="#">CCZ-MD1</a>; and</li> <li>Financial contributions <a href="#">CCZ-MD3</a>.</li> </ol>

<b>Applicable Spatial Layers</b> City Centre 1 Zone	<b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> The activity is located on the ground floor of Tutanekai Street. <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>How the building façade is designed to provide an active street frontage through the use of different materials and architectural design features;</li> <li>How vehicular access for servicing purposes is able to be gained from the rear of buildings that have street frontage;</li> <li>Natural hazards <a href="#">CCZ-MD1</a>; and</li> <li>Financial contributions <a href="#">CCZ-MD3</a>.</li> </ol>	
<b>Applicable Spatial Layers</b> City Centre 2 Zone	<b>4. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> General assessment criteria <a href="#">CCZ-AC1</a> .	
<b>CCZ-R20</b>	<b>Funeral homes</b>	<a href="#">[5.5(1)(29)]</a>
<b>Applicable Spatial Layers</b> City Centre 1 and 2 Zones	<b>1. Activity Status:</b> Non-Complying	
<b>Other Activities</b>		
<b>CCZ-R21</b>	<b>Public car park buildings</b>	<a href="#">[5.5(1)(48)]</a>
<b>Applicable Spatial Layers</b> City Centre 1 and 2 Zones	<b>1. Activity Status:</b> <del>Controlled-Restricted Discretionary</del> <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">CCZ-S1</a> (City Centre 1 Zone);</li> <li>Yards <a href="#">CCZ-S2</a>;</li> <li>Parking, access and turning <a href="#">CCZ-S5</a>;</li> <li>Glazing <a href="#">CCZ-S6</a> (City Centre 1 Zone);</li> <li>Verandahs <a href="#">CCZ-S7</a>;</li> <li>Service lanes <a href="#">CCZ-S8</a> (City Centre 1 Zone); and</li> <li>Landscaping <a href="#">CCZ-S9</a> (City Centre 2 Zone).</li> </ol> <b>Matters of <del>Control</del>-Discretion:</b> <ol style="list-style-type: none"> <li>The extent to which the ground floor of the building is designed to</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in CCZ-R21(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</li> <li>How the activity provides more efficient and practical use of the remainder of the site;</li> <li><del>Parking, access and turning</del> <a href="#">CCZ-MDB</a>; and</li> </ol>

	<p>provide for commercial and retail uses. This requires but is not limited to having floor heights no less than 4m.</p> <p>b. Building design and site layout <a href="#">CCZ-MC1MDA</a></p> <p>c. Parking, access and turning <a href="#">CCZ-MC2MDB</a>; and</p> <p>d. Noise <a href="#">CCZ-MC3MDC</a>;</p> <p>e. Natural hazards <a href="#">CCZ-MC4MD1</a>; and</p> <p>f. Financial contributions <a href="#">CCZ-MC5MD3</a>.</p>	<p>e. <a href="#">Noise CCZ-MDC</a>;</p> <p>f. Natural hazards <a href="#">CCZ-MD1</a>; and</p> <p>g. Financial contributions <a href="#">CCZ-MD3</a>.</p>
<b>CCZ-R22</b>	<b>Recycling drop off centres</b>	[5.5(1)(47)]
<b>Applicable Spatial Layers</b> City Centre 1 and 2 Zones	<p>1. <b>Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General assessment criteria <a href="#">CCZ-AC1</a>.</p>	
<b>CCZ-R23</b>	<b>Helicopter take-off and landing areas</b>	[5.5(1)(49)]
<b>Applicable Spatial Layers</b> City Centre 1 and 2 Zones	<p>1. <b>Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General assessment Criteria <a href="#">CCZ-AC1</a>.</p>	
<b>CCZ-R24</b>	<b>Vehicle crossings from City Centre 2 to Ranolf Street</b>	[5.5(1)(51)]
<b>Applicable Spatial Layers</b> City Centre 1 and 2 Zones	<p>1. <b>Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. Topographical features and existing buildings and their likely effect on visual and noise impacts of the proposal;</p> <p>b. Proposals for the monitoring and regular audit of noise and other environmental impacts;</p> <p>c. Compliance with NZS6807:1994 Noise Management and Land use planning for Helicopter Landing Areas; and</p> <p>d. General assessment criteria <a href="#">CCZ-AC1</a>.</p>	
<b>CCZ-R25</b>	<b>Fire training facilities</b>	[5.5(1)(52)]
<b>Applicable Spatial Layers</b> City Centre 1 and 2 Zones	<p>1. <b>Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General assessment criteria <a href="#">CCZ-AC1</a>.</p>	

<b>CCZ-R26</b>	<b>Any industrial or trade process, vehicle transport or storage facility</b>	[5.5(1)(46)]
<b>Applicable Spatial Layers</b> City Centre 1 and 2 Zones	1. <b>Activity Status:</b> Non-Complying	

## Rules Activities in the City Centre 3 Zone

Advice Note:

Refer also to LEDA – Lakefront East Development Area.

General		
<b>CCZ-R27</b>	<b>Land use activities outside of the mixed use precincts</b>	
<b>Applicable Spatial Layers</b> City Centre 3 Zone: Outside Lakefront East Mixed Use Precincts 1 and 2	1. <b>Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">CCZ-AC1</a> .	
<b>CCZ-R28</b>	<b>Any activity is not listed in this table</b>	
<b>Applicable Spatial Layers</b> City Centre 3 Zone:	1. <b>Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">CCZ-AC1</a> .	
Building and Site Design		
<b>CCZ-R29</b>	<b>Construction of buildings associated with permitted activities</b>	[5.5(2)(1) 5.5(2)(10) 5.5(2)(13) A5.7(2)(2)]
<b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precincts 1 and 2	1. <b>Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">CCZ-S1</a> ; b. Yards <a href="#">CCZ-S2</a> ; <del>c. Household density <a href="#">CCZ-S3</a>;</del> d. <del>Household Residential unit</del> design <a href="#">CCZ-S4</a> ; e. Parking, access and turning <a href="#">CCZ-S5</a> ; f. Glazing <a href="#">CCZ-S6</a> ; g. Verandahs <a href="#">CCZ-S7</a> ; and	2. <b>Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for CCZ-R29(1). <b>Matters of Discretion:</b> a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;

	<p>h. Lakefront East <a href="#">CCZ-S10</a>.</p>	<p>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</p> <p>c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone;</p> <p>d. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>e. Natural hazards <a href="#">CCZ-MD1</a>;</p> <p>f. <del>Household</del> Residential units <a href="#">CCZ-MD2</a>; and</p> <p>g. Financial contributions <a href="#">CCZ-MD3</a>.</p>
<p><b>CCZ-R30 Car parking buildings</b></p>		<p><i>[5.5(2)(1)</i>  <i>5.5(2)(10)</i>  <i>5.5(2)(13)</i>  <i>A5.7(2)(2)]</i></p>
<p><b>Applicable Spatial Layers</b>                  City Centre 3 Zone:                  Lakefront East Mixed-use Precinct 2</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">CCZ-S1</a>;</p> <p>b. Parking, access and turning <a href="#">CCZ-S5</a>;</p> <p>c. Glazing <a href="#">CCZ-S6</a>;</p> <p>d. Verandahs <a href="#">CCZ-S7</a>; and</p> <p>e. Lakefront East <a href="#">CCZ-S10</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b>                  Compliance is not achieved with the performance standards for CCZ-R30(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</p> <p>c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone;</p> <p>d. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>e. Natural hazards <a href="#">CCZ-MD1</a>; and</p> <p>f. Financial contributions <a href="#">CCZ-MD3</a>.</p>
<p><b>Applicable Spatial Layers</b></p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p>	



City Centre 3 Zone: Lakefront East Mixed-use Precinct 1	a. General <a href="#">CCZ-AC1</a>	
<b>Retail and Commercial</b>		
<b>CCZ-R31 Restaurants, cafes and bars</b>		[5.5(2)(1) 5.5(2)(10) 5.5(2)(13) A5.7(2)(2)]
<b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precinct 1	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">CCZ-S1</a> ; b. Yards <a href="#">CCZ-S2</a> ; c. Parking, access and turning <a href="#">CCZ-S5</a> ; d. Glazing <a href="#">CCZ-S6</a> ; e. Verandahs <a href="#">CCZ-S7</a> ; and f. Lakefront East <a href="#">CCZ-S10</a> .	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for CCZ-R31(1). <b>Matters of Discretion:</b> a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites; c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone; d. How the activity provides more efficient and practical use of the remainder of the site; e. Natural hazards <a href="#">CCZ-MD1</a> ; and f. Financial contributions <a href="#">CCZ-MD3</a> .
<b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precinct 2	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">CCZ-AC1</a> .	

<b>CCZ-R32 Commercial entertainment</b>		[5.5(2)(1) 5.5(2)(10) 5.5(2)(13) A5.7(2)(2)]
<b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precinct 2	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">CCZ-S1</a>;</li> <li>Yards <a href="#">CCZ-S2</a>;</li> <li>Parking, access and turning <a href="#">CCZ-S5</a>;</li> <li>Glazing <a href="#">CCZ-S6</a>;</li> <li>Verandahs <a href="#">CCZ-S7</a>; and</li> <li>Lakefront East <a href="#">CCZ-S10</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for CCZ-R32(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</li> <li>How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone;</li> <li>How the activity provides more efficient and practical use of the remainder of the site;</li> <li>Natural hazards <a href="#">CCZ-MD1</a>; and</li> <li>Financial contributions <a href="#">CCZ-MD3</a>.</li> </ol>
<b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precinct 1	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General <a href="#">CCZ-AC1</a>.</li> </ol>	
<b>CCZ-R33 Specialty and fresh food stores (including a boutique supermarket with a floor area not exceeding 2,000m<sup>2</sup> in Mixed Use Precinct 2)</b>		[5.5(2)(1) 5.5(2)(10) 5.5(2)(13) A5.7(2)(2)]
<b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precincts 1 and 2	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">CCZ-S1</a>;</li> <li>Yards <a href="#">CCZ-S2</a>;</li> <li>Parking, access and turning <a href="#">CCZ-S5</a>;</li> <li>Glazing <a href="#">CCZ-S6</a>;</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for CCZ-R33(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the</li> </ol>

	<p>e. Verandahs <a href="#">CCZ-S7</a>; and</p> <p>f. Lakefront East <a href="#">CCZ-S10</a>.</p>	<p>purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</p> <p>c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone;</p> <p>d. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>e. Natural hazards <a href="#">CCZ-MD1</a>; and</p> <p>f. Financial contributions <a href="#">CCZ-MD3</a>.</p>
<p><b>CCZ-R34      Specialty retail and tourist shops</b></p>		<p><i>[5.5(2)(1)</i>  <i>5.5(2)(10)</i>  <i>5.5(2)(13)</i>  <i>A5.7(2)(2)]</i></p>
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 3 Zone:</p> <p>Lakefront East Mixed-use Precinct 1</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">CCZ-S1</a>;</p> <p>b. Yards <a href="#">CCZ-S2</a>;</p> <p>c. Parking, access and turning <a href="#">CCZ-S5</a>;</p> <p>d. Glazing <a href="#">CCZ-S6</a>;</p> <p>e. Verandahs <a href="#">CCZ-S7</a>; and</p> <p>f. Lakefront East <a href="#">CCZ-S10</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for CCZ-R34(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</p> <p>c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone;</p> <p>d. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>e. Natural hazards <a href="#">CCZ-MD1</a>; and</p> <p>f. Financial contributions <a href="#">CCZ-MD3</a>.</p>

<p><b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precinct 2</p>	<p><b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">CCZ-AC1</a>.</p>	
<p><b>CCZ-R35 Duty free retail facilities</b></p>		<p><i>[5.5(2)(1) 5.5(2)(10) 5.5(2)(13) A5.7(2)(2)]</i></p>
<p><b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precinct 2</p>	<p><b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">CCZ-S1</a>; b. Yards <a href="#">CCZ-S2</a>; c. Parking, access and turning <a href="#">CCZ-S5</a>; d. Glazing <a href="#">CCZ-S6</a>; e. Verandahs <a href="#">CCZ-S7</a>; and f. Lakefront East <a href="#">CCZ-S10</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for CCZ-R35(1). <b>Matters of Discretion:</b> a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites; c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone; d. How the activity provides more efficient and practical use of the remainder of the site; e. Natural hazards <a href="#">CCZ-MD1</a>; and f. Financial contributions <a href="#">CCZ-MD3</a>.</p>
<p><b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precinct 1</p>	<p><b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">CCZ-AC1</a>.</p>	

<b>CCZ-R36 Offices</b>		[5.5(2)(1) 5.5(2)(10) 5.5(2)(13) A5.7(2)(2)]
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 3 Zone:</p> <p>Lakefront East Mixed-use Precincts 1 and 2</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The office is not located on the ground floor of Mixed-use Precinct 1.</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">CCZ-S1</a>;</p> <p>b. Yards <a href="#">CCZ-S2</a>;</p> <p>c. Parking, access and turning <a href="#">CCZ-S5</a>;</p> <p>d. Glazing <a href="#">CCZ-S6</a>;</p> <p>e. Verandahs <a href="#">CCZ-S7</a>; and</p> <p>f. Lakefront East <a href="#">CCZ-S10</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for CCZ-R36(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</p> <p>c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone;</p> <p>d. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>e. Natural hazards <a href="#">CCZ-MD1</a>; and</p> <p>f. Financial contributions <a href="#">CCZ-MD3</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 3 Zone:</p> <p>Lakefront East Mixed-use Precinct 1</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>The office is located on the ground floor of Mixed-use Precinct 1.</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">CCZ-AC1</a>.</p>	
<b>CCZ-R37 Commercial services</b>		[5.5(2)(1) 5.5(2)(10) 5.5(2)(13) A5.7(2)(2)]
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 3 Zone:</p> <p>Lakefront East Mixed-use Precincts 1 and 2</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">CCZ-S1</a>;</p> <p>b. Yards <a href="#">CCZ-S2</a>;</p> <p>c. Parking, access and turning <a href="#">CCZ-S5</a>;</p> <p>d. Glazing <a href="#">CCZ-S6</a>;</p> <p>e. Verandahs <a href="#">CCZ-S7</a>; and</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for CCZ-R37(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance</p>

	<p>f. Lakefront East <a href="#">CCZ-S10</a>.</p>	<p>standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</p> <p>c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone;</p> <p>d. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>e. Natural hazards <a href="#">CCZ-MD1</a>; and</p> <p>f. Financial contributions <a href="#">CCZ-MD3</a>.</p>
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**Residential and Tourist Accommodation**

**CCZ-R38**

**Residential units or tourist accommodation**

*[5.5(2)(1)  
 5.5(2)(10)  
 5.5(2)(13)  
 A5.7(2)(2)]*

**Applicable Spatial Layers**

City Centre 3 Zone:  
 Lakefront East Mixed-use Precincts 1 and 2

- 1. Activity Status:** Permitted
- Where:**  
 The accommodation (with the exception of foyers and receptions) is not located on the ground floor of Mixed Use Precinct 1.
- Performance Standards:**
- a. Height [CCZ-S1](#);
  - b. Yards [CCZ-S2](#);
  - ~~c. Household density [CCZ-S3](#);~~
  - d. ~~Household Residential unit~~ design [CCZ-S4](#);
  - e. Parking, access and turning [CCZ-S5](#);
  - f. Glazing [CCZ-S6](#);
  - g. Verandahs [CCZ-S7](#); and
  - h. Lakefront East [CCZ-S10](#).

- 2. Activity Status:** Restricted Discretionary
- Where:**

Compliance is not achieved with the performance standards for CCZ-R38(1).

**Matters of Discretion:**

- a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;
- b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;
- c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone;
- d. How the activity provides more efficient and practical use of the remainder of the site;
- e. Natural hazards [CCZ-MD1](#);
- f. ~~household Residential units – specific non-compliance matters~~ [CCZ-MD2](#); and

		g. Financial contributions <a href="#">CCZ-MD3</a> .
<b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precinct 1	<b>3. Activity Status:</b> Discretionary <b>Where:</b> Accommodation (with the exception of foyers) is located on the ground floor of Mixed Use Precinct 1. <b>Assessment Criteria:</b> a. General <a href="#">CCZ-AC1</a> .	
<b>Community Facilities</b>		
<b>CCZ-R39 Health services</b>		<a href="#">[5.5(2)(1)</a> <a href="#">5.5(2)(10)</a> <a href="#">5.5(2)(13)</a> <a href="#">A5.7(2)(2)]</a>
<b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precinct 1	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">CCZ-S1</a> ; b. Yards <a href="#">CCZ-S2</a> ; c. Parking, access and turning <a href="#">CCZ-S5</a> ; d. Glazing <a href="#">CCZ-S6</a> ; e. Verandahs <a href="#">CCZ-S7</a> ; and f. Lakefront East <a href="#">CCZ-S10</a> .	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for CCZ-R39(1). <b>Matters of Discretion:</b> a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites; c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone; d. How the activity provides more efficient and practical use of the remainder of the site; e. Natural hazards <a href="#">CCZ-MD1</a> ; and f. Financial contributions <a href="#">CCZ-MD3</a> .

<p><b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precinct 2</p>	<p><b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">CCZ-AC1</a>.</p>	
<p><b>CCZ-R40 Health facilities</b></p>		<p><i>[5.5(2)(1) 5.5(2)(10) 5.5(2)(13) A5.7(2)(2)]</i></p>
<p><b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precinct 1</p>	<p><b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">CCZ-S1</a>; b. Yards <a href="#">CCZ-S2</a>; c. Parking, access and turning <a href="#">CCZ-S5</a>; d. Glazing <a href="#">CCZ-S6</a>; e. Verandahs <a href="#">CCZ-S7</a>; and f. Lakefront East <a href="#">CCZ-S10</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for CCZ-R40(1). <b>Matters of Discretion:</b> a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites; c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone; d. How the activity provides more efficient and practical use of the remainder of the site; and e. Natural hazards <a href="#">CCZ-MD1</a>; and f. Financial contributions <a href="#">CCZ-MD3</a>.</p>
<p><b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precinct 2</p>	<p><b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">CCZ-AC1</a>.</p>	



<b>CCZ-R41 Medical spa services</b>		[5.5(2)(1) 5.5(2)(10) 5.5(2)(13) A5.7(2)(2)]
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 3 Zone: Lakefront East Mixed-use Precincts 1 and 2</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">CCZ-S1</a>;</li> <li>b. Yards <a href="#">CCZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">CCZ-S5</a>;</li> <li>d. Glazing <a href="#">CCZ-S6</a>;</li> <li>e. Verandahs <a href="#">CCZ-S7</a>; and</li> <li>f. Lakefront East <a href="#">CCZ-S10</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for CCZ-R41(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</li> <li>c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone;</li> <li>d. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>e. Natural hazards <a href="#">CCZ-MD1</a>; and</li> <li>f. Financial contributions <a href="#">CCZ-MD3</a>.</li> </ul>
<b>Spas and Resorts</b>		
<b>CCZ-R42 Beauty clinics, spa services and day spas</b>		[5.5(2)(1) 5.5(2)(10) 5.5(2)(13) A5.7(2)(2)]
<p><b>Applicable Spatial Layers</b></p> <p>City Centre 3 Zone: Lakefront East Mixed-use Precinct 1</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">CCZ-S1</a>;</li> <li>b. Yards <a href="#">CCZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">CCZ-S5</a>;</li> <li>d. Glazing <a href="#">CCZ-S6</a>;</li> <li>e. Verandahs <a href="#">CCZ-S7</a>; and</li> <li>f. Lakefront East <a href="#">CCZ-S10</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for CCZ-R42(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</li> </ul>

		<p>c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone</p> <p>d. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>e. Natural hazards <a href="#">CCZ-MD1</a>; and</p> <p>f. Financial contributions <a href="#">CCZ-MD3</a>.</p>
<p><b>Applicable Spatial Layers</b>                  City Centre 3 Zone:                  Lakefront East Mixed-use Precinct 2</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">CCZ-AC1</a>.</p>	
<p><b>CCZ-R43 Destination or resort spa or multi-purpose resort</b></p>		<p><i>[5.5(2)(1)                  5.5(2)(10)                  5.5(2)(13)                  A5.7(2)(2)]</i></p>
<p><b>Applicable Spatial Layers</b>                  City Centre 3 Zone:                  Lakefront East Mixed-use Precinct 2</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">CCZ-S1</a>;</p> <p>b. Yards <a href="#">CCZ-S2</a>;</p> <p>c. Parking, access and turning <a href="#">CCZ-S5</a>;</p> <p>d. Glazing <a href="#">CCZ-S6</a>;</p> <p>e. Verandahs <a href="#">CCZ-S7</a>; and</p> <p>f. Lakefront East <a href="#">CCZ-S10</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for CCZ-R43(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;</p> <p>c. How the aspects of non-compliance will affect the amenity of the lakefront development, any adjacent lakefront reserve, village green, or pedestrian focused streets as shown in the planning maps and/or the vitality and vibrancy of City Centre 1 Zone;</p> <p>d. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>e. Natural hazards <a href="#">CCZ-MD1</a>; and</p>

		f. Financial contributions <a href="#">CCZ-MD3</a> .
<b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precinct 1 City C	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">CCZ-AC1</a> .	
<b>CCZ-R44</b>	<b>Other activities in accordance with structure plan or master plan</b>	[5.5.2(12)]
<b>Applicable Spatial Layers</b> City Centre 3 Zone: Lakefront East Mixed-use Precincts 1 and 2	<b>1. Activity Status:</b> Restricted Discretionary <b>Where:</b> a. The activity is in Mixed use Precinct 1 and is not listed in this table, but is in accordance with an approved Master Plan. b. The activity is in Mixed Use Precinct 2 and is not listed in this table, but is in accordance with an approved structure plan. <b>Matters of Discretion</b> a. In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies; b. Natural hazards <a href="#">CCZ-MD1</a> ; and c. Financial contributions <a href="#">CCZ-MD3</a> .	

## Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

### CCZ-S1 Maximum height and daylight envelope

[5.6(1)(1), 5.6(2)(1)]

#### 1. ~~City Centre 1, 2 and 3 Zones and City Centre 3 Zone~~

- a. The maximum height of a building or structure shall be as follows:
  - i. 2032m above the natural ground level in the City Centre 1 zone.
  - ii. 24m above the natural ground level in the City Centre 2 and 3 zones.
  - iii. There is no daylight envelope.
  - iv. For developments adjoining historic buildings listed in the schedule for Historical and Cultural Values:
    1. the height of the replacement building shall not exceed the height of the existing building or exceed the height of the historic building by 3.5m, whichever is the highest.
    2. the height of a new building shall not exceed the height of the historic building, plus 3.5m.

3. any alteration to the façade shall not exceed 1.5m above the height of the existing building.

~~2. City Centre 2 Zone:~~

- ~~a. There is no maximum height.~~
- ~~b. There is no daylight envelope.~~

**CCZ-S2 Yard requirements**

[5.6(1)(2), 5.6(2)(2)]

**1. City Centre 1 Zone and City Centre 3 Zone:**

- a. For sites fronting pedestrian focussed streets (identified on the planning maps) the first three floors of any new building or building extension shall be built to the front boundary.
- b. For sites fronting the portion of Whakaue, Hinemaru and Ranolf Streets identified as a pedestrian focussed street (identified on the planning maps) the first two floors of any new building shall be built up to the front boundary and the third floor and above shall be located a minimum of 6m back from the front boundary.
- c. For sites located on Whakaue, Hinemaru and Ranolf Streets, as identified on the planning maps, any floors above the second floor shall be set back from the side boundary by 2m and the rear boundary by 3m.

**2. City Centre 2 Zone:**

- a. No yards are required ~~unless landscaping is required under CCZ-S9.~~

~~CCZ-S3 Household unit density~~

~~[5.6(1)(4)]~~

~~1. City Centre 1 Zone and City Centre 3 Zone:~~

- ~~a. The minimum net floor area for a household unit shall be 50m<sup>2</sup> for a studio or one bedroom unit and 70m<sup>2</sup> for a unit with two or more bedrooms.~~

**CCZ-S4 Household Residential units design – new buildings**

[5.6(1)(4)]

~~1. City Centre 1 Zone and City Centre 3 Zone:~~

**1. Minimum size of residential units**

- a. The minimum net floor area of a studio unit shall be 35m<sup>2</sup>
- b. The minimum net floor area of a 1 bedroom unit shall be 45m<sup>2</sup>

**2. Outdoor Living Space (per unit)**

- ~~i. A household unit within a new building shall be provided with a private outdoor living space in the form of a patio, terrace or balcony (deck), with a minimum area of 10m<sup>2</sup> and a minimum depth of 2m;~~
- ~~ii. The outdoor living space shall be directly accessed off the main living room; and~~
- ~~iii. The outdoor living space shall be located to the north, east or west.~~
- a. Residential units must have an outdoor living space:

- i. Minimum area: 6m<sup>2</sup>
  - ii. Minimum dimension of 1.5m.
  - iii. May be grouped cumulatively in 1 communally accessible location or located directly adjacent to the unit.
- b. Except that an outdoor living space is not required where the net internal floor area for a dwelling is at least 40m<sup>2</sup> for a studio and 50m<sup>2</sup> for a dwelling with one or more bedrooms.

### **3. Storage**

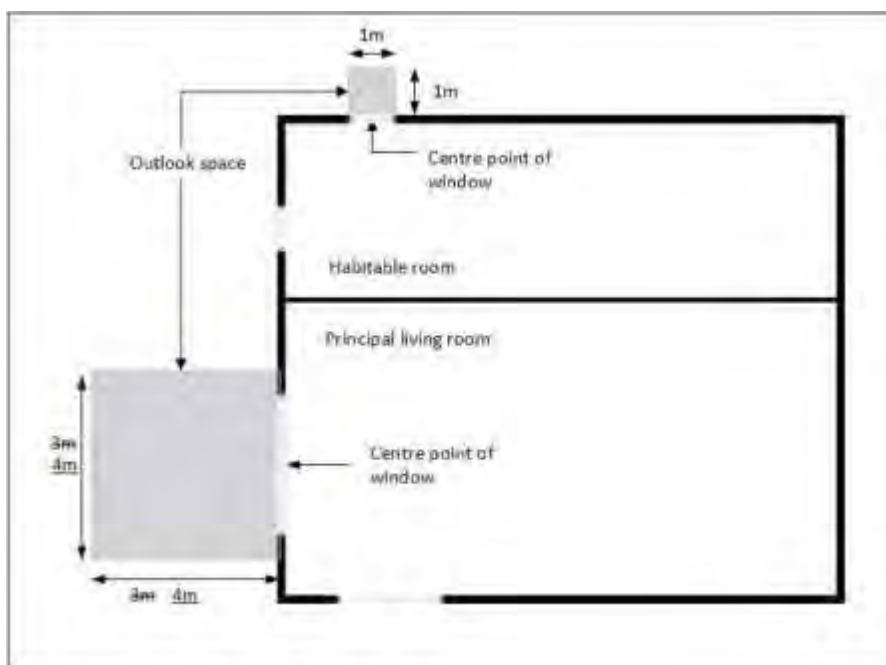
- a. ~~Each household unit shall be provided with a secure, weatherproof storage area either at ground floor level or below, or accessed via a lift; that is readily accessible to the household unit with a minimum capacity of 6m<sup>3</sup>, and a width or depth of at least 1.5m and a height of 2.4m.~~
- b. ~~The access to the storage shall not be via steps.~~

### **4. General Amenity – Heating and Ventilation**

- a. ~~Where 3 or more household units are being created, provision shall be made for heating and ventilation for each unit.~~
- b. ~~Any associated plant/units shall be located on the roof or to the rear of the building. The plant/units shall be screened from public view, and separated from the outdoor living space for other household units unless acoustically treated.~~

### **5. Outlook space**

- a. An outlook space must be provided from habitable room of a residential unit windows as shown in the diagram below:



- b. The minimum dimensions for a required outlook space are as follows:
- i. a principal living room must have an outlook space with a minimum dimension of 4m in depth and 4m in width; and

- ii. all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width;
- c. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies;
- d. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space;
- e. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building;
- f. Outlook spaces may be under or over a balcony;
- g. Outlook spaces required from different rooms within the same building may overlap;
- h. Outlook spaces must—
  - i. be clear and unobstructed by buildings; and
  - ii. not extend over an outlook space or outdoor living space required by another dwelling.

## **CCZ-S5 Parking, access and turning**

*[5.6(1)(5)]*

### **1. City Centre 1 Zone and City Centre 3 Zone:**

- a. There are no minimum on-site parking requirements for activities.
- b. Activities that propose on-site parking shall be designed in accordance with Appendix APP1 – Parking, Access and Turning Standards.
- c. Legal and physical access to a public road must be provided for each site and/or building within City Centre 1.
- d. All vehicle crossings onto local roads shall be provided and constructed to the standards of Rotorua District Council. Where new vehicle crossings are proposed onto a State Highway, written consent from the New Zealand Transport Agency shall be provided.

### **2. City Centre 2 Zone:**

- a. Vehicle access to the site shall only be gained from approved entry points located on Amohau, Fenton, Ranolf and Victoria Streets.
- b. All parking, access and turning shall be provided in accordance with Appendix APP1 – Parking and Turning Standards. All vehicle crossings onto local roads shall be provided and constructed to the standards of Rotorua District Council. Where new vehicle crossings are proposed onto a State Highway, written consent from the New Zealand Transport Agency shall be provided.
- c. All internal public vehicle thoroughfares shall be planted with trees on both sides of the public thoroughfare.
- d. All service areas shall be screened from public view from Ranolf Street and Victoria Street.

## **CCZ-S6 Glazing**

*[5.6(1)(11)]*

**1. City Centre 1 Zone and City Centre 3 Zone:**

- a. For occupied sites fronting pedestrian focussed streets as shown on the planning maps:
  - i. A minimum of 70% of the building façade located on the ground floor shall consist of transparent glass.
- b. All other occupied sites:
  - i. No less than 50% of the building façade located on the ground floor shall be transparent glass.

Advice Note- mirror glass and opaque film is not considered to be transparent.

**CCZ-S7 Verandahs**

*[5.6(1)(12), 5.6(2)(11)]*

**1. City Centre 1 Zone and City Centre 3 Zone:**

- a. All building façades located within 5m from a boundary adjoining a public road (excluding Whakaue Street and any service lane), Memorial Drive or Oruawhata Drive shall be provided with a verandah.
- b. All building façades located within 3m of a boundary adjoining Whakaue Street (excluding any service lane) shall be provided with a verandah.
- c. Any access way located on a pedestrian focussed street other than service lanes, or viewshafts shall be provided with a verandah.
- d. The verandah shall be no less than 2.9m and no greater than 3m in height above the level of the kerb of the pavement, and shall be constructed in order to join the adjoining verandah and provide a continuous, sealed weather-proof shelter.
- e. The ends of the verandah shall be at an angle of 90 degrees with the street boundary.
- f. The verandah shall extend from the building façade to a point 450mm on the building side of the kerb.
- g. The roof covering of any verandah shall be of weather-resistant material and any downpipes shall not project beyond the boundary or building line of any lot and shall be connected to a reticulated stormwater system.
- h. Under verandah lighting shall be provided for each site. This shall be in accordance with the specified light and glare levels of the zone.

**2. City Centre 2 Zone:**

- a. Continuous open verandahs or colonnades shall be provided on buildings adjoining any pedestrian thoroughfare except where approved vehicular access is located.
- b. All verandahs or colonnades shall provide for continuous shelter for a minimum width of 1.5m.
- c. All verandahs or colonnades shall be constructed to a height no greater than 4m above the level of the ground that it is acting to shelter below.

**CCZ-S8 Service lanes**

*[5.6(1)(14)]*

1. No building shall be constructed within any area of land identified as a service lane on the planning maps.

Advice Note:

Where a site or building is to be subdivided, or a land use other than minor external alterations, internal alterations, repairs, maintenance or signage is undertaken on land identified as a service lane on the planning maps Council will also require the vesting of the land. Costs associated with the vesting and forming of the service lane shall be met by the council – see FC – Financial Contributions.

### ~~CCZ-S9 Landscaping~~

~~{5.6(2)(12)}~~

#### ~~1. City Centre 2 Zone:~~

- ~~a. Landscaping shall be provided along the site boundary adjoining Ranolf Street (excluding the site legally described as Lot 1 DPS 358668) at a width of 5m exclusive of vehicular access points.~~
- ~~b. Landscaped open space shall be developed with hard and soft landscaping. Soft landscaping may consist of trees, shrubs and/or grass lawn areas. The area of hard landscaping (paving) within landscaped open space areas shall not exceed 25% of the area of landscaped open space.~~
- ~~c. Landscaped areas shall be kept clear of buildings, signage, carparks, vehicle movements, servicing, and storage of pallets, containers, raw materials, machinery or goods of any kind.~~

### CCZ-S10 Lakefront East Mixed Use Precinct 1 and 2

[A5.7.3]

1. Active street edge
  - a. To ensure an active environment is maintained during day and night hours in each of Lakefront East Mixed Use Precincts 1(a) and 1(b) at least 60% of the ground floor shop front length shall be restaurants, cafes, bars, day spas, beauty clinics, speciality retail and tourist shops.
  - b. Any one tenancy or site within Lakefront East Mixed Use Precinct 1(a) and 1(b) shall not exceed 400m<sup>2</sup> ground floor area, excluding foyer entrances to tenants within Mixed Use Precinct 2.
  - c. Each tenancy shall be provided with an exclusive entranceway.
2. View shaft
  - a. The view shaft identified on the development plan shall not be obstructed and shall provide access for pedestrians.
3. Building design Lakefront East Mixed Use Precinct 1
  - a. The ground and first stories of any new building within Lakefront East Mixed Use Precinct 1 shall be built up to the front boundary, with the exception of foyer entrances and areas in which geothermal bores make this impractical.
  - b. The second and subsequent stories within Lakefront East Mixed Use Precinct 1 shall be located 6 metres back from the front boundary.
  - c. The roofline of any building within Lakefront East Mixed Use Precinct 1 shall be



approximately the same height as the roofline of any adjoining building, or where no building adjoins the development, the same height as the roofline of any building located within Mixed Use Precinct 1. This standard refers to the roofline located within Lakefront East Mixed Use Precinct 1 and does not impact floors located above the first floor that are set back six metres from the front boundary.

4. Parking and access
  - a. Any onsite parking shall be within Mixed Use Precinct 2.
  - b. Any vehicle access within the site shall be within the proposed viewshaft or anywhere from Hinemaru Street. Further vehicular access points shall be restricted to one through either Mixed Use Precinct 1(a) or Mixed Use Precinct 1(b), one through Mixed Use Precinct 1(c) which is at least 80 metres from the viewshaft access; and one single vehicle crossing width access Street.

## Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

### **CCZ-MC1 Building design and site layout**

1. The extent to which:
  - a. The location of buildings and structures and location of outdoor activities mitigates potential adverse cumulative effects on adjoining sites.
  - b. The principles of CPTED are implemented, including provision for the passive surveillance of any adjoining road or reserve and contribution to an active pedestrian orientated environment.
  - c. The amenity of the adjoining properties and the properties within the zone is maintained and enhanced.

### **CCZ-MC2 Parking, access and turning**

1. The extent to which:
  - a. Onsite design, location and surfacing of access, parking and turning areas provides for practical use of the site, maintains the amenity of neighbouring occupiers, the safety of pedestrians and the safe and efficient functioning of the road network.
  - b. Adequate sight distances to prevent adverse effects on traffic flow and safety are provided.
  - c. Access to the site is designed to be consistent with the standards of the Road Controlling Authority.
  - d. How the activities will avoid, remedy or mitigate any adverse effects on the function and safe and efficient operation of the transport network.
  - e. Ensuring parking areas are provided with adequate lighting to ensure a safe pedestrian environment.

### **CCZ-MC3 Noise**

1. The extent to which noise and vibration measures are proposed.

### **CCZ-MC4 Natural hazards**

1. The extent to which:

- a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
- b. 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, may be required for activities subject to flooding. This applies primarily for significant developments.

### **CCZ-MC5 Financial contributions**

1. All activities will be assessed under FC – Financial Contributions to determine if a financial contribution is required.

### Matters of Discretion

#### **CCZ-MDA Building design and site layout**

1. ~~Compliance with the performance standards of the zone;~~<sup>1</sup>
2. ~~Whether the development provides a quality and attractive frontage to the street or public open space, this includes, minimising long expanses of blank walls and visually breaking the mass of buildings into distinct elements. Techniques to achieve this include the use of recesses, variation in building height and roof form, horizontal and vertical rhythms and facade modulation and articulation;~~
3. ~~Whether the building has well-proportioned windows and opening that relate to the shape, form and size of the building;~~
4. ~~How the building façade of each tenancy or lot is visually different through the use of different materials and architectural design features; Whether tenancies are visually expressed as separate entities within a building's form and façade;~~
5. The provision of separate pedestrian entranceways for each tenancy or lot;
6. ~~How all buildings greater than one floor in height are designed to ensure a clear visual horizontal division between the ground floor of a building, the middle portion and the roof line;~~
7. How vehicle access for servicing purposes is provided to the rear of buildings that have street frontage;
8. Whether the roof line of any portion of a building adjoining the front boundary (excluding corner sites) is highlighted through the use or incorporation of:
  - a. materials different to that used on the building façade; or
  - b. architectural design features;
9. ~~Buildings over 25m in height: Whether the building is designed to minimise adverse wind conditions for pedestrians on public streets and public open spaces.~~
10. The extent to which:

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<sup>1</sup> Some matters have been moved from inside rule table (CCZ-R2 and cCZ-R3). This is not shown with striking and underlining – only those changes to intent shown with striking and underlining.

- a. The location of buildings and structures and location of outdoor activities mitigates potential adverse cumulative effects on adjoining sites.
  - b. The principles of CPTED are implemented, including provision for the passive surveillance of any adjoining road or reserve and contribution to an active pedestrian orientated environment.
  - ~~c. The amenity of the adjoining properties and the properties within the zone is maintained and enhanced.~~
11. Whether buildings provide a variety of architectural detail at ground and middle levels including maximising doors, windows, and balconies overlooking the street.
  12. Whether internal space at all levels within buildings are designed to maximise outlook over adjoining streets and public open space.
  13. Whether safe and direct pedestrian access that is easily identifiable is provided from the street to activities on the site.
  14. Whether suitable provision is made for on-site rubbish storage and sorting of recyclable materials, that is sufficiently sized to cater for the rubbish generated by the activity, and is accessible for rubbish collection. For new buildings, rubbish areas should be located within the building. Where a building is being altered and this is not possible, the rubbish areas should not be visible from the street and be appropriately screened.
  15. Whether mechanical plant/units for heating and ventilation will be screened from public view, and, in the case of residential units, separated from the outdoor living space for other residential units.
  16. Additional matters for residential units:
    - a. Where residential units are proposed at ground floor, whether they are designed to enable passive surveillance of the adjoining street and provide privacy for residents. This could be achieved by:
      - i. Providing balconies overlooking the street;
      - ii. Providing a planted setback and/or fenced setback where the site adjoins the street. Fences or landscaping should be low enough to allow for direct sightlines from a pedestrian to the front of the balcony;
      - iii. Raising the balcony and floor plate of the ground floor residential units above the level of the adjoining street to a height sufficient to provide privacy for residents and enable them to overlook the street.
    - b. Whether residential units are located, proportioned and orientated within a site to provide a good standard of amenity for future residents, including by maximising passive solar access while balancing the need for buildings to front the street, and encouraging natural cross-ventilation and the provision of communal open space.
    - c. Whether each residential unit has sufficient space within the site for the sheltered and secure storage of at least one bicycle, which is conveniently located for users.

**CCZ-MDB Noise<sup>2</sup>**

1. The extent to which noise and vibration measures are proposed.

**CCZ-MDC Parking, access and turning<sup>3</sup>**

1. The extent to which:
  - a. Onsite design, location and surfacing of access, parking and turning areas provides for practical use of the site, maintains the amenity of neighbouring occupiers, the safety of pedestrians and the safe and efficient functioning of the road network.
  - b. Adequate sight distances to prevent adverse effects on traffic flow and safety are provided.
  - c. Access to the site is designed to be consistent with the standards of the Road Controlling Authority.
  - d. How the activities will avoid, remedy or mitigate any adverse effects on the function and safe and efficient operation of the transport network.
  - e. Ensuring parking areas are provided with adequate lighting to ensure a safe pedestrian environment.

**CCZ-MD1 Natural hazards**

1. Management of adverse effects from natural hazards or the worsening of any hazard identified on the Special Interest Series maps 208 to 213 is managed.
2. 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, may be required for activities subject to flooding. This applies primarily for significant developments.

**CCZ-MD2 ~~Household Residential units/apartments~~ – specific non-compliance matters**

- ~~1. Size~~
  - ~~a. The extent to which the layout and design of the units will ensure that the units are both functional and will provide a high level of amenity for future occupants.~~
  - ~~b. Whether units of a variety of sizes are provided to accommodate different household sizes.~~
- ~~2. Outdoor living space:~~
  - ~~a. Ensure that a high quality outdoor living space is provided for all residents that:
 
    - ~~i. is accessible;~~
    - ~~ii. has good access to sunlight;~~
    - ~~iii. is of a functional size and dimension; and~~~~

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<sup>2</sup> As activity status changed for activities from controlled to restricted discretionary these have been inserted as matters of discretion but the content has not changed

<sup>3</sup> As above.

~~iv. will provide a high quality amenity space. In assessing the quality of the amenity space consideration will be given to the proximity of the amenity space to roof plant, for example, air conditioning units and extract systems and any acoustic treatment.~~

~~3. Storage~~

~~i. Storage is provided that is practical and accessible for residents to use on a daily basis for the storage of larger items such as bikes and mobility scooters.~~

~~4. General Amenity – Heating and Ventilation~~

~~a. Whether the location of heating and ventilation equipment will detract from the external appearance of the building when viewed from a public place.~~

~~b. Amenity impacts on neighbours associated with the placement and associated noise of heating and ventilation units.~~

<u>Standard not achieved</u>	<u>Matter of Discretion</u>
<u>Minimum size of residential unit</u>	<ol style="list-style-type: none"> <li><u>Effects on the quality of on-site living environments</u></li> <li><u>Whether the layout of residential units provides sufficient room for the day to day needs of residents, including space for both furniture and internal circulation.</u></li> <li><u>Whether each unit has access to communal facilities (e.g. shared laundry) and/or storage facilities within the building.</u></li> </ol>
<u>Outdoor living space</u>	<ol style="list-style-type: none"> <li><u>Effects on the quality of on-site living environments.</u></li> <li><u>Whether the outdoor living space is conveniently located and is of a functional size and dimension for the intended number of residents.</u></li> </ol>
<u>Outlook space</u>	<ol style="list-style-type: none"> <li><u>Privacy effects on adjacent sites</u></li> <li><u>Effects on the quality of on-site living environments</u></li> <li><u>The extent to which direct overlooking of another residential unit’s habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.</u></li> <li><u>Whether any secondary outlook spaces of a reasonable size and orientation have been provided from habitable rooms associated with an outlook space infringement.</u></li> </ol>

**CCZ-MD3 Financial contributions**

- Whether the proposal requires a financial contribution under the provisions of FC- Financial Contributions.

## Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated.

### **CCZ-AC1 General assessment criteria**

1. The extent to which the proposal complies with the performance standards of the zone.
2. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity and vitality of the city centre zone or pedestrian focussed streets.
3. The extent to which the proposal will avoid, remedy, or mitigate the effects on the streetscape and on-site landscaping.
4. The degree to which the proposal promotes the principles of CPTED.
5. The extent to which the proposal will avoid, remedy, or mitigate effects on water quality.
6. The ability for the activity to be connected to existing transport networks and utility services.
7. The extent to which the proposal will avoid, remedy, or mitigate effects on the function and safe and efficient operation of the transport network.
8. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.
9. The extent to which the proposal will avoid, remedy, or mitigate effects on the qualities and characteristics of a landscape or feature identified in the schedules to Historical and Cultural Values or Natural Environmental Values or the natural character of the environment.
10. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified the schedules to Historical and Cultural Values or Natural Environmental Values respectively.
11. The extent to which the proposal is an efficient use and development of the city centre zone.
12. Whether the proposal requires a financial contribution under the provisions of FC – Financial Contributions.
13. The extent to which an integrated transport assessment is required as outlined in Appendix APP1 – Parking, Access and Turning Standards.
14. How the proposal may impact the service lane network and the ability to require the vesting of land for such purposes.
15. Any landscaping or activities provided to enhance streetscape amenity whilst ensuring the safety of pedestrians where the activity requires the building to be set back from the front boundary.
16. Natural hazards
  - a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps. The likelihood and consequences of a natural hazard event will be assessed to determine the level of risk associated with natural hazards.
  - b. 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, may be required for activities subject to flooding. This applies primarily for significant developments. The report shall identify the potential risk from flooding, any recommendations for floor levels, earthworks or engineering works.

17. The assessment criteria for development and activities that affect a Significant Geothermal Feature, as set out in Natural Environmental Values.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

<b>CCZ-AER1</b>	Increased investment and development in the city centre.
<b>CCZ-AER2</b>	Increased pedestrian movement, safety and development contributing to the vibrancy and vitality of the zones that form the city center.
<b>CCZ-AER3</b>	Reduced vacancy rates in the city center.
<b>CCZ-AER4</b>	An increase in residential living and tourist accommodation in the city center that avoids reverse sensitivity and ensures the efficient operation of commercial activities.
<b>CCZ-AER5</b>	Avoidance of reverse sensitivity effects.

# Part 3: Area-Specific Matters

## ZONES

**COMZ**

COMMERCIAL ZONES – ARUMONI



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## COMZ

## COMMERCIAL ZONES – ARUMONI

Status: COMZ is Operative and subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough~~.

## INTRODUCTION

A variety of commercial centres are present throughout the Rotorua District, each providing a different type of function and level of service to the Rotorua community. Each centre plays an important role in servicing and supporting the surrounding residential neighbourhood through providing various social and community services, places to meet, and a sense of community or belonging.

To recognise and appropriately manage these environments a hierarchy of commercial areas is identified based on the role and catchment area each centre services. The city centre is the principal commercial centre for the Rotorua District, and is managed through the CCZ-City Centre Zones chapter. The remaining five commercial zones are the subject of this chapter.

Whilst the commercial centres play a significant role in the community, requiring them to be active, safe, and vibrant environments, there is a need to achieve a balance between activities provided for within commercial centres with those that should be located within the city centre. The plan intends to achieve this balance through recognising the hierarchy of each commercial centre, the amenity of each and in turn the provision of activities within each zone.

The District Plan also acknowledges that there are certain commercial activities that are not suited for locating within the commercial and city centre zones. Such activities tend to establish along main arterial routes and city entranceways. They are dependent on higher traffic movements, onsite parking and large ground floor areas, which are inconsistent with the intention, layout and built environment of the city centre and commercial zones. Taking these considerations into account the District Plan provides for establishment of appropriate commercial activities relative to each zone, to ensure the amenity and vitality of each zone is maintained or enhanced.

The six commercial zones identified outside of the city centre are described in further detail below:

Zone	Code	Description
<b>Commercial 1 Zone</b> Ngongotahā Centre	COMZ1	Ngongotahā is a centre of commercial activity for the north-western area of the Lake Rotorua basin. The commercial centre of Ngongotahā has similar services to the Rotorua city centre, but on a smaller scale. The role of Ngongotahā as a compact retail centre is to provide services to the Ngongotahā village and wider rural community. This centre experiences high pedestrian and vehicle movements and has a well-established community focussed environment. <u>Opportunities for accommodation above ground floor are provided.</u>
<b>Commercial 2 Zone</b> Compact Commercial Centres	COMZ2	Compact commercial centres that serve large catchments and have a specific character through containing a mix of anchor stores such as supermarkets and small service stores these including butchers, bakeries and dairies. Each centre has a high amount of off road car parking and is

Zone	Code	Description
		located on main arterial routes or highways. <u>Opportunities for accommodation above ground floor are provided.</u>
<b>Commercial 3 Zone</b> Neighbourhood Centres	COMZ3	Small clusters of convenience stores such as dairies, chemists, hairdressers and takeaway outlets that provide day to day services to residential areas located within the immediate vicinity. These centres are dispersed throughout the residential zones and are normally located on corner sites. <del>Buildings are no more than 300m<sup>2</sup> in ground floor area and are usually no more than one storey in height.</del> These areas have lower pedestrian and traffic movement compared to other commercial centres, however they provide an active environment, with higher levels of lighting and traffic movement in comparison to the surrounding residential environment. <u>Opportunities for residential above ground floor are provided.</u>
<b>Commercial 4 Zone</b> City Entranceway Accommodation	COMZ4	Tourism accommodation <u>and high density residential</u> concentrated along city entranceways and arterial routes such as Fenton Street and Lake Road. <del>Activities within the Commercial 4 zone consist of motels or large apartment style buildings commonly two storeys in height, with signage that maintains surrounding amenity. The buildings are designed to cover the majority of the land area and have minimal yards that are landscaped where they adjoin the road. The Commercial 4 zone provides for the continued operation and development of tourist accommodation and supporting commercial activities, as well as all forms of residential, at high densities.</del>
<b>Commercial 5 Zone</b> City Entranceway Tourism	COMZ5	There are many specialised tourist attractions throughout the district with a concentration of outdoor adventure tourism attractions along the northern and southern entranceways into Rotorua. These consist of a range of active outdoor and indoor recreation activities set on large sites, often with extensive planting, safe and highly visible access from the highway and a high level of amenity. In addition to tourism activities Te Puia also provides for Māori arts and craft training.  Supporting activities are provided for on the same site, for example souvenir shops and restaurants.
<b>Commercial 6 Zone</b> Southern Edge Commercial Centre	COMZ6	The Commercial 6 zone provides for a mix of light industrial and commercial activities located on the southern edge of the city centre. <u>Opportunities for residential above ground floor are provided.</u>  The commercial activities provided for within this zone are considered not suitable for either the industrial or city centre zones.

## ISSUES

There are three key issues influencing the policy framework in the commercial zones, in addition is the issue of reverse sensitivity, which is common to all zones:

### COMZ-11 Commercial centres

Commercial centres play an important role in supporting the surrounding residential environment through providing key community and retail facilities. These centres were developed to meet the day to day needs of local residents within their local area, reducing the need to travel and enabling people to walk and cycle to satisfy their needs. The commercial centres also generally provide access to passenger transport, giving people wider access to the other commercial zones and city centre.

As well as providing retail opportunities, many other facilities are provided in and around these centres, such as schools, churches, doctors, surgeries, community centres and open space. Some centres also provide employment opportunities for small office and services use. It is important that a mix of uses is promoted in commercial centres to maintain and enhance their use and enable people to live more sustainably. Policies need to be flexible enough to allow uses within commercial centres to evolve to maintain their vitality and viability whilst ensuring that the vitality of the city centre and the surrounding residential areas are not adversely affected.

[Providing living opportunities within centres supports a greater range of housing choices in Rotorua. Ensuring that residential activity is located above ground level in identified locations protects the commercial function of the centres and ensures a vibrant and high amenity street environment.](#)

### COMZ-12 The design and appearance of buildings

Design of places and spaces, including provision for a mix of uses can determine a commercial centre's success. Reduced crime, increased vitality and an efficient use of resources through design makes a place more attractive and inviting. Well thought out [and quality](#) design of commercial buildings and sites is key to enhancing commercial centres and their surrounding environments. This includes elements such as active frontages, creating visual interest, planning for pedestrian activity, designing for natural surveillance from buildings, considering possible reverse sensitivity effects and maintaining the amenity of adjoining zones through managing lighting, signage and noise effects.

[On the southern entranceway to Rotorua along Fenton Street and western entranceway along Lake Road \(Commercial 4 Zone\), quality design is important to enhance the visual amenity of these key gateways to the city centre. A high density environment is envisaged with a mix of residential and accommodation activities, including visitor accommodation and supporting commercial activities. A high quality frontage to the street will be achieved through encouraging activities, building lobbies and entrances to be designed and located to activate and engage with the street. Where residential is provided at ground floor, it should be designed and located to provide passive surveillance of the street and privacy for residents. Quality on-site living environments are expected for residential development.](#)

~~[Each commercial zone has a particular character, reflected in the nature and scale of development. This character has been identified by the community as being important in creating a sense of place, and a sense of belonging and identity. Providing for activities that reflect the existing development within each commercial centre will ensure the diversity amongst commercial zones is maintained, whilst enforcing the city centre as the main commercial centre of the district.](#)~~

[Resource consent is required for new buildings, or for external alterations to buildings in most of the commercial zones, to enable a qualitative assessment of development proposals and ensure that good design outcomes are achieved.](#)

**COMZ-13 Commercial activities located within Non-Commercial Zones**

Proliferation of inappropriate commercial activities within the residential and industrial zones may reduce residential amenity through increased traffic, lighting or noise levels and may affect the vitality of commercial zones through reduced pedestrian counts and increased vacancy rates. Providing commercial centres with defined boundaries will reduce the level of commercial sprawl and enhance the vibrancy and amenity of commercial zones. In addition, this will support the city centre’s main function as the centre of commercial activities in the district. Commercial development that is consistent with the amenity and primary function of the city centre should not establish within the commercial zones.

**COMZ-14 Reverse sensitivity**

The establishment of new activities within incompatible zones or in close proximity to existing activities that have a different level of amenity can create adverse reverse sensitive effects. This has the ability to reduce the efficient operation of the existing activities or undermine the intended amenity of the zone.

**OBJECTIVES**

**Commercial centres**

<b>COMZ-01</b> [6.3(1)]	A hierarchy of vibrant compact commercial and tourism centres that efficiently service and support the needs of the surrounding community and nationally significant tourism sector. <i>Policies COMZ-P1 to COMZ-P5</i>
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**Design and appearance of buildings**

<b>COMZ-02</b> [6.3(2)]	Commercial <u>buildings and</u> activities <del>that do not adversely affect</del> <u>positively contribute to the mixed use</u> character, safety and efficiency <u>and attractiveness</u> of commercial <del>areas</del> <u>centres and entranceways to Rotorua</u> . <i>Policy COMZ-P6 to COMZ-P9</i>
<b>COMZ-03</b> [6.3(3)]	Commercial buildings and activities designed and operated in a manner that <del>avoids</del> <u>mitigates</u> adverse effects on the amenity of residential zones. <i>Policy COMZ-P10 to COMZ-P11</i>
<b>COMZ-03A</b>	<u>Residential development provides healthy, safe, and quality living environments for residents.</u>

**Commercial activities located within Non-Commercial Zones**

<b>COMZ-04</b> [6.3(4)]	Efficient use and development of commercial centres by the establishment of activities consistent with the intended purpose of each zone. <i>Policies COMZ-P12 to COMZ-P13</i>
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**Reverse sensitivity**

<b>COMZ-O5</b> [1.3.10]	Subdivision, use and development that enables the continued efficient operation of existing development and activities. <i>Policy COMZ-P104.</i>
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## POLICIES

### Commercial centres

Objective COMZ-O1

<b>COMZ-P1</b>	<u>Enable an increase in the density and scale of development in commercial areas to support the creation of focal points for the community and maximise the benefits of accessibility.</u>
<b>COMZ-P1P2</b> [6.3(1)(1)]	Ngongotahā Village <del>Maintain</del> <u>Enable</u> a commercial centre <u>with a range of activities</u> that serves the large rural/urban north and western catchment and has a village character reflected by <del>small scale buildings and</del> a compact, visually vibrant main street.
<b>COMZ-P2P3</b> [6.3(1)(2)]	Compact Commercial Centres Enable compact shopping centres to continue to function as compact, diverse retail centres that serve large residential catchments.
<b>COMZ-P3P4</b> [6.3(1)(3)]	Neighbourhood Centres Provide for small neighbourhood centres within easy walking distance that support the day to day needs of the surrounding residential area.
<b>COMZ-P5</b>	<u>City Entranceway Accommodation</u> <u>Enable a mix of high density residential uses, accommodation activities, including visitor accommodation, and supporting commercial activities.</u>
<b>COMZ-P46</b> [6.3(1)(4)]	Entranceway <del>Accommodation and</del> Tourism Provide for the development of tourism enterprises and Māori cultural experiences that maintains or enhances the amenity and vibrancy along the northern and southern city entranceways to the inner city, as shown on Planning Map 206.
<b>COMZ-P57</b> [6.3(1)(5)]	Southern Edge Commercial Centre Provide for the establishment of a mix of light industrial, <u>residential</u> and commercial activities that are appropriate to the location and amenity of the southern edge commercial centre, and the character and amenity values of other commercial centres.

### Design and appearance of buildings

Objective COMZ-O2

<b>COMZ-P8</b>	<u>Enable and encourage high quality development that positively contributes to the safety and attractiveness of streets and public open spaces.</u>
<b>COMZ-P6P9</b> [6.3(2)(1)]	Manage the design of activities within commercial centres to maintain or enhance the character, public safety and efficient functioning of the transport network.

Objective COMZ-O3

<b>COMZ-P10</b>	<u>Enable an increase in the density, diversity and quality of housing in identified zones, while maintaining their commercial function and managing potential reverse sensitivity effects.</u>
<b>COMZ-P7P11</b> [6.3(3)(1)]	Manage the effects and design of activities to ensure that the amenity of adjoining residential properties is not adversely affected.
<b>COMZ-P12</b>	<p>a) <u>Require the design of all buildings to positively contribute to the safety and attractiveness of the street by:</u></p> <p>i) <u>Within commercial centres, require development to maximise street activation, building continuity along the street, pedestrian amenity and safety;</u></p> <p>ii) <u>Within other commercial areas, require buildings to orientate to front the street, locate active uses on the street edge, including building entrances, lobbies, and commercial activities where proposed.</u></p>
<b>COMZ-P13</b>	<p>b) <u>Require the design of residential buildings to achieve quality on site living environments for people by providing:</u></p> <p>i) <u>Private open space that is functional and accessible;</u></p> <p>ii) <u>A reasonable level of visual privacy and outlook;</u></p> <p>iii) <u>Safe and convenient pedestrian access to residential units from the street; and</u></p> <p>iv) <u>Where located outside of commercial centres:</u></p> <p>i) <u>Opportunities for on-site landscaping; and</u></p> <p>ii) <u>Opportunities for passive surveillance of the street, while allowing privacy for residents.</u></p>

#### Commercial activities located within Non-Commercial Zones

Objective COMZ-O4

<b>COMZ-P8P14</b> [6.3(4)(1)]	Restrict the location of retail and commercial activities in other zones of the district to maintain and enhance the vibrancy and amenity of the commercial zones.
<b>COMZ-P9P15</b> [6.3(4)(2)]	Provide diverse commercial centres that offer services and convenient retail activities that complement rather than compete with the city centre.

#### Reverse Sensitivity

Objective COMZ-O5

<b>COMZ-P10P15</b> [1.3(10)(1)]	Manage the location and design of new subdivision, use and development within each zone to avoid adverse reverse sensitivity effects on existing activities.
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## RULES

The rules in this chapter apply in addition to the rules in other chapters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1 - How the Plan Works.

Key relationships to note include:

1. The District Wide Matters chapters must also be considered. Examples of matters managed under these rules that are commonly associated with activities in Commercial Zones include (but are not limited to) earthworks, noise and light emissions, management of noise sensitive activities near the airport and signs.
2. The Commercial 3 Zone inside the Wharenui Development Area is also subject to the chapter WHDA – Wharenui Development Area, which contains additional rules. In some cases, the development area rules override the rules in this chapter and in other cases they provide add/itonal requirements (refer to the development area chapter for further detail).
3. For subdivision in Commercial Zones refer to the separate chapter SUB – Subdivision and WHDA – Wharenui Development Area, where relevant.

Links to the rule categories are provided below:

General .....	9
Buildings .....	9
Retail .....	13
Tourism .....	23
Community .....	27
<del>Households-Residential</del> .....	33
Industrial Activities .....	35
Other Activities .....	35

### Rules for Activities in the Commercial Zones

General		
COMZ-R1	Where an activity is not expressly stated in this table	[6.5(2)]
Applicable Spatial Layers All Commercial Zones	1. Activity Status: Non-Complying	
Buildings		
Advice Note: The following rules are additional to the rules addressing the activities associated with the building.		



COMZ-R2 Alterations to <del>the a buildings façade exterior</del>		[6.5(3), 6.5(4), 6.5(5)]
<p><b>Applicable Spatial Layers</b> All Commercial Zones</p>	<p><b>1. Activity Status:</b> Permitted <b>Where:</b> <del>Alterations in</del> the Commercial 1, 2, 3, 4 and 6 Zones: a. <del>The activity is</del> Are maintenance and repair of the building <del>façade exterior</del>; or b. <del>Do not modify the external cladding of the building façade unless otherwise specified.</del> c. <del>External alterations are less than 25m<sup>2</sup>.</del> <b>Performance Standards:</b> a. Height <del>COMZ-S1</del>; b. <del>Commercial 1 Zone and Commercial 4 Zone:</del> Yards <del>COMZ-S2</del>; c. <del>Commercial 4 Zone: Sit</del> d. Parking, access and turning <del>COMZ-S6</del>; e. Glazing (Commercial 1, 2 and 3 Zones) <del>COMZ-S7</del>; f. Verandahs (Commercial 1, 2, 3 and 6 Zones) <del>COMZ-S8</del>; and g. Landscaping <del>COMZ-S9</del> (Commercial 5 Zone).</p>	<p><b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R2(1) <del>or (2).</del> <b>Matters of Discretion:</b> a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. <del>Height – specific non-compliance matters COMZ-MDA</del> e. Natural hazards <del>COMZ-MD4</del>; and f. Financial contributions <del>COMZ-MD6</del>.</p>
<p><b>Applicable Spatial Layers</b> Commercial 1, 2, 3 4 and 6 Zones</p>	<p><b>3. Activity Status:</b> <del>Controlled Restricted Discretionary</del> <b>Where:</b> <del>The external alterations modify the external cladding of the building façade unless otherwise specified. The external alterations are 25m<sup>2</sup> or more.</del> <b>Performance Standards:</b> a. Height <del>COMZ-S1</del>; b. Yards <del>COMZ-S2</del>; c. Parking, access and turning <del>COMZ-S6</del>; d. Glazing <del>COMZ-S7</del> (Commercial 1, 2 and 3 Zones); e. Verandahs <del>COMZ-S8</del> (Commercial 1, 2, 3 and 6 Zones); and f. <del>Landscaping COMZ-S9</del>.</p>	<p><b>4. Activity Status:</b> Restricted Discretionary <b>Where:</b> a. <del>Compliance is not achieved with the performance standards in COMZ-R2(2).</del> <b>Matters of Discretion:</b> a. <del>The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</del> b. <del>Height – specific non-compliance matters COMZ-MDA</del> c. <del>Building design and site layout COMZ-MD1</del></p>

Deleted: e-coverage COMZ-S3:

	<p><b>Matters of <del>Control</del> Discretion:</b></p> <p><del>a. Extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</del></p> <p><del>b. Building design, amenity COMZ-MC1; Building design and site layout COMZ-MD1</del></p> <p>c. Natural hazards COMZ-MC2; MD4</p> <p>d. Parking, access and turning COMZ-MC3MD5;</p> <p>e. Financial contributions COMZ-MC4-MD6; and</p> <p><del>f. External Alterations COMZ-MC5; except that this standard shall not apply to supermarkets, service stations or motor vehicle repair garages.</del></p> <p><b>Notification</b></p> <p><u>An application will be considered without public or limited notification or the need to obtain written approval from affected parties, unless the Council decides that special circumstances exist under the Resource Management Act 1991</u></p>	<p>d. <u>Natural hazards COMZ-MD4; and</u></p> <p>e. <u>Parking, access and turning COMZ-MD5</u></p> <p>f. <u>Financial contributions COMZ-MD6.</u></p>
<b>COMZ-R3</b>	<b>New buildings</b>	[6.5(6)]
<p><b>Applicable Spatial Layers</b></p> <p>Commercial <u>1</u>, 2, 3, 4, <del>5</del> and 6 Zones</p>	<p><b>1. Activity Status:</b> <del>Permitted Restricted Discretionary</del></p> <p><b>Performance Standards:</b></p> <p>a. Height <u>COMZ-S1;</u></p> <p>b. Yards <u>COMZ-S2;</u></p> <p><del>c. Site coverage <u>COMZ-S3</u> (Commercial 4 Zone);</del></p> <p>d. Parking, access and turning <u>COMZ-S6;</u></p> <p>e. Glazing <u>COMZ-S7</u> (Commercial 1,2 and 3 Zones);</p> <p>f. Verandahs <u>COMZ-S8</u> (Commercial 1, 2, 3 and 6 Zones); and</p> <p><del>g. Landscaping <u>COMZ-S9</u></del></p> <p><b>Matters of Discretion</b></p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R3(1) <u>or (2).</u></p> <p><b>Matters of Discretion:</b></p> <p>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p>

	<ul style="list-style-type: none"> <li>a. <del>Building design and site layout COMZ-MD1</del></li> <li>b. <del>Natural hazards COMZ-MD4</del></li> <li>c. <del>Parking, access and turning COMZ-MD5;</del></li> <li>d. <del>Financial contributions COMZ-MD6; and</del></li> </ul> <p><b><u>Notification</u></b></p> <p><u>An application will be considered without public or limited notification or the need to obtain written approval from affected parties, unless the Council decides that special circumstances exist under the Resource Management Act 1991</u></p>	<ul style="list-style-type: none"> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. <del>Height – specific non-compliance matters COMZ-MDA</del></li> <li>e. <del>Building design and site layout COMZ-MD1;</del></li> <li>f. <del>Natural hazards COMZ-MD4;</del></li> <li>g. <del>Construction of new buildings COMZ-MD2 except that this standard does not apply to supermarkets, service stations, motor vehicle repair garages; and</del></li> <li>h. <del>Parking, access and turning COMZ-MD5; and</del></li> <li>i. <del>Financial contributions COMZ-MD6.</del></li> </ul>
<p><sup>1</sup><b>Applicable Spatial Layers</b></p> <p>Commercial 5 Zone</p>	<p><b>3 Activity Status:</b> Permitted</p> <p><b>Performance Standards</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Glazing <a href="#">COMZ-S7</a> (Commercial 1,2 and 3 Zones);</li> <li>e. Verandahs <a href="#">COMZ-S8</a> (Commercial 1, 2, 3 and 6 Zones); and</li> <li>f. Landscaping <a href="#">COMZ-S9</a></li> </ul>	
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 1 Zone</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. <del>In instances where one or more of the performance standards for the zone are not met, the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</del></li> <li>b. <del>Natural hazards <a href="#">COMZ-MD4</a>;</del></li> <li>c. <del>Construction of new buildings <a href="#">COMZ-MD2</a> except that this standard does not apply to supermarkets, service stations, motor vehicle repair garages; and</del></li> <li>d. <del>Financial contributions <a href="#">COMZ-MD6</a>.</del></li> </ul>	

<sup>1</sup> Change in formatting – additional row to separate Commercial 5 from other zones.

Retail		
<b>COMZ-R4</b>		<b>Takeaway food facilities</b> [6.5(8)]
<b>Applicable Spatial Layers</b> Commercial 1, 2, 3, and 6 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">COMZ-S1</a> ; b. Yards <a href="#">COMZ-S2</a> ; c. Parking, access and turning <a href="#">COMZ-S6</a> ; d. Glazing <a href="#">COMZ-S7</a> ; e. Verandahs <a href="#">COMZ-S8</a> ; and f. <del>Landscaping <a href="#">COMZ-S9</a>.</del>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R4(1). <b>Matters of Discretion:</b> a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Natural hazards <a href="#">COMZ-MD4</a> ; and e. Financial contributions <a href="#">COMZ-MD6</a> .
<b>Applicable Spatial Layers</b> Commercial 4 and 5 Zones	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">COMZ-AC1</a>	
<b>COMZ-R5</b>		<b>Restaurants</b> [6.5(9) 6.5(12)]
<b>Applicable Spatial Layers</b> Commercial 1, 2, 4 and 5 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Restaurants in Commercial 4 or 5 Zones are within tourist accommodation or associated with tourism recreational activities. b. Height <a href="#">COMZ-S1</a> ; c. Yards <a href="#">COMZ-S2</a> ; d. <del>Commercial 4 Zone: Site coverage <a href="#">COMZ-S3</a>.</del> e. Parking, access and turning <a href="#">COMZ-S6</a> ; f. Glazing (Commercial 1 and 2 Zones) <a href="#">COMZ-S7</a> ; g. Verandahs (Commercial 1, 2 Zones) <a href="#">COMZ-S8</a> ; and h. Landscaping <a href="#">COMZ-S9</a> .	<b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R5(1)(b) to (h) or (2). <b>Matters of Discretion:</b> a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;

<p><b>Applicable Spatial Layers</b> Commercial 5 Zone</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Where:</b> Compliance not achieved with the performance standards in COMZ-R5(1)(a).</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>; and</li> <li>d. Landscaping <a href="#">COMZ-S9</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Mitigation of effects of noise and lighting in relation to adjacent sites zoned Residential or Rural, including hours of operation;</li> <li>b. Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>c. Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>d. Parking, access and turning <a href="#">COMZ-MC3</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MC4</a>.</li> </ul>	<ul style="list-style-type: none"> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. The extent to which the new activities would result in social, economic and cumulative adverse effects on the commercial and community services and facilities of the city centre as a whole;</li> <li>e. The extent to which the new activities would result in a significant adverse effect on the character, heritage and amenity values of the city centre;</li> <li>f. Whether a traffic impact assessment is required;</li> <li>g. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network;</li> <li>h. Building design and landscaping provided within the front yard to enhance the amenity values of the city entranceway and streetscape;</li> <li>i. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>j. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<p><b>Applicable Spatial Layers</b> Commercial 3 Zone</p>	<p><b>4. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one or more of the performance standards for the zone are not met, the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. The extent to which the new activities would result in social, economic and cumulative adverse effects on the commercial and community services and facilities of the city centre as a whole.</li> <li>c. The extent to which the new activities would result in a significant adverse effect on the character, heritage and amenity values of the city centre;</li> <li>d. Whether a traffic impact assessment is required;</li> <li>e. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network;</li> <li>f. Building design and landscaping provided within the front yard to enhance the amenity values of the city entranceway and streetscape;</li> <li>g. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>h. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>	

<b>Applicable Spatial Layers</b> Commercial 4 Zone	<b>5. Activity Status:</b> Non-Complying <b>Where:</b> a. Compliance not achieved with the performance standards in COMZ-R5(1)(a).	
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<b>6. Activity Status:</b> Non-Complying	
<b>COMZ-R6 Convenience retail</b>		[6.5(10)]
<b>Applicable Spatial Layers</b> Commercial 1, 2 and 3 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">COMZ-S1</a> ; b. Yards <a href="#">COMZ-S2</a> ; c. Parking, access and turning <a href="#">COMZ-S6</a> ; d. Glazing <a href="#">COMZ-S7</a> ; e. Verandahs <a href="#">COMZ-S8</a> ; and f. <del>Landscaping <a href="#">COMZ-S9</a>.</del>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R6(1). <b>Matters of Discretion:</b> a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Natural hazards <a href="#">COMZ-MD4</a> ; and e. Financial contributions <a href="#">COMZ-MD6</a> .
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">COMZ-AC1</a>	
<b>Applicable Spatial Layers</b> Commercial 4 and 5 Zones	<b>4. Activity Status:</b> Non-Complying	
<b>COMZ-R7 Retail shops</b>		[6.5(13) and (15)]
<b>Applicable Spatial Layers</b> Commercial 1, 4 and 5 Zones	<b>1. Activity Status:</b> Permitted <b>Where:</b> <b>Performance Standards:</b> a. Commercial 4 Zone and Commercial 5 Zones: the shop is a tourist shop within tourist	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R7(1)(b) to (h). <b>Matters of Discretion:</b>

	<p>accommodation or associated with tourism recreational activities</p> <p>b. Height <a href="#">COMZ-S1</a>;</p> <p>c. Yards <a href="#">COMZ-S2</a>;</p> <p><del>d. Commercial 4 Zone: Site coverage <a href="#">COMZ-S3</a>;</del></p> <p>e. Parking, access and turning <a href="#">COMZ-S6</a>;</p> <p>f. Glazing (Commercial 1 Zone) <a href="#">COMZ-S7</a>;</p> <p>g. Verandahs (Commercial 1 Zone) <a href="#">COMZ-S8</a>; and</p> <p>h. Landscaping <a href="#">COMZ-S9</a> (<a href="#">Commercial 5 Zones</a>).</p>	<p>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>Applicable Spatial Layers</b> Commercial 4 and 5 Zones</p>	<p><b>3. Activity Status:</b> Non-Complying</p> <p><b>Where:</b> Compliance not achieved with the performance standards in COMZ-R7(1)(a).</p>	
<p><b>Applicable Spatial Layers</b> Commercial 2, 3 and 6 Zones</p>	<p><b>4. Activity Status:</b> Non Complying</p>	
<p><b>COMZ-R8 Day spas</b> <span style="float: right;">[6.5(13)(a)]</span></p>		
<p><b>Applicable Spatial Layers</b> Commercial 1 Zone</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b> The activity is under 400m<sup>2</sup> ground floor area</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">COMZ-S1</a>;</p> <p>b. Yards <a href="#">COMZ-S2</a>;</p> <p>c. Parking, access and turning <a href="#">COMZ-S6</a>;</p> <p>d. Glazing <a href="#">COMZ-S7</a>;</p> <p>e. Verandahs <a href="#">COMZ-S8</a>; and</p> <p><del>f. Landscaping <a href="#">COMZ-S9</a>.</del></p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> Compliance not achieved with the performance standards in COMZ-R8(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>e. Financial contributions <a href="#">COMZ-MD6</a>.</p>

<p><b>Applicable Spatial Layers</b> Commercial 2, 3, 4, 5 and 6 Zone</p>	<p><b>3. Activity Status:</b> Non Complying</p>	
<p><b>COMZ-R9 Ancillary retail</b></p>		<p>[6.5(14)]</p>
<p><b>Applicable Spatial Layers</b> All Commercial Zones</p>	<p><b>1. Activity Status:</b> Permitted <b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li><del>c. <a href="#">Commercial 4 Zone: Site coverage COMZ-S3</a>;</del></li> <li>d. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>e. Glazing (Commercial 1, 2 and 3 Zones) <a href="#">COMZ-S7</a>;</li> <li>f. Verandahs (Commercial 1,2,3 and 6 Zones) <a href="#">COMZ-S8</a>; and</li> <li>g. Landscaping <a href="#">COMZ-S9</a> (<a href="#">Commercial 5 Zone</a>).</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R9(1). <b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<p><b>COMZ-R10 Offices</b></p>		<p>[6.5(16)]</p>
<p><b>Applicable Spatial Layers</b> Commercial 1 Zone</p>	<p><b>1. Activity Status:</b> Permitted <b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Glazing <a href="#">COMZ-S7</a>;</li> <li>e. Verandahs <a href="#">COMZ-S8</a>; and</li> <li>f. <del>Landscaping <a href="#">COMZ-S9</a></del>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R10(1). <b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>



<p><b>Applicable Spatial Layers</b> Commercial 2 Zone</p>	<p><b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">COMZ-AC1</a>.</p>	
<p><b>Applicable Spatial Layers</b> Commercial 3, 4, 5 and 6 Zones</p>	<p><b>4. Activity Status:</b> Non-Complying</p>	
<p><b>COMZ-R11 Ancillary offices</b></p>		<p>[6.5(17)]</p>
<p><b>Applicable Spatial Layers</b> All Commercial Zones</p>	<p><b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">COMZ-S1</a>; b. Yards <a href="#">COMZ-S2</a>; <del>c. Commercial 4 Zone: Site coverage <a href="#">COMZ-S3</a>;</del> d. Parking, access and turning <a href="#">COMZ-S6</a>; e. Glazing (Commercial 1, 2 and 3 Zones) <a href="#">COMZ-S7</a>; f. Verandahs (Commercial 1,2,3 and 6 Zones) <a href="#">COMZ-S8</a>; and g. Landscaping <a href="#">COMZ-S9</a> (<a href="#">Commercial 5 Zone</a>).</p>	<p><b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R11(1). <b>Matters of Discretion:</b> a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Natural hazards <a href="#">COMZ-MD4</a>; and e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>COMZ-R12 Motor vehicle repair garages</b></p>		<p>[6.5(19)]</p>
<p><b>Applicable Spatial Layers</b> Commercial 6 Zone</p>	<p><b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">COMZ-S1</a>; b. Yards <a href="#">COMZ-S2</a>; c. Parking, access and turning <a href="#">COMZ-S6</a>; d. Verandahs <a href="#">COMZ-S8</a>; and <del>e. Landscaping <a href="#">COMZ-S9</a>.</del></p>	<p><b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R12(1) or (2). <b>Matters of Discretion:</b> a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p>
<p><b>Applicable Spatial Layers</b> Commercial 1 and 2 Zones</p>	<p><b>2. Activity Status:</b> Controlled <b>Performance Standards:</b> a. Height <a href="#">COMZ-S1</a>; b. Yards <a href="#">COMZ-S2</a>; c. Parking, access and turning <a href="#">COMZ-S6</a>;</p>	

	<p>d. Glazing <a href="#">COMZ-S7</a>;</p> <p>e. Verandahs <a href="#">COMZ-S8</a>; and</p> <p>f. <del>Landscaping <a href="#">COMZ-S9</a>.</del></p> <p><b>Matters of Control:</b></p> <p>a. Building design, amenity <a href="#">COMZ-MC1</a>;</p> <p>b. Natural hazards <a href="#">COMZ-MC2</a>;</p> <p>c. Parking, access and turning <a href="#">COMZ-MC3</a>; and</p> <p>d. Financial contributions <a href="#">COMZ-MC4</a>.</p>	<p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>Applicable Spatial Layers</b> Commercial 3, 4 and 5 Zones</p>	<p><b>4. Activity Status:</b> Non-Complying</p>	
<p><b>COMZ-R13 Supermarkets</b></p>		<p>[6.5(20), 6.5(21)]</p>
<p><b>Applicable Spatial Layers</b> All Commercial Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b> It is an upgrade of an existing supermarket where this does not exceed the existing building envelope</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">COMZ-S1</a>;</p> <p>b. Yards <a href="#">COMZ-S2</a>;</p> <p>c. <del>Commercial 4 Zone: Site coverage <a href="#">COMZ-S3</a>;</del></p> <p>d. Parking, access and turning <a href="#">COMZ-S6</a>;</p> <p>e. Glazing (Commercial 1,2 and 3 Zones) <a href="#">COMZ-S7</a>;</p> <p>f. Verandahs (Commercial 1,2,3 and 6 Zones) <a href="#">COMZ-S8</a>; and</p> <p>g. <del>Landscaping <a href="#">COMZ-S9</a> (Commercial 5 Zone).</del></p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> Compliance not achieved with the performance standards in COMZ-R13(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>Applicable Spatial Layers</b> Commercial 1 and 2 Zones</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <p>a. In instances where one or more of the performance standards for the zone are not met, the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</p> <p>b. The extent to which the new activities would result in social, economic and cumulative adverse effects on the commercial and community services and facilities of the city centre as a whole;</p>	

	<ul style="list-style-type: none"> <li>c. The extent to which the new activities would result in a significant adverse effect on the character, heritage and amenity values of the city centre;</li> <li>d. Whether a traffic impact assessment is required;</li> <li>e. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network;</li> <li>f. Building design and landscaping provided within the front yard to enhance the amenity values of the city entranceway and streetscape; and</li> <li>g. Natural hazards <a href="#">COMZ-MD4</a>;</li> <li>h. Financial contributions <a href="#">COMZ-MD6</a></li> </ul>		
<b>Applicable Spatial Layers</b> Commercial 3, 4, 5 and 6 Zones	<b>4. Activity Status:</b> Non-Complying		
<b>COMZ-R14</b>	<b>Trade retail</b> <span style="float: right;">[6.5(23)]</span>		
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Verandahs <a href="#">COMZ-S8</a>; and</li> <li>e. <del>Landscaping <a href="#">COMZ-S9</a></del>;</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <b>2. Activity Status:</b> Restricted Discretionary  <b>Where:</b>            Compliance not achieved with the performance standards in COMZ-R14(1).  <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site; and</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul> </td> </tr> </table>	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Verandahs <a href="#">COMZ-S8</a>; and</li> <li>e. <del>Landscaping <a href="#">COMZ-S9</a></del>;</li> </ul>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R14(1). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site; and</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Verandahs <a href="#">COMZ-S8</a>; and</li> <li>e. <del>Landscaping <a href="#">COMZ-S9</a></del>;</li> </ul>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R14(1). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site; and</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>		
<b>Applicable Spatial Layers</b> Commercial 1, 2, 3, 4 and 5 Zones	<b>3. Activity Status:</b> Non-Complying		

<b>COMZ-R15 Garden centres</b>		[6.5(24)]
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>c. Verandahs <a href="#">COMZ-S8</a>; and</li> <li><del>d. Landscaping <a href="#">COMZ-S9</a>;</del></li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R15(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a></li> </ul>
	<p><b>Applicable Spatial Layers</b> Commercial 1, 2, 3, 4 and 5 Zones</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">COMZ-AC1</a>.</li> </ul>
<b>COMZ-R16 Service stations including extensions</b>		[6.5(18)]
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Verandahs <a href="#">COMZ-S8</a>; and</li> <li><del>e. Landscaping <a href="#">COMZ-S9</a>;</del></li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>b. Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-MC3</a>; and</li> <li>d. Financial contributions <a href="#">COMZ-MC4</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R16(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Service stations and drive through restaurants <a href="#">COMZ-MD2</a>;</li> </ul>

		<ul style="list-style-type: none"> <li>e. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>f. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<p><b>Applicable Spatial Layers</b>                  Commercial 1 and 2 Zones</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one or more of the performance standards for the zone are not met, the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. Service stations and drive through restaurants <a href="#">COMZ-MD3</a>;</li> <li>c. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>d. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>	
<p><b>Applicable Spatial Layers</b>                  Commercial 3, 4 and 5 Zones</p>	<p><b>4. Activity Status:</b> Non-Complying</p>	
<b>COMZ-R17 Drive-through restaurants</b>		[6.5(11)]
<p><b>Applicable Spatial Layers</b>                  Commercial 6 Zone</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Verandahs <a href="#">COMZ-S8</a>; and</li> <li>e. <del>Landscaping <a href="#">COMZ-S9</a>.</del></li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>b. Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-MC3</a>; and</li> <li>d. Financial contributions <a href="#">COMZ-MC4</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R17(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Service stations and drive through restaurants <a href="#">COMZ-MD2</a>; and</li> <li>e. Natural hazards <a href="#">COMZ-MD4</a>;</li> <li>f. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<p><b>Applicable Spatial Layers</b>                  Commercial 1 and 2 Zones</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one or more of the performance standards for the zone are not met, the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. Natural hazards <a href="#">COMZ-MD4</a>;</li> <li>c. Service stations and drive through restaurants <a href="#">COMZ-MD3</a>; and</li> </ul>	

	d. Financial contributions <a href="#">COMZ-MD6</a> .	
<b>Applicable Spatial Layers</b> Commercial 3 and 4 Zones	<b>4. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">COMZ-AC1</a>	
<b>Applicable Spatial Layers</b> Commercial 5 Zone	<b>5. Activity Status:</b> Non Complying	
<b>COMZ-R18</b>	<b>Taverns</b>	[6.5(22)]
<b>Applicable Spatial Layers</b> Commercial 1, 2 and 6 Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">COMZ-AC1</a> .	
<b>Applicable Spatial Layers</b> Commercial 3, 4 and 5 Zones	<b>2. Activity Status:</b> Non-Complying	
<b>Tourism</b>		
<b>COMZ-R19</b>	<b>Bed and breakfast</b>	[6.5(25)]
<b>Applicable Spatial Layers</b> Commercial 4 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">COMZ-S1</a> ; b. Yards <a href="#">COMZ-S2</a> ; <del>c. Site coverage <a href="#">COMZ-S3</a>;</del> d. Parking, access and turning <a href="#">COMZ-S6</a> ; and <del>e. Landscaping <a href="#">COMZ-S9</a>.</del>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R19(1). <b>Matters of Discretion:</b> a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; and d. Natural hazards <a href="#">COMZ-MD4</a> ; and e. Financial contributions <a href="#">COMZ-MD6</a> .

<p><b>Applicable Spatial Layers</b> Commercial 1 Zone</p>	<p><b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">COMZ-AC1</a>.</p>	
<p><b>Applicable Spatial Layers</b> Commercial 2, 3, 5 and 6 Zones</p>	<p><b>4. Activity Status:</b> Non-Complying</p>	
<p><b>COMZ-R20 Tourist accommodation, including resort spas, other than a bed and breakfast</b></p>		<p>[6.5(26)]</p>
<p><b>Applicable Spatial Layers</b> Commercial 4 Zone</p>	<p><b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">COMZ-S1</a>; b. Yards <a href="#">COMZ-S2</a>; <del>c. Site coverage <a href="#">COMZ-S3</a>;</del> d. Parking, access and turning <a href="#">COMZ-S6</a>; and <del>e. Landscaping <a href="#">COMZ-S9</a>.</del></p>	<p><b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R20(1). <b>Matters of Discretion:</b> a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Natural hazards <a href="#">COMZ-MD4</a>; and e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>Applicable Spatial Layers</b> Commercial 5 Zone</p>	<p><b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">COMZ-AC1</a></p>	
<p><b>Applicable Spatial Layers</b> Commercial 1, 2, 3 and 6 Zones</p>	<p><b>4. Activity Status:</b> Non-Complying</p>	

<b>COMZ-R21 Outdoor commercial recreation including the extension of existing and establishment of new walking tracks and associated infrastructure</b>		[6.5(27)]
<b>Applicable Spatial Layers</b> Commercial 5 and 6 Zones	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li><del>c. Site coverage <a href="#">COMZ-S3</a>;</del></li> <li>d. Parking, access and turning <a href="#">COMZ-S6</a>; and</li> <li>e. Landscaping <a href="#">COMZ-S9</a>.<del>(Commercial Zone 5)</del></li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R21(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<b>Applicable Spatial Layers</b> Commercial 1, 2, 3 and 4 Zones	<b>3. Activity Status:</b> Non-Complying	
<b>COMZ-R22 Indoor commercial recreation</b>		[6.5(28)]
<b>Applicable Spatial Layers</b> Commercial 5 and 6 Zones	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Verandahs (Commercial 6 Zone) <a href="#">COMZ-S8</a>; and</li> <li>e. Landscaping <a href="#">COMZ-S9</a>.<del>(Commercial Zone 5)</del></li> </ul>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R22(1) or (2).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> </ul>
<b>Applicable Spatial Layers</b> Commercial 1 and 2 Zones	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> </ul>	



	<p>d. Glazing <a href="#">COMZ-S7</a>;</p> <p>e. Verandahs <a href="#">COMZ-S8</a>; and</p> <p>f. <del>Landscaping <a href="#">COMZ-S9</a></del>.</p> <p><b>Matters of Control:</b></p> <p>a. Building design, amenity <a href="#">COMZ-MC1</a>;</p> <p>b. Natural hazards <a href="#">COMZ-MC2</a>;</p> <p>c. Parking, access and turning <a href="#">COMZ-MC3</a>; and</p> <p>d. Financial contributions <a href="#">COMZ-MC4</a>.</p>	<p>d. Natural hazards <a href="#">COMZ-MD4</a>;</p> <p>e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>Applicable Spatial Layers</b> Commercial 3 and 4 Zones</p>	<p><b>4. Activity Status:</b> Non-Complying</p>	
<p><b>COMZ-R23 Cinemas or theatres</b></p>		<p>[6.5(29)]</p>
<p><b>Applicable Spatial Layers</b> Commercial 1 Zone</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">COMZ-S1</a>;</p> <p>b. Yards <a href="#">COMZ-S2</a>;</p> <p>c. Parking, access and turning <a href="#">COMZ-S6</a>;</p> <p>d. Glazing <a href="#">COMZ-S7</a>;</p> <p>e. Verandahs <a href="#">COMZ-S8</a>; and</p> <p>f. <del>Landscaping <a href="#">COMZ-S9</a></del>.</p> <p><b>Matters of Control:</b></p> <p>a. Building design, amenity <a href="#">COMZ-MC1</a>;</p> <p>b. Natural hazards <a href="#">COMZ-MC2</a>;</p> <p>c. Parking, access and turning <a href="#">COMZ-MC3</a>; and</p> <p>d. Financial contributions <a href="#">COMZ-MC4</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R23(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>Applicable Spatial Layers</b> Commercial 2, 3, 4, 5 and 6 Zones</p>	<p><b>3. Activity Status:</b> Non-Complying</p>	

Community		
COMZ-R24	Community housing	[6.5(31)]
<p><b>Applicable Spatial Layers</b> Commercial 4 Zone</p>	<p><b>1. Activity Status:</b> Permitted <b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li><del>c. Site coverage <a href="#">COMZ-S3</a>;</del></li> <li>d. <del>Household unit density</del> <a href="#">COMZ-S4</a>;</li> <li>e. <del>Household Residential</del> unit design <a href="#">and landscaping COMZ-S5</a>;</li> <li>f. Parking, access and turning <a href="#">COMZ-S6</a>; and</li> <li><del>g. Landscaping <a href="#">COMZ-S9</a>.</del></li> </ul>	<p><b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R24(1) or (2). <b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. <del>Household Residential</del> units - <a href="#">specific non-compliance matters</a> <a href="#">COMZ-MD3</a>; and</li> <li>e. Natural hazards <a href="#">COMZ-MD4</a>;</li> <li>f. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<p><b>Applicable Spatial Layers</b> Commercial 1 and 2 Zones</p>	<p><b>2. Activity Status:</b> Controlled <b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. <del>Residential unit design and landscaping</del> <a href="#">COMZ-S5</a>;</li> <li>d. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>e. Glazing <a href="#">COMZ-S7</a>;</li> <li>f. Verandahs <a href="#">COMZ-S8</a>; and</li> <li><del>g. Landscaping <a href="#">COMZ-S9</a>.</del></li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Mitigation of adverse effects in relation to adjacent sites zoned Residential;</li> <li>b. Provision of private outdoor space and outlook, especially to the north, east or west;</li> <li>c. Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>d. Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>e. Parking, access and turning <a href="#">COMZ-MC3</a>; and</li> <li>f. Financial contributions <a href="#">COMZ-MC4</a>.</li> </ul>	
<p><b>Applicable Spatial Layers</b> Commercial 3 Zone</p>	<p><b>4. Activity Status:</b> Discretionary <b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">COMZ-AC1</a></li> </ul>	

<b>Applicable Spatial Layers</b> Commercial 5 and 6 Zones	<b>5. Activity Status:</b> Non-Complying	
<b>COMZ-R25 Medical centres</b>		[6.5(32)]
<b>Applicable Spatial Layers</b> Commercial 1, 2 and 6 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">COMZ-S1</a>;</li> <li>Yards <a href="#">COMZ-S2</a>;</li> <li>Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>Glazing (Commercial 1 and 2 Zones) <a href="#">COMZ-S7</a>;</li> <li>Verandahs <a href="#">COMZ-S8</a>; and</li> <li><del>Landscaping</del> <a href="#">COMZ-S9</a>.</li> </ol>	<b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R25(1) or (2). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>How the activity provides more efficient and practical use of the remainder of the site;</li> <li>Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>Financial contributions <a href="#">COMZ-MD6</a>.</li> </ol>
<b>Applicable Spatial Layers</b> Commercial 3 Zone	<b>2. Activity Status:</b> Controlled <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">COMZ-S1</a>;</li> <li>Yards <a href="#">COMZ-S2</a>;</li> <li>Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>Glazing (Commercial 1 and 2 Zones) <a href="#">COMZ-S7</a>;</li> <li>Verandahs <a href="#">COMZ-S8</a>; and</li> </ol> <b>Matters of Control:</b> <ol style="list-style-type: none"> <li>Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>Parking, access and turning <a href="#">COMZ-MC3</a>; and</li> <li>Financial contributions <a href="#">COMZ-MC4</a>.</li> </ol>	
<b>Applicable Spatial Layers</b> Commercial 4 Zone	<b>4. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General <a href="#">COMZ-AC1</a></li> </ol>	
<b>Applicable Spatial Layers</b> Commercial 5 Zone	<b>5. Activity Status:</b> Non-Complying	
<b>COMZ-R26 Daycare centres</b>		[6.5(34)]
<b>Applicable Spatial Layers</b> Commercial 1	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b>	<b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b>

<p>and 2 Zones</p>	<ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Glazing <a href="#">COMZ-S7</a>;</li> <li>e. Verandahs <a href="#">COMZ-S8</a>; and</li> <li>f. <del>Landscaping <a href="#">COMZ-S9</a></del>;</li> </ul>	<p>Compliance not achieved with the performance standards in COMZ-R26(1) or (2).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> </ul>
<p><b>Applicable Spatial Layers</b>                  Commercial 3 Zones</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Glazing <a href="#">COMZ-S7</a>;</li> <li>e. Verandahs <a href="#">COMZ-S8</a>; and</li> <li>f. <del>Landscaping <a href="#">COMZ-S9</a></del>;</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Number of children and staff on site at any one time;</li> <li>b. Mitigation and management of noise in relation to adjacent sites zoned Residential;</li> <li>c. Hours of operation;</li> <li>d. Site layout and location of outdoor play areas in relation to zone boundaries;</li> <li>e. Landscaping and/or fencing of boundaries adjoining sites zoned Residential;</li> <li>f. Building design, amenity <a href="#">COMZ-MC1</a>;</li> <li>g. Natural hazards <a href="#">COMZ-MC2</a>;</li> <li>h. Parking, access and turning <a href="#">COMZ-MC3</a>;</li> <li>i. Provision for adequate parking and safe access to and from the centre, where required; and</li> <li>j. Financial contributions <a href="#">COMZ-MC4</a>.</li> </ul>	<ul style="list-style-type: none"> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Number of children and staff on site at any one time;</li> <li>e. Hours of operation;</li> <li>f. Provision for adequate parking, where required, and safe access to and from the centre;</li> <li>g. Site layout and location of outdoor play areas in relation to adjacent activities;</li> <li>h. Landscaping and fencing;</li> <li>i. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>j. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<p><b>Applicable Spatial Layers</b>                  Commercial 6 Zone</p>	<p><b>4. Activity status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one or more of the performance standards for the zone are not met, the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. Number of children and staff on site at any one time;</li> </ul>	

	<ul style="list-style-type: none"> <li>c. Hours of operation;</li> <li>d. Provision for adequate parking, where required, and safe access to and from the centre;</li> <li>e. Site layout and location of outdoor play areas in relation to adjacent activities;</li> <li>f. Landscaping and fencing;</li> <li>g. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>h. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>		
<b>Applicable Spatial Layers</b> Commercial 4 Zone	<b>5. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">COMZ-AC1</a></li> </ul>		
<b>Applicable Spatial Layers</b> Commercial 5 Zone	<b>6. Activity Status:</b> Non-Complying		
<b>COMZ-R27 Funeral homes</b> <span style="float: right;">[6.5(35)]</span>			
<b>Applicable Spatial Layers</b> Commercial 6 Zone	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Verandahs <a href="#">COMZ-S8</a>; and</li> <li>e. <del>Landscaping <a href="#">COMZ-S9</a>;</del></li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <b>2. Activity status:</b> Restricted Discretionary  <b>Where:</b>  Compliance not achieved with the performance standards in COMZ-R27(1).  <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul> </td> </tr> </table>	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Verandahs <a href="#">COMZ-S8</a>; and</li> <li>e. <del>Landscaping <a href="#">COMZ-S9</a>;</del></li> </ul>	<b>2. Activity status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R27(1). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>d. Verandahs <a href="#">COMZ-S8</a>; and</li> <li>e. <del>Landscaping <a href="#">COMZ-S9</a>;</del></li> </ul>	<b>2. Activity status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R27(1). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>		
<b>Applicable Spatial Layers</b> Commercial 1, 2, 3, 4 and 5 Zones	<b>3. Activity Status:</b> Non-Complying		

<b>COMZ-R28 Māori cultural training facilities, taonga galleries and museums within the Te Puia site (Section 1 SO390094 and Section 1 SO408975)</b>		[6.5(37)]
<b>Applicable Spatial Layers</b> Commercial 5 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>; and</li> <li>d. <del>Landscaping <a href="#">COMZ-S9</a></del>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R28(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>e. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>
<b>COMZ-R29 Educational activities</b>		[6.536], 6.5(38)]
<b>Applicable Spatial Layers</b> Commercial 5 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The activity is accessory to onsite tourism activities</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li>c. Parking, access and turning <a href="#">COMZ-S6</a>; and</li> <li>d. <del>Landscaping <a href="#">COMZ-S9</a></del>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in COMZ-R29(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural hazards <a href="#">COMZ-MD4</a>;</li> <li>e. <del>Household Residential</del> units <a href="#">COMZ-MD4</a>; and</li> <li>f. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>

<p><b>Applicable Spatial Layers</b> Commercial 1, 2, 4, 5 and 6 Zones</p>	<p><b>3. Activity Status:</b> Discretionary <b>Where:</b> The activity is not otherwise specified. <b>Assessment Criteria:</b> a. General <a href="#">COMZ-AC1</a>.</p>	
<p><b>Applicable Spatial Layers</b> Commercial 1, 2, 4 and 6 Zones</p>	<p><b>4. Activity Status:</b> Non-Complying <b>Where:</b> The activity is accessory to onsite tourism activities</p>	
<p><b>Applicable Spatial Layers</b> Commercial 3 Zone</p>	<p><b>5. Activity Status:</b> Non-Complying</p>	
<p><b>COMZ-R30 Community facilities unless otherwise specified</b></p>		<p>[6.5(30)]</p>
<p><b>Applicable Spatial Layers</b> Commercial 1 and 2 Zones</p>	<p><b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> a. Height <a href="#">COMZ-S1</a>; b. Yards <a href="#">COMZ-S2</a>; c. Parking, access and turning <a href="#">COMZ-S6</a>; d. Glazing <a href="#">COMZ-S7</a>; e. Verandahs <a href="#">COMZ-S8</a>; and f. <del>Landscaping <a href="#">COMZ-S9</a></del> <b>Matters of Control:</b> a. Building design, amenity <a href="#">COMZ-MC1</a>; b. Natural hazards <a href="#">COMZ-MC2</a>; c. Parking, access and turning <a href="#">COMZ-MC3</a>; and d. Financial contributions <a href="#">COMZ-MC4</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R30(1). <b>Matters of Discretion:</b> a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Natural hazards <a href="#">COMZ-MD4</a>; and e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>Applicable Spatial Layers</b> Commercial 6 Zone</p>	<p><b>3. Activity status:</b> Restricted Discretionary <b>Matters of Discretion:</b> a. In instances where one or more of the performance standards for the zone are not met, the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies; b. Natural hazards <a href="#">COMZ-MD4</a>; and c. Financial contributions <a href="#">COMZ-MD6</a>.</p>	

<b>Applicable Spatial Layers</b> Commercial 3 Zone	<b>4. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">COMZ-AC1</a>	
<b>Applicable Spatial Layers</b> Commercial 4 and 5 Zones	<b>5. Activity Status:</b> Non-Complying	
<b>COMZ-R31 Rest homes</b>		[6.5(33)]
<b>Applicable Spatial Layers</b> Commercial 4 Zone	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">COMZ-AC1</a> .	
<b>Applicable Spatial Layers</b> Commercial 1, 2, 3, 5 and 6 Zones	<b>2. Activity Status:</b> Non-Complying	
<b><u>Households Residential</u></b>		
<b>COMZ-R32 Household Residential units</b>		[6.5(39) 6.5(40)]
<b>Applicable Spatial Layers</b> Commercial 1, 2, 3, <del>and 4</del> <u>and 6</u> Zones	<b>1. Activity Status:</b> Permitted <b>Where:</b> If the units are in Commercial Zones 1, 2 <del>or 3</del> <u>or 6</u> Zones they are not located on the ground floor. <b>Performance Standards:</b> a. Height <a href="#">COMZ-S1</a> ; b. Yards <a href="#">COMZ-S2</a> ; <del>c. Commercial 4 Zone: Site coverage <a href="#">COMZ-S3</a>;</del> d. <del>Household unit density <a href="#">COMZ-S4</a>;</del> e. <del>Household Residential</del> unit design <u>and landscaping</u> <a href="#">COMZ-S5</a> ; f. Parking, access and turning <a href="#">COMZ-S6</a> ; g. Glazing (Commercial 1, 2 and 3 Zones) <a href="#">COMZ-S7</a> ; h. Verandahs (Commercial 1, 2 and 3 Zones) <a href="#">COMZ-S8</a> ; and i. <del>Landscaping <a href="#">COMZ-S9</a>;</del>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R32(1). <b>Matters of Discretion:</b> a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. <del>Building design and site layout</del> <a href="#">COMZ-MD1</a> e. <del>Household Residential</del> units – <u>specific non-compliance matters</u> <a href="#">COMZ-MD3</a> ; and f. Natural hazards <a href="#">COMZ-MD4</a> ;



		g. Financial contributions <a href="#">COMZ-MD6</a> .
<b>Applicable Spatial Layers</b> Commercial 1, 2 <del>and 3</del> <u>and 6</u> Zones	3. <b>Activity Status:</b> Non-Complying <b>Where:</b> <del>Household Residential</del> units are on the ground floor.	
<b>Applicable Spatial Layers</b> Commercial 5 <del>and 6</del> Zones	4. <b>Activity Status:</b> Non-Complying	
<b>COMZ-R33</b>	<b>Change in use from <del>Conversion of buildings tourist accommodation to a permanent residence within an existing building residential units</del></b>	[6.5(42)]
<b>Applicable Spatial Layers</b> <del>Commercial 1, 4 and 5 Zones</del> <u>All Commercial Zones</u>	<p>1. <b>Activity Status:</b> <del>Controlled Restricted Discretionary</del></p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">COMZ-S1</a>;</li> <li>b. Yards <a href="#">COMZ-S2</a>;</li> <li><del>Commercial 4 Zone: Site coverage <a href="#">COMZ-S3</a>;</del></li> <li><del>Household unit density <a href="#">COMZ-S4</a>;</del></li> <li>c. <u>Residential unit design and landscaping <a href="#">COMZ-S5</a></u></li> <li>d. Parking, access and turning <a href="#">COMZ-S6</a>;</li> <li>e. Glazing <a href="#">COMZ-S7</a> (Commercial 1 Zone);</li> <li>f. Verandahs (Commercial 1 Zones) <a href="#">COMZ-S8</a>; and</li> <li><del>Landscaping <a href="#">COMZ-S9</a> (Commercial 5 Zone)</del></li> </ul> <p><b>Matters of <del>Control</del> Discretion:</b></p> <ul style="list-style-type: none"> <li><del>a. Access to a private outdoor living area facing north, east or west.</del></li> <li><del>b. Provision for secure storage in a convenient location.</del></li> <li>c. Mitigation of potential reverse sensitivity effects of the activity on adjoining sites.</li> <li><del>d. Maintenance of the amenity of the streetscape and sites in the same and adjacent zones.</del></li> </ul>	<p>2. <b>Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in COMZ-R33(1). <b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. <u>Building design and site layout <a href="#">COMZ-MD1</a>;</u></li> <li>e. <u>Residential units – specific non-compliance matters <a href="#">COMZ-MD3</a>;</u></li> <li>f. Natural hazards <a href="#">COMZ-MD4</a>; and</li> <li>g. Financial contributions <a href="#">COMZ-MD6</a>.</li> </ul>

	<p>e. Building design, <u>and site layout amenity</u> <del>COMZ-MC3-MD1</del>;</p> <p>f. Natural hazards <del>COMZ-MC3-MD4</del>;</p> <p>g. Parking, access and turning <del>COMZ-MC3-MD5</del>, provision for safe and convenient access to the <u>Household residential</u> unit, including allocated parking, where <u>provided required</u>; and</p> <p>h. Financial contributions <del>COMZ-MC4MD6</del>.</p>	
<p><b>Applicable Spatial Layers</b>                  Commercial-6 Zone</p>	<p><del>3. Activity Status: Non-Complying</del></p>	
<b>Industrial Activities</b>		
<b>COMZ-R34 Offensive trades</b>		[6.5(51)]
<p><b>Applicable Spatial Layers</b>                  All Commercial Zones</p>	<p>1. <b>Activity Status:</b> Prohibited</p>	
<b>Other Activities</b>		
<b>COMZ-R35 Felling of exotic vegetation</b>		[6.5(84)]
<p><b>Applicable Spatial Layers</b>                  All Commercial Zones</p>	<p>1. <b>Activity Status:</b> Permitted</p>	
<p>Advice Note:                  For plantation forestry refer instead to the National Environmental Standards for Plantation Forestry.                  Refer also to Natural Environment Values for additional rules for vegetation.</p>		
<b>COMZ-R36 Micro scale wind</b>		[6.5(90)]
<p><b>Applicable Spatial Layers</b>                  Commercial 5 and 6 Zones</p>	<p>1. <b>Activity Status:</b> Permitted  <b>Where:</b>                  Turbines are located on a rooftop or integrated with the building or mounted on a pole/tower  <b>Performance Standards:</b>                  a. Any wind turbines located on land, that are either rooftop or building integrated shall not exceed 3 metres above the building height. The rotors</p>	<p>3. <b>Activity Status:</b> Restricted Discretionary  <b>Where:</b>                  Compliance not achieved with the performance standards in COMZ-R36(1) or (2).  <b>Matters of Discretion:</b>                  a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the</p>

	<p>blades shall not exceed 1 metre in diameter; and</p> <p>b. Commercial 5 Zones: Yards <a href="#">COMZ-S2</a>.</p>	<p>objectives and policies relevant to the matters of discretion;</p> <p>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</p> <p>c. How the activity provides more efficient and practical use of the remainder of the site;</p> <p>d. Natural hazards <a href="#">COMZ-MD4</a>; and</p> <p>e. Financial contributions <a href="#">COMZ-MD6</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Commercial 1, 2, 3 and 4 Zones</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>Turbines are located on a rooftop or integrated with the building or mounted on a pole/tower</p> <p><b>Performance Standards:</b></p> <p>a. Any wind turbines located on land, that are either rooftop or building integrated shall not exceed 3 metres above the building height. The rotors blades shall not exceed 1 metre in diameter.</p> <p>b. Yards <a href="#">COMZ-S2</a>; and</p> <p><del>c. Commercial 4 Zone: Site coverage <a href="#">COMZ-S3</a>.</del></p> <p><b>Matters of Control:</b></p> <p>a. Building design, amenity <a href="#">COMZ-MC1</a>;</p> <p>b. Natural hazards <a href="#">COMZ-MC2</a>; and</p> <p>c. Financial contributions <a href="#">COMZ-MC4</a>.</p>	
<b>COMZ-R37 Helicopter take-off and landing areas</b>		[6.5(85)]
<p><b>Applicable Spatial Layers</b></p> <p>All Commercial Zones</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. Topographical features and existing buildings and their likely effect on visual and noise impacts of the proposal;</p> <p>b. Proposals for the monitoring and regular audit of noise and other environmental impacts;</p> <p>c. How the activity complies with NZS6807:1994 Noise Management and Land use planning for Helicopter Landing areas; and</p> <p>d. General <a href="#">COMZ-AC1</a>.</p>	

### Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

#### COMZ-S1 Maximum height and daylight envelope

[6.6(1)]

**1. Commercial 1 and 2 and 4 Zones:**

- a. No building or structure shall exceed ~~12m~~ 20m above the natural ground level.

- 2. **Commercial 3 Zone:**
  - a. No building or structure shall exceed the maximum permitted height in the immediately adjoining zone.
- 3. **Commercial 4 Zone:**
  - a. No building shall exceed 24m above the natural ground level.
- 4. **Commercial 5 Zone:**
  - a. No building or structure shall exceed 20m above the natural ground level.
- 5. ~~Commercial 5 Zone and~~ **Commercial 6 Zone:**
  - a. No building or structure shall exceed 24m above the natural ground level.
- 6. **All Commercial Zones:**
  - a. ~~No part of a building or structure located within 10m of a residential or rural zone shall transgress the daylight envelope.~~  
Buildings along any boundary with a Residential zone must not project beyond the recession planes as set out below:
    - i. Boundary with Residential 1 Zone: 60° measured 4m vertically above ground level
    - ii. Boundary with Residential 2 Zone: 60° degrees measured 12m vertically above ground level
    - iii. Boundary with Residential 3 and 4 Zones: the recession plane set out in rule RESZ-S1(3).
  - b. Exception: This standard shall not apply to pou, waharoa, poumaumahara or pūhara within the Te Puia site (Section 1 SO390094 and Section 1 SO408975) where the boundary adjoins a rural zone.
  - c. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

**COMZ-S2 Yard requirements**

[6.6(2)]

- 1. **Commercial 1, 2, 3, 4 and 6 Zones:**
  - a. Front yards: No yards are required ~~unless specified below.~~
  - b. Side, rear and rear site yards: No yards are required unless specified below  
Exception: Where the site adjoins Residential 1 or 2 Zones the yard shall be 3m.
- ~~2. **Commercial 4 Zone:**~~
  - a. ~~Front yards:-~~ **No yards are required**
  - b. ~~Side, rear and rear site yards:-~~ **2.5m**
- 3. **Commercial 5 Zone:**
  - a. Front yards: 10m
  - b. Side, rear and rear site yards: No side, rear or rear site yards are required

Exception: where the site adjoins a residential or rural zone. In these cases, the yard shall be 5m.

#### 4. All Commercial Zones:

- a. Sites that adjoin a road widening designation:
  - i. 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.

#### ~~COMZ-S3 Site coverage~~

~~[6.6(2)]~~

##### ~~1. Commercial 1, 2, 3, and 5 Zones:~~

- a. ~~There is no maximum site coverage~~

##### ~~2. Commercial 4 Zone:~~

- a. ~~The maximum site coverage for buildings is 40% of the site area~~

#### ~~COMZ-S4 Household unit density~~

~~[6.6(4)]~~

##### ~~1. Commercial 1, 2, 3, 5 and 6 Zones:~~

- a. ~~There is no minimum site area per household unit, subject to compliance with:~~

- i. ~~The minimum net floor area for a household unit shall be 70m<sup>2</sup>.~~

##### ~~2. Commercial 4 Zone:~~

- a. ~~One household unit per 450m<sup>2</sup> net site area.~~

#### ~~COMZ-S5 Household Residential unit design and landscaping – new buildings~~

~~[6.6(4)]~~

##### ~~1. Minimum size of residential units~~

- a. ~~The minimum net floor area a studio unit shall be 35m<sup>2</sup>~~
- b. ~~The minimum net floor area a 1 bedroom unit shall be 45m<sup>2</sup>~~

##### ~~2. Outdoor living space (per unit)~~

###### ~~a. Commercial 4 Zone:~~

- i. ~~A residential unit at ground floor level must have an outdoor living space that is at least 20m<sup>2</sup> and that comprises ground floor, or balcony, patio, or roof terrace space that, —~~
  - a) ~~where located at ground level, has no dimension less than 3m; and~~
  - b) ~~where provided in the form of a balcony, patio, or roof terrace, is at least 6m<sup>2</sup> and has a minimum dimension of 1.5m.~~
  - c) ~~is accessible from the residential unit; and~~
  - d) ~~may be —~~
    - 1) ~~grouped cumulatively by area in 1 communally accessible location; or~~
    - 2) ~~located directly adjacent to the unit; and~~
    - 3) ~~is free of buildings, parking spaces, and servicing and manoeuvring areas.~~

- ii. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—
  - a) is at least 6m<sup>2</sup>
  - b) has a minimum dimension of 1.5m;
  - c) is accessible from the residential unit; and
  - d) may be—
    - 1) grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
    - 2) located directly adjacent to the unit.

**b. Other Commercial Zones:**

- i. A residential unit must have an outdoor living space:
  - a) Minimum area: 6m<sup>2</sup>
  - b) Minimum dimension of 1.5m.
  - c) May be grouped cumulatively in 1 communally accessible location or located directly adjacent to the unit.
- ii. Exception: An outdoor living space is not required where the net internal floor area for a dwelling is at least 40m<sup>2</sup> for a studio and 50m<sup>2</sup> for a dwelling with one or more bedrooms.
  - a. ~~A household unit within a new building shall be provided with a private outdoor living space in the form of a patio, terrace or balcony (deck), with a minimum area of 10m<sup>2</sup> and a minimum depth of 2m;~~
  - b. ~~The outdoor living space shall be directly accessed off the main living room; and~~
  - c. ~~The outdoor living space shall be located to the north, east or west.~~

**2. Storage**

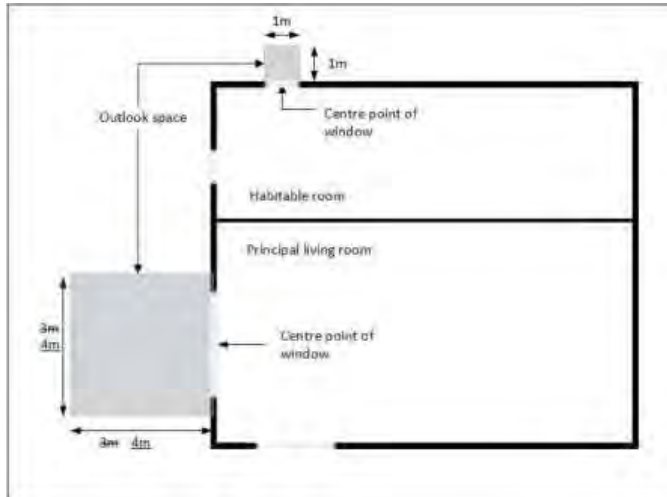
- a. ~~Each household unit shall be provided with a secure, weatherproof storage area either at ground floor level or below, or accessed via a lift; that is readily accessible to the household unit with a minimum capacity of 6m<sup>3</sup>, and width or depth of at least 1.5m and a height of 2.4m.~~
- b. ~~The access to the storage shall not be via steps.~~

**3. General amenity heating and ventilation**

- a. ~~Where 3 or more households units are being created, provision shall be made for heating and ventilation each unit. Any associated plant/units shall be located on the roof or to the rear of the building. The plant/units shall be screened from public view and separated from outdoor living space for other household units unless acoustically treated.~~

**4. Outlook space**

- a. An outlook space must be provided from habitable room of a residential unit windows as shown in the diagram below:



- b. The minimum dimensions for a required outlook space are as follows:
- i. a principal living room must have an outlook space with a minimum dimension of 4m in depth and 4m in width; and
  - ii. all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width;
- c. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies;
- d. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space;
- e. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building;
- f. Outlook spaces may be under or over a balcony;
- g. Outlook spaces required from different rooms within the same building may overlap;
- h. Outlook spaces must—
- i. be clear and unobstructed by buildings; and
  - ii. not extend over an outlook space or outdoor living space required by another dwelling.
- 5. Landscaped area (Commercial 4 Zone)**
- a. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them;
  - b. The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.

**COMZ-S6 Parking, access and turning**

[6.6(5)]

- 1. Commercial 1 Zone and Commercial 3 Zone:**
  - a. No on-site parking and turning required.
- 2. Commercial 2, 4, 5 and 6 Zones:**
  - a. On-site parking and on-site turning of vehicles shall be provided for all activities in accordance with the provisions of Appendix APP1 – Parking, Access and Turning Standards.
- 3. All Commercial Zones:**
  - a. All vehicle crossings into local roads shall be provided and constructed to the standard of Rotorua District Council. Where new vehicle crossings are proposed onto a State Highway, written consent from the New Zealand Transport Agency shall be provided.

**COMZ-S7 Glazing**

[6.6(11)]

- 1. Commercial 1 Zone:**
  - a. A minimum of 70% of the building façade, located within 5m of the front boundary, located on the ground floor shall consist of transparent glass.
- 2. Commercial 2 Zone and Commercial 3 Zone:**
  - a. No less than 50% of the building façade located within 5m of the front boundary shall be transparent glass.

Advice Note: Mirror glass and opaque film is not considered to be transparent.

**COMZ-S8 Verandahs**

[6.6(12)]

- 1. Commercial 1, 2, 3 and 6 Zones (excluding block bounded by Lake Road, Karaka Street and Geddes Road):**
  - a. All building facades located within 5m from a boundary adjoining a public road (excluding service lands), shall be provided with a verandah.
  - b. Any access ways to the site other than service lanes shall be provided with a verandah in accordance with the above standard.
  - c. Every verandah or part of a verandah shall be erected at the height of no less than 2.9m above the level of the kerb of pavement, or shall be constructed in order to join the adjoining verandah and provide a continuous, sealed weather-proof shelter.
  - d. At least 60% of the lower outside (kerb) edge of the verandah shall be no greater than 3.2m above the level of the kerb pavement.
  - e. The ends of every verandah shall be at an angle of 90 degrees with the street boundary.
  - f. The verandah shall be constructed from the building to a point 450mm on the building side of the kerb line.
  - g. The roof covering any verandah shall be of weather-resistant material and any downpipes shall not project beyond the boundary or building line of any lot and shall be connected with the specified light and glare levels of the zone.
  - h. Under-verandah lighting shall be provided for each leased site. This shall be in accordance with the specified light and glare levels of the zone.

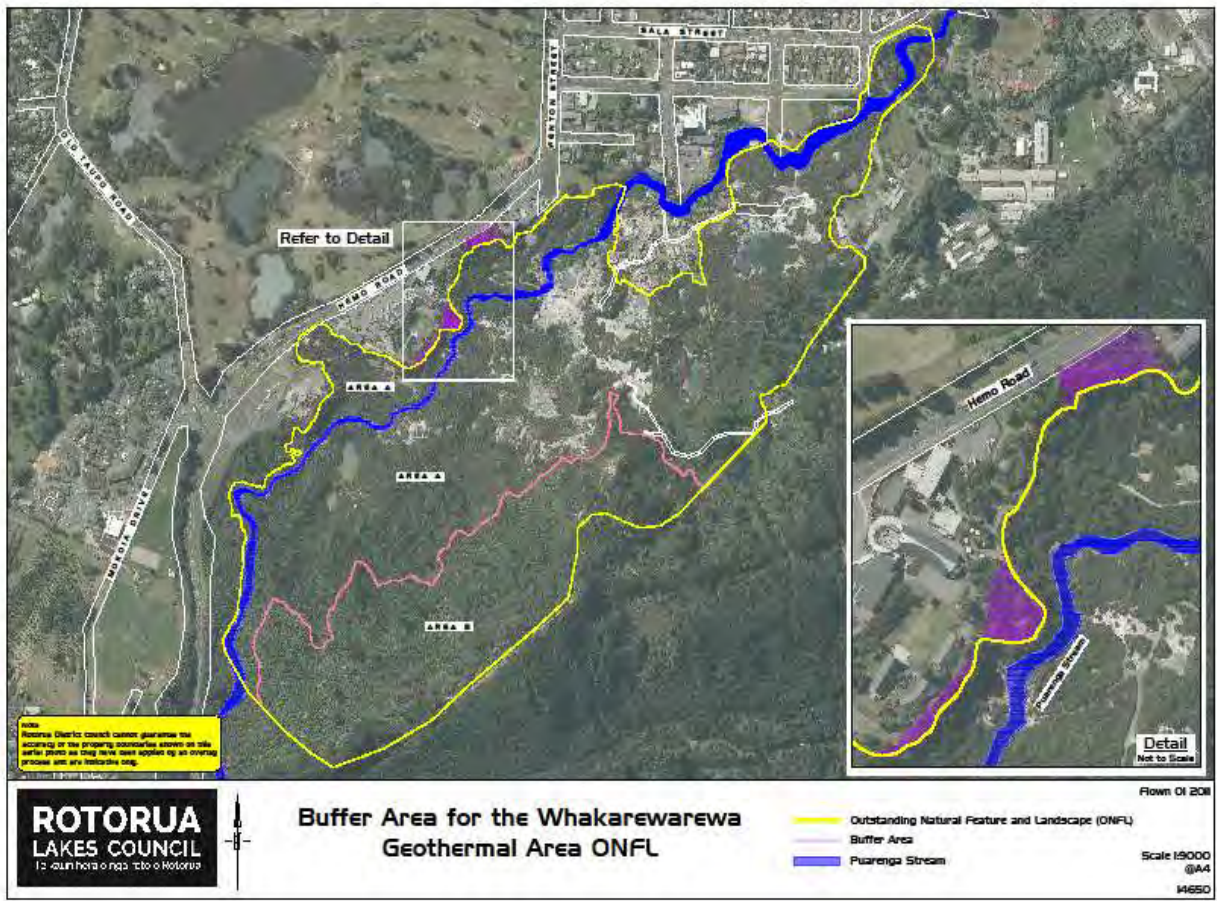


**COMZ-S9 Landscaping**

[6.6(13)]

**1. All Commercial Zones**

- a. Where any site boundary adjoins a residential zone either:
  - i. The boundary shall be fenced with a 1.8m close-boarded fence; or
  - ii. A two metre strip adjoining the residential boundary shall be planted and maintained with suitable vegetation that has the ability to grow to provide an effective continuous visual screen at least 1.8m in height.
- b. No more than 20% of any required landscape area may be used for on-site car parking. This parking shall be interspersed throughout the landscaped yard and shall not be grouped in groups of more than 2 parks.
- c. Pallets, containers, raw materials, machinery or goods of any kind shall, if stored outside, shall be screened from public places and residential zones and shall not be stored on any landscaping, parking or turning areas.
- d. Vegetation clearance and reinstatement associated with new buildings located on the Te Puia site (Section 1 SO390094 and Section 1 SO408975) within the buffer area as shown in the figure below shall be as follows:
  - i. The existing naturalised taller indigenous vegetation including Kamahi Rewarewa, Rimu and Totara shall be kept as far as practicable.
  - ii. Any areas of cleared indigenous vegetation not covered by built or paved surfaces shall be reinstated with tall growing indigenous vegetation. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous species already present or that would have been historically present on the site to provide a bush backdrop and to screen the road and traffic and soften buildings when viewed from inside the Outstanding Natural Feature and Landscape boundaries.



COMZ-FIGURE1 Buffer to the Whakarewarewa Geothermal Area Outstanding Natural Feature and Landscape

## Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

### **COMZ-MC1 Building design, site layout and amenity**

1. Potential reverse sensitivity of the activity on adjoining zones.
2. The principles of CPTED are implemented, including provision for the passive surveillance of any adjoining road or reserve.
3. The amenity of the streetscape, and where relevant, the City Entranceway, is maintained and enhanced.

### **COMZ-MC2 Natural hazards**

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. 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, may be required for activities subject to flooding. This applies primarily for significant developments.

### **COMZ-MC3 Parking, access and turning**

1. Onsite design, location and surfacing of access, parking and turning areas provides for practical use of the site, maintains the amenity of adjacent sites, the safety of pedestrians and the safe and efficient functioning of the road network.
2. Access to the site is designed to be consistent with the standards of the Road Controlling Authority.
3. Recommendations from any required integrated transport assessment as outlined in Appendix APP1 – Parking, Access and Turning Standards.
4. How the activities will avoid, remedy or mitigate any adverse effects on the function and safe and efficient operation of the transport network.

### **COMZ-MC4 Financial contributions**

1. All activities shall be assessed under FC – Financial Contributions to determine if a financial contribution is required.

### **~~COMZ-MC5 External alterations that modify a building Façade~~**

- ~~1. How the building façade of each tenancy or lot is visually different through the use of different materials and architectural design features.~~
- ~~2. The provision of separate pedestrian entranceways for each tenancy or lot.~~
- ~~3. How all buildings greater than one storey in height are designed to ensure a clear visual horizontal division between the ground floor of a building, the middle portion and the roof line.~~
- ~~4. How vehicular access for servicing purposes is able to be gained from the rear of buildings that have street frontage.~~
- ~~5. Where the roof line of any portion of a building adjoining the front boundary (excluding corner sites) is highlighted through the incorporation of:
  - ~~i. materials different to that used on the building façade or;~~
  - ~~ii. architectural design features.~~~~

## Matters of Discretion

The following matters of discretion apply if listed in the rule table for the relevant activity.

**COMZ-MDA Height – specific non-compliance matters**

1. Where compliance is not achieved with the performance standard for height:
  - i. Whether the additional height is located to reinforce the visual prominence of a corner site;
  - ii. Whether the additional height minimises adverse wind conditions at street level;
  - iii. Whether the additional height allows for adequate sunlight access to adjacent residential and open space zones and manages visual dominance impacts through measures such as building setbacks at upper floors;
  - iv. Whether additional height is necessary to provide a higher ground floor level to address flood hazards on the site;
  - v. Whether additional height is necessary to provide floor-to-floor heights that will provide flexibility for spaces to be adaptable to a wide variety of activities over time;
  - vi. Whether the infringement would provide an attractive and integrated roof form.

**COMZ-MD1<sup>2</sup> ~~Construction of new buildings~~ Building design and site layout**

1. ~~How the building provides an active edge though providing a minimum of 50% of each building storey with transparent windows that do not consist of mirrored glass. Whether the development provides a quality and attractive frontage to the street or public open space, this includes minimising long expanses of blank walls and visually breaking the mass of buildings into distinct elements. Techniques to achieve this include the use of recesses, variation in building height and roof form, horizontal and vertical rhythms and facade modulation and articulation;~~
2. ~~Whether the building has well-proportioned windows and opening that relate to the shape, form and size of the building;~~
3. ~~How the building façade of each tenancy or lot is visually different through the use of different materials and architectural design features; Whether tenancies are visually expressed as separate entities within a building's form and façade, and are located to front and activate the street, including through the use of entrances, pedestrian shelter and glazing;~~
4. The provision of separate pedestrian entranceways for each tenancy or lot.  
~~How all buildings greater than one storey in height are designed to ensure a clear visual horizontal division between the ground floor of a building, the middle portion and the roof line.~~
5. How vehicular access for servicing purposes is able to be gained from the rear of buildings that have street frontage.
6. <sup>3</sup>Whether the roof line of any portion of a building adjoining the front boundary (excluding corner sites) is highlighted though the incorporation of:
  - a. materials different to that used on the building façade or;
  - b. architectural design features.
7. Whether:

<sup>2</sup> Ordering of matters of discretion has been changed for consistency with the order in other chapters

<sup>3</sup> This matter of discretion was originally in the matters of control for external alterations that modify a building facade and has been shifted to reflect new activity status

- a. The location of buildings and structures and location of outdoor activities mitigates potential adverse cumulative effects on adjoining sites.
- b. The principles of CPTED are implemented, including provision for the passive surveillance of any adjoining road or reserve and contribution to an active pedestrian orientated environment.
- 8. Whether buildings provide a variety of architectural detail at ground and middle levels including maximising doors, windows, and balconies overlooking the street.
- 9. Whether internal space at all levels within buildings are designed to maximise outlook over adjoining streets and public open space.
- 10. Whether safe and direct pedestrian access that is easily identifiable is provided from the street to activities on the site.
- 11. Whether suitable provision is made for on-site rubbish storage and sorting of recyclable materials, that is sufficiently sized to cater for the rubbish generated by the activity, and is accessible for rubbish collection. For new buildings, rubbish areas should be located within the building. Where a building is being altered and this is not possible, the rubbish areas should not be visible from the street and be appropriately screened.
- 12. Whether mechanical plant/units for heating and ventilation will be screened from public view, and, in the case of residential units, separated from the outdoor living space for other residential units.
- 13. Whether any parking areas visible from the street and screened from public view by buildings and landscaping.
- 14. Additional matters for residential units:
  - a. Where residential units are considered to be appropriate at ground floor, whether they are designed to enable passive surveillance of the adjoining street and provide privacy for residents. This could be achieved by:
    - i. Providing balconies overlooking the street;
    - ii. Providing a planted setback and/or fenced setback where the site adjoins the street. Fences or landscaping should be low enough to allow for direct sightlines from a pedestrian to the front of the balcony;
    - iii. Raising the balcony and floor plate of the ground floor residential units above the level of the adjoining street to a height sufficient to provide privacy for residents and enable them to overlook the street.
  - b. Whether residential units are located, proportioned and orientated within a site to provide a good standard of amenity for future residents, including by maximising passive solar access while balancing the need for buildings to front the street, and encouraging natural cross-ventilation and the provision of communal open space.
  - c. Whether each residential unit has sufficient space within the site for the sheltered and secure storage of at least one bicycle, which is conveniently located for users.

#### **COMZ-MD2 Service stations and drive through restaurants**

1. The design and location of access, on-site parking, queuing and turning areas to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians, cyclists and the safe and efficient functioning of the road network.

2. Ensuring adequate sight distances are provided to prevent on-street congestion caused by the ingress or egress of vehicles to and from sites.
3. Implementation of the recommendations in an integrated transport assessment if one is required under Appendix 4, Parking and Turning Standards.
4. Landscaping to maintain the amenity of surrounding areas (particularly residential areas) and streetscapes.
5. In relation to Drive Through Restaurants:
  - a. The intensity and scale of the activity in relation to any residential activities within close proximity of the site and any effects on the vitality and viability of the City Centre.
  - b. The noise, lighting and hours of operation.

**COMZ-MD3 ~~Household Residential units/apartments~~ – specific non-compliance matters**

<u>Standard not achieved</u>	<u>Matter of Discretion</u>
<u>Yards – side and rear yards sites adjoining residential and rural zones</u>	1. <u>Visual dominance, privacy and shading effects on neighbouring sites</u>
<u>Minimum size of residential unit</u>	1. <u>Effects on the quality of on-site living environments</u> 2. <u>Whether the layout of residential units provides sufficient room for the day to day needs of residents, including space for both furniture and internal circulation.</u> 3. <u>Whether each unit has access to communal facilities (e.g. shared laundry) and/or storage facilities within the building.</u>
<u>Outdoor living space</u>	1. <u>Effects on the quality of on-site living environments</u>
<u>Outlook space</u>	1. <u>Privacy effects on adjacent sites</u> 2. <u>Effects on the quality of on-site living environments</u> 3. <u>The extent to which direct overlooking of another residential unit’s habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.</u> 4. <u>Whether any secondary outlook spaces of a reasonable size and orientation have been provided from habitable rooms associated with an outlook space infringement.</u>

**1. Size**

- i. ~~The extent to which the layout and design of the units will ensure that the units are both functional and will provide a high level of amenity for future occupants; and~~
- ii. ~~Whether units of a variety of sizes are provided to accommodate different household sizes.~~

**~~2. Outdoor living space~~**

- ~~a. Ensure that a high quality outdoor living space is provided for all residents that:~~
- ~~i. Is accessible;~~
  - ~~ii. Has good access to sunlight;~~
  - ~~iii. Is of a functional size and dimension; and~~
  - ~~iv. Will provide a high quality amenity space. In assessing the quality of the amenity space consideration will be given to the proximity of the amenity space to roof plant, for example, air conditioning units and extract systems and any acoustic treatment.~~

**~~3. Storage~~**

- ~~a. Storage is provided that is practical and accessible for residents to use on a daily basis for the storage of larger items such as bikes and mobility scooters.~~

**~~4. General Amenity – Heating and Ventilation~~**

- ~~a. Whether the location of heating and ventilation equipment will detract from the external appearance of the building when viewed from a public place; and~~
- ~~b. Amenity impacts on neighbours associated with the placement and associated noise of heating and ventilation units.~~

**COMZ-MD4 Natural hazards**

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. 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, may be required for activities subject to flooding. This applies primarily for significant developments.

**COMZ-MD5 Parking, access and turning**

1. Onsite design, location and surfacing of access, parking and turning areas provides for practical use of the site, maintains the amenity of adjacent sites, the safety of pedestrians and the safe and efficient functioning of the road network.
2. Access to the site is designed to be consistent with the standards of the Road Controlling Authority.
3. Recommendations from any required integrated transport assessment as outlined in Appendix APP1 – Parking, Access and Turning Standards.
4. How the activities will avoid, remedy or mitigate any adverse effects on the function and safe and efficient operation of the transport network.

**COMZ-MD6 Financial contributions**

1. All activities shall be assessed under FC – Financial Contributions to determine if a financial contribution is required.

**Assessment Criteria**

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the rule table above.

**COMZ-AC1 General**

1. The extent to which the proposal complies with the performance standards of the zone.
2. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of adjacent lots, including protection of privacy and outlook and protection from adverse effects from any source of disturbance or nuisance, including noise, glare, illumination and light levels.
3. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity and vitality of the city centre zone, and the character and amenity of the City Entranceways.
4. The extent to which the proposal will avoid, remedy, or mitigate the effects on the streetscape and on-site landscaping.
5. The degree to which the proposal has been designed in accordance with the principles of CPTED.
6. The extent to which the proposal will avoid, remedy, or mitigate effects on water quality.
7. The ability for the activity to be connected to existing transport networks and utility services.
8. The extent to which the proposal will avoid, remedy, or mitigate effects on the function and safe and efficient operation of the transport network.
9. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.
10. The extent to which the proposal will avoid, remedy, or mitigate effects on the qualities and characteristics of a landscape or feature identified in the schedules for Natural Environmental Values or the natural character of the environment.
11. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules for Historical and Cultural Values or Natural Environmental Values.
12. The extent to which the proposal is an efficient use and development of commercial zoned land and consideration of alternative locations for the activity.
13. Whether the proposal requires a financial contribution under the provisions of FC- Financial Contributions.
14. The recommendations in an integrated transport assessment if one is required under Appendix APP1 – Parking, Access and Turning Standards.
15. Natural hazards
  - a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps. The likelihood and consequences of a natural hazard event will be assessed to determine the level of risk associated with natural hazards.
  - b. 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, may be required for areas subject to flooding. This applies primarily for significant developments. The report shall identify the potential risk from flooding, any recommendations for floor levels, earthworks or engineering works.
16. The assessment criteria for development and activities that affect a Significant Geothermal Feature, as set out in NFL- Natural Features and Landscapes.



## ANTICIPATED ENVIRONMENTAL RESULTS

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:

<b>COMZ-AER1</b>	An increase in activities in commercial centres that support surrounding residential communities.
<b>COMZ-AER2</b>	Reduced vacancy rates in commercial centres.
<b>COMZ-AER3</b>	A reduction in reverse sensitivity impacts of commercial centres on residential zones including reduced number of complaints.
<b>COMZ-AER4</b>	Increased pedestrian counts in commercial centres.
<b>COMZ-AER5</b>	An increase in amenity and safety of commercial centres.
<b>COMZ-AER6</b>	A reduction in crime and damage to private and public property.
<b>COMZ-AER7</b>	Compact commercial centres containing retail activities that reflect the intended use of the zone.
<b>COMZ-AER8</b>	An increase in activity within commercial centres, that supports rather than competes with the vitality of the city centre.
<b>COMZ-AER9</b>	A reduction in the number of businesses located in zones other than commercial zones and city centre zones.
<b>COMZ-AER10</b>	Avoidance of reverse sensitivity effects.
<b><u>COMZ-AER11</u></b>	<u>An increase in residential activity within centres and commercial areas where residential is permitted.</u>

# Part 3: Area Specific Matters

## DEVELOPMENT AREAS

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**KRDA**

# KĀINGAROA PAPAĀINGA DEVELOPMENT AREA

Status: KRDA is operative and subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough~~.

## INTRODUCTION

The area covered by the Kāingaroa Papakāinga Development Area covers the Kāingaroa Village and contains a range of activities that support and relate to the forestry sector. The Kāingaroa Village is located within the Kāingaroa Forest and was originally established by the New Zealand Forest Service.

The Village contains up to 200 ~~household-residential~~ units, community facilities, parks, sportsfields, and commercial/industrial activities. In 1988, following the restructure of the New Zealand Forest Service the Village was vested into the Kāingaroa Forest Trust.

The underlying zone is Rural 3 Zone.



Figure KRDA- 1 Kāingaroa Papakāinga Development Area

## RULES

The rules below apply in addition to the rules for the zones and other chapters.

The development area rules override the rules for the underlying zones for the specific activities addressed in the event of conflict. The rules do not override the rules of other chapters of the plan unless expressly stated.

### Rules for Activities in the Kāingaroa Papakāinga Development Area

Land Use Activities		
<b>KRDA-R1</b>	<b>Activities in accordance with the approved Kāingaroa Papakāinga Development Area</b>	[9.5(135)]
<b>Applicable Spatial Layers</b>  Kāingaroa Papakāinga Development Area	<b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Development shall be in accordance with the performance standards for the Rural 1 Zone with respect to:               <ol style="list-style-type: none"> <li>i. Height RURZ-S1</li> <li>ii. Yards RURZ-S2</li> <li>iii. Site coverage RURZ-S3</li> <li>iv. <del>household Residential</del> unit density RURZ-S4</li> <li>v. Parking, access and turning RURZ-S5</li> <li>vi. Reverse sensitivity RURZ-S6</li> </ol> </li> </ol>	
<b>Advice Note:</b> Refer to the normal activity status in zone chapter for activities that do not meet the performance standards.		

**LEDA**

# LAKEFRONT EAST DEVELOPMENT AREA

Status: LEDA is operative

## INTRODUCTION

The Lakefront East Development Area will be developed with a mix of uses which may include a combination of residential accommodation, health, retail, tourism, hospitality and community recreation and entertainment. The development of the area will create an active and vibrant lakefront designed to be pedestrian orientated with strong linkages to Tutanekai Street, the Central Business District and the wider Rotorua Lakefront.

The main principles that apply to this area include the following:

1. Create active frontages, particularly to the Village Green and lake edge;
2. Reconfigure Memorial Drive to improve pedestrian focus;
3. Create a diverse and active space close to the lake edge;
4. Maintain public access around improved lake edge;
5. Enhance existing lake views and create a new view shaft; and
6. Enhance connectivity with the Lakefront and city centre.

The underlying zone is City Centre 3 Zone. The area is also covered by the Lakefront East Mixed Use Precinct 1 and Lakefront East Mixed Use Precinct 2, which are also addressed inside the City Centres Zones chapter. The precincts set special performance standards and define the activity status of activities inside the precincts.

To develop this area, a structure plan covering both Lakefront East Mixed Use Precinct 1 and Lakefront East Mixed Use Precinct 2 is to be lodged with Council for approval. This will provide an overall vision for the site covering the site layout, infrastructure and access suitable for use in coordinating stages of development across the site. Once there is an approved structure plan, a master plan or series of master plans covering the area proposed to be developed within Mixed Use Precinct 1 is then lodged with Council for approval. The master plan provides further detail in relation to the design of the site and buildings. No master plan is required for Mixed Use Precinct 2. In Mixed Use Precinct 2 buildings are to be located and designed in accordance with the approved structure plan and the performance standards listed for the zone and precinct. The performance standards and assessment criteria for each of these processes are provided and outlined within this chapter. Council has reserved its discretion over subdivision and land use activities in situations where these criteria are not met.

These structure plan and master plan rules are in addition to the rules set out for the precinct inside the zone chapter. Activities that comply with the structure plan and master plan still need to meet the rules for the precinct.



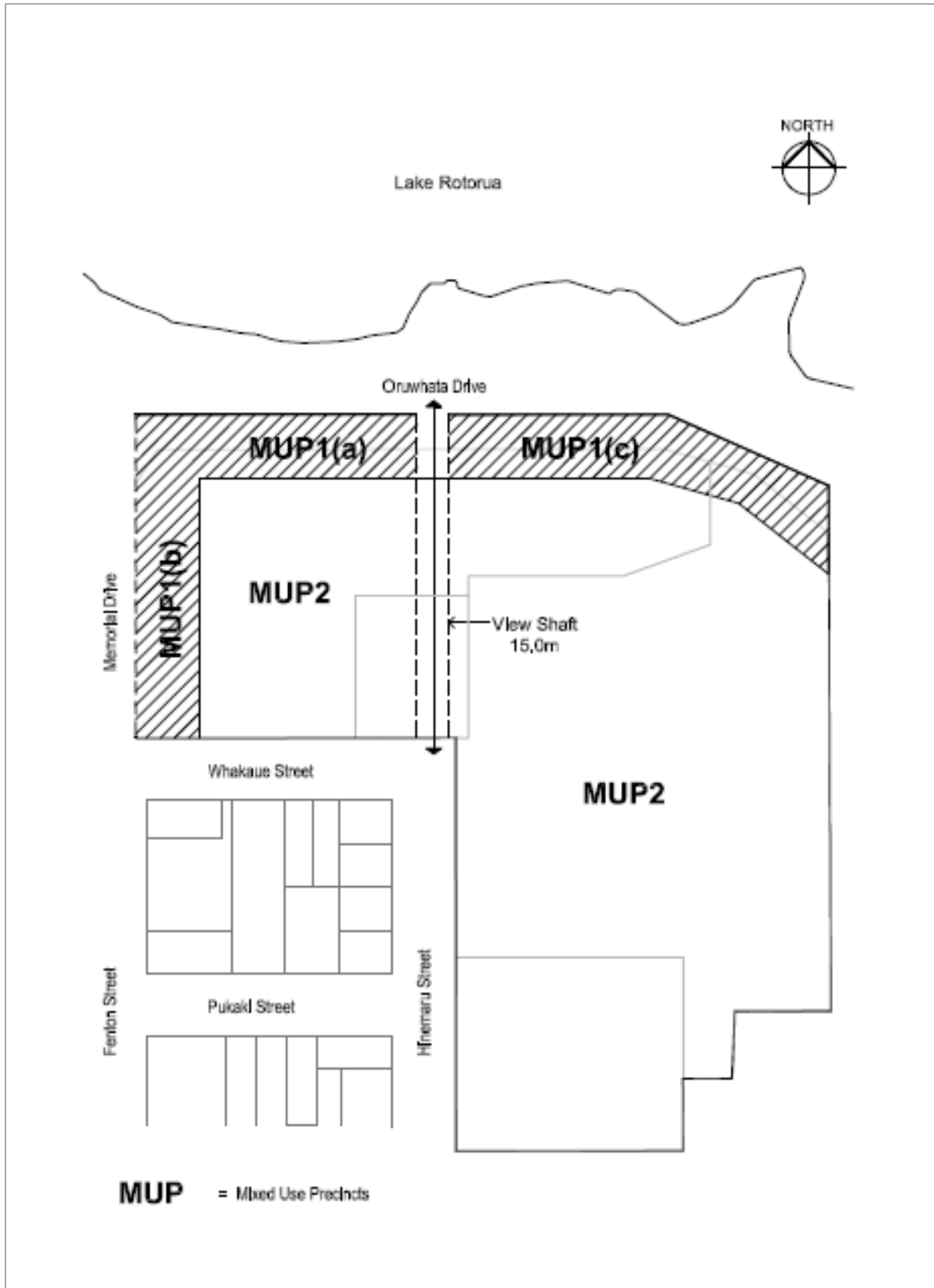


Figure LEDA-1 Lakefront East Development Plan

## RULES

The rules below apply in addition to the rules for the zone, Lakefront East Mixed Use Precincts (also inside the zone chapter) and other chapters of this plan.

For the avoidance of doubt, activities must also be assessed against the activity table in the zone chapter with respect to the precinct in which they are located.

### Rules for Structuring Planning and Master Planning in the Lakefront East Development Area

Lakefront East Development Area – Structure Plan and Master Plan		
<b>LEDA-R1</b>	<b>Activities (including construction of buildings) within the Lakefront East Mixed Use Precincts 1 or 2 in the Lakefront East Development Area</b>	[5.5(2)(1) to (15)]
<b>Applicable Spatial Layers</b> Lakefront East Development Area: Mixed-use Precincts 1 Mixed-use Precinct 2	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Approval of structure plan <a href="#">LEDA-S1</a>;</li> <li>The activity is accordance with the approved structure plan; and</li> <li>For activities in Mixed Use Precinct 1:               <ol style="list-style-type: none"> <li>Approval of master plan for Mixed Use Precinct 1 <a href="#">LEDA-S2</a>.</li> <li>The activity is in accordance with the master plan.</li> </ol> </li> </ol>	<b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance is not achieved with the following performance standards for LEDA-R1(1). <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>The extent to which the activities or buildings:               <ol style="list-style-type: none"> <li>Comply with the performance standards</li> <li>Are in accordance with the development plan, structure plan and master plan (if approved)</li> <li>Addresses the assessment for approving a structure plan or master plan</li> <li>Are consistent with relevant objectives and policies; and</li> </ol> </li> <li>Where performance is not achieved with approval of a structure plan <a href="#">LEDA-S1</a>: No structure plan <a href="#">LEDA-AC1</a>.</li> </ol>

### Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

#### LEDA-S1 Approval of a Structure Plan

[A5.7(4)(1), 5.9(2)(2)]

- A structure plan shall be approved by Council to detail the site layout, infrastructure and access for the Mixed use Precinct 1 and Mixed Use Precinct 2 areas contained in the Lakefront East Development Plan.
- If the proposed structure plan is in accordance with the Lakefront East Development Plan (figure LEDA-1) the Council shall not withhold its approval but may approve subject to conditions.

3. In considering whether to approve the structure plan or approve subject to change, the Council shall consider:
  - a. Site topography, drainage, and any present land or water features (including geothermal bores);
  - b. A geotechnical and geothermal assessment demonstrating site suitability for development of the area;
  - c. The proposed location of buildings, onsite car parking, access and servicing in relation to the reserves edge;
  - d. The location, width and treatment of proposed footpaths and details of any intended uses other than pedestrian traffic (such as dining);
  - e. The location, dimensions and layout of vehicular and pedestrian access, and how these provide connectivity with each other and external roads;
  - f. The identification of any archaeological sites, significant natural areas and geothermal features and how they are to be incorporated into the site development;
  - g. Lighting and the lux levels used for roads and other public or communal spaces, where proposed;
  - h. Any staging of the development and how this will be achieved;
  - i. Consideration of the potential for flooding from inundation and surface water;
  - j. Consideration of any wāahi tapu and historic sites identified in the District Plan;
  - k. The intended interface between Mixed Use Precinct 2 and the reserve;
  - l. Consideration of the connectivity between Mixed Use Precinct 1 and Mixed Use Precinct 2 and with the public lakefront reserve, village green and pedestrian focussed streets as shown on the planning maps;
  - m. How the structure plan provides for continued public access and enjoyment of Lake Rotorua;
  - n. Provision and location of open space and areas to be landscaped;
  - o. The extent to which the structure plan:
    - i. addresses the criteria above;
    - ii. demonstrates that future development will be able to comply with the performance standards
    - iii. addresses the general assessment criteria for discretionary activities for the zone
    - iv. is consistent with the relevant objectives and policies.

### **LEDA-S2 Approval of a Master Plan within Mixed Use Precinct 1**

*[A5.7(4)(2), 5.8(2)]*

1. A master plan or series of master plans shall be approved by Council to provide a pedestrian focussed, safe lakefront environment that is complemented by buildings to provide for passive surveillance and a visually interesting streetscape along Mixed Use Precinct 1.
2. The master plan must include details of:
  - i. The provision of varying building heights and the creation of a recognisable profile;

- ii. Percentage of frontage windows and active frontages per building;
  - iii. The intended ratio of access ways to building frontages along Mixed Use Precinct 1;
  - iv. Verandah design;
  - v. Building façade treatment;
  - vi. Location and area of signage per building;
  - vii. Any additional urban design elements to be incorporated in building design; and
  - viii. The range of materials to be used in the external cladding of the proposed buildings, including the roof.
3. In determining whether to approve the master plan and the conditions to be imposed, if any, Council will have regard to the following criteria:
- i. The location of activities is in accordance with the approved Lakefront East Development Plan and any approved structure plan;
  - ii. Enhancing the safety and convenience of pedestrians, cyclists and motorists and maintaining convenient, safe and efficient vehicle access for the public;
  - iii. How the building design creates clearly defined public spaces, and maintains a sense of openness and continuity of the landscape;
  - iv. Incorporation of urban design standards to provide a pedestrian orientated environment with active frontages, passive surveillance and a vibrant lakeside environment;
  - v. The provision for an active dining and recreation environment;
  - vi. The ratio of vehicle access ways to buildings within Mixed Use Precinct 1 and ensuring the design will not detract from the intended active pedestrian focused environment;
  - vii. The incorporation of lighting, and use of CPTED elements in the design of parking buildings or area, the viewshaft and any other public space, to increase the safety of pedestrians;
  - viii. The extent to which the master plan:
    - i. Addresses the master plan requirements listed in (2);
    - ii. Demonstrates the development will be able to comply with the activities listed as permitted in the precincts and the performance standards;
    - iii. Addresses the assessment criteria for a discretionary activity in the zone; and
    - iv. Is consistency with the objectives and policies relevant to the assessment of the master plan.
4. Council will be limited to consideration of the above criteria, except in where the master plan is not in accordance with approved structure plan. In the latter case, the Council may consider other criteria.

### Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

**LEDA-AC1 No Structure Plan****1. Mixed Use Precinct 1**

- a. The following assessment criteria are to be used to provide a pedestrian focused and safe lakefront environment that is complemented by buildings designed in accordance with the Urban Design Framework that provide for passive surveillance and a visually interesting streetscape along Mixed Use Precinct 1.
  - i. The level of compliance with the performance standards listed within CCZ-S10 and within the city centre zone;
  - ii. Results and recommendations of a geotechnical and geothermal assessment;
  - iii. Consideration of existing geothermal bores found onsite, the availability of that bore for ongoing maintenance and the potential for subsidence;
  - iv. The location, width and treatment of any proposed footpaths and details of any intended uses other than pedestrian access (such as dining);
  - v. Lighting and the lux levels used for roads and other public or communal spaces, where proposed;
  - vi. How the building has been designed to ensure that any horizontal surface exceeding 6m in length contains:
    1. A variance in building line; or
    2. A change in façade treatment; or
    3. Glazing.
  - vii. How any variation in the building line is highlighted through a change in façade treatment through the use of:
    1. Differing materials; or
    2. The use of a contrasting and complementary colour; and
    3. Glazing.
  - viii. How the enhancement of identified corner sites highlights the corner through a change in verandah design or roofline;
  - ix. Where the roof line of any portion of a building adjoining the front boundary within Mixed Use Precinct 1 (excluding corner sites) is highlighted through the use or incorporation of:
    1. materials different to that used on the building façade or
    2. architectural design features.
  - x. Consideration of any wāhi tapu and historic site identified in the District Plan; and
  - xi. The relevant provisions listed under LEDA-S1 and LEDA-S2.

## 2. Mixed Use Precinct 2

- a. The following assessment criteria are to be used to provide a pedestrian focused and safe lakefront environment that is complemented by buildings designed in accordance with the Urban Design Framework that provide for passive surveillance and a visually interesting streetscape along Mixed Use Precinct 1.
  - i. The location of activities is in accordance with the Lakefront East Development Plan;
  - ii. How internal access ways are configured to align with existing roads, provide for a straight viewshaft and access through the site, and adequately service the proposed development;
  - iii. How the design facilitates, enhances the safety and convenience of pedestrians, cyclists and motorists and maintains convenient, safe and efficient vehicle access for the public;
  - iv. Designing particular buildings within the precinct to create a cohesive manner of clearly defining public spaces and maintaining a sense of openness and continuity of the landscape;
  - v. Consideration of existing geothermal bores found onsite, the availability of that bore for ongoing maintenance and the potential for subsidence;
  - vi. The inclusion of lighting, and incorporation of CPTED elements in the design of parking areas, the viewshaft and public realms to increase the safety of pedestrians;
  - vii. How the activity provides for continued public access and enjoyment of Lake Rotorua:
    1. How the proposed building frames and supports the identified viewshaft;
    2. Where parking and vehicle and pedestrian access is provided to Mixed Use Precinct 1; and
    3. The design of landscaping and how it enhances the amenity and character of the Lakefront.
  - viii. Consideration of any wāhi tapu and historic site identified in the District Plan; and
  - ix. The criteria listed in LEDA-S1 for approval of a structure plan.



# ŌTARAMARAE DEVELOPMENT AREA

Status: OMDA is operative

## INTRODUCTION

The Whangamoā Trust owns 150 hectares of land location along Whangamoā Drive, Lake Rotoiti. The underlying zones are Residential 4, Reserve 1 and Rural 1. The development plan provides for development that is consistent with the surrounding amenity and uses of the environment.

Of significance is the sites location to Lake Rotoiti. The proposed land use changes and plantation forestry will contribute to the enhancement of lake water quality through the significant reduction in nutrients discharged into Lake Rotoiti from the subject property.

Different activities are anticipated in different areas within this development plan. These areas are described more in the Appendix OMDA-APP1 – Development Area Activity Statement.



Figure OMDA-1 Whangamoa Trust - Ōtaramarae Development Plan Areas

## RULES

The rules below apply in addition to the rules for the zones and other chapters.

The development area rules override the rules for the underlying zones and SUB - Subdivision, for the specific activities addressed, in the event of conflict. The rules do not override the rules of other chapters of the plan unless expressly stated.



For clarification:

1. Subdivision shall be in accordance with the relevant rules in SUB Subdivision except as follows:
  - a. Area A Eco Farm Park – shall be in accordance with the performance standards for the Rural 2 Zone instead of the underlying Rural 1 Zone.
  - b. Area D Rural Residential (Rural 1 component) and Area OR Owners Reservation – shall be in accordance with the performance standards for the Residential 4 Zone instead of the underlying Rural 1 Zone.

Specific rules to provide for these exceptions to the rules in SUB- Subdivision are provided below.

2. Land use activities shall also be in accordance with the rules for the relevant zone; except that activities in Rural Zones that are:
  - a. consistent with the activity statement (WTDA-APP1) for the area within the development plan in which they are located; and
  - b. meet the performance standards specified for the particular area of the Development Plan, which are outlined in the table below, will be assessed as a controlled activity if their status under the zone chapter is more restrictive.
3. There is also a reflectivity performance standard for the Eco Farm Park Area contained in RURZ-Rural Zones chapter

Links to the rule categories are provided below:

Subdivision..... 16

Land use..... 17

### Activities in the Rural Zones of the Ōtaramarae Development Area

Subdivision		
<b>OMDA-R1</b>	<b>Subdivision in in the Whangamoa Trust – Ōtaramarae Development Area</b>	<i>[13.10(1)(4)]</i>
<b>Applicable Spatial Layers</b> Rural 1 Zone in Whangamoa Trust – Ōtaramarae Development Area: Areas A (Eco Farm Park)	<ol style="list-style-type: none"> <li>1. <b>Activity Status:</b> Discretionary</li> </ol> <p><b>Performance Standards:</b></p> <ol style="list-style-type: none"> <li>a. As for the Rural 2 Zone with respect to:                             <ol style="list-style-type: none"> <li>i. Zone specific SUB-S1;</li> <li>ii. Site suitability SUB-S2;</li> <li>iii. Site serviceability SUB-S3; and</li> <li>iv. General SUB-S4.</li> </ol> </li> <li>b. Relevant performance standards for the zone and other relevant provisions of the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.</li> </ol> <p><b>Assessment Criteria:</b></p> <ol style="list-style-type: none"> <li>a. General SUB-AC1.</li> </ol>	

<p><b>Applicable Spatial Layers</b></p> <p>Rural 1 Zone in Whangamoa Trust – Ōtaramarae Development Area: Areas D (Rural Residential and OR Owners Reservation)</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Performance Standards:</b></p> <p>a. As for the Residential 4 Zone with respect to:</p> <ul style="list-style-type: none"> <li>v. Zone specific SUB-S1;</li> <li>vi. Site suitability SUB-S2;</li> <li>vii. Site serviceability SUB-S3; and</li> <li>viii. General SUB-S4.</li> </ul> <p>b. Relevant performance standards for the zone and other relevant provisions of the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.</p> <p><b>Assessment Criteria:</b></p> <p>General SUB-AC1.</p>
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Advice Note:

Refer to SUB- Subdivision for subdivision in the areas not covered by the above rules.

**Land use**

<b>OMDA-R2</b>	<b>Land use in the Rural Zone in the Whangamoa Trust – Ōtaramarae Development Area</b>	[A5.6.2, 9.5(134)]
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<p><b>Applicable Spatial Layers</b></p> <p>Rural 1 Zone in the Whangamoa Trust – Ōtaramarae Development Area</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The activity is consistent with the activity statement <a href="#">OMDA-APP1</a> for the Area A.</p> <p><b>Performance Standards:</b></p> <p>a. As specified for the underlying Rural 1 Zone with respect to:</p> <ul style="list-style-type: none"> <li>i. Height RURZ-S1;</li> <li>ii. Yards RURZ-S2;</li> <li>iii. Site coverage RURZ-S3;</li> <li>iv. <del>Household residential</del> unit density RURZ-S4;</li> <li>v. Parking, access and turning RURZ-S5;</li> <li>vi. Reverse sensitivity RURZ-S6;</li> <li>vii. Prospecting, exploration and drilling RURZ-S8; and</li> <li>viii. Additional building and structure standards RURZ-S9.</li> </ul> <p>b. Except that:</p> <ul style="list-style-type: none"> <li>i. Buildings and Structures in Area A Eco Farm Park shall be assessed against the performance standards specified in (a) but with respect to the Rural 2 Zone; and</li> <li>ii. Buildings and Structures in Area D Rural Residential or Area OR Owners Reservation shall be assessed against the following performance standards for the Residential 4 Zone:                             <ul style="list-style-type: none"> <li>1. Height RESZ-S1;</li> <li>2. Yards RESZ-S2;</li> <li>3. Site coverage RESZ-S3;</li> <li>4. <del>Household residential</del> unit density RESZ-S4; and</li> <li>5. Parking, access and turning RESZ-S5; and</li> <li>6. Reflectivity RESZ-S6.</li> </ul> </li> </ul>
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	<p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design, character and amenity RURZ-MC1;</li> <li>b. Parking, access and turning RURZ-MC2;</li> <li>c. Water quality measures RURZ-M3;</li> <li>d. Natural Hazards RURZ-MC4; and</li> <li>e. Whether a financial contribution is required under FC- Financial contributions.</li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>Rural 1 Zone in the Whangamoia Trust – Otamararae Development Area: Area D Rural Residential and Area OR Owners Reservation</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The activity is consistent with the activity statement <a href="#">OMDA-APP1</a> for the area in which it is located (figure OMDA-1).</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. As specified for the Residential 4 Zone with respect to: <ul style="list-style-type: none"> <li>i. Height RESZ-S1;</li> <li>ii. Yards RESZ-S2;</li> <li>iii. Site coverage RESZ-S3;</li> <li>iv. <del>Household-residential</del> unit density RESZ-S4; and</li> <li>v. Parking, access and turning RESZ-S5; and</li> <li>vi. Reflectivity RESZ-S6.</li> </ul> </li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building and Amenity RESZ-MC1;</li> <li>b. Character RESZ-MC2</li> <li>c. Amenity RESZ-MC3.</li> </ul>
<p>Advice Note:</p> <p>Refer to the zone chapter for activities that do not meet the performance standards.</p>	

## APPENDICES

### OMDA-APP1 – Development Area Activity Statement

#### Area A Eco Farm Park

This area consists of a maximum 50 sites in total. It is intended that this area will provide for low density housing developments accompanied with extensive re-vegetation landward of Whangamoia Drive. It includes an area to be developed with 10 sites adjoining State Highway 33.

#### Area B Plantation Forest

This area is located along the rear portion of the site and consists of steep topography. Such land use will reduce nutrient discharge to Lake Rotoiti, contributing to the enhancement of lake water quality.

#### Area B1 Plantation Forest and Geothermal

This area is located along the rear portion of the site and consists of steep topography. Plantation forestry and geothermal exploration, geothermal wells and pipework land uses will reduce nutrient discharge to Lake Rotoiti and contribute to the enhancement of Lakewater Quality.

**Area C Wetland Restoration**

This area adjoins the lake and provides for wetland restoration and wetland establishment within Te Ti Bay identified on Planning Map 375. This is identified as a wetland of regional significance within ECO-SCHED<sub>1</sub> – Significant Natural Areas (ID #27) and its restoration will enhance the wetland biodiversity and lake water quality.

**Area D Rural Residential**

Two separate areas for rural residential development exist within the Whangamoia Development plan. These cover the areas of existing residential development along the lake edge.

**Area OR (Owners Reservation)**

This area consists of a maximum of 70 owners' sites. In addition to this development tourism accommodation is proposed in the southern portion of the site consisting of 50 rooms, along with a store/fuel site to be located within the vicinity of the 30 caravan sites.



# ŌTUROA VISTA DEVELOPMENT AREA

Status: OVDA is operative

## INTRODUCTION

The lots covered by the Ōturoa Vista Development Area are legally described as Lots 3 and 5 DP 341480 and contain a total area of 62.18 hectares. The sites are located on Ōturoa Road and have numerous building platforms that provide extensive panoramic views of Lake Rotorua.

It is intended to have up to 50 ~~dwelling~~residential units constructed throughout the two sites, with this resulting in a significant reduction in nutrient discharge and contributing to enhancing the water quality of Lake Rotorua.

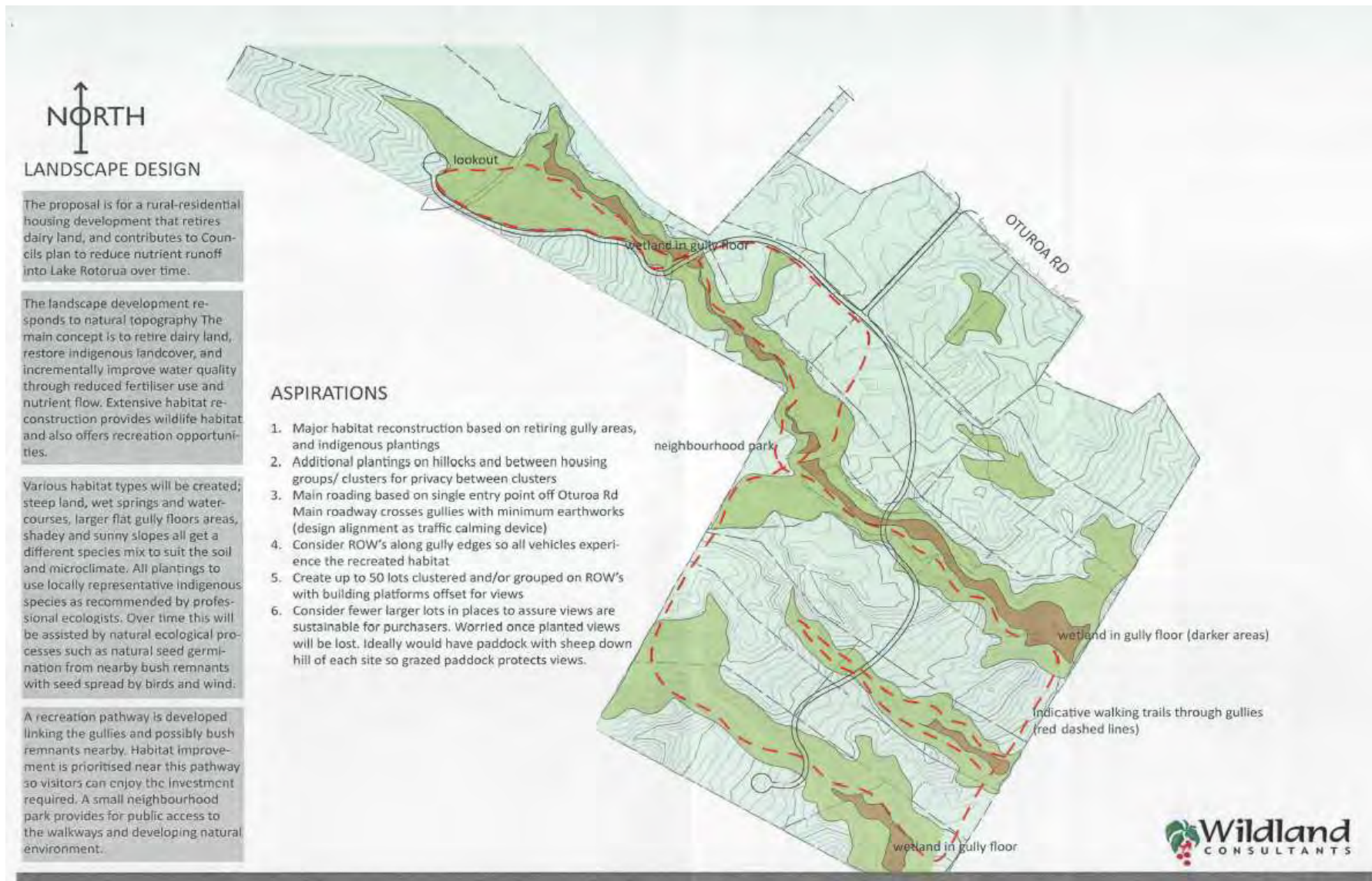


Figure OVDA- 2: Ōturoa Road Development Area

## SITE AND BUILDING DESIGN

The two sites are intended to be developed with up to 50 dwelling-residential units with the following site and building design elements:

1. Up to 50 dwelling-residential units located in a series of clusters on semi-private right of ways
2. Significant landscaping and re-vegetation
3. Habitat reconstruction through the retiring of gully areas through the use of indigenous vegetation
4. Planting of hillocks and between housing clusters
5. A road network with one point of access from Ōturoa Road that is designed to reflect the topography and reduce the level of earthworks required
6. A recreation pathway and neighbourhood park that link and provide access to gullies and bush remnants.

## RULES

### Restricted Discretionary / Assessment Criteria

All resource consents will be assessed under the assessment criteria listed under A5.1.1.

# ŌWHATIURA DEVELOPMENT AREA

Status: OWDA is operative

## INTRODUCTION

The development area encompasses the sites legally described as Lot 4 DPS 86406, Lots 5, 6, 7 and 8 DPS 89521, Ōwhatiura 2B4B2C3A, Pt Ōwhatiura 2B4B2C3B and Ōwhatiura 2B4A, encompassing a total area of 41.5286 hectares. The vision is to incorporate the low lying nature of the land into wetlands, open space and walking paths with a Tea House Villa centrepiece to showcase the tea product. This will be an eco-friendly, environmentally sensitive tourism development and will integrate with the natural landscape.

The development area provides for a range of tourism activities including:

1. A central villa tea house development
2. Tea tastings and dining facilities
3. Wetland development and restoration
4. Walking tracks/boardwalks and viewing platforms
5. Tourism accommodation within boutique villas
6. Supporting staff facilities and service areas

The underlying zones are Rural 2 Zone and Water Zone.



# TEA GARDEN VILLAS Rotorua

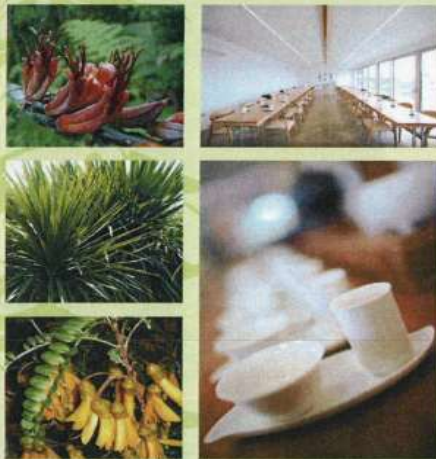


Figure OWDA-1: Ōwhatiura Development Area

# RULES

The rules below apply in addition to the rules for the zones and other chapters.

The development area rules override the rules for the underlying zones for the specific activities addressed. For clarification, rules that have been included within this development area relate to specific activities which are anticipated within the development area. For other activities refer to the zone chapter.

The rules do not override the rules of other chapters of the plan unless expressly stated.

## Rules for Activities in the Ōwhatiura Development Area

Tourism Activities		
<b>OWDA-R1</b>	<b>Wetland development and restoration</b>	<i>[A5.11(3)]</i>
<b>Applicable Spatial Layers</b> Ōwhatiura Development Area	<b>1. Activity Status:</b> Permitted <b>Where:</b> The activity is in accordance with the Ōwhatiura Development Plan: <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Access to the development shall be gained from Vaughan Road; and</li> <li>b. The development shall comply with the performance standards for the Rural 2 Zone with respect to:               <ol style="list-style-type: none"> <li>i. Parking, access and turning RURZ-S5.</li> </ol> </li> </ol>	
<b>OWDA-R2</b>	<b>Walking tracks / boardwalks and viewing platforms</b>	<i>[A5.11(3)]</i>
<b>Applicable Spatial Layers</b> Ōwhatiura Development Area	<b>1. Activity Status:</b> Permitted <b>Where:</b> The activity is in accordance with the Ōwhatiura Development Plan: <b>Performance standards:</b> <ol style="list-style-type: none"> <li>a. Access to the development shall be gained from Vaughan Road; and</li> <li>b. The development shall comply with the performance standards for the Rural 2 Zone with respect to:               <ol style="list-style-type: none"> <li>i. Height RURZ-S1; and</li> <li>ii. Parking, access and turning RURZ-S5.</li> </ol> </li> </ol>	
<b>OWDA-R3</b>	<b>Supporting staff facilities and service areas</b>	<i>[A5.11(3)]</i>
<b>Applicable Spatial Layers</b> Ōwhatiura Development Area	<b>1. Activity Status:</b> Permitted <b>Where:</b> The activity is in accordance with the Ōwhatiura Development Plan: <b>Performance standards:</b> <ol style="list-style-type: none"> <li>a. Access to the development shall be gained from Vaughan Road;</li> <li>b. The development shall comply with the performance standards for the Rural 2 Zone with respect to:               <ol style="list-style-type: none"> <li>i. Height RURZ-S1;</li> <li>ii. Yards RURZ-S2;</li> <li>iii. Site coverage RURZ-S3; and</li> <li>iv. Parking, access and turning RURZ- S5.</li> </ol> </li> </ol>	

<b>OWDA-R4</b>	<b>Tea tasting and dining facilities</b>	[A5.11(3)]
<b>Applicable Spatial Layers</b> Ōwhatiura Development Area	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> The activity is in accordance with the Ōwhatiura Development Plan:</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Where compliance is not achieved with the performance standards for the zone: 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 relevant objectives and policies;</li> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>c. Natural Hazards RURZ-MD1; and</li> <li>d. Financial Contributions RURZ-MD3.</li> </ul>	
<b>OWDA-R5</b>	<b>Central villa tea house development</b>	[A5.11(3)]
<b>Applicable Spatial Layers</b> Ōwhatiura Development Area	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Where compliance is not achieved with the performance standards for the zone: 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 relevant objectives and policies.</li> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>c. Natural Hazards RURZ-MD1; and</li> <li>d. Financial Contributions RURZ-MD3.</li> </ul>	
<b>OWDA-R6</b>	<b>Tourism accommodation within boutique villas</b>	[A5.11(3)]
<b>Applicable Spatial Layers</b> Ōwhatiura Development Area	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Where compliance is not achieved with the performance standards for the zone: 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 relevant objectives and policies;</li> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>c. Natural Hazards RURZ-MD1; and</li> <li>d. Financial Contributions RURZ-MD3.</li> </ul>	

# PUKEHĀNGI HEIGHTS DEVELOPMENT AREA

Status: PHDA is operative

## INTRODUCTION

The Pukehāngi Heights Development Area adjoins the existing urban area to the south west of Pukehāngi Road. The area has been identified for future growth given it is close to central Rotorua, has good aspect and views that create an opportunity for high amenity residential development, and is contiguous with existing urban development giving ease of access to infrastructure.

Area wide assessments of landscape, natural hazards, transport, stormwater and archaeological and cultural values have been undertaken to ensure the suitability of the area for a mix of development types including low and medium density residential development and rural residential development.

Pukehāngi Heights Development Area provides potential for comprehensive, integrated development with associated landscape, cultural, ecological, water quality and public access benefits.

The Pukehāngi Heights Development Area is located on the lower slopes of the Caldera Rim. The Caldera Rim landscape has been recognised as being highly valued by the Rotorua community. The landscape values of the Caldera Rim have been assessed in the 'Rotorua Caldera Rim – Caldera Rim Rural Character Design Guideline' (October 2012), which also provides guidance on how to integrate growth and land use change into the landscape.

The Design Guideline identifies the Pukehāngi Heights Development Area as being within the 'less sensitive rural landscape' situated below the RL385 contour. Above this contour, the areas rural or natural character should be maintained. The less sensitive rural landscape still contains important rural character and amenity values but is less sensitive to land use change.

The main land form broadly comprises two terraces with an escarpment between. The Lower Terrace adjoins Pukehāngi Road and slowly rises to meet the Mid-site Escarpment that rises to a broad Upper Terrace extending northwest/southeast with intervening valleys. The Upper Terrace has an escarpment backdrop.

The urban design approach seeks to enable development while maintaining and enhancing identified environmental values. This is guided by the Pukehāngi Heights Development Area Structure Plan that applies both general and place-specific principles.

While few archaeological features remain, cultural assessments prepared identify the area's cultural and historical significance, with settlement occurring over 500 years ago. The whole area is significant for Ngāti Kea Ngāti Tuarā as a meeting point between their ancestors' traditional homes of Horohoro, Tihi-o-Tonga, Tārewa and Patetere. Key cultural features include the old pā sites - Pukehāngi and Puketapu and the north-facing slopes from the kāinga at Paparata towards the north-west (along what is now Pukehāngi Road) that were used extensively by tangata whenua as mahinga kai.

The area is also significant for other iwi and hapū with associations with the cultural landscape including downstream sites and values.

## Principles

### The general principles for the Pukehāngi Heights Development Area are:

1. Development that responds to the landscape values of the Caldera Rim and the topography of the area;
2. Development that recognises, protects and provides for the expression of the cultural and archaeological values of the area;
3. Roads, walkways and cycleway connections throughout the area and connecting with adjoining sites;
4. Comprehensively designed low impact stormwater management integrated with development;
5. Enhancement of ecological values by including indigenous vegetation plantings;
6. Excellent urban design outcomes including for solar access and passive surveillance of public spaces; and
7. Development that is designed within nutrient management limits and contributes to the reduction in nitrogen entering Lake Rotorua.

### The place-specific principles are:

#### Lower Terrace

1. ~~Low density residential development;~~
2. Medium density residential development consistent with the Residential 1 Zone located on land of easy contour adjacent to local services and open space, ~~and sleeved with lower density residential development, commercial development or open space to provide a harmonious transition with existing low density residential development along Pukehāngi Road;~~
3. Small commercial areas for local convenience retail, a cafe and or childcare located near to intersections with Pukehāngi Road; and
4. A transitional area along the base of the Mid-site Escarpment where additional landscape and building controls apply (Escarpment Transition Area 1).

#### Mid-site Escarpment

1. Partially re-vegetated native bush and specimen tree network to form a backdrop to the development on the Lower Terrace;
2. A visual character that is dominated by areas of re-vegetation near the Parklands Estate development transitioning through to an open space character close to Matipo Avenue and Paradise Valley Road;
3. Rural residential development;
4. Landscape design that integrates development with the surrounding environment including the 'Parklands Estate' Development; and
5. Design controls on buildings.

#### Upper Terrace

1. ~~Low~~ Medium density residential development consistent with the Residential 1 Zone but with a reduced height and open built character to provide visually coherent transition between the Upper Terrace and Upper Escarpment; and
2. A transitional area along the front of the Upper Terrace where additional landscape and building controls apply (Escarpment Transition Area 2).

#### Upper Escarpment

1. No development on the upper escarpment; and
2. Partial re-vegetation to form a coherent transition from the Parklands Estate development and to create a backdrop to development on the Upper Terrace.

#### Pukehāngi Southern Slopes

1. Rural 2 Zone provisions apply.

The specific objectives, policies and rules for the Pukehāngi Heights Development Area identify outcomes that are additional to those sought by the general provisions of the Residential 1 and Rural 2 Zoning of the land.

Where there is any conflict, the specific provisions shall take precedence.

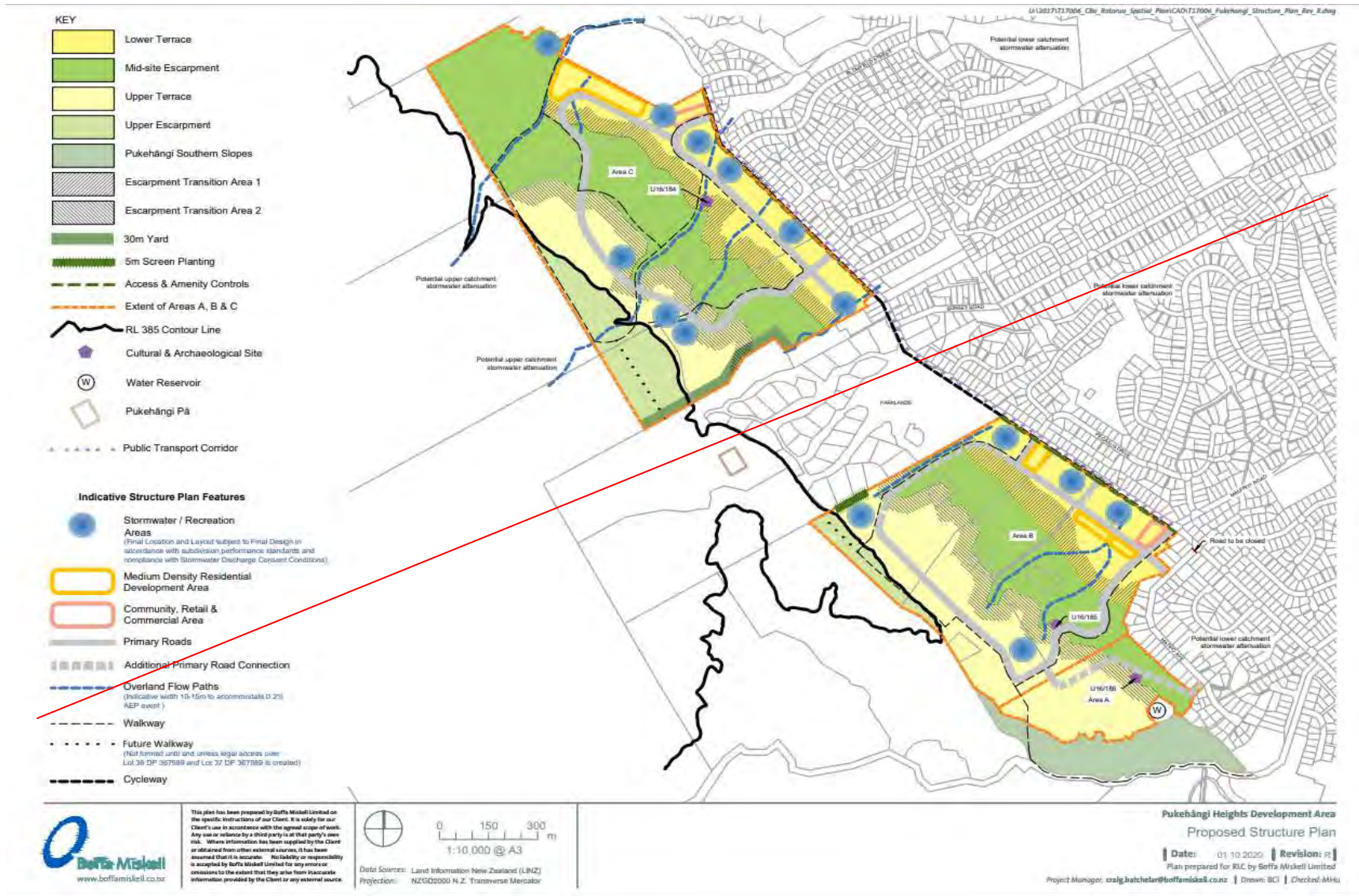


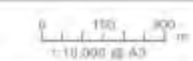
Figure PHDA-1 Pukehāngi Heights Development Area Structure Plan [to be replaced]

- KEY**
- Lower Terrace
  - Mid-site Escarpment
  - Upper Terrace
  - Upper Escarpment
  - Pukhāngi Southern Slopes
  - Escarpment Transition Area 1
  - Escarpment Transition Area 2
  - 30m Yield
  - 5m Screen Planting
  - Access & Amenity Controls
  - Extent of Areas A, B & C
  - RL 385 Contour Line
  - Cultural & Archaeological Site
  - Water Reservoir
  - Pukhāngi Pā
  - Public Transport Corridor

- Indicative Structure Plan Features**
- Stormwater / Recreation Areas  
(Final location and layout subject to Final Design in accordance with conditions (performance standards and compliance with Resource Management Act/Resource Consent)
  - Community, Retail & Commercial Area
  - Primary Roads
  - Additional Primary Road Connection
  - Overland Flow Paths  
(Indicative width 10-15m to accommodate 5-10% ADF loads)
  - Walkway
  - Future Walkway  
(Final location and width subject to design and site specific conditions and site specific Resource Consent)
  - Cycleway



This plan has been prepared using the best available information and is intended to provide a general overview of the proposed development. It is not intended to be used as a basis for any legal or financial decisions. The information contained herein is for general information only and does not constitute an offer of any financial product or service. The information contained herein is for general information only and does not constitute an offer of any financial product or service.



Geomatics Division  
Land Information New Zealand (LINZ)  
MIS/2020/AL2 - Information Act

Pukhāngi Heights Development Area  
Proposed Structure Plan

Date: 16.06.2022 | Revision: 0  
Prepared by: Boffa Miskell Limited

Project Manager: [angie.kelso@boffamiskell.co.nz](mailto:angie.kelso@boffamiskell.co.nz) | Phone: 07 574 1000 | Project: 1000



# OBJECTIVES

## Landscape values

<b>PHDA-O1</b> [A5.2A.2(1)]	Maintain the valued landscape character and amenity values associated with the wider caldera rim while enabling development that is consistent with the principles of the Pukehāngi Heights Development Area Structure Plan and visually integrates with surrounding land uses. <i>Policies PHDA-P1 to PHDA-P9</i>
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## Integrated urban design

<b>PHDA-O2</b> [A5.2A.2(2)]	The environmental quality, character, amenity and cultural values of the Pukehāngi Heights Development Area are developed and then maintained and enhanced through appropriate urban planning and design, including through integrated management of land use and stormwater. <i>Policies PHDA-P10 to PHDA-P19</i>
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## Stormwater effects

<b>PHDA-O3</b> [A5.2A.2(2a)]	Cumulative stormwater effects are managed in an integrated manner solely within the Pukehāngi Heights Development Area without the need to rely on upstream or downstream detention options. <i>Policy PHDA-P20</i>
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## Flood Hazard Risk Management

<b>PHDA-O4</b> [A5.2A.2(3)]	Ensure that the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 achieves and maintains a low level of flood hazard risk within the Pukehāngi Heights Development Area, and that flooding risks (including from flood flow velocity, flooding depth and flooding extent) are not increased within urban areas in the downstream Otamatea, Mangakakahi and Utuhina Stream catchments <sup>1</sup> . <i>Policies PHDA-P21 to PHDA-P22</i>
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## Landslide and Liquefaction Hazard Risk Management

<b>PHDA-O5</b> [A5.2A.2(4)]	Ensure that development within the Pukehāngi Heights Development Area achieves and maintains a low level of landslide and liquefaction hazard risk <sup>2</sup> within the Development Area, without increasing risk in surrounding areas. <i>Policies PHDA-P23</i>
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## Nutrient Management

<b>PHDA-O6</b> [A5.2A.2(5)]	Development within the Pukehāngi Heights Development Area results in a decrease in nutrient losses thereby contributing to water quality improvements in Lake Rotorua. <i>Policies PHDA-P24 to PHDA-P26</i>
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<sup>1</sup> As defined by the BOP Regional Policy Statement

<sup>2</sup> As defined by the BOP Regional Policy Statement

# POLICIES

## Landscape Values

Objective PHDA-O1

<p><b>PHDA-P1</b> [A5.2A.2.1(1)]</p>	<p>Lower Terrace – <del>Low Density Residential Development</del></p> <p>Enable development on the Lower Terrace that is consistent with Residential 1 Objectives and Policies.</p>
<p><del><b>PHDA-P2</b></del> <del>[A5.2A.2.1(2)]</del></p>	<p><del>Lower Terrace – Medium Density Residential Development</del></p> <p><del>Enable medium density residential development within defined locations where the development is designed to provide diversity and choice in housing and to integrate with the character of the surrounding area.</del></p>
<p><b>PHDA-P3</b> [A5.2A.2.1(3)]</p>	<p>Lower Terrace – Maintenance of Landscape Values</p> <p>Manage the landscape and visual sensitivity at the base of the Mid-site Escarpment by defining an area (Escarpment Transition Area 1) within which:</p> <ol style="list-style-type: none"> <li>a. recessive colours are used on structures and buildings, and controls on building height to mitigate visual effects;</li> <li>b. landscape planting is used to mitigate visual effects of development and to provide a coherent transition between the landscape character of the Lower Terrace and the Mid-site Escarpment;</li> <li>c. changes to land form that require visually obtrusive retaining structures are avoided; and</li> <li>d. other measures mitigate the visual impact of development.</li> </ol>
<p><b>PHDA-P4</b> [A5.2A.2.1(4)]</p>	<p>Mid-site Escarpment – Rural Residential Development</p> <p>Enable rural residential development on the Mid-site Escarpment that allows for view shafts from all identified building platforms whilst providing a partially re-vegetated native bush and a specimen tree network.</p>
<p><b>PHDA-P5</b> [A5.2A.2.1(5)]</p>	<p>Mid-site Escarpment – Maintenance and Enhancement of Landscape Values</p> <p>Maintain and enhance the landscape values of the Mid-site Escarpment by:</p> <ol style="list-style-type: none"> <li>a. Providing a visual character that is dominated by areas of re-vegetation near the Parklands Estate development transitioning through to an open space character close to Matipo Avenue and Paradise Valley Road;</li> <li>b. Reducing the visibility of development on the Mid-site Escarpment;</li> <li>c. Providing an open space and integrated vegetated backdrop to development on the Lower Terrace that retains the natural landform integrity;</li> <li>d. Ensuring that development achieves the intended landscape outcomes through a design process that takes into account the landscape values and attributes of the site; and</li> <li>e. Controlling the landscape and visual effects of buildings, structures and earthworks following the completion of development by:             <ol style="list-style-type: none"> <li>i. clustering built development to enhance the dominance of open space and re-vegetation and to minimise the visibility of roads and accessways;</li> <li>ii. avoiding urbanised boundary lot fencing dominating the pattern of development along the Mid-site Escarpment.</li> <li>iii. locating buildings away from the escarpment edges; and</li> <li>iv. locating building platforms to minimise the need for extensive earthworks.</li> </ol> </li> </ol>

<p><b>PHDA-P6</b> [A5.2A.2.1(6)]</p>	<p><del>Upper Terrace — Low Density Residential Development</del> <del>Enable development on the Upper Terrace that is consistent with Residential 1 Objectives and Policies</del></p>
<p><b>PHDA-P7</b> [A5.2A.2.1(7)]</p>	<p>Upper Terrace and Upper Escarpment – Maintenance and Enhancement of Landscape Values</p> <p><del>Enable development on the Upper Terrace while <del>M</del>maintaining and enhancing the landscape <del>and visual</del> values of the Upper Terrace and Upper Escarpment by:</del></p> <ol style="list-style-type: none"> <li>a. <del>Avoiding development above RL 385m on the Upper Escarpment <u>of the Rotorua Caldera Rim</u>;</del></li> <li>b. <del>Managing the transition from the Upper Terrace to the Upper Escarpment by:</del> <ol style="list-style-type: none"> <li>i. <del>applying a reduced height limit on the Upper Terrace than that than provided for generally in the Residential 1 Zone.</del></li> <li>ii. <del>avoiding a uniform pattern of development in the Upper Terrace</del></li> <li>iii. <del>using taller planting and building separation to integrate the built form against the upper escarpment, mitigate visual effects and provide a coherent transition between the Upper Terrace and Upper Escarpment.</del></li> </ol> </li> <li>c. <del>Managing the landscape and visual sensitivity at the top of the Mid-site Escarpment by:</del> <ol style="list-style-type: none"> <li>i. <del>defining an area (Escarpment Transition Area 2) within which additional measures will apply;</del></li> <li>ii. <del>ensuring buildings are well set back from the top of the Mid-site escarpment;</del></li> <li>iii. <del>ensuring that there is good separation between buildings to create a <del>low-density an open</del> character when viewed from the central Rotorua urban area;</del></li> <li>iv. <del>avoiding a uniform pattern of development;</del></li> <li>v. <del>using recessive colours on structures and buildings, and controls on building height to mitigate visual effects;</del></li> <li>vi. <del>using landscape planting to mitigate visual effects of development and to provide a coherent transition between the landscape character of the Mid-site Escarpment and the Upper Terrace while providing for view shafts from all identified building platforms near the edge; and</del></li> <li>vii. <del>other measures that mitigate the visual impact of development.</del></li> </ol> </li> </ol>
<p><b>PHDA-P8</b> [A5.2A.2.1(8)]</p>	<p>Pukehāngi Southern Slopes</p> <p>Enable development and land use activity that is consistent with Rural 2 Objectives and Policies.</p>
<p><b>PHDA-P9</b> [A5.2A.2.1(9)]</p>	<p>Integration with surrounding areas</p> <p>Provide a visual transition from the indigenous bush character of the Parklands Estate Development to the landscape character of the surrounding area.</p>

## Integrated Urban Design

Objective PHDA-O2

<p><b>PHDA-P10</b> [A5.2A.2.2(1)]</p>	<p><del>Lower Terrace—Medium-Density Residential Development</del></p> <p><del>Enable medium density development that delivers the following qualities and characteristics:</del></p> <ul style="list-style-type: none"> <li><del>a. Buildings with design qualities appropriate to higher density living;</del></li> <li><del>b. Visual and aural privacy;</del></li> <li><del>c. Diversity of built form;</del></li> <li><del>d. Smaller household units and apartment style living;</del></li> <li><del>e. Outdoor space of a high quality; and</del></li> <li><del>f. Amenity planting to reduce the dominance of the built environment.</del></li> </ul>
<p><b>PHDA-P11</b> [A5.2A.2.2(2)]</p>	<p>Environmental Enhancement</p> <p>Reduce nutrient losses, restore and enhance indigenous biodiversity and ecological functioning through partial re-vegetation of the Mid-site Escarpment.</p>
<p><b>PHDA-P12</b> [A5.2A.2.3(3)]</p>	<p>Integration of Land Use and Stormwater Management</p> <p>Provide for integrated management of land use and stormwater by:</p> <ul style="list-style-type: none"> <li>a. Management of water quality and quantity through the application of low impact design principles with the development of a “treatment train” using measures that distribute stormwater management across the site including: <ul style="list-style-type: none"> <li>i. Source Control - individual lot level stormwater management approaches such as soak holes for capturing roof runoff, rain gardens, rainwater harvesting;</li> <li>ii. Site Control – collecting and conveying runoff from a collection of lots through to smaller stormwater management facilities such as dry attenuation zones, swales, through to;</li> <li>iii. Regional Control - larger dedicated catchment facilities, such as detention basins, ponds and wetlands.</li> </ul> </li> <li>b. Designing stormwater infiltration measures based on a geotechnical assessment to achieve and maintain a low level of risk of landslip or liquefaction within the Development Area without increasing risk elsewhere;</li> <li>c. Minimising the formed width of roads to reduce stormwater run-off while ensuring that road function and safety is maintained;</li> <li>d. Integrating the use of open space for stormwater management and recreation including the provision and protection of adequate space to safely accommodate detention ponds and overland flow paths; and</li> <li>e. Ensuring that appropriate stormwater infrastructure is provided at the right time and that costs are shared on an equitable basis.</li> </ul>

<p><b>PHDA-P13</b> [A5.2A.2.3(4)]</p>	<p>Traffic and Access</p> <p>Ensuring that construction and development traffic is accommodated in a manner that maintains connectivity, safety, and amenity within the capacity of the road network by:</p> <ol style="list-style-type: none"> <li>a. Identifying an indicative primary road network on the Structure Plan with connections to the existing road network to optimise traffic management;</li> <li>b. Identifying additional primary road connections on the Structure Plan that may be provided to improve connectivity;</li> <li>c. Identifying appropriate construction traffic routes where necessary; and</li> <li>d. Ensuring efficient and safe walkways are provided to existing and potential future public transport facilities along Pukehāngi Road.</li> <li>e. Avoiding lots that access Pukehāngi Road to ensure the safety of any future cycleway along Pukehāngi Road is protected; and to minimise demand for on street parking and the need to upgrade the carriageway width.</li> <li>f. Designing and locating road intersections with Pukehāngi Road to reduce the effects of vehicle light spill into houses located opposite the new roads.</li> </ol>
<p><b>PHDA-P14</b> [A5.2A.2.3(5)]</p>	<p>Street Character and Amenity</p> <p>Develop a local street character that:</p> <ol style="list-style-type: none"> <li>a. Minimises the formed width of roads to create a low speed road environment, while ensuring that road capacity, function and safety is maintained;</li> <li>b. Provides a wide vegetated berm incorporating street planting on the Upper and Lower Terraces to create an attractive street environment and to break up the mass of buildings and development;</li> <li>c. Reduces building setbacks to promote the use of streets as safe social spaces;</li> <li>d. Promotes passive surveillance of the street through visually permeable street boundary fencing; and</li> <li>e. Avoids negative impacts on amenity values from high fences on rear yards along Pukehāngi Road through the use of permeable fencing and optional screening planting behind.</li> </ol>
<p><b>PHDA-P15</b> [A5.2A.2.3(6)]</p>	<p>Local Reserves and Open Space</p> <p>Ensure the design of reserves and open space incorporates best practice, including the application of Crime Prevention through Environmental Design principles.</p>
<p><b>PHDA-P16</b> [A5.2A.2.3(7)]</p>	<p>Public Walking and Cycling Access</p> <p>Provide high levels of connectivity within and around the site for walking and cycling.</p>
<p><b>PHDA-P17</b> [A5.2A.2.3(8)]</p>	<p>Local Services</p> <p>Enable small scale retail, cafe and childcare activities to provide convenient and highly accessible local services to the Development Area and surrounding residential area.</p>

<p><b>PHDA-P18</b> [A5.2A.2.3(9)]</p>	<p>Cultural: Identity, Landscapes and Values</p> <p>Ensuring that subdivision, use and development expresses the cultural history and identity of Tangata Whenua, recognises the cultural landscape, and recognises and protects the values of archaeological and cultural sites and areas within the Development Area by:</p> <ol style="list-style-type: none"> <li>a. Consulting with Tangata Whenua through the design and planning stages of development;</li> <li>b. Expressing cultural identity through measures such as the inclusion of structures or art in public spaces, interpretation plaques, a cultural trail, place naming;</li> <li>c. Recognising that the Development Area forms part of a wider cultural landscape for Ngāti Kea Ngāti Tuarā;</li> <li>d. Recognising the interests of other Te Arawa iwi and hapū with associations with the cultural landscape including downstream sites and values;</li> <li>e. Identifying archaeological and cultural sites and areas, and providing legal and practical access for Tangata Whenua;</li> <li>f. Assessing the values and associations of identified archaeological and cultural sites and areas, and the wider cultural landscape; and</li> <li>g. Mitigating adverse effects on the values and associations of identified sites and areas, and other sites and areas that may be discovered during development.</li> </ol>
<p><b>PHDA-P19</b> [A5.2A.2.3(10)]</p>	<p>Reverse sensitivity associated with the Rotorua Speedway</p> <p>Ensure that noise emissions from the speedway are considered for subdivision in Area C on the Pukehāngi Heights Structure Plan and that measures are taken by those subdividing and developing land in the Pukehāngi Heights Development Area to reduce the potential for reverse sensitivity to the speedway and achieve an appropriate noise environment for residents.</p>

## Stormwater effects

Objective PHDA-O3

<p><b>PHDA-P20</b> [A5.2A.2.2a(1)]</p>	<p>Stormwater Effects</p> <p>Manage the cumulative stormwater effects within the Pukehāngi Heights Development Area and on the downstream environment through a Stormwater Management Plan (SMP) for the entire Pukehāngi Heights Development Area that is prepared by Rotorua Lakes Council in collaboration with land owners prior to Council obtaining a discharge permit for the catchment and prior to any subdivision occurring.</p> <p>The SMP must include:</p> <ol style="list-style-type: none"> <li>a. A Natural Hazard Risk Assessment that complies with Regional Policy Statement Appendix L – Methodology for Risk Assessment which shall demonstrate that a low level of risk will be achieved within the Pukehāngi Heights Development Area without increasing the flooding risk downstream;</li> <li>b. The same range of criteria which must be at least as conservative as those used in the stormwater modelling report titled “Rotorua Lakes Council, PC2 - Pukehāngi Heights Stormwater Report, WSP, 14 September 2020”;</li> <li>c. Verification that if model platforms other than those used in the report titled “Rotorua Lakes Council, PC2 - Pukehāngi Heights Stormwater Report, WSP, 14 September 2020” are used for the SMP to predict downstream flooding effects, that the alternative model platforms produce results that are consistent with the empirical data for the catchment at the appropriate gauged location;</li> <li>d. Information and Assessment Requirements for stormwater management solutions for individual subdivisions;</li> </ol>
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	<ul style="list-style-type: none"> <li>e. The intended scale, nature and form (including ground levels) of development and subdivision in the Development Area;</li> <li>f. An assessment of potential effects of stormwater (velocity, flood depth, flood extent) as well as related erosion effects on the downstream catchment that includes the Lower Utuhina catchment;</li> <li>g. The assessment shall consider the potential for effects related to flood duration including: <ul style="list-style-type: none"> <li>i. holding up stormwater discharges to the streams due to elevated and longer duration backwater;</li> <li>ii. increased stream bank erosion and channel instabilities from extended periods of elevated flows;</li> <li>iii. increased length of time buildings, roads, footpath, and structures might be flooded above the key flood hazard threshold for depth and velocity (<math>D \times V &gt; 0.3</math>);</li> </ul> </li> <li>h. An assessment of the potential effects on water quality;</li> <li>i. Details of mitigation measures for the entire Development Area. Details shall include: <ul style="list-style-type: none"> <li>i. The size of ponds, location, configuration of the outlet structures, discharge locations, and hydraulic performance of the ponds for on-site stormwater management; and</li> <li>ii. The size of channels and the related erosion protection measures for primary, secondary and overland flow paths (on-site and off-site) including for the receiving waterways immediately downstream;</li> </ul> </li> <li>j. Consideration of the sensitivity of proposed stormwater management measures to the staging of development in the Development Area;</li> <li>k. An assessment of potential effects of stormwater management measures on land stability and liquefaction;</li> <li>l. The condition of existing infrastructural assets;</li> <li>m. The intended staging and timing for the provision and vesting and/or upgrading and replacement of infrastructural assets;</li> <li>n. Detail of ongoing operational procedures and maintenance requirements for any water quantity and/or quality control structures or formed features such as ponds/dams;</li> <li>o. The outcomes of consultation with the Bay of Plenty Regional Council, Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakaue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust and other affected stakeholders.;</li> <li>p. The specification of effects-based criteria or thresholds that would trigger a requirement for the limited notification of land use and subdivision applications to Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakaue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust.</li> </ul>
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## Flood Hazard Risk Management

*Objective PHDA-O4*

<p><b>PHDA-P21</b> [A5.2A.2.3(1)]</p>	<p>Flood Hazard Risk Management</p> <ul style="list-style-type: none"> <li>a. The SMP prepared under Policy PHDA-P20 shall: <ul style="list-style-type: none"> <li>i. demonstrate that Objective PHDA-O4 can be achieved; and</li> <li>ii. identify and protect primary and secondary overland flow paths downstream of the Pukehāngi Heights Development Area any storm event that exceeds the capacity of the stormwater solution provided within the Development Area.</li> </ul> </li> </ul>
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<b>PHDA-P22</b> [A5.2A.2.3(2)]	Refusing Resource Consent where Objective PHDA-O4 Not Met  Rotorua Lakes Council will refuse applications for resource consent where the proposed subdivision, use or development will not achieve the downstream flooding risk outcomes listed in Objective PHDA-O4.
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## Landslide and Liquefaction Hazard Risk Management

Objective PHDA-O5

<b>PHDA-P23</b> [A5.2A.2.4(1)]	Landslide and Liquefaction Risk Management  Ensure that a low level of risk from landslide or liquefaction is achieved and maintained within the Development Area without increasing the risk to surrounding areas following subdivision and development by: <ul style="list-style-type: none"> <li>a. Undertaking a landslide assessment in accordance with AGS 2007 Landslide Risk Management Framework as part of any application for subdivision;</li> <li>b. Undertaking a liquefaction assessment in accordance with Planning and engineering guidance for potentially liquefaction-prone land Resource Management Act and Building Act aspects Rev 0.1 Issue date September 2017 Ministry of Business, Innovation and Employment (MBIE) as part of any application for subdivision; and</li> <li>c. Implementing any necessary risk treatment measures to ensure that low landslide and liquefaction risk is achieved within the Development Area without increasing risk in surrounding areas.</li> </ul>
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## Nutrient Management

Objective PHDA-O6

<b>PHDA-P24</b> [A5.2A.2.5(1)]	Subdivision and land use shall be designed to achieve nutrient losses within the limits of the Nitrogen Discharge Allocation to the land, subject to PHDA-P25 below.
<b>PHDA-P25</b> [A5.2A.2.5(2)]	Any nutrient losses from subdivision and land use that exceed the limits of the Nitrogen Discharge Allocation to the land must be accounted for and offset otherwise subdivision consent will not be granted.
<b>PHDA-P26</b> [A5.2A.2.5(3)]	The assessment of nutrient losses shall follow best practice and be in accordance with any Council approved policy or guidelines, including any Nitrogen Allocation Transfer Plan (or equivalent) certified under the discharge consent for the Rotorua Wastewater Treatment Plant

# RULES

## Land use rules

The land use rules below apply in addition to the rules in the underlying zone chapters

The development area rules override the rules for the underlying zones for the specific activities addressed.

For clarification, rules that have been included within this development area relate to specific activities which are anticipated within the development area. For other activities refer to the zone chapters.

Rules PHDA-R4 and PHDA-R13 override rule EIT-R10 in EIT Energy, Infrastructure and Transport.

The rules do not override other rules of the plan unless expressly stated.



## Subdivision Rules

The subdivision rules below override the 'Zone Specific' Rules and the 'All Zones Rules' in the subdivision chapter. However, relevant performance standards of the subdivision chapter still apply through the application of the rules, as set out in the table below.

Links to the rule categories are provided below:

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## Rules for Land Use Activities in the Residential 1 Zone

General	
<b>Land use activities listed in the Residential 1 Zone but located in this Development Area other than those activities listed below.</b>	
<b>Applicable Spatial Layers</b> Pukehāngi Development Area: Residential 1 Zone	As set out in the Residential 1 Zone.
<b>PHDA-R1 Any activity stated as a permitted or controlled activity in the Residential 1 Zone</b>	
<b>Applicable Spatial Layers</b>	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <b>1. Activity Status:</b> Permitted or controlled (as provided in the zone)   <b>Performance Standards</b> </div> <div style="width: 45%;"> <b>2. Activity Status:</b> Restricted Discretionary   <b>Where:</b> </div> </div>

[A5.2.3.1(1)]

[A5.2.3.1(2)]

<p>Pukehāngi Development Area: Residential 1 Zone</p>	<p>a. The Residential 1 Zone performance standards apply in this Development Area except as otherwise specified below:</p> <ul style="list-style-type: none"> <li>i. Yards and building location <u>PHDA-SL2</u>;</li> <li><del>ii. Outdoor space <u>PHDA-SL3</u>;</del></li> <li><del>iii. Site coverage <u>PHDA-SL4</u>;</del></li> <li>iv. Fencing <u>PHDA-SL5</u>;</li> <li><del>v. Household unit density <u>PHDA-SL6</u>;</del></li> <li>vi. Protection of landscape values <u>PHDA-SL7</u>; and</li> <li>vii. <u>Outdoor storage and service space <u>PHDA-SL8</u></u></li> </ul> <p>b. The performance standards for subdivision PHDA-SS12 to PHDA-SS1 shall apply, where relevant, to any proposed land use that occurs prior to subdivision.</p> <p><b>Matters of control</b> (for controlled activities):</p> <ul style="list-style-type: none"> <li>a. Building design and amenity RESZ-MC1;</li> <li>b. Character of the zone RESZ-MC2;</li> <li>c. Amenity of the zone RESZ-MC3;</li> <li>d. Parking, access and turning RESZ-MC4;</li> <li>e. Natural hazards RESZ-MC5; and</li> <li>f. Financial contributions RESZ-MC6.</li> </ul>	<p>Compliance is not achieved with the performance standards for Rule PHDA-R1(1).</p> <p><b>Matters of Discretion</b></p> <ul style="list-style-type: none"> <li>a. The effects of non-compliance with the performance standards;</li> <li>b. The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the Residential 1 Zone and Rural 2 Zone will continue to be met;</li> <li>c. Natural hazards RESZ-MD1; and</li> <li>d. Financial contributions RESZ-MD2.</li> </ul>
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### Specific Land use Activities

PHDA-R2	<del>Household Residential</del> -Units	<del>{A5.2.3.1(5)}</del>
<p><u>Applicable Spatial Layers</u> Pukehāngi Development Area: <u>Residential 1 Zone</u></p>	<p><u>1</u> <b>Activity Status:</b> Permitted</p> <p><b>Where:</b> <u>There are no more than 3 residential units per site</u></p> <p><b>Performance Standards</b></p> <ul style="list-style-type: none"> <li>a. <u>The Residential 1 Zone performance standards apply in this Development Area except as otherwise specified below<sup>3</sup>:</u> <ul style="list-style-type: none"> <li>i. <u>Height PHDA-SL1 (Upper Terrace);</u></li> </ul> </li> </ul>	<p><u>2</u> <b>Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. <u>There are no more than 3 residential units per site</u></li> <li>b. <u>Compliance is not achieved with the performance standards for Rule PHDA-R2(1).</u></li> </ul> <p><b>Matters of Discretion</b></p> <ul style="list-style-type: none"> <li>a. <u>The effects of non-compliance with the performance standards;</u></li> <li>b. <u>The extent to which the objectives and policies of the Pukehāngi</u></li> </ul>

<sup>3</sup> Refer to the Residential Zone for the specific standards that form part of the MDRS

	<ul style="list-style-type: none"> <li>ii. <u>Yards and building location PHDA-SL2;</u></li> <li>iii. <u>Fencing PHDA-SL5;</u></li> <li>iv. <u>Protection of landscape values PHDA-SL7; and</u></li> <li>v. <u>Outdoor storage and service space PHDA-SL8</u></li> </ul> <p>c. <u>The performance standards for subdivision PHDA-SS12 to PHDA-SS1 shall apply, where relevant, to any proposed land use that occurs prior to subdivision.</u></p>	<p><u>Heights Development Area and the Residential 1 Zone and Rural 2 Zone will continue to be met;</u></p> <ul style="list-style-type: none"> <li>c. <u>Residential units – Non-compliance matters RESZ-MDA</u></li> <li>d. <u>Natural hazards RESZ-MD1; and</u></li> <li>e. <u>Financial contributions RESZ-MD2</u></li> </ul> <p><b><u>Notification</u></b></p> <p><u>An application for resource consent under this rule (for the construction and use of no more than 3 residential units per site that does not comply with one or more of the performance standards) will be considered without public notification (unless the Council decides that special circumstances exist under the Resource Management Act 1991).</u></p>
<p><b>Applicable Spatial Layers</b></p> <p>Pukehāngi Development Area:</p> <p>Residential 1 Zone</p>	<p>3 <b>Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p><u>The activity is medium density residential development in the Medium Density Residential Development Area shown on the structure plan.</u></p> <p><u>There are four or more residential units on a site</u></p> <p><b>Performance Standards</b></p> <ul style="list-style-type: none"> <li>a. <u>Site coverage PHDA-SL4;</u></li> <li>b. <u>Fencing PHDA-SL5;</u></li> <li>c. <u>Medium Density Residential Development PHDA-SL8; and</u></li> <li>d. <u>Parking, access and turning RESZ-S5</u></li> </ul> <p>a. <u>The Residential 1 Zone performance standards apply in this Development Area except as otherwise specified below<sup>4</sup>:</u></p> <ul style="list-style-type: none"> <li>i. <u>Height PHDA-SL1 (Upper Terrace);</u></li> <li>ii. <u>Yards and building location PHDA-SL2;</u></li> <li>iii. <u>Fencing PHDA-SL5;</u></li> <li>iv. <u>Protection of landscape values PHDA-SL7; and</u></li> </ul>	<p>4 <b>Activity Status:</b> <del>Discretionary</del> <u>Restricted Discretionary</u></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>b. <u>There are four or more residential units on a site; and</u></li> <li>c. The activity does not meet the performance standards for rule PHDA-R2<del>(4)</del>(3).</li> </ul> <p><b><u>Matters of Discretion</u></b></p> <ul style="list-style-type: none"> <li>a. The effects of non-compliance with the performance standards; and</li> <li>b. The extent to which the objectives and policies of the Pukehāngi Heights Development Area and Residential 1 Zone and Rural 2 Zone will continue to be met;</li> <li>c. <u>Residential units – Non-compliance matters RESZ-MDA</u></li> <li>d. <u>4+ Residential unit developments RESZ-MDB;</u></li> <li>e. Natural hazards RESZ-MD1; and</li> <li>f. Financial contributions RESZ-MD2.</li> </ul> <p><b><u>Notification</u></b></p> <p><u>An application for resource consent under this rule (for the construction and use of four or more residential units per site that does not comply with one or</u></p>

<sup>4</sup> Refer to the Residential Zone for the standards that form part of the MDRS

	<p>v. <u>Outdoor storage and service space PHDA-SL8</u></p> <p>b. <u>The performance standards for subdivision PHDA-SS12 to PHDA-SS1 shall apply, where relevant, to any proposed land use that occurs prior to subdivision.</u></p> <p><b>Matters of Discretion:</b></p> <p>a. <del>Activities that do not comply with the performance standards:</del></p> <p>i. <del>The effects of non-compliance with the performance standards; and</del></p> <p>ii. <del>The extent to which the objectives and policies of the Pukehāngi Heights Development Area and Residential 1 Zone and Rural 2 Zone will continue to be met;</del></p> <p>b. <del>Medium Density PHDA-MD1; 4+ Residential unit developments RESZ-MDB;</del></p> <p>c. <del>Natural hazards RESZ-MD1; and</del></p> <p>d. <del>Financial contributions RESZ-MD2.</del></p> <p><b>Notification</b></p> <p><u>An application for resource consent under this rule (for the construction and use of four or more residential units per site that complies with the performance standards) will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991).</u></p>	<p><u>more of the performance standards) will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991), provided that the activity complies with all the following performance standards:</u></p> <p>a. <u>Height RESZ-S1: (1) or (1A)</u></p> <p>b. <u>Yards RESZ-S2: (1)</u></p> <p>c. <u>Site Coverage RESZ-S3: (1)(a) or (2)(a)</u></p> <p>d. <u>Design and Landscaping RESZ-S6: (2)(a)(i) to (ii); (3); (4)(a); and (6)(a) to (b)</u></p>
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**Notification:**

~~Any application for resource consent for the activities listed in PHDA-R2(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:~~

- a. ~~applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 will require the written approval of Te Rūnanga o Ngāti Kēarua Ngāti Tuarā Trust, Ngāti Whakaue (as~~

~~represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust in order to proceed without limited notification.~~

~~Advice Note:~~

~~For household units not covered by the above rule for medium density development refer to the Residential Zones chapter and the additional performance standards required under rule PHDA-R1 (other chapters of the District Plan may also be relevant, such as earthworks).~~

<b>PHDA-R3</b>	<b>Activities within the Community, Retail and Commercial Area shown on the Structure Plan</b>	[A5.2.3.1(6) A5.2.3.1(7) A5.2.3.1(8)]
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**Applicable Spatial Layers**  
Pukehāngi Development Area:  
Residential 1 Zone – Community, Retail and Commercial Area on Structure Plan

1. **Activity Status:** Restricted Discretionary  
**Where:**  
The activity is a child care centre, convenience retail, office or a café.  
**Performance Standards:**
  - a. Community, retail and commercial activities [PHDA-SL9](#).**Matters of Discretion:**
  - a. Activities that do not comply with the performance standards:
    - i. The effects of non-compliance with the performance standards; and
    - ii. The extent to which the objectives and policies of the Pukehāngi Heights Development Area and Residential 1 Zone and Rural 2 Zone will continue to be met;
  - b. The extent to which the principles of the Pukehāngi Heights Development Area Structure Plan will be achieved;
  - c. The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the underlying zone will be met;
  - d. The compatibility between the proposed development and surrounding residential activities having regard to the protection of visual and aural privacy, and visual dominance of buildings;
  - e. The extent to which the development will promote

2. **Activity Status:** Discretionary  
**Where:**  
The activity does not meet the performance standards for rule PHDA-R3(1).

	<p>walkable access to local services;</p> <p>f. The extent to which the development provides for safe and convenient access and parking for vehicles, and minimises traffic congestion within the surrounding streets;</p> <p>g. Natural hazards RESZ-MD1; and</p> <p>h. Financial contributions RESZ-MD2.</p>	
<p><b>Notification:</b></p> <p>Any application for resource consent for the activities listed in PHDA-R3(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:</p> <p>a. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 will require the written approval of Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakaue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust in order to proceed without limited notification.</p>		
<p><b>Advice Note:</b></p> <p>For activities in the Community, Retail and Commercial Area shown on the structure plan that are not covered by the above rule refer to the Residential Zones chapter and the additional performance standards required under rule PHDA-R1 (other chapters of the District Plan may also be relevant, such as earthworks).</p>		
<p><b>PHDA-R4 Infrastructure as shown on the Pukehāngi Heights Development Area Structure Plan</b></p>		<p>[A5.2.3.1(4)]</p>
<p><b>Applicable Spatial Layers</b></p> <p>Pukehāngi Development Area:</p> <p>Residential 1 Zone</p>	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion</b></p> <p>a. Natural hazards RESZ-MD1; and</p> <p>b. Financial contributions RESZ-MD2.</p>	
<p><b>Notification</b></p> <p>Any application for resource consent for the activities listed in PHDA-R4(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:</p> <p>1. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 will require the written approval of Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakaue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust in order to proceed without limited notification.</p>		

## Rules for Subdivision Activities in the Residential 1 Zone

<b>General</b>		
<b>PHDA-R5</b>	<b>Subdivision</b>	<i>[A5.2.3.1(9), A5.2.3.1(13), A5.2.3.1(14), A5.2.3.1(15)]</i>
<p><b>Applicable Spatial Layers</b></p> <p>Pukehāngi Development Area:</p> <p>Residential 1 Zone</p>	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Performance Standards</b></p> <ul style="list-style-type: none"> <li>a. The subdivision is consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area; and</li> <li>b. The performance standards from SUB – Subdivision apply in the Pukehāngi Heights Development Area unless otherwise specified below;               <ul style="list-style-type: none"> <li>i. Minimum lot width for solar access <a href="#">PHDA-SS1</a></li> <li><del>ii. Minimum lot area <a href="#">PHDA-SS2</a>;</del></li> <li>iii. Protection of landscape values <a href="#">PHDA-SS4</a>;</li> <li>iv. Stormwater management <a href="#">PHDA-SS6</a>;</li> <li>v. Compliance with Discharge Consent <a href="#">PHDA-S7</a>;</li> <li>vi. Land instability and liquefaction <a href="#">PHDA-SS8</a>;</li> <li>vii. Delineation of features <a href="#">PHDA-SS9</a>;</li> <li>viii. Protection of cultural identity and sites <a href="#">PHDA-SS10</a>;</li> <li>ix. Development traffic <a href="#">PHDA-SS11</a>;</li> <li>x. Construction traffic <a href="#">PHDA-SS12</a>;</li> <li>xi. Construction noise and vibration <a href="#">PHDA-SS13</a>;</li> <li>xii. Nutrient management <a href="#">PHDA-SS14</a>.</li> </ul> </li> </ul> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">PHDA-MD3</a>; and</li> <li>b. General SUB-MD1.</li> </ul>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for Rule PHDA-R5(1), with the exception of:</p> <ul style="list-style-type: none"> <li>a. Stormwater management PHDA-SS6; or</li> <li>b. Land instability and liquefaction natural hazard risk management PHDA-SS8.</li> </ul>
	<p><b>3. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for Rule PHDA-R5(1):</p> <ul style="list-style-type: none"> <li>a. Stormwater management PHDA-SS6; or</li> <li>b. Land instability and liquefaction natural hazard risk management PHDA-SS8.</li> </ul>	

**Notification:**

Any application for resource consent for the activities listed in PHDA-R5(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:

- a. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 will require the written approval of Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakaue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust in order to proceed without limited notification.
- b. Subdivision applications that do not meet the subdivision performance standards in PHDA-SS6, PHDA-SS7 and PHDA-SS8 will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification.

~~PHDA-R6~~

~~Subdivision within the Medium Density Residential Development Area~~

~~{A5.2.3.1(10)}~~

~~Applicable Spatial Layers~~

~~Pukehāngi Development Area:  
Residential 1 Zone~~

- ~~1. **Activity Status:** Restricted Discretionary~~
- ~~**Performance Standards**~~
- ~~a. The subdivision is consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area;~~
  - ~~b. The performance standards from SUB Subdivision apply in the Pukehāngi Heights Development Area unless otherwise specified below;~~
  - ~~c. Medium density residential development PHDA-SS5;~~
  - ~~d. Stormwater management PHDA-SS6;~~
  - ~~e. Compliance with Discharge Consent PHDA-SS7;~~
  - ~~f. Land instability and liquefaction PHDA-SS8;~~
  - ~~g. Protection of cultural identity and sites PHDA-SS10;~~
  - ~~h. Development traffic PHDA-SS11;~~
  - ~~i. Construction noise and vibration PHDA-SS13; and~~
  - ~~j. Nutrient management PHDA-SS14.~~
- ~~**Matters of Discretion:**~~
- ~~a. General PHDA-MD3; and~~
  - ~~b. General SUB-MD1.~~

- ~~2. **Activity Status:** Discretionary~~
- ~~**Where:**~~
- ~~Compliance is not achieved with the performance standards for Rule PHDA-R6(1), with the exception of:~~
- ~~a. Stormwater management PHDA-SS6; or~~
  - ~~b. Land instability and liquefaction natural hazard risk management PHDA-SS8.~~

- ~~3. **Activity Status:** Non-Complying~~
- ~~**Where:**~~
- ~~Compliance is not achieved with the performance standards for Rule PHDA-R6(1):~~
- ~~a. Stormwater management PHDA-SS6; or~~
  - ~~b. Land instability and liquefaction natural hazard risk management PHDA-SS8.~~

**Notification:**



Any application for resource consent for the activities listed in PHDA-R2(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:

- ~~a. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 will require the written approval of Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakaue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust in order to proceed without limited notification.~~
- ~~b. Subdivision applications that do not meet the subdivision performance standards in PHDA-SS6, PHDA-SS7 and PHDA-SS8 will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification.~~

<b>PHDA-R7</b>	<b>Subdivision where the site includes an archaeological or cultural site</b>	[A5.2.3.1(11)]
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<b>Applicable Spatial Layers</b> Pukehāngi Development Area: Residential 1 Zone	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Performance Standards</b></p> <ul style="list-style-type: none"> <li>a. The subdivision is consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area;</li> <li>b. The performance standards from SUB – Subdivision apply in the Pukehāngi Heights Development Area unless otherwise specified below;             <ul style="list-style-type: none"> <li>i. Minimum lot width for solar access <a href="#">PHDA-SS1</a>;</li> <li><del>ii. Minimum lot area <a href="#">PHDA-SS2</a>;</del></li> <li>iii. Protection of landscape values <a href="#">PHDA-SS4</a>;</li> <li>iv. Stormwater management <a href="#">PHDA-SS6</a>;</li> <li>v. Compliance with Discharge Consent <a href="#">PHDA-SS7</a>;</li> <li>vi. Land instability and liquefaction <a href="#">PHDA-SS8</a>;</li> <li>vii. Delineation of features <a href="#">PHDA-SS9</a>;</li> <li>viii. Protection of cultural identity and sites <a href="#">PHDA-SS10</a>;</li> <li>ix. Development traffic <a href="#">PHDA-SS11</a>;</li> </ul> </li> </ul>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for Rule PHDA-R7(1), with the exception of:</p> <ul style="list-style-type: none"> <li>a. Stormwater management PHDA-SS6; or</li> <li>b. Land instability and liquefaction natural hazard risk management PHDA-SS8.</li> </ul> <hr/> <p><b>3. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for Rule PHDA-R7(1):</p> <ul style="list-style-type: none"> <li>a. Stormwater management PHDA-SS6; or</li> <li>b. Land instability and liquefaction natural hazard risk management PHDA-SS8.</li> </ul>
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	<ul style="list-style-type: none"> <li>x. Construction traffic <a href="#">PHDA-SS12</a>;</li> <li>xi. Construction noise and vibration <a href="#">PHDA-SS13</a>; and</li> <li>xii. Nutrient management <a href="#">PHDA-SS14</a>.</li> </ul> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">PHDA-MD3</a>; and</li> <li>b. General SUB-MD1.</li> </ul>	
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**Notification:**

Any application for resource consent for the activities listed in PHDA-R7(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:

- a. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 will require the written approval of Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakaue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust in order to proceed without limited notification.
- b. Subdivision applications that do not meet the subdivision performance standards in PHDA-SS6, PHDA-SS7 and PHDA-SS8 will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification.

**~~PHDA-R8~~      ~~Subdivision within the stormwater / recreation areas~~      ~~{A5.2.3.1(12)}~~**

<p><b>Applicable Spatial Layers</b></p> <p>Pukehāngi Development Area:</p> <p>Residential 1 Zone</p>	<p><b><del>1. Activity Status:</del></b> Restricted Discretionary</p> <p><b><del>Performance Standards</del></b></p> <ul style="list-style-type: none"> <li><del>a. The subdivision is consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area;</del></li> <li><del>b. The performance standards from SUB Subdivision apply in the Pukehāngi Heights Development Area unless otherwise specified below;</del></li> <li><del>c. Minimum lot width for solar access <a href="#">PHDA-SS1</a>;</del></li> <li><del>d. Minimum lot area <a href="#">PHDA-SS2</a>;</del></li> <li><del>e. Protection of landscape values <a href="#">PHDA-SS4</a>;</del></li> <li><del>f. Stormwater management <a href="#">PHDA-SS6</a>;</del></li> <li><del>g. Compliance with Discharge Consent <a href="#">PHDA-SS7</a>;</del></li> <li><del>h. Land instability and liquefaction <a href="#">PHDA-SS8</a>;</del></li> </ul>	<p><b><del>2. Activity Status:</del></b> Discretionary</p> <p><b><del>Where:</del></b></p> <p><del>Compliance is not achieved with the performance standards for Rule PHDA-R8(1), with the exception of:</del></p> <ul style="list-style-type: none"> <li><del>a. Stormwater management <a href="#">PHDA-SS6</a>;</del> <del>or</del></li> <li><del>b. Land instability and liquefaction natural hazard risk management <a href="#">PHDA-SS8</a>.</del></li> </ul> <hr/> <p><b><del>3. Activity Status:</del></b> Non-Complying</p> <p><b><del>Where:</del></b></p> <p><del>Compliance is not achieved with the performance standards for Rule PHDA-R8(1):</del></p> <ul style="list-style-type: none"> <li><del>a. Stormwater management <a href="#">PHDA-SS6</a>;</del> <del>or</del></li> <li><del>b. Land instability and liquefaction natural hazard risk management <a href="#">PHDA-SS8</a>.</del></li> </ul>
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	<p><del>i. Delineation of features PHDA-SS9;</del></p> <p><del>j. Protection of cultural identity and sites PHDA-SS10;</del></p> <p><del>k. Development traffic PHDA-SS11;</del></p> <p><del>l. Construction traffic PHDA-SS12;</del></p> <p><del>m. Construction noise and vibration PHDA-SS13; and</del></p> <p><del>n. Nutrient management PHDA-SS14.</del></p> <p><b>Matters of Discretion:</b></p> <p><del>a. General PHDA-MD3; and</del></p> <p><del>b. General SUB-MD1.</del></p>	
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## Rules for Land use Activities in the Rural 1 Zone

General		
<b>Land use activities listed in the Rural 1 Zone other than those activities listed below</b>		[A5.2.5.1(1)]
<b>Applicable Spatial Layers</b> Pukehāngi Development Area: Rural 1 Zone	As set out in the Rural 1 Zone.	
Specific Land use Activities		
PHDA-R9	Buildings	[A5.2.5.1(2)]
<b>Applicable Spatial Layers</b> Pukehāngi Development Area: Rural 1 Zone	<b>1. Activity Status:</b> Non-Complying	

## Rules for Subdivision Activities in the Rural 1 Zone

General		
PHDA-R10	Subdivision	[A5.2.5.1(3), A5.2.1(4)]
<b>Applicable Spatial Layers</b> Pukehāngi Development Area:	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Performance Standards:</b></p> <p>a. The subdivision is consistent with the principles of the</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for Rule PHDA-R10(1).</p>

Rural 1 Zone	<p>Structure Plan for the Pukehāngi Heights Development Area; and</p> <p>b. Protection of landscape values <a href="#">PHDA-SS4</a>;</p> <p><b>Matters of Discretion:</b></p> <p>a. General <a href="#">PHDA-MD3</a>; and</p> <p>b. General SUB-MD1.</p>	
<p><b>Notification:</b></p> <p>Any application for resource consent for the activities listed in PHDA-R10(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:</p> <p>applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 will require the written approval of Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakauae (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust in order to proceed without limited notification.</p> <p>Subdivision applications that do not meet the subdivision performance standards in PHDA-SS6, PHDA-SS7 and PHDA-SS8 will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification.</p>		

## Rules for Land Use Activities in the Rural 2 Zone

General		
Land use activities listed in the Rural 2 Zone but located in this Development Area other than those activities listed below.		<i>[A5.2.4.1(1)]</i>
<p><b>Applicable Spatial Layers</b></p> <p>Pukehāngi Development Area:</p> <p>Rural 2 Zone</p>	As set out in the Rural 2 Zone.	
<b>PHDA-R11 Any activity stated as a permitted or controlled activity in the Rural 2 Zone</b>		<i>[A5.2.4.1(2)]</i>
<p><b>Applicable Spatial Layers</b></p> <p>Pukehāngi Development Area:</p> <p>Rural 2 Zone</p>	<p><b>1. Activity Status:</b> Permitted or controlled (as provided in the zone)</p> <p><b>Performance Standards</b></p> <p>a. The Rural 2 Zone performance standards apply in this Development Area—except as otherwise specified below;</p> <p>i. Height <a href="#">PHDA-SL1</a>;</p> <p>ii. Yards and building location <a href="#">PHDA-SL2</a>;</p> <p>iii. Site coverage <a href="#">PHDA-SL4</a>;</p> <p>iv. Protection of landscape values <a href="#">PHDA-SL7</a>;</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for Rule PHDA-R11(1).</p> <p><b>Matters of Discretion</b></p> <p>a. The effects of non-compliance with the performance standards;</p> <p>b. The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the Rural 2 Zone will continue to be met;</p> <p>c. Natural hazards RURZ-MD1; and</p>

	<ul style="list-style-type: none"> <li>v. Forestry <a href="#">PHDA-SL10</a>; and</li> <li>vi. Farming <a href="#">PHDA-SL11</a>.</li> </ul> <p>b. The performance standards for subdivision (see PHDA-R14) shall apply, where relevant, to any proposed land use that occurs prior to subdivision.</p> <p><b>Matters of Control</b> (for controlled activities):</p> <ul style="list-style-type: none"> <li>a. Building design and amenity RURZ-MC1;</li> <li>b. Parking, access and turning RURZ-MC2;</li> <li>c. Natural hazards RURZ-MC4; and</li> <li>d. Financial contributions RURZ-MC7.</li> </ul>	<ul style="list-style-type: none"> <li>d. Financial contributions RURZ-MD3.</li> </ul>
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### Specific Land use Activities

<b>PHDA-R12</b>	<del>Household Units</del> <u>Residential Units</u>		[A5.2.4.1(3), A5.2.4.1(4)]
<p><b>Applicable Spatial Layers</b></p> <p>Pukehāngi Development Area: Rural 2 Zone</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>There will be one <del>household</del><u>residential</u> unit per site</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. The Rural 2 Zone performance standards apply in this Development Area except as otherwise specified below; <ul style="list-style-type: none"> <li>i. Height <a href="#">PHDA-SL1</a>;</li> <li>ii. Yards and building location <a href="#">PHDA-SL2</a>;</li> <li>iii. Site coverage <a href="#">PHDA-SL4</a>;</li> <li>iv. Protection of landscape values <a href="#">PHDA-SL7</a>;</li> <li>v. Forestry <a href="#">PHDA-SL10</a>;</li> <li>vi. Farming <a href="#">PHDA-SL11</a>; and</li> </ul> </li> <li>b. The performance standards for subdivision PHDA-SS12 to PHDA-SS1 shall apply, where relevant, to any proposed land use that occurs prior to subdivision.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for Rule PHDA-R12(1).</p> <p><b>Matters of Discretion</b></p> <ul style="list-style-type: none"> <li>a. The effects of non-compliance with the performance standards;</li> <li>b. The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the underlying zone will continue to be met;</li> <li>c. Natural hazards RURZ-MD1; and</li> <li>d. Financial contributions RURZ-MD3.</li> </ul>	

<p><b>Applicable Spatial Layers</b></p> <p>Pukehāngi Development Area:</p> <p>Rural 2 Zone</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>There will be two <del>household</del><u>residential</u> units on a site, including any subsidiary household units.</p> <p><b>Matters of Discretion:</b></p> <ol style="list-style-type: none"> <li>The extent to which the principles of the Pukehāngi Heights Development Area Structure Plan will be achieved;</li> <li>The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the underlying zone will be met.</li> <li>Natural hazards RURZ-MD1;</li> <li>Additional household unit <a href="#">PHDA-MD2</a>; and</li> <li>Financial contributions RURZ-MD3.</li> </ol>
<p><b>PHDA-R13</b>      <b>Infrastructure as shown on the Pukehāngi Heights Development Area Structure Plan</b>      <i>[A5.2.4.1(5)]</i></p>	
<p><b>Applicable Spatial Layers</b></p> <p>Pukehāngi Development Area:</p> <p>Rural 2 Zone</p>	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ol style="list-style-type: none"> <li>Natural hazards RURZ-MD1; and</li> <li>Financial contributions RURZ-MD3.</li> </ol>
<p><b>Notification:</b></p> <p>Any application for resource consent for the activities listed in PHDA-R13(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:</p> <ol style="list-style-type: none"> <li>applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 will require the written approval of Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakaue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust in order to proceed without limited notification.</li> </ol>	

## Rules for Subdivision Activities in the Rural 2 Zone

<p><b>General</b></p>		
<p><b>PHDA-R14</b>      <b>Subdivision</b></p>		<p><i>[A5.2.4.1(6), A5.2.5.1(8), A5.2.5.1(9), A5.2.4.1(10)]</i></p>
<p><b>Applicable Spatial Layers</b></p> <p>Pukehāngi Development Area:</p> <p>Residential 1 Zone</p>	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Performance Standards</b></p> <ol style="list-style-type: none"> <li>The subdivision is consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area; and</li> <li>The performance standards from SUB – Subdivision apply in</li> </ol>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for Rule PHDA-R14(1), with the exception of:</p> <ol style="list-style-type: none"> <li>Stormwater management PHDA-SS6; or</li> <li>Land instability and liquefaction natural hazard risk management PHDA-SS8.</li> </ol>

	<p>the Pukehāngi Heights Development Area unless otherwise specified below;</p> <ul style="list-style-type: none"> <li>i. Minimum lot area <a href="#">PHDA-SS2</a>;</li> <li>ii. Building Platform and access <a href="#">PHDA-SS3</a>;</li> <li>iii. Protection of landscape values <a href="#">PHDA-SS4</a>;</li> <li>iv. Stormwater management <a href="#">PHDA-SS6</a>;</li> <li>v. Compliance with Discharge Consent <a href="#">PHDA-SS7</a>;</li> <li>vi. Land instability and liquefaction <a href="#">PHDA-SS8</a>;</li> <li>vii. Protection of cultural values <a href="#">PHDA-SS10</a>;</li> <li>viii. Development traffic <a href="#">PHDA-SS11</a>;</li> <li>ix. Construction traffic <a href="#">PHDA-SS12</a>;</li> <li>x. Construction noise and vibration <a href="#">PHDA-SS13</a>;</li> <li>xi. Nutrient management <a href="#">PHDA-SS14</a>.</li> </ul> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">PHDA-MD3</a>; and</li> <li>b. General SUB-MD1.</li> </ul>	<p>3. <b>Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for Rule PHDA-R14(1):</p> <ul style="list-style-type: none"> <li>a. Stormwater management PHDA-SS6; or</li> <li>b. Land instability and liquefaction natural hazard risk management PHDA-SS8.</li> </ul>
<p><b>Notification:</b></p> <p>Any application for resource consent for the activities listed in PHDA-R14(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:</p> <ul style="list-style-type: none"> <li>a. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 will require the written approval of Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakaue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust in order to proceed without limited notification.</li> <li>b. Subdivision applications that do not meet the subdivision performance standards in PHDA-SS6, PHDA-SS7 and PHDA-SS8 will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification.</li> </ul>		
<p><b>PHDA-R15 Subdivision where the site includes an archaeological or cultural site</b></p>		<p><i>[A5.2.4.1(7), A5.2.5.1(8), A5.2.5.1(9), A5.2.4.1(10)]</i></p>
<p><b>Applicable Spatial Layers</b></p>	<p>1. <b>Activity Status:</b> Restricted Discretionary</p>	<p>2. <b>Activity Status:</b> Discretionary</p> <p><b>Where:</b></p>

<p>Pukehāngi Development Area: Residential 1 Zone</p>	<p><b>Performance Standards</b></p> <ul style="list-style-type: none"> <li>a. The subdivision is consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area; and</li> <li>b. The performance standards from SUB – Subdivision apply in the Pukehāngi Heights Development Area unless otherwise specified below; <ul style="list-style-type: none"> <li>i. Minimum lot area <a href="#">PHDA-SS2</a>;</li> <li>ii. Building Platform and access <a href="#">PHDA-SS3</a>;</li> <li>iii. Protection of landscape values <a href="#">PHDA-SS4</a>;</li> <li>iv. Stormwater management <a href="#">PHDA-SS6</a>;</li> <li>v. Compliance with Discharge Consent <a href="#">PHDA-SS7</a>;</li> <li>vi. Land instability and liquefaction <a href="#">PHDA-SS8</a>;</li> <li>vii. Protection of cultural identity and sites <a href="#">PHDA-SS10</a>;</li> <li>viii. Development traffic <a href="#">PHDA-SS11</a>;</li> <li>ix. Construction traffic <a href="#">PHDA-SS12</a>;</li> <li>x. Construction noise and vibration <a href="#">PHDA-SS13</a>;</li> <li>xi. Nutrient management <a href="#">PHDA-SS14</a>.</li> </ul> </li> </ul> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">PHDA-MD1</a>; and</li> <li>b. General SUB-MD1.</li> </ul>	<p>Compliance is not achieved with the performance standards for Rule PHDA-R15(1), with the exception of:</p> <ul style="list-style-type: none"> <li>a. Stormwater management PHDA-SS6; or</li> <li>b. Land instability and liquefaction natural hazard risk management PHDA-SS8.</li> </ul> <hr/> <p>3. <b>Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for Rule PHDA-R15(1):</p> <ul style="list-style-type: none"> <li>a. Stormwater management PHDA-SS6; or</li> <li>b. Land instability and liquefaction natural hazard risk management PHDA-SS8.</li> </ul>
<p><b>Notification:</b></p> <p>Any application for resource consent for the activities listed in PHDA-R15(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:</p> <ul style="list-style-type: none"> <li>a. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 will require the written approval of Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whakaue (as represented by Te Komiro o te Utuhina or its successor), and Te Arawa Lakes Trust in order to proceed without limited notification.</li> <li>b. Subdivision applications that do not meet the subdivision performance standards in PHDA-SS6, PHDA-SS7 and PHDA-SS8 will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification.</li> </ul>		



## Performance Standards Land use

### PHDA-SL1 Height

#### 1. **Residential 1 Zone:**

The maximum height and daylight envelope of any building or structure shall be as provided in the Residential 1 Zone, except as follows:

Upper Terrace: Maximum height 9m.

#### 2. **Rural 2 Zone:**

The maximum height of any building or structure shall be 6m.

### PHDA-SL2 Yards and building location

#### 1. **Residential 1 Zone:**

a. The minimum yard for buildings shall be ~~as follows~~ as provided in the Residential 1 Zone, except as follows:

~~i. Front yards: 3.0m~~

~~ii. A garage door or carport shall be located at least 4.5m from the road boundary~~

~~iii. Side and rear yards: 1.5m~~

~~iv. Rear sites south yard: 1.5m~~

~~v. Rear sites all other yards: 2.5m~~

~~vi. Rural 1 Zone boundary: 5m~~

vii. Yards from boundary adjacent to forestry where indicated in the Structure Plan:  
30m

~~b. Except on side boundaries where there is an existing common wall between two semi-detached units on adjacent sites, or where a common wall is proposed, no yard setback is required along that part of the boundary covered by such a wall.~~

#### 2. **Rural 1 Zone:**

a. The minimum yard for buildings shall be as provided for in the Rural 1 Zone provisions except as follows:

i. Yards from the boundary adjacent to forestry where indicated in the structure plan: 30m

#### 3. **Rural 2 Zone:**

a. The minimum yard for buildings shall be as provided for in the Rural 2 Zone provisions except as follows:

i. Yards from the boundary adjacent to forestry where indicated in the structure plan: 30m

b. All buildings shall be located within the buildable area/s identified on each allotment.

### ~~PHDA-SL3 Outdoor recreation and amenity space~~

#### ~~1. **Residential 1 Zone:**~~

~~a. The outdoor recreation and amenity space (including decks) for dwellings shall be:~~

- ~~i. a minimum of 40m<sup>2</sup> of the net site area excluding any areas used for parking and turning vehicles;~~
- ~~ii. directly accessible from the principal living room, dining room or kitchen; and~~
- ~~iii. capable of containing a 4.5m diameter circle.~~
- ~~b. Where the outdoor recreation and amenity space is located on the southern side of the dwelling it must be located at least 4m from the southern end of building.~~

#### PHDA-SL4 Site coverage

##### ~~1. Residential 1 Zone:~~

- ~~a. The maximum site coverage for impermeable surfaces shall be 55%, except that the maximum site coverage for impermeable surfaces shall be 80% on sites with:
  - ~~i. Semi-detached dwellings; or~~
  - ~~ii. Medium Density Residential Development located within the Medium Density Residential Development Area.~~~~

##### 2. Rural 2 Zone:

- a. Site coverage of all buildings shall not exceed 400m<sup>2</sup>.

#### PHDA-SL5 Fencing

##### 1. Residential 1 Zone:

- a. The maximum height of any fence, wall or combination of these structures located between the dwelling and the front boundary of a site or adjoining any public open space:
  - i. shall not exceed 1.6m in height; and
  - ii. any fencing above 1.2m in height shall be visually permeable (that being that where any fencing is above 1.2m in height at least 50% of that area can be seen through).
- b. Fences on rear boundaries adjoining Pukehāngi Road shall be visually permeable (that being at least 50% of the fencing can be seen through) but may incorporate screen planting behind.

#### ~~PHDA-SL6 Household unit density~~

##### ~~1. Residential 1 Zone:~~

- ~~a. Semi-Detached Unit~~

~~In addition to the Residential Zone Performance Standard (RESZ-S4(1)) the minimum net site area for a semi-detached unit shall be 500m<sup>2</sup> (250m<sup>2</sup> per unit).~~
- ~~b. Smaller sites~~

~~Where a site is less than 450m<sup>2</sup>, the maximum density shall be one dwelling per site.~~

#### PHDA-SL7 Protection of landscape values

##### 1. Escarpment Transition Area 1 (Residential 1 Zone):

- a. Reflectivity:
  - i. The reflectivity value of external walls and joinery shall not exceed 37%.

- ii. The reflectivity value of roofs shall not exceed 25%
- b. Fences and retaining walls:
  - i. Retaining walls shall not exceed 2m in height; and
  - ii. Retaining walls shall be screened with planting or constructed of low visibility materials such as, natural materials including stone and timber that weather naturally, or if painted, colours with a reflectivity value that shall not exceed 25%.

Advice Note:

Other conditions on site development may be identified in a Consent Notice registered on the relevant Certificate of Title.

**2. Escarpment Transition Area 2 (Residential 1 Zone):**

- a. Height: The maximum height of a building or structure shall be 6m;
- b. Yards:
  - i. The minimum side yard for buildings shall be 5m and one side yard may be reduced to 2m; and
  - ii. The minimum rear yards for buildings shall be 7m.
- c. Modulation: Maximum continuous building length shall be 15m.
- ~~d. Household Unit Density: One dwelling per lot.~~
- e. Reflectivity:
  - i. The reflectivity value of external walls and joinery shall not exceed 37%.
  - ii. The reflectivity value of roofs shall not exceed 25%.
- f. Fences and retaining walls: Fencing or retaining walls (excluding front boundary fences) shall be screened with planting or constructed of low visibility materials such as, natural materials including stone and timber that weather naturally, or if painted, colours with a reflectivity value that shall not exceed 25%.

Advice Note:

Other conditions on site development may be identified in a Consent Notice registered on the Certificate of Title of the site.

**3. Rural 2 Zone:**

- a. Reflectivity
  - i. The reflectivity value of external walls and joinery shall not exceed 37%.
  - ii. The reflectivity value of roofs shall not exceed 25%
- b. Fencing and retaining walls

Fencing or retaining walls adjacent to the escarpment shall be screened with planting or constructed of low visibility materials such as, natural materials including stone and timber that weather naturally, or if painted, colours with a reflectivity value that shall not exceed 25%.

Advice Note:

Fencing shall be low key in design and avoid urbanised post and panel boundary lot fencing that will dominate the pattern of development along the mid-site escarpment. Post and 3 – 5 rail and wire fencing is appropriate

#### ~~PHDA-SL8 Medium Density Residential Development~~

- ~~1. Urban Design Assessment: An Urban Design Assessment shall be provided with any resource consent application. The assessment shall be prepared by a suitably qualified urban design professional and shall set out the development objectives and design principles and address all matters of discretion in PHDA-MD1.~~
- ~~2. Minimum parent site area: 1500m<sup>2</sup>.~~
- ~~3. Minimum net site area per dwelling: 200m<sup>2</sup>.~~
- ~~4. Maximum height: 9m.~~
- ~~5. Private outdoor living space:
  - ~~a. Ground floor unit: A minimum of 25m<sup>2</sup> being able to accommodate a 4m diameter circle situated adjacent to one of the main living areas of the dwelling on the northern, eastern, or western side of the property;~~
  - ~~b. Upper floor unit: A minimum of 10m<sup>2</sup> being able to accommodate a 2.5m diameter circle situated adjacent to one of the main living areas; and~~
  - ~~c. Any outdoor living space provided shall be exclusive of any access space.~~~~
- ~~6. Storage and service space: A minimum of 5m<sup>2</sup> of open space per dwelling that can accommodate a 2m diameter circle.~~

#### PHDA-SL8 Outdoor Storage and Service Space

A minimum of 5m<sup>2</sup> of open space per residential unit, which can accommodate a 2m diameter circle, shall be provided to accommodate storage and services.

#### PHDA-SL9 Community, retail and commercial activities

1. Location: Within each of the areas indicated on the Pukehāngi Heights Development Area Structure Plan the following activities may occur.
  - a. Convenience retail activities not exceeding 600m<sup>2</sup> in total gross floor area within each centre provided that any one tenancy shall be limited to a maximum of 300m<sup>2</sup>;
  - b. Offices;
  - c. Café: Up to 200m<sup>2</sup> net floor area; and
  - d. Early Childhood Centre: Up to 50 Children.

#### PHDA-SL10 Forestry

##### 1. Rural 2 Zone:

No forestry activity except:

- a. re-vegetation that is consistent with the principles of the Pukehāngi Heights Structure Plan; or
- b. forestry activity within the Pukehāngi Southern Slopes.

## PHDA-SL11 Farming

### 1. Rural 2 Zone:

No agricultural production activity shall be undertaken except within the Pukehāngi Southern Slopes.

## Performance Standards Subdivision

### PHDA-SS1 Minimum lot width for solar access

#### 1. Residential 1 Zone:

The minimum width of any property where the front boundary faces north, and access is from the north, or is within 25 degrees of north, shall be 18m.

### PHDA-SS2 Minimum lot area

#### ~~1. Semi-detached units in Residential 1 Zone:~~

~~Minimum lot area: 500m<sup>2</sup> (that is, one unit per 250m<sup>2</sup>).~~

#### 2. Mid-site escarpment in Rural 2 Zone:

The minimum average area of lots in the Mid-site Escarpment shall be 4,000m<sup>2</sup>. For the avoidance of doubt the calculation of the minimum average area shall include all land in the Mid-site Escarpment that is open space, reserves and roads, regardless of any such land being vested in Council.

### PHDA-SS3 Building platform an access

#### 1. Rural 2 Zone:

Each new lot shall show the location of a suitable building platform of at least 200m<sup>2</sup> and the alignment of future access.

### PHDA-SS4 Protection of landscape values

#### 1. Residential 1 Zone - Escarpment Transition Areas 1 and 2:

a. A Landscape and Visual Assessment shall be provided for subdivision in Escarpment Transition Areas 1 and 2 as shown on the Pukehāngi Heights Structure Plan, prepared by a suitably qualified landscape architect and shall address:

- i. Finished land contours and retaining structures;
- ii. Layout of roads, access, buildings, and other structures;
- iii. Landscape mitigation planting; and
- iv. Design controls.

#### 2. Protection of Landscape values by re-vegetation of Upper Escarpment

a. Residential 1 Zone:

- i. A subdivision consent application for all or part of the Upper Terrace shall include any part of the Upper Escarpment adjoining that part of the Upper Terrace as shown on the Pukehāngi Heights Structure Plan.

b. Rural 1 Zone:

- i. The Upper Escarpment shall be partially re-vegetated to provide a backdrop to development on the Upper Terrace.
    - ii. A subdivision consent application for all or part of the Upper Terrace shall include any part of the Upper Escarpment adjoining that part of the Upper Terrace.
    - iii. Upper Escarpment Planting Plan: A planting plan shall be provided with the subdivision consent application. This shall be prepared by a suitably qualified landscape architect and shall specify:
      1. A planting schedule; and
      2. A planting programme.
    - iv. A post-planting maintenance regime including a pest plant and pest animal management programme.
  3. Landscape Concept Plan and Visual Assessment for Rural 2 Zone:
    - i. A landscape concept plan and visual assessment shall be provided with the subdivision consent application. The landscape concept plan and visual assessment shall be prepared by a suitably qualified landscape architect and shall demonstrate how the objectives and policies for the maintenance and enhancement of landscape values will be met, including but not limited to the consideration of building locations, built form, ancillary structures, earthworks, vegetation, access and lighting.

The following detail shall be required as a condition of consent:

      1. A planting schedule;
      2. A planting programme;
      3. A post-planting maintenance regime including a pest plant and pest animal management programme; and
      4. Ownership and management systems to enable the planting programme and maintenance regime to be undertaken in an on-going manner.

#### ~~PHDA-SS5 Medium density residential development~~

- ~~1. Subdivision for Medium Density Residential Development shall be assessed under PHDA-SL8.~~

#### PHDA-SS6 Stormwater management

1. Stormwater Management Plan (SMP) Compliance
  - a. Stormwater management solutions for subdivisions must be consistent with the SMP prepared by Rotorua Lakes Council under PHDA-P20 for the Pukehāngi Heights Development Area to ensure an integrated approach is taken to stormwater management.
  - b. Stormwater management solutions for subdivisions must be prepared by a suitably qualified and experienced practitioner.
2. Information and Assessment Requirements for Stormwater management solutions for subdivisions
  - a. Stormwater management solutions for subdivisions must include the following information:
    - i. The intended scale, nature and form (including ground levels) of development in the Development Area;

- ii. An assessment of the potential effects on water quality;
- iii. Details of mitigation measures including:
  - 1. The size of ponds, location, configuration of the outlet structures, discharge locations, and hydraulic performance of the ponds for on-site stormwater management; and
  - 2. The size of channels and the related erosion protection measures for primary, secondary and overland flow paths (on-site and off-site) including for the receiving waterways immediately downstream.

The mitigation measures shall be designed to:

  - manage the potential adverse effects identified in PHDA-SS6(2)(ii) and (iv).
- iv. An assessment of potential effects of stormwater management measures on land stability and liquefaction;
- v. The intended staging and timing for the provision and vesting and/or upgrading and replacement of infrastructural assets.
- vi. Detail of ongoing operational procedures and maintenance requirements for any water quantity and/or quality control structures or formed features such as ponds/dams.

#### PHDA-SS7 Compliance with Rotorua Lakes Council Stormwater Discharge Consent

- 1. Any subdivision application must demonstrate that stormwater discharges can comply with the conditions of the Stormwater Discharge Consent held by Rotorua Lakes Council for the Pukehāngi Heights Development Area

#### PHDA-SS8 Land instability and liquefaction natural hazard risk management

- 1. A Natural Hazard Risk Assessment that complies with Regional Policy Statement Appendix L – Methodology for Risk Assessment shall be provided which shall demonstrate that a low level of risk will be achieved within the Development Area without increasing risk elsewhere.

#### PHDA-SS9 Delineation of features

##### 1. Residential 1 Zone:

The location of the following features shall, where relevant to the subdivision, be delineated on the plan of subdivision and identified in a Consent Notice by an appropriate legal instrument on the relevant Certificate of Title:

- a. Escarpment Transition Areas as shown on the Pukehāngi Heights Structure Plan; and
- b. All Lots to be used for Community, Retail and Commercial Activities in accordance with PHDA-SL9.

#### PHDA-SS10 Protection of cultural identity and sites of archaeological or cultural importance

- 1. If the subdivision is in the Residential 1 Zone; or the subdivision is the Rural 2 Zone; the application shall:

- a. Report on the outcomes of consultation with Ngāti Kea Ngāti Tuarā and, where relevant, with other Te Arawa iwi and hapū with associations with the cultural landscape including downstream sites and values;
- b. Report on the outcomes of consultation with Heritage NZ if the subdivision includes an archaeological or cultural site;
- c. Identify measures that express the cultural identity of Ngāti Kea Ngāti Tuarā with the land, including:
  - i. Incorporate landmark features such as traditional or contemporary art works, into the street network that reflect the history of the area;
  - ii. Identify names of streets that reflect cultural associations of Tangata Whenua with the area;
- d. Identify measures that recognise and protect the interests of other Te Arawa iwi and hapū with associations with the cultural landscape including downstream sites and values;
- e. Identify measures to recognise the wider cultural landscape;
- f. Identify the location, extent and scale of the proposal in relation to any identified cultural and archaeological sites and areas;
- g. Identify the process and protocols that will be applied if other cultural and archaeological sites and areas are discovered prior to or during site works or development;
- h. Identify how cultural and archaeological sites and areas as shown on the Pukehāngi Heights Structure Plan will be protected, including:
  - i. How sites and areas will be integrated into the development;
  - ii. How sites and areas will be separated or buffered from urban activities; and
  - iii. Monitoring of the effects of development on sites and areas;
- i. Include proposals for the provision of access by Tangata Whenua to any cultural and archaeological sites and the on-going management of these sites; and
- j. Include mechanisms, for example, cultural awareness training or pre-start meetings, to ensure contractors are aware of the potential for archaeological discoveries, and the protocols to be followed should evidence be discovered.

Advice Notes:

1. Ngāti Kearoa Ngāti Tuarā Environmental Management Plan provides policies and protocols relating to wāhi tapu, wāhi whakahirahira and the discovery of koiwi tangata (remains) or taonga tuturu (traditional artefacts).
2. An Archaeological Authority is required from Heritage NZ for the modification or damage of an archaeological site, either recorded or unrecorded.

PHDA-SS11                      Development traffic

1. If no road connection is available between Area A and Area B, any road intersection connecting with Matipo Avenue from Area A may provide access for no more than 60 residential dwellings.
2. If a road connection is available between Area A and Area B, the subdivision and development of Area A shall be designed such that any road intersection connecting with Matipo Avenue from Area A provides access for no more than 35 residential dwellings, or the equivalent number of



vehicle trips during the evening peak hour established through traffic modelling methodology by a Suitably Qualified and Experienced Traffic or Transportation Engineer.

3. Standard b above shall be deemed to be met where:
  - i. A road intersection at Pukehāngi Road/Malfroy Avenue is located generally as shown on the Pukehāngi Heights Development Area Structure Plan; and
  - ii. The Indicative Primary Road in Area B up the Mid-site Escarpment is located generally as shown on the Pukehāngi Heights Development Area Structure Plan.
4. Where a total of 500 or more residential lots, or the equivalent number of vehicle trips during the evening peak hour, are proposed within the Pukehāngi Heights Development Area a traffic assessment shall be provided to confirm that the level of service at the intersection of Malfroy Road and State Highway 5 is unlikely to exceed delays of 80 seconds after the development is complete.

#### PHDA-SS12 Construction traffic

1. For the subdivision and development of Area A, a Construction Traffic Management Plan (CTMP) shall be submitted that includes measures such that:
  - a. All construction traffic is restricted from gaining access from Matipo Avenue, other than for the purpose of constructing an intersection with Matipo Avenue unless, at the time of intended construction and to Council's satisfaction it is not practicable to construct road access from Pukehāngi Road to Area A – in which case access from lower Matipo Avenue may be permitted at or about the point where the interconnecting Primary Road is shown on the Structure Plan;
  - b. Unless the exception in a. above applies,
    - i. All construction traffic gains access from Area B other than for the purpose of constructing an intersection with Matipo Avenue;
    - ii. Prior to commencing construction signage shall be erected and displayed and maintained on and near the entrance of Matipo Avenue during construction of the development advising of the restrictions on construction traffic using Matipo Avenue for access and directing such traffic to the approved site access;
  - c. The CTMP shall include (but not be limited to):
    - i. Pavement rehabilitation, condition and monitoring;
    - ii. Number of heavy vehicle movements;
    - iii. Temporary speed limits;
    - iv. Parking restrictions;
    - v. Hours and duration of operation;
    - vi. Details of truck washing facilities;
    - vii. Application of turning restrictions and truck routes.
  - d. The Matipo Avenue Residents Incorporated Society (MARIS) must be consulted in the development of the CTMP on any aspect that involves the use of Matipo Avenue by construction traffic.
  - e. To avoid doubt, "construction traffic" means heavy and light vehicles associated with subdivision and development, including but not limited to earthworks and the

construction of infrastructure, but does not include traffic associated with construction of residential buildings and structures in the Development Area.

PHDA-SS13                      Construction noise and vibration

1. A Noise and Vibration Management Plan shall be submitted that includes:
  - a. Construction methodology: timeframe, hours of operation, location plan;
  - b. Appropriate noise and vibration limits based on recognised standards;
  - c. An assessment of the receiving environment including sensitive activities;
  - d. Noise and vibration sources and proposed mitigation; and
  - e. Monitoring and complaints procedures.

PHDA-SS14                      Nutrient management

1. A Nutrient Management Plan for the parent site, including any balance area, shall be submitted that includes:
  - a. Confirmation of the Nitrogen Discharge Allocation for the parent site;
  - b. Calculation of the nitrogen losses from the proposed development of the land in accordance with any Council approved policy or guidelines;
  - c. Proposals to address any nitrogen shortfall, where the nitrogen losses from the proposed development of the land exceed the Nitrogen Discharge Allocation for the site. This may include transfer from other land, nitrogen trading or the application of a Council-operated offset regime;
  - d. Nutrient management requirements to be met at full development and, where staged, at each stage of development.

Matters of Discretion Land use

~~PHDA MD1 Medium Density Residential Development on the identified sites~~

- ~~1. The extent to which the principles of the Pukehāngi Heights Development Area Structure Plan will be achieved;~~
- ~~2. The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the underlying zone will be met;~~
- ~~3. The compatibility between surrounding residences and the proposed development, having regard to the protection of visual and aural privacy and visual dominance of buildings; and~~
- ~~4. The quality of the environmental outcomes achieved for residents within the development having regard to:
  - ~~a. Visual and aural privacy;~~
  - ~~b. Access to open space;~~
  - ~~c. On-site amenity planting;~~
  - ~~d. Accessibility for all abilities;~~
  - ~~e. Pedestrian and cycle connectivity;~~
  - ~~f. Safe and convenient access and parking for vehicles (if provided); and~~~~

~~g. Solar access and passive heating and ventilation.~~

**PHDA-MD2 Additional or subsidiary household unit**

**1. Rural 2 Zone:**

- a. The extent to which the principles of the Pukehāngi Heights Development Area Structure Plan will be achieved; and
- b. The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the underlying zone will be met.

**Matters of Discretion Subdivision**

**PHDA-MD3 General**

- 1. The extent to which the principles of the Pukehāngi Heights Development Area Structure Plan will be achieved;
- 2. The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the underlying zone will be met; and
- 3. The appropriateness of ownership and management measures to ensure the required re-vegetation is maintained in perpetuity.

## **METHODS**

**PHDA-M1**

Applicants and Council shall support and facilitate tangata whenua participation in resource management processes.

# TAHEKE 8C DEVELOPMENT AREA

Status: THDA is operative

## INTRODUCTION

The Taheke 8C Development Area covers an area of approximately 1193 hectares of land and is located 20 minutes north east of Rotorua adjoining State Highway 33. The Development Area will provide for the economic and social wellbeing of current and future generations whilst avoiding, remedying or mitigating adverse environmental effects.

The development area provides for the establishment and operation of a range of activities including:

1. renewable energy
2. tourism/honey production
3. commercial activities
4. tourism activities
5. lakeside residential activities, including a wellness centre
6. horticultural and agricultural activities

The vision for the Taheke 8C land is the development of geothermal energy production with a number of appropriate direct and cascade uses. The land will become a key tourism and educational destination where people can visit to view an operational geothermal power station and participate in other tourism activities while visiting and observing a working rural farm. The activities anticipated have been considered due to the location of the site being the eastern approach to the city and proximity to the Ōkere River and Lake Rotoiti.

The underlying zones are Residential 4 Zone, Rural 1 Zone and Reserve 1 Zone.

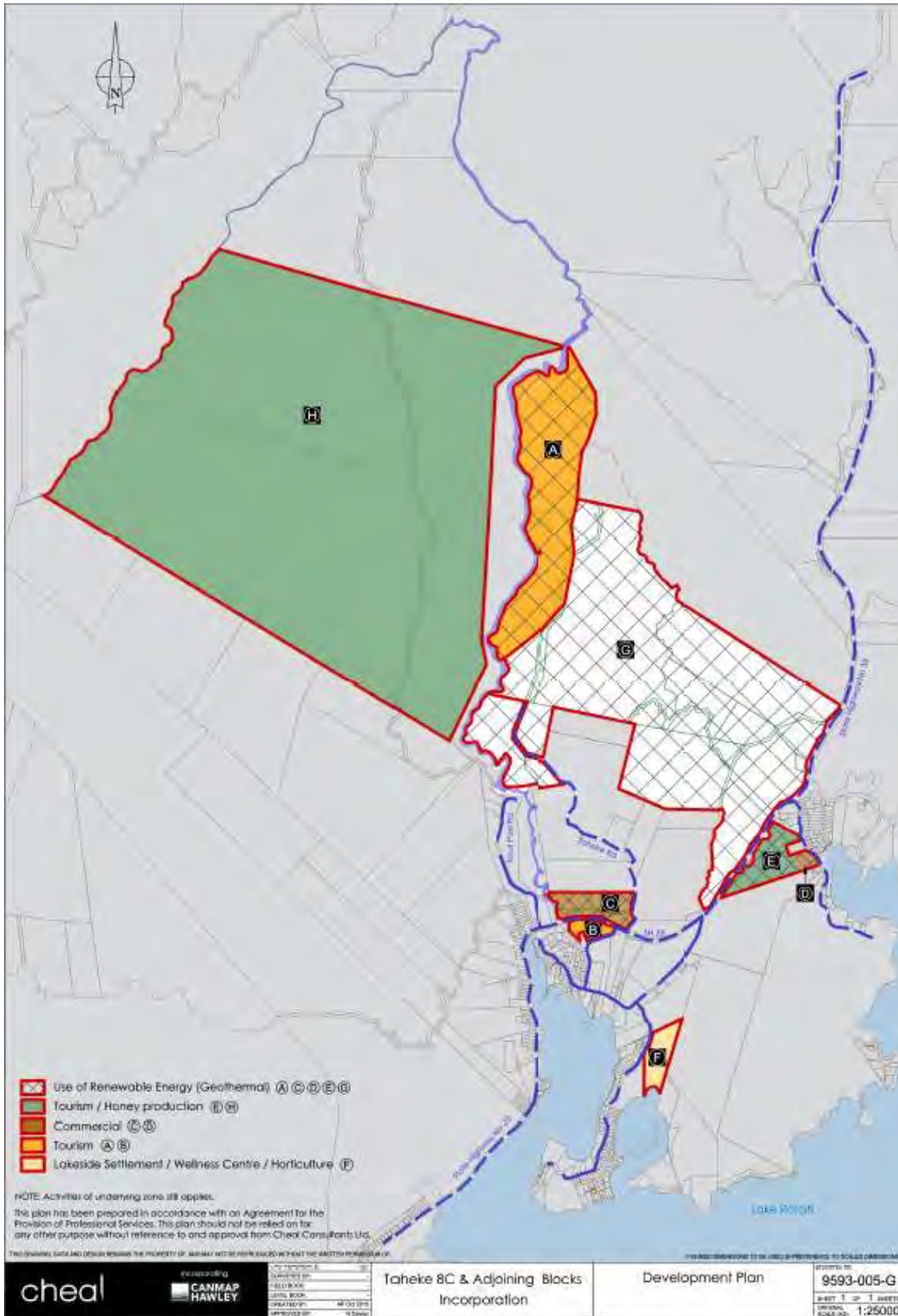


Figure THDA- 1: Taheke 8C Development Area – sub areas

# RULES

The rules below apply in addition to the rules for the zones and other chapters.

The development area rules override the rules for the underlying zones for the specific activities addressed. For clarification, rules that have been included within this development area relate to specific activities which are anticipated within the development area. For other activities refer to zone.

The rules do not override the other chapters of the plan unless expressly stated.

## Links to the rule categories are provided below:

Renewable Geothermal Energy Development – Areas A, C, D, E & G .....	69
Tourism and Honey Production – Areas E & H .....	71
Lakeside Settlement and Wellness Centre – Area F .....	72
Commercial – Areas C & D.....	73
Other.....	74

## Rules for Activities in the Taheke 8C Development Area

<b>Renewable Geothermal Energy Development – Areas A, C, D, E &amp; G</b>		
<b>THDA-R1</b>	<b>Prospecting and exploration</b>	[A5.9(2)(14)]
<b>Applicable Spatial Layers</b> Taheke 8C Development Area: Areas A, C, D, E and G	<b>1. Activity Status:</b> Permitted	
<b>THDA-R2</b>	<b>Activities accessory to geothermal electricity generation</b>	[A5.9(2)(15)]
<b>Applicable Spatial Layers</b> Taheke 8C Development Area: Areas A, C, D, E and G	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Buildings and structures associated with geothermal electricity generation <a href="#">THDA-S1</a> .	
<b>THDA-R3</b>	<b>Geothermal electricity generation stations and/or steam field activities and associated activities and structures</b>	[A5.9(2)(16), A5.9(2)(17)]
<b>Applicable Spatial Layers</b> Taheke 8C Development Area: Areas A, C, D, E and G	<b>1. Activity Status:</b> Permitted <b>Where:</b> The activity is maintenance, upgrade and operation of established geothermal electricity generation stations and/or steam field activities included in all associated activities and structures. <b>Performance Standards:</b>	

	<ul style="list-style-type: none"> <li>a. Buildings and structures associated with geothermal electricity generation <a href="#">THDA-S1</a>;</li> <li>b. Radio frequency, electric and magnetic fields EITS-S3; and</li> <li>c. Amenity screening EITS-S5.</li> </ul>	
<p><b>Applicable Spatial Layers</b></p> <p>Taheke 8C Development Area: Areas A, C, D, E and G</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The activity is construction of geothermal electricity generation stations and/or steam field activities including all associated activities and structures.</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Buildings and structures associated with geothermal electricity generation THDA-S1</li> <li>b. Radio frequency, electric and magnetic fields EITS-S3;</li> <li>c. Amenity screening EITS-S5; and</li> <li>d. Whether a financial contribution is required under the provisions of FC – Financial Contributions.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. As for EIT- Electricity, Infrastructure, and Transport: EIT-MC1.</li> </ul>	
<b>THDA-R4</b>	<b>Land use activities associated with direct or cascade uses of geothermal energy</b>	<i>[A5.9(2)(18)]</i>
<p><b>Applicable Spatial Layers</b></p> <p>Taheke 8C Development Area: Areas A, C, D, E and G</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The activity can include, but is not limited to:</p> <ul style="list-style-type: none"> <li>a. Glasshouses for the propagation of plants and herbs;</li> <li>b. Agro industrial kiln drying of plants and herbs; and</li> <li>c. Aquaculture ponds.</li> </ul> <p><b>Matters of Control</b></p> <ul style="list-style-type: none"> <li>a. As for the Rural 1 Zone: <ul style="list-style-type: none"> <li>i. Design RURZ-MC1;</li> <li>ii. Parking, access and turning RURZ-MC2;</li> <li>iii. Water quality RURZ-MC3;</li> <li>iv. Natural hazards RURZ-MC4;</li> <li>v. Water tables and flood events RURZ-MC5;</li> <li>vi. Financial contributions RURZ-MC7.</li> </ul> </li> </ul>	
<b>THDA-R5</b>	<b>Land use activities associated with geothermal mineral extraction</b>	<i>[A5.9(2)(19)]</i>
<p><b>Applicable Spatial Layers</b></p> <p>Taheke 8C Development Area: Areas A, C, D, E and G</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Matters of Control</b></p> <ul style="list-style-type: none"> <li>a. As for the Rural 1 Zone: <ul style="list-style-type: none"> <li>i. Design RURZ-MC1;</li> <li>ii. Parking, access and turning RURZ-MC2;</li> <li>iii. Water quality RURZ-MC3;</li> <li>iv. Natural hazards RURZ-MC4;</li> <li>v. Water tables and flood events RURZ-MC5;</li> <li>vi. Financial contributions RURZ-MC7.</li> </ul> </li> </ul>	

<b>THDA-R6</b>		<b>Activities associated with renewable geothermal energy development</b>	[A5.9(2)(20)]
<b>Applicable Spatial Layers</b> Taheke 8C Development Area: Areas A, C, D, E and G	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> The activity is not identified as a permitted or controlled activity in this table</p> <p><b>Matters of Discretion</b> (As for Rural 1 zone):</p> <ul style="list-style-type: none"> <li>a. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>b. Where compliance is not achieved with the performance standards for the zone: 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 relevant objectives and policies;</li> <li>c. Natural hazards RURZ-MD1; and</li> <li>d. Financial contributions RURZ-MD3.</li> </ul>		
<b>Tourism and Honey Production – Areas E &amp; H</b>			
<b>THDA-R7</b>		<b>Commercial outdoor and indoor recreation</b>	[A5.9(2)(21)]
<b>Applicable Spatial Layers</b> Taheke 8C Development Area: Areas E and H	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. As for the Rural 1 Zone: <ul style="list-style-type: none"> <li>i. Height RURZ-S1;</li> <li>ii. Yards RURZ-S2;</li> <li>iii. Site coverage RURZ-S3;</li> <li>iv. Parking, access and turning RURZ-S5; and</li> <li>v. Reverse sensitivity RURZ-S6.</li> </ul> </li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. As for the Rural 1 Zone: <ul style="list-style-type: none"> <li>i. Design RURZ-MC1;</li> <li>ii. Parking, access and turning RURZ-MC2;</li> <li>iii. Water quality RURZ-MC3;</li> <li>iv. Natural hazards RURZ-MC4;</li> <li>v. Water tables and flood events RURZ-MC5;</li> <li>vi. Financial contributions RURZ-MC7.</li> </ul> </li> </ul>	<p><b>2 Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> Compliance not achieved with the performance standards in THRP-R7(1) or (2).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. 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;</li> <li>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;</li> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>d. Natural hazards RURZ-MD1; and</li> <li>e. Financial contributions RURZ-MD3.</li> </ul>	
<b>THDA-R8</b>		<b>Honey processing, packaging, sales and distribution</b>	[A5.9(2)(22)]
<b>Applicable Spatial Layers</b> Taheke 8C Development	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. As for the Rural 1 zone: <ul style="list-style-type: none"> <li>i. Height RURZ-S1;</li> </ul> </li> </ul>	<p><b>2 Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> Compliance not achieved with the performance standards in THRP-R8(1) or (2).</p>	



<p>Area: Areas E and H</p>	<ul style="list-style-type: none"> <li>ii. Yards RURZ-S2;</li> <li>iii. Site coverage RURZ-S3;</li> <li>iv. Parking, access and turning RURZ-S5; and</li> <li>v. Reverse sensitivity RURZ-S6.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. As for the Rural 1 Zone: <ul style="list-style-type: none"> <li>i. Design RURZ-MC1;</li> <li>ii. Parking, access and turning RURZ-MC2;</li> <li>iii. Water quality RURZ-MC3;</li> <li>iv. Natural hazards RURZ-MC4;</li> <li>v. Water tables and flood events RURZ-MC5;</li> <li>vi. Financial contributions RURZ-MC7.</li> </ul> </li> </ul>	<p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. 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;</li> <li>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;</li> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>d. Natural hazards RURZ-MD1; and</li> <li>e. Financial contributions RURZ-MD3.</li> </ul>
<p><b>THDA-R9</b></p>	<p><b>Industrial or trade processes</b></p>	<p>[A5.9(2)(23)]</p>
<p><b>Applicable Spatial Layers</b></p> <p>Taheke 8C Development Area: Areas E and H</p>	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <ul style="list-style-type: none"> <li>a. Where compliance is not achieved with the performance standards for the zone: 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 relevant objectives and policies.</li> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>c. Natural hazards RURZ-MD1; and</li> <li>d. Financial contributions RURZ-MD3.</li> </ul>	
<p><b>Lakeside Settlement and Wellness Centre – Area F</b></p>		
<p><b>THDA-R10</b></p>	<p><b>Wellness centres, <del>household</del> residential units, medical and village facilities</b></p>	<p>[A5.9(2)(25)]</p>
<p><b>Applicable Spatial Layers</b></p> <p>Taheke 8C Development Area: Area F</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. As for the Residential 4 zone: <ul style="list-style-type: none"> <li>i. Height RESZ-S1;</li> <li>ii. Yards RESZ-S2;</li> <li>iii. Site Coverage RESZ-S3;</li> <li>iv. Household unit density RESZ-S4;</li> <li>v. Parking, access and turning RESZ-S5; and</li> <li>vi. Reflectivity RESZ-S6.</li> </ul> </li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. As for the Residential 4 Zone: <ul style="list-style-type: none"> <li>i. Design RESZ-MC1;</li> <li>ii. Zone character RESZ-MC2;</li> <li>iii. Amenity RESZ-MC3;</li> </ul> </li> </ul>	

	<ul style="list-style-type: none"> <li>iv. Parking, access and turning RESZ-MC4;</li> <li>v. Natural hazards RESZ-MC5; and</li> <li>vi. Financial contributions RESZ-MC6.</li> </ul>	
<b>THDA-R11 Resthomes</b>		[A5.9(2)(26)]
<b>Applicable Spatial Layers</b> Taheke 8C Development Area: Area F	<b>1. Activity Status:</b> Restricted Discretionary <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. As for Commercial 5 Zone: <ul style="list-style-type: none"> <li>i. Where compliance is not achieved with the performance standards for the zone: 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 relevant objectives and policies.</li> <li>ii. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>iii. Natural hazards RESZ-MD1; and</li> <li>iv. Financial contributions RESZ-MC2.</li> </ul> </li> </ul>	
<b>Commercial – Areas C &amp; D</b>		
<b>THDA-R12 Boat storage</b>		[A5.9(2)(25)]
<b>Applicable Spatial Layers</b> Taheke 8C Development Area: Areas C and D	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. As for Commercial 5 Zone: <ul style="list-style-type: none"> <li>i. Height COMZ-S1;</li> <li>ii. Yards COMZ-S2;</li> <li>iii. Parking, access and turning COMZ-S6; and</li> <li>iv. Landscaping COMZ-S9.</li> </ul> </li> </ul>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in THDA-R12(1). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion;</li> <li>b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites;</li> <li>c. How the activity provides more efficient and practical use of the remainder of the site;</li> <li>d. Natural Hazards COMZ-MD1;</li> <li>e. Construction of new buildings COMZ-MD2; and</li> <li>f. Financial contributions COMZ-MD5.</li> </ul>
<b>THDA-R13 Tourism accommodation</b>		[A5.9(2)(26)]
<b>Applicable Spatial Layers</b> Taheke 8C Development	<b>1. Activity Status:</b> Restricted Discretionary <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. Where compliance is not achieved with the performance standards for the zone: the extent to which the activity will avoid, remedy or mitigate the effects of the non-</li> </ul>	

Area: Areas C and D	<p>compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies.</p> <p>b. Natural Hazards COMZ-MD1;</p> <p>c. Construction of new buildings COMZ-MD2; and</p> <p>d. Financial contributions COMZ-MD5.</p>			
<b>Other</b>				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><b>THDA-R14</b></td> <td style="width: 65%;"><b>Walking tracks</b></td> <td style="width: 20%; text-align: right;"><i>[A5.9(2)(10)]</i></td> </tr> </table>		<b>THDA-R14</b>	<b>Walking tracks</b>	<i>[A5.9(2)(10)]</i>
<b>THDA-R14</b>	<b>Walking tracks</b>	<i>[A5.9(2)(10)]</i>		
<b>Applicable Spatial Layers</b> Taheke 8C Development Area	<b>1. Activity Status:</b> Permitted			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><b>THDA-R15</b></td> <td style="width: 65%;"><b>Vegetation Disturbance</b></td> <td style="width: 20%; text-align: right;"><i>[A5.9(2)(11)]</i></td> </tr> </table>		<b>THDA-R15</b>	<b>Vegetation Disturbance</b>	<i>[A5.9(2)(11)]</i>
<b>THDA-R15</b>	<b>Vegetation Disturbance</b>	<i>[A5.9(2)(11)]</i>		
<b>Applicable Spatial Layers</b> Taheke 8C Development Area	<b>1. Activity Status:</b> Permitted			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><b>THDA-R16</b></td> <td style="width: 65%;"><b>Indigenous Vegetation Planting</b></td> <td style="width: 20%; text-align: right;"><i>[A5.9(2)(13)]</i></td> </tr> </table>		<b>THDA-R16</b>	<b>Indigenous Vegetation Planting</b>	<i>[A5.9(2)(13)]</i>
<b>THDA-R16</b>	<b>Indigenous Vegetation Planting</b>	<i>[A5.9(2)(13)]</i>		
<b>Applicable Spatial Layers</b> Taheke 8C Development Area	<b>1. Activity Status:</b> Permitted			
<p>Advice Note:</p> <p>Refer to Natural Environmental Values for additional rules for vegetation.</p>				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><b>THDA-R17</b></td> <td style="width: 65%;"><b>Agricultural production activities (including bee keeping)</b></td> <td style="width: 20%; text-align: right;"><i>[A5.9(2)(12)]</i></td> </tr> </table>		<b>THDA-R17</b>	<b>Agricultural production activities (including bee keeping)</b>	<i>[A5.9(2)(12)]</i>
<b>THDA-R17</b>	<b>Agricultural production activities (including bee keeping)</b>	<i>[A5.9(2)(12)]</i>		
<b>Applicable Spatial Layers</b> Taheke 8C Development Area	<b>1. Activity Status:</b> Permitted  <b>Performance Standards</b>  <b>Where:</b> The activity is not in Area F of the Development Area.			
<b>Applicable Spatial Layers</b> Taheke 8C Development Area	<b>2. Activity Status:</b> Non-Complying  <b>Where:</b> The activity is in Area F of the Development Area.			

## Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

### **THDA-S1 Buildings and structures associated with geothermal electricity generation**

*[A5.9(3)(2)]*

#### **1. Height**

- a. The maximum height of any building or structure associated with geothermal electricity generation shall not exceed 30 metres above natural ground level.
- b. The maximum height of any communication tower including associated antennae and electricity line support structures shall not exceed 45m from the natural ground level.

#### **2. Yards**

- a. Any building shall be setback by 20m from a boundary that adjoins separate property owner/adjoining sites.
- b. There are no setbacks for:
  - i. buildings or structure from any internal property boundaries
  - ii. pipelines
  - iii. electricity lines and support structures
  - iv. water intake and/or outfall structure from waterbodies.

# WHARENUI DEVELOPMENT AREA

Status: WHDA is operative

## INTRODUCTION

The Wharenui Road Development Area is located on the western side of Wharenui Road and bound by Porikapa and Morey Street to the north, McKenzie Road, Hayward Rise, Basley Road, Devoy Drive, and Stafford Rise to the west; and the extension of Link Road (paper road) to the south. The area also includes 34.4 hectares of land on the eastern side of Wharenui Road. The area is the initial stage of the Ngāti Whakāue Nominees Limited Master Plan.

The area is considered a logical area for growth as a result of its proximity to the existing residential areas of Lynmore and Ōwhata, existing schools, the arterial route of Te Ngae Road, and the designated Rotorua Eastern Arterial route.

The underlying zones are Residential 1, Residential 5 and Commercial 3 Zones.

The development is to be completed in stages, as detailed in these provisions. It is at these stages that the design detail of development will be assessed by council through the resource consent process. The development plan shown in figure WHDA-1, comprises 10 stages shown as A through to J in the table. A range of development is provided for, including residential, commercial, and residential lifestyle zoned land.

The staging of the development is also intricately linked to infrastructure provision, and includes provision for infrastructure upgrades throughout development of the area. Staging, minimum yields, development capacity, and traffic mitigation are all components of the development.

Rules for the development area are set out two parts: (1) rules for staging, planning and traffic mitigation; and (2) rules for specific activities in the development area.

Scale 1:10,000 @ A3  
 1:5,000 @ A1

November 2009

**Key**

-  Plan Change Area Boundary
-  Stage Boundary within Plan Change Area
-  Collector Road
-  Residential
-  Residential Lifestyle
-  Commercial
-  Open Space Network  
(including planting opportunities, public art and signage for stormwater management)
-  Existing Gully to be Modified
-  Gateway / Entrance
-  Grassed Swales
-  Indicative Off-line Attenuation Area
-  Indicative On-line Attenuation Area

**Possible Preliminary Stages**



- Notes:**
1. Stage boundaries show our indicative development landscape.
  2. This plan is for coarse planning purposes only, and is subject to detailed assessment, including drainage, stormwater, and other design issues.



Figure WHDA-1: Wharenui Road Area Development Plan

# RULES

The rules below apply in addition to the rules for the zones and other chapters.

The rules for Wharenui Development Area are set out in two parts:

1. Rules for staging, planning and traffic mitigation.  
 These rules require consent where a number of additional infrastructure and planning matters are not satisfied within the development area. These rules apply regardless of the status of the activity in other chapters of the plan.
2. Rules for specific activities.  
 These rules override the zone rules and the rules in PK - Papakainga in respect of the specific activities addressed. They do not override the rules of other chapters unless expressly stated.

Links to the rule categories are provided below:

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## Rules for Staging, Planning and Traffic Mitigation in the Wharenui Development Area

Staging, Minimum Yields		
<b>WHDA-R1</b>	<b>Land use and subdivision in the Wharenui Road Development Area (staging and minimum yields)</b>	[A5.3.2]
<b>Applicable Spatial Layers</b> Wharenui Road Development Area	<b>1. Activity Status:</b> Discretionary <b>Where:</b> Compliance not achieved with the performance standards for Staging and minimum yields <a href="#">WHDA-S1</a> .	

## Provision of Traffic Mitigation

**WHDA-R2** ~~Land use and subdivision in the Wharenui Road Development Area (Rotorua Eastern Arterial)~~ [A5.3.2]

**Applicable Spatial Layers**  
Wharenui Road Development Area

~~1. Activity Status: Discretionary~~  
~~Where:~~  
~~Compliance is not achieved with the performance standards for Rotorua Eastern Arterial WHDA-S2.~~

**WHDA-R3** Land use and subdivision in the Wharenui Road Development Area (traffic mitigation) [A5.3.2]

<b>Applicable Spatial Layers</b> Wharenui Road Development Area	<b>1. Activity Status:</b> Restricted Discretionary  <b>Where:</b> Land use or subdivision is proposed without compliance with the performance standards for Traffic mitigation <a href="#">WHDA-S3</a> .  <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>At the time a trigger level is reached as set out in WHDA-S3, a review shall be undertaken by a suitably qualified traffic engineer to determine the continued appropriateness of the trigger levels; and</li> <li>In the event of a change to the trigger levels in the table above consultation will occur with the relevant road controlling authorities.</li> </ol> <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Transportation effects on the surrounding transportation network.</li> </ol>	<b>2. Activity Status:</b> Discretionary  <b>Where:</b> <ol style="list-style-type: none"> <li>Land use or subdivision is proposed without compliance with the performance standards for Traffic Mitigation WHDA-S3; and</li> <li>Compliance is not achieved with the performance standards for WHDA-R3 (1).</li> </ol>
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## Traffic Review

**WHDA-R4** Traffic Mitigation Measures Review Prior to Subdivision [6.6(17)]

Wharenui Road Development Area

**1. Activity Status:** Discretionary  
  
**Where:**  
Subdivision for a new development stage is proposed without compliance with the following additional performance standard for development in the Wharenui Road Development Area: Traffic mitigation measures review [WHDA-S4](#).



## Development Concept Plan for Commercial 3 Zone

<b>WHDA-R5</b>	<b>Land use development in the Commercial 3 Zone without a development concept plan</b>	[6.6(17)]
Wharenui Road Development Area: Commercial 3 Zone	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Commercial 3 Zone: Land use development is proposed without compliance with the following additional performance standard for the Wharenui Road Development Area:</p> <p>a. Prior to any land use development occurring within the Commercial 3 zone of the Wharenui Road area, a development concept plan for the entire Commercial 3 area contained within Wharenui Road shall be submitted to, and approved by council. The Commercial 3 area shall then be developed in accordance with this plan.</p>	

### Rules for Specific Activities in the Wharenui Road Development Area

Residential Development and <u>Household Residential Units</u>		
<b>WHDA-R6</b>	<b><u>Household Residential units (including comprehensive residential development and medium density development)</u> in the Wharenui Road Area Development Area</b>	[4.5(15) 4.5(16) 4.5(17) 4.5(18) 6.5(14)]
<p><b>Applicable<sup>5</sup> Spatial Layers</b></p> <p>Wharenui Road Development Area: Residential 1 Zone</p>	<p><b>1 Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p><del>There will be one household unit per site</del> <u>There are no more than three residential units per site.</u></p> <p><b>Performance Standards:</b></p> <p>a. The development shall be in general accordance with the Wharenui Road Development Area Plan (Figure WHDA-1).</p> <p><del>b. Height WHDA-SA1;</del></p> <p><del>c. Residential 1 Zone: Residential Intensity WHDA-SA2;</del></p> <p><del>d. Yards WHDA-SA3; and</del></p> <p>e. The development shall comply the standards for residential <u>1</u> zones with respect to:</p> <ul style="list-style-type: none"> <li>i. <u>Height RESZ-S1;</u></li> <li>ii. <u>Yards RESZ-S2</u></li> <li>iii. <u>Site coverage RESZ-S3;</u></li> <li>iv. Parking, access and turning RESZ-S5; and</li> <li>v. <u>Design and Landscaping RESZ-S6.</u></li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards for WHDA-R6(1).</p> <p><b>Matters of Restricted Discretion:</b></p> <p>a. The reason for the non-compliance with performance standards and 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;</p> <p><del>b. The extent to which the activity adversely affects the character and amenity values of the zone;</del></p> <p>c. <u>As specified for the Residential 1 Zone with respect to:</u></p> <ul style="list-style-type: none"> <li>i. <u>Residential units – Non-compliance matters RESZ-MDA</u></li> <li>ii. Natural hazards RESZ-MD1; and</li> <li>iii. Financial contributions RESZ-MD2;</li> </ul> <p style="text-align: center;"><b><u>Notification</u></b></p>

<sup>5</sup> Formatting change – Residential 1 Zone split from Residential 5 Zone when originally shown in same cell. This change is not marked

		<p><u>An application for resource consent under this rule (for the construction and use of no more than 3 residential units per site that do not comply with one or more of the performance standards) will be considered without public notification (unless the Council decides that special circumstances exist under the Resource Management Act 1991).</u></p>
<p><b>Applicable<sup>6</sup> Spatial Layers</b></p> <p>Wharenui Road Development Area: Residential 5 Zone</p>	<p><b>Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>There will be one <del>household residential</del> unit per site.</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. The development shall be in general accordance with the Wharenui Road Development Area Plan (Figure WHDA-1).</li> <li>b. Height <u>WHDA-SA1</u>;<sup>7</sup></li> <li>c. Yards <u>WHDA-SA3</u>; and<sup>8</sup></li> <li>d. The development shall comply the standards for residential zones with respect to: <ul style="list-style-type: none"> <li>i. Site coverage RESZ-S3; and</li> <li>ii. Parking, access and turning RESZ-S5.</li> </ul> </li> </ul>	<p><b>Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards for WHDA-R6(1).</p> <p><b>Matters of Restricted Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The reason for the non-compliance with performance standards and 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;</li> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>c. Natural hazards RESZ-MD1; and</li> <li>d. Financial contributions RESZ-MD2;</li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>Wharenui Road Development Area: Residential 1 Zone</p>	<p><b>3. Activity Status:</b> <del>Restricted Discretionary</del></p> <p><b>Where:</b></p> <p><del>a. The parent lot is at least 3,000m<sup>2</sup> in size and the residential development will be comprehensively designed (comprehensive residential development); or</del></p> <p><del>b. The activity is for medium density housing and the parent site is equal to or greater than 3000m<sup>2</sup>.</del></p>	<p><b>4. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards for WHDA-R6(3) <del>excluding Residential Density WHDA-S2.</del></p> <p><b>Matters of Restricted Discretion:</b></p> <ul style="list-style-type: none"> <li>a. <u>The extent to which the development is in general accordance with the Wharenui Road Development Area Plan (Figure WHDA-1)</u></li> <li>b. <del>The design and layout and any innovative components;</del></li> </ul>

<sup>6</sup> Formatting change – Residential 5 zone split from Residential 1 Zone when originally presented in same row

<sup>7</sup> ormatting change – standard incorporated into residential zone

<sup>8</sup> ormatting change – standard inserted into residential zone

	<p>e. There are four or more residential units per site</p> <p><b>Performance Standards:</b></p> <p><del>a. The development shall be in general accordance with the Wharenui Road Development Area Plan (Figure WHDA-1).</del></p> <p><del>b. Height WHDA-SA1</del></p> <p><del>c. Residential Intensity WHDA-SA2;</del></p> <p><del>d. Yards WHDA-SA3; and</del></p> <p>e. The development shall comply the standards for residential zones with respect to the following:</p> <ul style="list-style-type: none"> <li>i. <u>Height RESZ-S1</u></li> <li>ii. <u>Yards RESZ-S2;</u></li> <li>iii. Site coverage RESZ-S3;</li> <li>iv. <u>Design and Landscaping RESZ-S6</u></li> <li>v. Parking, access and turning RESZ-S5; and</li> </ul> <p><b>Matters of <del>Control</del>-Discretion</b></p> <p><del>a. The extent to which the development is in general accordance with the Wharenui Road Development Area Plan (Figure WHDA-1)</del></p> <p><del>b. Site and building design WHDA-MC1;</del></p> <p>c. <u>Vegetation WHDA-MC2;</u></p> <p><del>d. Comprehensive residential development and medium density development Staging and infrastructure WHDA-MC3;</del></p> <p>e. <u>Stormwater WHDA-MC4;</u></p> <p><del>f. General WHDA-MC6; and</del></p> <p>g. As specified for the Residential 1 Zones with respect to:</p> <ul style="list-style-type: none"> <li><del>i. Design RESZ-MC1;</del></li> <li><del>ii. Zone character RESZ-MC2;</del></li> <li><del>iii. Amenity RESZ-MC3;</del></li> <li><del>iv. Parking, access and turning RESZ-MC4;</del></li> <li>i. Natural hazards RESZ-MC5; and</li> <li>ii. Financial contributions RESZ-MC6.</li> </ul>	<p><del>e. Potential adverse effects on the environment;</del></p> <p>d. The reason for the non-compliance with performance standards and 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;</p> <p><del>e. The extent to which the activity adversely affects the character and amenity values of the zone;</del></p> <p><del>f. Site and building design WHDA-MD1;</del></p> <p>g. <u>Vegetation WHDA-MD2;</u></p> <p><del>h. Comprehensive residential development and medium density development Staging and infrastructure WHDA-MD3;</del></p> <p>i. <u>Stormwater WHDA-MD4;</u> and</p> <p><del>j. General WHDA-MD6;</del></p> <p><del>k. As specified for the Residential 1 Zone with respect to:</del></p> <ul style="list-style-type: none"> <li><del>i. Residential units – non-compliance matters RESZ-MDA (For activities that do not comply with the performance standards for 3 or less units per site in RESZ-R3(1))</del></li> <li>ii. <u>4+ Residential unit developments RESZ-MDB</u></li> <li>iii. Natural hazards RESZ-MD1;<sup>9</sup></li> <li>iv. Financial contributions RESZ-MD2;</li> </ul> <p><b>Notification</b></p> <p><u>An application for resource consent under this rule (for the construction and use of four or more residential units per site that does not comply with one or more of the performance standards) will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991), provided that</u></p>
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<sup>9</sup> Moved from above but not amended

	<p><b><u>Notification</u></b></p> <p><u>An application for resource consent under this rule (for the construction and use of four or more residential units per site that complies with the performance standards) will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991).</u></p>	<p><u>the activity complies with all the following performance standards:</u></p> <ul style="list-style-type: none"> <li>a. <u>Height RESZ-S1: (1) or (1A)</u></li> <li>b. <u>Yards RESZ-S2: (1)</u></li> <li>c. <u>Site Coverage RESZ-S3: (1)(a) or (2)(a)</u></li> <li>d. <u>Design and Landscaping RESZ-S6: (2)(a)(i) to (ii); (3); (4)(a); and (6)(a) to (b).</u></li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>Wharenui Road Development Area:</p> <p>Residential 1 Zone</p>	<p><b>5. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>The activity is for medium density housing and the parent site is less than 3,000m<sup>2</sup>.</p> <p><b>Performance Standards</b></p> <ul style="list-style-type: none"> <li>a. <del>Height WHDA-S1;</del></li> <li>b. <del>Residential Intensity WHDA-S2;</del></li> <li>c. <del>Yards WHDA-S2; and</del></li> <li>d. <del>The development shall comply the standards for residential zones with respect to the following:</del> <ul style="list-style-type: none"> <li>i. <del>Site coverage RESZ-S3; and</del></li> <li>ii. <del>Parking, turning and access RESZ-S5.</del></li> </ul> </li> </ul> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. <del>The extent to which the development is in accordance with the the Wharenui Road Development Area Plan (Figure WHDA-1).</del></li> <li>b. <del>Site and building design WHDA-AC1;</del></li> <li>c. <del>Vegetation WHDA-AC2;</del></li> <li>d. <del>Medium density development WHDA-AC3;</del></li> <li>e. <del>Stormwater WHDA-AC4;</del></li> <li>f. <del>General WHDA-AC5; and</del></li> <li>g. <del>General for Residential Zones RESZ-AC1.</del></li> </ul>	
<p><b>Applicable Spatial Layers</b></p> <p>Wharenui Road Development Area:</p> <p>Commercial 3 Zone</p>	<p><b>6. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>The activity is for medium density housing</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the development is in accordance with the approved concept plan for the Commercial 3 Zone required under the rules for the Wharenui Development Area.</li> <li>b. Site and building design <a href="#">WHDA-AC1;</a></li> <li>c. Vegetation <a href="#">WHDA-AC2;</a></li> <li>d. <del>Medium density development</del> <a href="#">Staging and Infrastructure WHDA-AC3;</a></li> <li>e. Stormwater <a href="#">WHDA-AC4;</a></li> <li>f. General <a href="#">WHDA-AC5;</a> and</li> </ul>	

	g. General for Commercial Zones COMZ-AC1.
<b>Applicable Spatial Layers</b> Wharenui Road Development Area: Residential 4 and 5 Zones	<b>7. Activity Status:</b> Non-Complying <b>Where:</b> The <del>household residential</del> unit is not otherwise provided for in this table. For the avoidance of doubt, this includes: a. <del>Comprehensive residential development and medium density development that does not comply with the performance standards with respect to Household Unit Density WHDA-S1; and</del> b. Where there will be more than one <del>household residential</del> unit per site in Residential 5 Zone.

### Stormwater

<b>WHDA-R7</b>	<b>Stormwater management reserves, facilities and overland flow paths not associated with an approved subdivision or land use activity within the Wharenui Road Development Area</b>	[4.5(19)]
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<b>Applicable Spatial Layers</b> Wharenui Road Development Area: Residential 1 and 5 Zones	<b>1. Activity Status:</b> Restricted Discretionary <b>Relationship to other rules:</b> This rule overrides the rules for Infrastructure Activities in EIT Energy, Infrastructure and Transport, in relation to the specific activity specified <b>Matters of Discretion:</b> a. The extent to which the development is in accordance with the Wharenui Road Development Area Plan (Figure WHDA-1). b. Vegetation <a href="#">WHDA-MD2</a> ; c. Stormwater <a href="#">WHDA-MD3</a> ; d. The extent to which the activity adversely affects the character and amenity values of the zone; e. Natural hazards RESZ-MD1; and f. Financial contributions RESZ-MD2.	
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### Transport Interchange

<b>WHDA-R8</b>	<b>Transport interchange facilities</b>	[6.5(7)]
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<b>Applicable Spatial Layers</b> Wharenui Road Development Area: Commercial 3 Zone	<b>1. Activity Status:</b> Controlled <b>Performance Standard:</b> a. The development is in accordance with the approved concept plan for the Commercial 3 Zone required under the rules for the Wharenui Development Area. <b>Matters of Discretion:</b>	
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	<ul style="list-style-type: none"> <li>a. Vegetation <a href="#">WHDA-MC2</a>;</li> <li>b. Stormwater <a href="#">WHDA-MC4</a>;</li> <li>c. Transport Interchange <a href="#">WHDA-MC5</a>;</li> <li>d. General <a href="#">WHDA-MC6</a>; and</li> <li>e. As specified for Commercial Zones with respect to: <ul style="list-style-type: none"> <li>i. Design COMZ-MC1;</li> <li>ii. Parking, access and turning COMZ-MC2;</li> <li>iii. Natural hazards COMZ-MC3; and</li> <li>iv. Financial contributions COMZ-MC4.</li> </ul> </li> </ul>	
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### Performance Standards – Staging, Planning and Traffic Mitigation

The following performance standards apply if listed in the rule table for the relevant activity.

#### WHDA-S1 Staging and minimum yields

[A5.3.2]

1. Development shall proceed in accordance with the staged development plan shown in [figure WHDA-1](#). Development of residential activities of a subsequent stage may proceed to a consent process when the following trigger level for development is reached:

Development Stages		Development Area (ha)	Yield	Trigger level for development of subsequent stages 60% sold allotments
A	Residential 1	21.7	150	120
B	Residential 1	17.2	105	84
C	Residential 1	21.3	109	87
D	Residential 5	13.0	65	52
E	Residential 5	19.5	97	78
F	Residential 5	16.6	83	66
G	Residential 1 (Retirement Village)	7.3	219	175
H	Commercial 3	2.5	100	80
I	Residential 5	7.1	71	57
J	Residential 1 (Truffle Farm)	10.0	100	80

2. Provisions Related to Staging shall be read in conjunction with the table above:
  - a. No more than two stages are to be developed to Section 224 certification at any one time.
  - b. Yield in the Residential 1 and Commercial 3 zones equals the minimum number of new residential lots created and certified in accordance with Section 224 of the Resource Management Act 1991 or dwelling unit equivalents created in Medium Density or Retirement Village land uses.
  - c. Yield in the residential lifestyle zone equals the maximum number of new residential lots created at a maximum density of 5 household residential units per hectare across the total zone area.
  - d. The letters attached to each stage do not represent the order of development.

**~~WHDA-S2 Rotorua Eastern Arterial~~**

- ~~1. Development of the Wharenui Development Area shall not exceed a total of 879 dwelling unit equivalents until the Rotorua Eastern Arterial has been completed and is in use.~~
- ~~2. The number of dwelling unit equivalents shall be calculated at the time of subdivision consent, or land use consent, or in the case of a permitted activity building consent, whichever is the latest, taking into account all such consents granted for the Wharenui Road area after 7 February 2009.~~
- ~~3. At the time of any subdivision consent a consent notice shall be registered on the remaining parent lot stating the number of the remaining dwelling unit equivalents for that title at the time of the particular subdivision consent. The consent notice shall include the proviso that further building consents for permitted activities or land use consents prior to subdivision may alter the number of remaining lots available on the balance lots.~~
- ~~4. Where commercial development occurs, an estimate of dwelling unit equivalents based on the potential traffic generation of the proposed development shall be undertaken and included in the revised number of dwelling unit equivalents to be registered on the residual parent title and available to that title in accordance with (2) above when application is made for further subdivision consent.~~

**WHDA-S3 Traffic mitigation**

1. Staged residential development shall not exceed the following limits unless the prescribed mitigation measures are implemented:

Trigger Level (new lots created)	Mitigation Required
<del>51</del>	<del>Brent Road Traffic Calming</del>
151	Left In/Left Out turning restrictions at Coulter Road <del>and Brent Road</del>
301	<del>Traffic signals at Wharenui Road, Basley Road and Iles Road</del> Wharenui Road Traffic Calming

**WHDA-S4 Traffic mitigation measures review**

1. At the conclusion of each stage of development stated above in WHDA-S1 the proponent shall undertake a review of the proposed traffic mitigation measures implemented, and shall incorporate the findings in the design of the subsequent stage.

## Performance Standards – Activities

The following performance standards apply if listed in the rule table for the relevant activity.

### WHDA-SA1 Height

1. Height standards shall be as in RESZ-S1, except that the daylight envelope will only apply to the external boundaries (other than the road boundary) of the “parent lot” prior to subdivision;

### ~~WHDA-SA2 Residential Intensity of Development (Residential 1 Zone)~~

~~[4.6(4), A5.3.6(1)]~~

- ~~1. Maximum site intensity of development:~~

<del>Controlled Activity</del>	<del>Maximum Intensity of Development</del>
<del>1. Comprehensive Residential Development</del>	<del>Average of 1 unit/450m<sup>2</sup> net site area of the parent lot prior to subdivision</del>
<del>2. Medium Density Housing</del>	<del>Average of 1 unit/250m<sup>2</sup> net site area of the parent lot prior to subdivision.</del>

- ~~2. There is no specified minimum lot size for subdivision of a comprehensive residential development or a medium density residential development.~~

### WHDA-SA3 Yards

[4.6(2)]

1. Minimum Front Yards: 5m  
except that on sites adjoining local roads and where any garage, bedroom, living room, or other habitable room has clear glazing facing the street, the front yard may be reduced to 3m.
2. Other yards: as specified for residential zones RESZ-S2, except that the requirements shall only apply to the external boundaries of the “parent lot”.

## Matters of Control / Discretion / Assessment Criteria

The following matters of control/discretion or assessment criteria apply where listed in the rule table for the relevant activity. Council is not limited to the consideration of these assessment criteria for discretionary activities.

### WHDA-MC1-MD1-AC1 Residential site and building design

[A5.3.5]

#### 1. Site Planning

- a. Design Expectation
  - i. The position of all household residential units within their respective sites does not adversely affect the amenity and privacy of adjoining/adjacent properties, avoids any adverse dominance effect at the interface with other sites or public space and maximises the amenity and enjoyment of the residents.
- b. Design Criteria
  - i. All types of household residential units should maintain the appropriate distance from site boundaries to avoid adverse visual dominance, shadowing and privacy effects on the adjoining public space and private properties (as appropriate to their typology), and should comply with the performance standards in the residential



chapter unless otherwise stated in the district plan.

- ii. Buildings should be oriented appropriately to allow adequate daylight to buildings and sunlight to main living rooms, private outdoor spaces and balconies.
- iii. ~~household~~ residential units should be positioned and openings designed to capitalise on any views that are available.
- iv. A sufficient quantity of well-sited and carefully detailed private outdoor space or balcony (as appropriate to housing type) should be provided for each dwelling to accommodate a range of activities that residents can enjoy in and around their house.
- v. Buildings should be located within the site for maximum utilisation of on-site external spaces and balconies. In this respect direct connection between internal and external living areas and a northerly aspect of the external living area are desirable.

## 2. Streetscape Compatibility

- a. Design Expectation
  - i. Design and architectural detailing of the ~~household~~ residential units emphasises the public face of the building, where it relates to a public road, walkway or any other adjoining public open space. The building design complements any specific neighbourhood theme, and offers surveillance, visual enhancement, variety and positive sense of enjoyment of the public space.
- b. Design Criteria
  - i. Building design should offer visual interest when a building or a group of buildings is viewed from any street and/or any other adjoining public open space, by incorporating design aspects such as varied roof form, articulation in façade treatment, variation in setback, opening design etc.
  - ii. A monotonous streetscape should be avoided through:
  - iii. Avoiding long sequences of identical designs in adjacent detached houses; and
  - iv. Providing variation in scale and façade treatment in attached houses and apartment buildings.
  - v. A transition in height and scale between a new development and any neighbouring building should be provided.
  - vi. Front doors should be weather protected and be easily identified from the street boundary to provide a sense of individual address and identity, and ease of visitor orientation.
  - vii. Garage doors should not dominate the public frontage and should be set further back than the front face of the building.
  - viii. Solid fences and walls along any street or reserve boundary and between the street and the front face of the closest building should be generally avoided or limited in height.
  - ix. ~~Household~~ residential units fronting the street should include windows or doors to active habitable rooms (not service rooms) on the front elevation to comply with CPTED principles for passive surveillance of the public realm.

~~x. Medium Density Housing household units fronting the road should be located with minimal setback as determined by the minimum front yard buffers in 7.3 for the Residential 1 zone.~~

- xi. Street boundary treatment should be compatible in design with the neighbourhood and/or development.
- xii. Corner lots shall be designed to address both street frontages, and may have some distinct architectural corner features that respond to their context, such as wrap around verandahs or balconies, defined entrance and street address, windows and building form.
- xiii. Trees and vegetation visible from the public realm should be selected to contribute to the character of the streetscape and complement the neighbourhood theme.
- xiv. The interface between private properties and the gully system shall be designed with appropriate boundary treatment, including low or visually permeable fencing and low density planting, to create separation and privacy for private outdoor spaces while retaining passive surveillance to the gullies.

### **3. House Planning**

- a. Design Expectation
  - i. The planning of the dwelling creates amenity, enjoyment, health and safety for the residents and avoids adverse visual dominance, privacy and shadowing effects on adjoining properties.
- b. Design Criteria
  - i. The planning of the dwelling should create variety in building mass and shape with vertical and horizontal detailing, material variation and interesting architectural façade.
  - ii. Privacy and amenity of the adjoining properties should be preserved by minimising overlooking, retaining separation distances, and providing acoustic and privacy screening.
  - iii. The planning of the dwelling should complement energy efficiency and sustainable building design, and be of a depth and layout which allows natural ventilation through the house.

### **4. Vehicle Access and Parking**

- a. Design Expectation
  - i. The design of vehicular access, parking and garaging is appropriately integrated with dwelling design so that the overall streetscape quality is not compromised.
- b. Design Criteria
  - i. [Deleted]
  - ii. The garage door(s), and associated vehicular access and manoeuvring space should not dominate the streetscape.
  - iii. Use of space within the site for vehicle manoeuvring should be minimised to increase on-site green space.
  - iv. The proposal should be in accordance with the provisions of Appendix APP1 –

## Parking and Turning Standards.

### 5. Fencing

- a. Design Expectation
  - i. Fencing assists in defining property boundaries, integrates with the character and style of the building on the site, improves the visual appearance of adjoining public spaces including roads and access ways, and does not compromise passive surveillance.
- b. Design Criteria
  - i. The fence design should be consistent with the architectural design (i.e. style, character, material, colour) of the associated building or the design for the street or block.
  - ii. The fence should not dominate the streetscape or adjoining reserve.
  - iii. The fence should be appropriately used to preserve privacy between adjoining private open spaces.
  - iv. Any fences erected within yards or on the boundary adjoining public land including streets, reserves, gully systems or walkways should be low height solid fences or visually permeable fences that take account of CPTED principles for passive surveillance.
  - v. If any retaining wall is required in the front yard, or is visible from a public space, its visual appearance should be softened and disguised with associated fencing and landscaping.

### 6. Soft Landscaping

- a. Design Expectation
  - i. The landscaping associated with each dwelling complements any neighbourhood design theme. This signals the transition from the public street and other adjoining public space to the dwelling's interior private space. This softens the visual appearance of the built form, provides scale to the house, protects privacy between adjoining houses, offers shade in the summer and allows the sunshine to enter into the dwelling during the winter, and improves the visual appearance and amenity of the property.
- b. Design Criteria
  - i. The landscape design should include both soft and hard landscaping consistent with appropriate neighbourhood design themes.
  - ii. The front yard landscaping should complement the adjoining street and public open space landscaping.
  - iii. The matured size and number of on-site trees should be in proportion to the scale of the dwelling and the amount of available open space around the dwelling.
  - iv. The landscape design should be carefully considered to enhance the safety of the public spaces and the privacy between adjoining private open spaces.
  - v. Selection and location of deciduous and ever-green trees should be considered based on the orientation of the house and its private outdoor space to balance the varying climatic conditions of summer and winter.

## 7. Site Facilities and Accessory Structures

- a. Design Expectation
  - i. All accessory structures are designed to integrate their visual appearance with the overall built-form. Site facilities on more extensive development are located to maximise their convenience to residents and minimising any adverse visual impacts.
- b. Design Criteria
  - i. Accessory structures and site facilities should be located for the enjoyment and amenity of the residents without detracting from the visual amenity of the streetscape.

### WHDA-MC2-MD2-AC2

### Vegetation

[A5.3.5(8)]

- a. Design Expectation
  - i. That riparian and gully wall planting should be undertaken to maintain vistas, clear, safe walking and cycle tracks and to stabilise gully walls.
- b. Design Criteria
  - i. Planting shall be undertaken in accordance with a planting schedule and planting plan that demonstrates on-going establishment of landscaped areas that meet the general urban design expectations for the Wharenui Road area.
  - ii. Planting should be sited to maintain vistas and to ensure clear, safe walking and cycle tracks.
  - iii. Riparian planting is to act as a buffer strip to improve water and runoff quality and to provide recreational, aesthetic and flood control benefits. In general, riparian buffers should be planted to a depth of 15m, or more, from the edge of streams.
  - iv. Gully wall planting should use fast-growing shrubs or small trees e.g. kohuhu (*Pittosporum tenuifolium*), manuka, kanuka, phormium cookianum, karamu, koromiko, ti kouka (cabbage tree), whauwhaupaku, and makomako, that will rapidly create a closed canopy with lesser amounts of kōwhai and ribbonwood.
  - v. Lower growing species should be planted near the base of the gully walls e.g. toetoe, wharariki, and harakeke, so that the gully floor is not shaded. Where there are existing populations of indigenous ferns, these should be left undisturbed during site preparation, if possible. On very steep/vertical slopes, species which only grow to a maximum of 3-4metres will be planted, e.g. cookianum, coprosma lucida, hebe stricta, cortaderia fulvida, and kiokio.
  - vi. Planting at the interface between the gullies and adjoining areas shall take into account opportunities for reducing undesirable activity. For example, the interface between residential properties and the gully system may be planted with prickly or very dense species to prevent or deter unsolicited entry into residential properties from the revegetated areas.

### WHDA-MC3-MD3-AC3

### ~~Comprehensive Residential Development and Medium-Density Development~~ Staging and Infrastructure

[A5.3.6(2)]

1. The extent to which development is in accordance with the proposed staging triggers, ~~densities~~

and minimum lot sizes described in the Development Area.

2. The extent to which any infrastructure (water, wastewater and roads) for the proposed development shall be provided prior to, or at the same time as, the proposed stage of development.

#### **WHDA-MC4-MD4-AC4 Stormwater Management Reserves**

[A5.3.6(3)]

1. The stormwater disposal system shall be a combination of reticulated pipework, swales or open channels in the subdivision areas and off-line and on-line dams within the Stormwater Management Reserves. Dams shall be designed to only retain peak stormwater flows during and following rainfall events and shall be dry when not in use.
2. Stormwater treatment shall generally be provided within the identified Stormwater Management Reserves. Pipework may be provided to connect to a stormwater treatment device within the Stormwater Management Reserve.
3. Where provided Stormwater Management Reserves shall consider the landscape setting they are located within and, where possible, be designed to follow existing contours.
4. All new subdivisions shall be designed for attenuation of the 2% AEP flood peak flows from individual sub-catchments to less than or equal to pre-development peaks. This may be achieved by a combination of subdivision design, land use restrictions, drainage design features (e.g. low impact design) and end of pipe solutions. Pre-development levels are defined as those relating to the existing rural land use.
5. Stormwater Management Reserves shall be provided in accordance with the Ngāti Whakaue Plan Change Appendices, Appendix C, Stormwater Attenuation Plan and Report (BECA, January 2009) to ensure an integrated stormwater system is maintained.
6. All developments shall be required to demonstrate how they will address on, or adjacent to, the site:
  - a. Passage of surface flows from upstream so that flows are able to be managed to reduce effects downstream while not causing inappropriate flood risk or water levels within the gullies or upstream.
  - b. Passage of surface flows from the site itself to avoid risk of eroding the beds or banks of stormwater gullies, or on stormwater and flood risk management assets within those gullies.
  - c. Protection of houses from flooding in a 2% AEP event.
  - d. Management of runoff peaks from each subcatchment to downstream so they are less than or equal to flow peaks prior to development, or are fully managed through to the receiving environment (e.g. Lake Rotorua).
7. Council shall assess the flood plain based on the design flow rates in accordance with the Ngāti Whakaue Tribal Lands Stormwater Management Plan (November 2008).
8. Risk of discharge of contaminants such as sewage into the stormwater gullies.
9. Reasonable and safe access for maintenance purposes shall be provided within the Stormwater Management Reserve. The Stormwater Management Reserve shall be vested in council.
10. The construction plans for any in-stream works identified in the Ngāti Whakaue Tribal Lands Stormwater Management Plan (August 2008) shall be provided to Environment Bay of Plenty prior

to construction commencing in order to obtain confirmation that they comply with the provisions of the stormwater discharge consent for the land.

11. An Erosion and Sedimentation Control plan for any in-stream capital works required by the Ngāti Whakaue Tribal Lands Stormwater Management Plan (August 2008) and stormwater discharge consent shall be provided to Environment Bay of Plenty prior to construction commencing in order to obtain confirmation that it complies with the provisions of the latest Guidelines for Erosion and Sediment Control for Earthworks.
12. All works within the Stormwater Management Reserves shall be required to demonstrate how they will address:
  - a. The safe passage of flood flows from upstream.
  - b. The avoidance of erosion or gullying of the bed of the reserve.
  - c. The provision of vegetation to slow and attenuate flood flows from upstream.
  - d. Appropriate design to facilitate attenuated upstream flood flows where practicable for road crossings of the Reserve.
  - e. Avoidance of the risk of discharge of contaminants to the gully.
  - f. Access for maintenance.

#### **WHDA-MC5-MD5-AC5      Transport Interchange**

*[A5.3.6(4)]*

1. Sufficient car parking, bus stands, bike stands, and disabled parking areas shall be provided in accordance with Appendix APP1 – Parking and Turning Standards.
2. The interchange area shall be designed with health and safety of pedestrians in mind. It shall be suitably landscaped to break up the car park area and suitable lighting provided to create a safe environment.
3. The interchange shall be located on main commuter route with the intention to remove downstream car trips.
4. The interchange shall be located so as to avoid congestion, to enable ease of access, encourage use, and be far enough away from the main destination to make it worthwhile for drivers to change mode of transport.
5. The interchange shall not undermine existing or planned public transport services that may serve a similar catchment area.
6. The interchange shall be based on sound modeling (undertaken by a suitably qualified and experienced engineer) and cost benefit analysis.
7. Consideration is given to avoiding, remedying or mitigating all adverse effects on neighbouring properties such as and not limited to noise, glare, light spill and loss of privacy/amenity.

#### **WHDA-MC6-MD6-AC6      General**

*[A5.3.7]*

1. A monotonous streetscape is avoided by:
  - a. Avoiding long sequences of identical designs in adjacent detached structures.
  - b. Providing for a wide range of uses in the Village to promote employment opportunities with business development, civic and worship facilities, schools and

campuses, and integrated medium density residential housing.

- c. Providing variation in scale and façade treatment in attached structures.
  - d. Providing a range of safe street environments for vehicles and pedestrians.
  - e. Legible orientation to neighbourhood and Ngāti Whakaue via project signage.
2. Front doors on all Village business and public facilities are to be weather protected and easily identified from the street boundary to provide a sense of individual address and identity, and ease of visitor orientation.
  3. Building design offers visual interest when a building or a group of buildings is viewed from any street and/or any other adjoining public open space, by incorporating design aspects such as varied roof form, articulation in façade treatment, variation in setback and open design.
  4. Service areas and unarticulated building façade do not dominate the public streetscape.
  5. Businesses fronting the street include lit display windows or doors on the front elevation to provide interest and surveillance of the public realm.
  6. Street treatments are of the highest quality and compatible in design with the Gateway Centre, Resort Centre and/or other featured Centres within the Ngāti Whakaue development.
  7. The extent to which the Village is designed to transition in height and scale with the existing land to best promote valued views toward Lake Rotorua. Additional consideration is given toward transitioning between the Village and neighbouring parcels, roading and open spaces should be provided.

Part 2: District Wide  
Matters

GENERAL DISTRICT  
WIDE MATTERS



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# EARTHWORKS

Status: EW is Operative and subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough~~.

## OBJECTIVES

Refer to objectives:

- RESZ-O2, RESZ-O6;
- CCZ-O1, CCZ-O2, CCZ-O3;
- COMZ-O1, COMZ-O2, COMZ-O3;
- INZ-O2, INZ-O4;
- BIZ-O1;
- RURZ-O1, RURZ-O2, RURZ-O3, RURZ-O5; and
- RCAWZ-O1.

## POLICIES

Refer to policies:

- RURZ-P3, RURZ-P4, RURZ-12, RURZ-18, RURZ-19, NFL-P15]; and
- RCAWZ-P1, RCAWZ-P2, RCAWZ-P3.

## RULES

The rules in this chapter apply in addition to the rules in other chapters. Notably, there are additional rules addressing earthworks/land disturbance in other chapters of Part 2 District Wide Matters:

- HH– Historic Heritage – disturbance of archaeological and historic sites.
- TREE– Notable Trees – earthworks in the dripline of a notable tree.
- SASM– Sites and Areas of Significance to Māori – disturbance of cultural heritage sites.
- ECO– Ecosystems and Biodiversity – earthworks in Significant Natural Areas.
- NC– Natural Character – earthworks adjacent to the Waikato River Operating Easement Boundary or adjacent to waterbodies.
- NFL– Natural Features and Landscapes – Earthworks in Outstanding Natural Features or Landscapes, earthworks affecting Significant Geothermal Features.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

There are a number of National Environmental Standards (NES) that include provisions relating to earthworks. These include the:

- National Environmental Standards for Electricity Transmission Activities (2009)
- National Environmental Standards for assessing and managing contaminants in soil to protect human health (2011)
- National Environmental Standards for Telecommunication Facilities (2016)
- National Environmental Standards for Plantation Forestry (2017)

The NES sets out whether the Standards over-ride the District Plan rules.

The Waikato and Bay of Plenty regional plans also contain rules relating to earthworks.

Earthworks in or near wetlands may be controlled by rules under the National Environmental Standards (particularly the National Environmental Standards for Freshwater and the National Environmental Standards for Plantation Forestry) and/or rules in the regional plans. It is recommended that any person considering undertaking earthworks in or near wetlands should discuss their proposal with the relevant regional council.

<b>EW-R1 Earthworks</b>		[4.5(96), 5.5(1)(1), 7.5(96), 8.5(1)(41), 8.5(2)(34), 8.5(3)(39), 9.5(121)]
<p><b>Applicable Spatial Layers</b></p> <p>All Residential Zones</p> <p>All City Centre Zones</p> <p>Industrial 1, 1E and 2 Zones</p> <p>All Business and Innovation Zones</p> <p>All Rural Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. General earthworks <a href="#">EW-S1</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for EW-R1(1).</p> <p><b>Matters of Discretion</b></p> <p>a. Non-compliance <a href="#">EW-MD1</a>;</p> <p>b. Zone specific <a href="#">EW-MD2</a>;</p> <p>c. Natural hazards <a href="#">EW-MD3</a>; and</p> <p>d. Financial contributions <a href="#">EW-MD4</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>All Commercial Zones</p> <p>All Reserves, Community Assets and Water Zones</p>	<p><b>3. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The earthworks are associated with a permitted or controlled activity.</p> <p><b>Performance Standards:</b></p> <p>a. General earthworks <a href="#">EW-S1</a>.</p>	<p><b>4. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for EW-R1(3).</p> <p><b>Matters of Discretion</b></p> <p>a. Non-compliance <a href="#">EW-MD1</a>;</p> <p>b. Zone specific matters <a href="#">EW-MD2</a>;</p> <p>c. Natural hazards <a href="#">EW-MD3</a>; and</p> <p>d. Financial contributions <a href="#">EW-MD4</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>All Reserves, Community Assets and Water Zones</p>	<p><b>5. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>The earthworks are not associated with a permitted or controlled activity.</p> <p><b>Assessment Criteria:</b></p> <p>The general assessment criteria for the relevant zone.</p>	

<b>Applicable Spatial Layers</b> All Commercial Zones	<b>6. Activity Status:</b> Non-Complying <b>Where:</b> The earthworks are not associated with a permitted or controlled activity.
<b>Applicable Spatial Layers</b> Industrial T Zone	<b>7. Activity Status:</b> Non-Complying

## Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

### EW-S1 General earthworks performance standards

*[A10.2(1), 4.6(8), 5.6(1)(9), 5.6(2)(8), 7.6(8), 8.6(1)(8), 8.6(2)(8), 8.6(3)(8), 9.6(9), 10.6(8)]*

#### 1. Industrial Zones, Business and Innovation Zones and Rural 1 Zone:

- a. The volume shall not exceed 1000m<sup>3</sup> in any 12 month period;
- b. Any fill shall be cleanfill and shall not exceed 5m in depth; and
- c. The cut face of any excavation shall not exceed a vertical dimension of 3m.

#### 2. In all other zones other than those listed in 1 above:

- a. The volume shall not exceed 100m<sup>3</sup> in any 12 month period;
- b. Any fill shall be clean fill and shall not exceed 450mm in depth; and
- c. The cut face of any excavation shall not exceed a vertical dimension of 1.5m.

#### 3. All Zones:

- a. It shall not require retaining structures that are either in excess of 1.5m in height (measured from the finished ground level) at any point or in excess of 20m in total length;
- b. It shall not result in the modification of a Mamaku Tor; and
- c. It shall not be carried out within 20m of the Waikato River Operating Easement boundary (as identified on map 213 and the Planning Maps).

#### 4. Exceptions:

- a. Notwithstanding the preceding requirements, the following activities are exempt from the performance standards above:
  - i. Earthworks incidental to either an approved subdivision, or construction of a building platform, or installation of utility services, or to provide access to an activity which is a permitted activity or authorised by a resource consent;
  - ii. Excavations that do not exceed 2m in depth for the purpose of installing foundations for telecommunication masts;
  - iii. Earthworks associated with the operation, maintenance, and upgrading of existing electricity generation infrastructure within Electricity Generation Core Sites, including any new boreholes, trenches, access tracks, fence lines and erosion protection works within:
    1. Electricity Generation Core Sites; or

2. Land zoned Industrial 2 at Ohaaki identified on Planning Maps 545 and 546;
- iv. Earthworks associated with the construction of permitted network utilities and the maintenance, renewal and upgrade of existing network utilities;
- v. Earthworks associated with the replacement or removal of a fuel storage system as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011;
- vi. Land preparation and earthworks accessory to and reasonably necessary for fencing and existing forestry activity;
- vii. Earthworks activity undertaken for the purpose of the maintenance of indigenous biodiversity;
- viii. Normal domestic gardening and other earthworks accessory to the use and occupation of a residential household unit;
- ix. Normal reserve gardening activities, turf and pasture preparation, maintenance and renovation practices;
- x. The maintenance of walking tracks, farm and forestry tracks, driveways and roads and tracks and drains associated with existing infrastructure and normal farming practices;
- xi. Earthworks on land not under water that is accessory to lake structures;
- xii. Ploughing as part of normal farm practices, which result in recontouring the land, but does not alter the Mamakū Tor feature; and
- xiii. Troughs and their associated pipe network and realignment of fences associated with normal farming practices.
- xiv. New drains within pastoral landscapes.

## Matters of Discretion

The following matters of discretion apply where listed in the rule table for the relevant activity.

### **EW-MD1 Non-compliance matters**

#### **1. Residential Zones:**

*[4.8(2)(1)]*

- a. The reason for the non-compliance with the performance standard and the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and objectives and policies.

#### **2. City Centre Zones, Commercial Zones, Industrial Zones, Business and Innovation Zones, Reserves, Community Assets and Water Zones:**

*[5.8(2)(1), 6.8(2)(1), 7.8(2)(1), 8.8(2)(1), 10.8(2)(1)]*

- a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies;
- b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;
- c. How the activity provides more efficient and practical use of the remainder of the site; and

- d. Within the Transitional Industrial Zone, how the aspect of non-compliance will reduce the amenity of neighbouring residents.

### **3. Rural Zones:**

*[9.8(2)(1)]*

- 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.

## **EW-MD2 Zone specific matters**

### **1. Residential and Rural Zones:**

- a. The extent to which the activity adversely effects the character and amenity values of the zone.

### **2. Industrial Zones:**

- a. The extent to which the proposal will enhance the character and amenity of the city entranceways.

### **3. Reserves, Community Assets and Water Zones:**

- a. Building Design, Site Layout and Amenity:
  - i. The amenity of the streetscape is maintained and enhanced;
  - ii. The extent to which the activity would affect ecological values of the area or the quality of water;
  - iii. The extent to which the activity maintains the passage of flood flows and the maintenance and enhancement of riparian habitat;
  - iv. The extent to which the activity would maintain or enhance heritage features, cultural sites, identified natural and cultural landscapes or archaeological sites;
  - v. The extent to which the activity adversely affects the natural character, cultural amenity and landscape values;
  - vi. The extent to which the activity produces smoke, odour, fumes, dust, noise, glare, or any other nuisance effects;
  - vii. The extent to which the activity adversely affects adjoining sites or land-based activities;
  - viii. The extent to which the activity adversely affects the public access to the lake or water way;
  - ix. The extent to which the activity adversely affects the recreational values of the lakes and waterways;
  - x. The extent to which the activity conflicts with other users of the surface of waters of the lake or river, including recreational and commercial activities;
  - xi. The extent to which the hours of operation of an activity causes adverse effects on adjoining sites; and

- xii. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.

### **EW-MD3 Natural hazards**

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.

### **EW-MD4 Financial contributions**

1. Whether the proposal requires a financial contribution under the provisions of FC– Financial Contributions.

## **ANTICIPATED ENVIRONMENTAL RESULTS**

### **Residential Zones**

<b>RESZ-AER2</b>	An improved perception of Rotorua as a safe and attractive place to live.
<b>RESZ-AER4</b>	Retained character of each of the five residential zones according to their attributes.
<b>RESZ-AER5</b>	An increase in or at least no loss of vegetation in low density residential areas for amenity purposes.
<b>RESZ-AER8</b>	Increase in new activities or development that results in the implementation of a landscaping scheme.
<b>RESZ-AER9</b>	A low number of applications for activities that seek changes to the performance standards.

### **Commercial Zones**

<b>COMZ-AER5</b>	An increase in amenity and safety of Commercial Centres.
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### **Industrial Zones**

<b>INZ-AER1</b>	Improved amenity where industrial zones interface with other zones, particularly residential zones.
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### **Rural Zones**

<b>RURZ-AER1</b>	Improvement in water quality of Lake Rotorua, the Waikato River and other lakes rivers and streams.
<b>RURZ-AER2</b>	Low net loss of productive rural land through fragmentation or damage to soil quality.
<b>RURZ-AER3</b>	Rural character and amenity of the rural zones is maintained.
<b>RURZ-AER4</b>	No reverse sensitivity effects on existing activity as a result of rural residential or other incompatible use or development.
<b>RURZ-AER5</b>	No net loss of characteristics, values or significance of indigenous biodiversity, significant habitats of indigenous fauna or ecological functions in the rural zones.

### **Reserves, Community Assets and Water Zones**

<b>RCAWZ-AER4</b>	No loss of natural character, amenity or biodiversity as it relates to the conservation values attributed to the conservation and destination reserves.
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# FINANCIAL CONTRIBUTIONS – PŪTEA TĀKOHA

Status: FC is Operative

## INTRODUCTION

Financial contributions are levied on activities that increase the density of housing and tourist accommodation in our district which includes subdivision and the establishment of additional residential household units and tourist accommodation. These activities can result in an increased demand for reserves, open space and infrastructure, and financial contributions are a fair and efficient way of offsetting the increased demand on public resources that is generated through these developments. Financial contributions will be used to achieve positive effects on the environment such as developing existing reserves or purchasing new reserves when needed to provide enough open space to maintain the amenity of neighbourhoods and the requirements of communities for recreation.

The council will also require a financial contribution where it has identified the need to upgrade network infrastructure as a direct result of additional loading on infrastructure through development.

A financial contribution is a contribution of cash or land, or a combination of both in order to acquire land for public reserves purposes. Council collects the contribution pursuant to section 108 of the Resource Management Act 1991 to offset the effect of an increasing demand for reserves and open space that is generated through development.

Where council considers the acquisition of land as a financial contribution, it may be assessed according to the benefit it brings to the community. The land needs to be physically suitable for its intended use, and there should be the need for a public reserve in that locality. Where land falls within an important landscape that has been identified to be of natural or historical value, or if it is of significance to tangata whenua, the land may be incorporated into the required financial contribution. Council may also actively pursue the acquisition of land in the city centre to form an effective service lane network.

A resource consent for any subdivision or land use consent for tourist accommodation and/or additional residential household units may include a condition that a financial contribution be made up to the value of a maximum amount specified in, or determined in accordance with, the plan. Contributions for reserves for additional residential units will also be assessed at the time of granting building consents.

The Council also collects contributions to mitigate adverse effects or pay towards the cost of providing the increase in capacity of the network infrastructure that is required to service the increase in demand generated by a development.

## ISSUES

There are three key issues influencing the policy framework for financial contributions:

**FC-I1**      **New development and the demand on recreation open space**

Reserves are open space areas used for recreation and enhance the amenity of an area. As more land is developed, the density of housing may increase and more pressure is placed on existing reserves. Development of existing reserves and nNew reserves may be required to provide for the higher demand for recreational space in the district. Council will collect financial contributions from activities that will increase this demand i.e. additional household residential units, tourist accommodation and subdivision.

Council will use financial contributions to acquire and develop land ~~for recreation~~ (reserves and certain esplanade reserves) to enhance the open space network recreational land within the district to provide recreational opportunities and improve amenity values of neighbourhoods, and to provide public access to water bodies that include lakes, rivers, and streams. Reserves may also have purposes in addition to providing recreational and amenity, such as stormwater management.

#### **FC-12 New development and the capacity of existing infrastructure to meet the additional demand on infrastructure**

Subdivision and land use activities increase the demand on infrastructure. Council will require a financial contribution where it is identified that the proposal increases the demand on infrastructure or causes an upgrading of infrastructure. The financial contribution or upgrading required will be proportional to the adverse effects that are directly attributable to the development.

#### **FC-13 New development creating positive environmental and community benefits**

Council will consider waiving financial contributions in instances where it is apparent that there will be a positive benefit to the community in doing so. Such benefits may include the provision for public access over land that would not otherwise occur, the protection and enhancement of significant natural areas and features or a land use change that will result in sustainable positive effects on lake water quality. A request to reduce a financial contribution will be assessed on a case by case basis as part of an application for resource consent.

## **OBJECTIVES**

### **New development and the demand on recreation space**

#### **FC-O1**

[14.3(1)]

~~New neighbourhood reserves that serve the additional demand for recreation and amenity purposes.~~ A network of quality reserves that serve the additional demand for recreation and amenity purposes.

*Policies FC-P1 to FC-P3*

### **New Development and the capacity of existing infrastructure**

<b>FC-O2</b> <i>[14.3(2)]</i>	Subdivision and development contribute to the upgrade of infrastructure necessary to serve the activity. <i>Policy FC-P4</i>
<b>FC-O3</b> <i>[14.3(3)]</i>	An effective service lane network is provided in the city centre. <i>Policy FC-P5</i>
<b>FC-O4</b> <i>[14.3(4)]</i>	Significant environmental benefits associated with subdivision and development are obtained instead of a financial contribution. <i>Policies FC-P6 to FC-P7</i>

## POLICIES

### New development and the demand on recreation space

*Objective FC-O1*

<b>FC-P1</b> <i>[14.3(1)(1)]</i>	Provide reserves that are proportionate to the increased demand, including intensity and type of demand created by subdivision and land use activities.
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<p><b>FC-P2</b> [14.3(1)(2)]</p>	<p>Require a financial contribution for reserves purposes, either in money or land, from those activities that generate a direct demand on recreation and reserve use, specifically:</p> <ol style="list-style-type: none"> <li>1. Subdivision that creates lots that can be used for residential purposes</li> <li>2. Additional <u>residential household</u> units</li> <li>3. Tourism accommodation.</li> </ol>
<p><b>FC-P3</b> [14.3(1)(3)]</p>	<p>When a financial contribution of land is taken as opposed to cash, the Council will ensure the land:</p> <ol style="list-style-type: none"> <li>1. <u>Is located, sized and designed to provide a quality contribution to the open space network and to be consistent with Council’s Open Space Level of Service Policy 2021</u></li> <li>2. <u>Integrates valued natural and built features, including trees and watercourses, while having topography and drainage suitable for its intended role in the open space network.</u></li> <li><del>1. Is consistent with the recreational and amenity needs of the neighbourhood</del></li> <li><del>2. Creates and strengthens existing linkages throughout the district</del></li> <li><del>3. Enhances recreational values and public access t.</del></li> <li><del>4. Creates and strengthens ecological connectivity and active transport connections</del></li> <li><del>5. Is of sufficient size to enable community recreational activities to take place for its intended function</del></li> <li><del>6. Is physically appropriate for the intended purpose of the reserve</del></li> <li><del>7. Is easily accessible and visible to the community</del></li> <li><del>8. Has sufficient road frontage</del></li> <li><del>9. Is stable, and either grassed or vegetated, and all weeds and noxious plants have been eradicated prior to the land being vested-Is geotechnically stable; and</del></li> <li><del>10. All weather access to the land for maintenance purposes can be provided</del></li> <li><del>11. Has adequate drainage</del></li> <li><del>12. Has a secure boundary to manage vehicle access</del></li> <li><del>13. Is not used for the primary function of a utility or other infrastructure purpose.</del></li> </ol>
<p><b>FC-P4A</b></p>	<p><u>The Council will ensure that on vesting, land provided as a financial contribution of land for reserves shall meet the following criteria, unless otherwise agreed with the Council:</u></p> <ol style="list-style-type: none"> <li>1. <u>Is provided debris and weed free;</u></li> <li>2. <u>Provides for all weather access to the land for maintenance purposes; and</u></li> <li>3. <u>Is secure and has suitable boundary fencing to prevent unauthorised vehicular access</u></li> <li>4. <u>Has been prepared for use, including having a suitable topsoil depth and an acceptable gradient and has been grassed and/or vegetated.</u></li> </ol>

### New development and the capacity of existing infrastructure

Objective FC-02

<p><b>FC-P4</b> [14.3(2)(1)]</p>	<p>Require a financial contribution where the effects of subdivision and development impact on the capacity of stormwater, wastewater, water supply and road infrastructure.</p>
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Objective FC-03

<b>FC-P5</b> [14.3(3)(1)]	Acquire land to create an integrated service lane network within the city centre that: <ol style="list-style-type: none"> <li>1. Strengthens the city centre urban design principles</li> <li>2. Provides a safe and efficient servicing network for the city centre</li> <li>3. Maintains the safe and efficient functioning of the city centre transportation network.</li> </ol>
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Objective FC-04

<b>FC-P6</b> [14.3(4)(1)]	Consider a reduction of financial contributions in instances where a proportionate contribution is made to achieving an objective or policy of the plan relating to the protection, maintenance or enhancement of the environment in such matters as: <ol style="list-style-type: none"> <li>1. Natural landscapes and features</li> <li>2. Ecological values, habitats and biodiversity</li> <li>3. Water quality</li> <li>4. Public access.</li> </ol>
<b>FC-P7</b> [14.3(4)(2)]	Consider a reduction of a financial contribution for reserve purposes where: <ol style="list-style-type: none"> <li>1. Public access to nationally and regionally significant landscapes and features is provided</li> <li>2. Ecological, amenity or recreational values on public land are strengthened.</li> </ol>

**Service lanes**

Objective CCZ-01

<b>FC-P8</b> [5.3(1)(3)]	Require at the time of subdivision, or upon land use consent, service lanes to be vested in council for identified areas, (Planning Map 204) where the service lane will be for the purpose of: <ol style="list-style-type: none"> <li>1. Strengthening the city centre urban design principles</li> <li>2. Providing a safe and efficient servicing network for the city centre</li> <li>3. Maintaining the safe and efficient functioning of the city centre transportation network</li> <li>4. Promoting a safe pedestrian focussed environment.</li> </ol>
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**RULES**

These are the district wide rules for financial contributions that are applicable across all zones of the district. All activities subject to subdivision consent or land use consent will be assessed against these rules. In addition, residential units that are permitted under the plan will be assessed for financial contributions for reserves when granting a building consent.

**Subdivision Purpose of Financial Contributions**

Council will require a financial contribution ~~for to achieve the objectives set out in this chapter. mitigating the potential effects of subdivision on community infrastructure. The financial contribution will be taken for the purposes of purchasing reserves, some esplanade reserves and strips, or for the purpose of infrastructure upgrades where the effect on the network results directly from the subdivision application~~

**FC-R1 Financial contributions for reserves****1. Subdivision**

a. **Method of Calculation**<sup>1</sup>

Financial contributions, where required, will be included as a condition of consent at the time of granting resource consent. The financial contributions will be calculated by an independent valuer at time of granting subdivision consent, unless otherwise specified by the performance standards in this part.

The financial contribution will be levied as cash or land or a combination of the two, and will be in accordance with the following:

i. **Cash**

A financial contribution will be based on 2.5% (Rural Zones) or 3.5% (Other Zones) of the land value of each of the additional allotments shown on the proposed scheme plan for which Computer Register (Certificates of Title) (see note on calculation method below) will be created pursuant to section 224 using the percentage of land value rates below.

**Rates:**

Rural Zones: 2.5%

Other Zones: 3.5%

The requirement for a financial contribution in cash will not be levied against subdivision undertaken within the Industrial, Commercial, City Centre, Business and Innovation, Reserve or Water zones of the district.

ii. **Land**

1. The financial contribution will be an area of land:<sup>2</sup>

- a. not exceeding 2.5% (Rural Zones) or 3.5% (Other Zones) of the value of a vacant allotment shown on the approved scheme plan to which additional Computer Register (Certificates of Title) are created pursuant to section 224 of the Act, unless agreed by the applicant or specified in the zone or development plan chapter; and
- ~~b. with a minimum land area 1,000m<sup>2</sup>; and~~
- c. agreed acceptable by Council following assessment~~ed~~ in accordance with policy FC-P3;

2. If the land to be taken as a financial contribution for reserve purposes is to be developed as part of the subdivision application, then a development plan for the reserve shall be submitted to, and approved by Council, prior to any works beginning on the land to be vested.

iii. **Combination of cash and land for reserves**

Council may impose a financial contribution requiring a combination of cash and land provided that the value of the total contribution will not exceed 2.5% (Rural Zones) or 3.5% (Other Zones) of the land value of the vacant allotments shown on the proposed scheme plan for which additional Computer Register (Certificates of Title) are created pursuant to section 224, unless otherwise agreed with the applicant specified in the zone chapter or development plan chapter

iv. **Additional notes on method of calculation**

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<sup>1</sup> New sub-heading for clarity

<sup>2</sup> Spit into bullet points to improve clarity

The contribution shall be calculated ~~by multiplying the relevant rate by on the basis of being 3% of~~ the value of all lots created and multiplied by the number of additional lots divided by the number of all lots created

For example, for a residential lot that is subdivided into three new lots – 53.5% of the value of each of the lots is \$4,000, \$2,500 and \$2,500 making a total of \$9,000. Two additional lots are created; therefore the contribution is calculated as 2/3 of \$9,000.

~~A cross leased site is comprised of one Certificate of Title for the underlying lot and two or more leased areas, each with a Certificate of Title. The calculation for the purposes of assessment of a financial contribution will not consider the title for the underlying lot, but be based on the net increase from the number of occupied lease areas. Therefore a cross leased title with two existing household units on individual lease areas that is subdivided into two freehold lots is not considered as creating an additional lot. However if three freehold lots are created, a contribution based on one additional lot will be taken.<sup>3</sup>~~

b. **Subdivision of vacant land<sup>4</sup>**

The financial contribution for reserves purposes will be the average over all of the vacant allotments shown on the approved scheme plan to which additional Computer Register (Certificates of Title) or additional titles pursuant to section 226 of the Act will be issued, minus the credit for the existing allotment.

c. **Financial contributions in relation to cross-lease sites<sup>5</sup>**

~~A cross leased site is comprised of one Certificate of Title for the underlying lot and two or more leased areas, each with a Certificate of Title. The calculation for the purposes of assessment of a financial contribution will not consider the title for the underlying lot, but be based on the net increase from the number of occupied lease areas. Therefore, a cross leased title with two existing household residential units on individual lease areas that is subdivided into two freehold lots is not considered as creating an additional lot. However, if three freehold lots are created, a contribution based on one additional lot will be taken.<sup>6</sup>~~

~~Any new household units on the parent title will be charged a financial contribution. However, financial contributions will not be levied on household units that are to be located on vacant cross-leased exclusive use areas and are located in accordance with a second or subsequent stage of a previously approved cross-lease plan approved by council after the enactment of the Resource Management Act on 1<sup>st</sup> October 1991. Cross lease plans approved prior to that date were not considered to be subdivisions and therefore have not been approved by the council. New household units created as a result of a unit title subdivision will be charged a financial contribution.<sup>7</sup>~~

d. **Financial contributions for sites with new or approved household residential units<sup>8</sup>**

Where a subdivision consent is for land that has either an approved additional or subsidiary household residential unit or substantial building and does not create additional Computer Register (Certificates of Title) pursuant to section 224 that are vacant, financial contributions will be in accordance with the following:

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<sup>3</sup> Moved to section on cross leases

<sup>4</sup> Heading heirarchy changed to clarify that this is a sub-section to subdivision

<sup>5</sup> Heading hierarchy changed to clarify that this is a sub-section to subdivision

<sup>6</sup> Moved from above

<sup>7</sup> Moved to residential units section

<sup>8</sup> Heading hierarchy changed to clarify that this is a sub-section to subdivision



~~New or approved additional household units~~<sup>9</sup>

- i. Where a land use consent has been granted for the placement of either an additional ~~household residential~~ unit, or for an activity that would require the taking of a financial contribution on an allotment for which additional Computer Register (Certificates of Title) will be issued, and the payment of the financial contribution has not been received by council at the time of granting of the subdivision application, then a financial contribution will be required as a condition of the subdivision consent. If the contribution is for reserve purposes, the contribution shall be reassessed on the current land market value at the time of granting the subdivision consent.
  - ii. Where a land use consent has been granted for the placement of an additional ~~household residential~~ unit, or for an activity that would require the taking of a financial contribution in accordance with the provisions of this part, on an allotment for which additional Computer Register (Certificates of Title) will be issued and the payment of the financial contribution has been received by council, then a financial contribution will not be levied at the time of subdivision.
  - iii. Where a land use consent has been granted for the placement of a subsidiary ~~household residential~~ unit in accordance with the rules of the Rotorua District Plan 1996, on an allotment for which an additional Computer Register (Certificate of Title) will be issued and the payment of the financial contribution for the ~~household residential~~ unit has been received by council, a financial contribution will still be required as a condition of the subdivision consent. However, the contribution will be the difference between 5% of the land value of the allotment occupied by the subsidiary ~~household residential~~ unit and the contribution paid at the time of land use consent.
2. ~~Residential Zones~~<sup>10</sup>

~~e. Large residual lots in residential zones~~

In cases where the subdivision of a large lot results in a large residual balance lot that is capable of further subdivision, assessment of the contribution based on the full area of the lot would be disproportionate to the one potential ~~household residential~~ unit that would be permitted on site. This is further compounded if later subdivision is carried out in a number of stages – the full value of the lot would be assessed each time and in effect these subsequent contributions would be paying for the same potential development.

Therefore to avoid repeat payment for the purpose of calculating financial contributions on large residual balance lots, lease areas or vacant lease areas that have the potential to be further subdivided (based on the minimum net site area for the zone), the financial contribution payable shall be calculated as follows:

Where the balance lot is more than twice the minimum lot size for the relevant residential zone and is therefore capable of being subdivided, the area of land to be valued for the purpose of calculating the contribution for that lot shall be based on the minimum lot size for that zone.

For example – In the Residential 1 zone a residual lot exceeding 900m<sup>2</sup> will have an area of 250m<sup>2</sup> (the minimum area for the zone) valued for the financial contribution.

~~Additional household units~~<sup>11</sup>


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<sup>9</sup> Heading removed as created confusion as to relevance of content below

<sup>10</sup> Removed heading to clarify hierarchy of provisions and that this content is still part of subdivision

<sup>11</sup> Moved to section on residential units

~~A financial contribution for reserve purposes shall be required for all additional household units and shall be in accordance with the following:~~

- ~~1- The financial contribution shall take the form of cash or land, or a combination of these, and the total contribution will be 5% of the land value of the minimum net site area specified for the zone.~~
- ~~2- For the residential 4 and 5 zone, a 450m<sup>2</sup> house site will be used when calculating the financial contribution for reserve purposes for additional household units.~~

f. **New lots in Rural Zones**<sup>12</sup>

~~For the purposes of calculating 2.5% 5% of the land value when a financial contribution is levied on sites in the rural area, the following shall apply:~~

- ~~i. For Rural 1 and 2 zones, the value of the financial contribution will be calculated on a land area of 2,500m<sup>2</sup>. This area will be deemed to be located on the proposed or most suitable location for a house site as assessed by an independent valuer or as indicated in the subdivision application.~~
- ~~ii. For Rural 3 zone, the value of the financial contribution will be calculated on a land area of 1,500m<sup>2</sup>. These areas will be deemed to be located on the proposed or most suitable location of a house site as assessed by an independent valuer or as indicated in the subdivision application.~~

2. **Residential units**<sup>13</sup>

a. **Residential units in Residential Zones**<sup>14</sup>

~~A financial contribution for reserve purposes shall be required for all second and subsequent additional residential household units on a site and shall be in accordance with the following:~~

~~The financial contribution shall take the form of cash or land, or a combination of these, and the total contribution will be calculated as a percentage of the 5% of the land value of the minimum net site area specified for the zone as assessed in the rating database, at the rates set out below:~~

**Rates:**

Minor residential units: 1%

Other residential units: 3.5%

~~For the residential 4 and 5 zone, a 450m<sup>2</sup> house site will be used when calculating the financial contribution for reserve purposes for additional residential units.~~

~~**3. Commercial, Industrial and Business and Innovation Zones**~~

~~A financial contribution shall be levied on household units that are in addition to any existing household units on site. The contribution shall be 2.5% of the value of the household unit as assessed by an independent valuer. Where there is an existing building council will consider 2.5% of the value of the whole building. The financial contribution for reserve purposes will be used to:~~

- ~~1- Contribute to public open space for recreation in the vicinity of the Commercial, Industrial and Innovation zones.~~
- ~~2- Contribute to the provision of a reserve and landscape area that adjoins the fringes of the Commercial, Industrial and Innovation zones.~~

<sup>12</sup> Moved from below and inserted corresponding heading

<sup>13</sup> New major heading to group clauses relating to charging contributions for second and subsequent residential units on a site

<sup>14</sup> Content moved from above into residential units section and heading added

3. ~~Assist in acquiring the esplanade reserve or esplanade strip network that adjoins part of the Commercial, Industrial and Innovation zones.~~

4. **Rural Zones**<sup>15</sup>

~~4. New sites~~

~~For the purposes of calculating 5% of the land value when a financial contribution is levied on sites in the rural area, the following shall apply:~~

- ~~i. For Rural 1 and 2 zones, the value of the financial contribution will be calculated on a land area of 2,500m<sup>2</sup>. This area will be deemed to be located on the proposed or most suitable location for a house site as assessed by an independent valuer or as indicated in the subdivision application.~~
- ~~ii. For Rural 3 zone, the value of the financial contribution will be calculated on a land area of 1,500m<sup>2</sup>. These areas will be deemed to be located on the proposed or most suitable location of a house site as assessed by an independent valuer or as indicated in the subdivision application.~~

**b. Residential Additional household units in Rural Zones**

A financial contribution shall be required for all second and subsequent additional household residential units on a site. The financial contribution will be cash, land, or a combination of these. The contribution shall be calculated as a percentage of the value of the land area identified below, as assessed in the rating database, at the rates set out below:

Rates:

Minor residential units: 1%

Other residential units: 3.5%

**Land area for Calculation**

The ~~minimum~~ area used to calculate the financial contribution for an additional household residential unit will be in accordance with the following;

- i. For Rural 1 and 2 zones, a 2,000m<sup>2</sup> house site will be used when calculating the financial contribution for reserve purposes for additional household residential units.
- ii. For the Rural 3 zone, a 450m<sup>2</sup> house site will be used when calculating the financial contribution for reserve purposes for additional household residential units.

**c. household Residential Units in any Zone, other than Residential Zones, Commercial, Industrial and Business Innovation Zones or Rural Zones**<sup>16</sup>

~~Financial contributions, where required, will be included as a condition of consent at the time of granting of resource consent. The financial contributions will be calculated by an independent valuer at time of granting land use consent, unless otherwise specified by the performance standards in this part.~~

A financial contribution for reserve purposes will be required for all additional second and subsequent household residential units on a site. The financial contribution will be cash, land, or a combination of these. The financial contribution for reserves purposes shall be in accordance with the following.

<sup>15</sup> Moved above to section on subdivision

<sup>16</sup> Changed hierarchy of heading to clarify that a subsection of Residential Units

The financial contributions will be based on the valuation in rating database, unless otherwise specified by the performance standards in this part.

**i. Cash**

The financial contribution for reserve purposes shall be ~~5% of the land value~~ calculated as a percentage of the value of the net site area or net floor area that the additional ~~household-residential~~ unit has exclusive rights to, and shall include a pro-rata proportion of any common areas on the site that the ~~household-residential~~ unit also has use of, as assessed in the rating database, at the rates set out below:

**Rates:**

Minor residential units: 1%

Other residential units: 3.5%

**ii. Land**

The financial contribution for reserve purposes shall be an area of land to a value not exceeding 3.55% of the value of the net site area or net floor area that the additional ~~household-residential~~ unit has ~~exclusive~~ rights to, and shall include a pro-rata proportion of any common areas on the site that the ~~household-residential~~ unit also has use of.

**iii. Combination of cash and land**

Council may impose a financial contribution requiring a combination of cash and land as a contribution, provided that the value of the total contribution does not exceed 53.5% of the land value of the net site area or net floor area that the ~~additional household-residential~~ unit has ~~exclusive~~ rights to, and shall include a pro-rata proportion of any common areas on the site that the ~~household-residential~~ unit also has use of.

Notwithstanding FC-R1(3), a financial contribution for additional ~~household-residential~~ units will apply to the second and subsequent units proposed on any land covered by a single Computer Register (Certificate of Title) regardless of the number of lots or lease areas which may exist on that Computer Register (Certificate of Title).

**d. Residential units on cross-lease sites**<sup>17</sup>

Any new ~~household-residential~~ units on the parent title will be charged a financial contribution. However, financial contributions will not be levied on ~~household-residential~~ units that are to be located on vacant cross-leased exclusive use areas and are located in accordance with a second or subsequent stage of a previously approved cross-lease plan approved by council after the enactment of the Resource Management Act on 1<sup>st</sup> October 1991. Cross lease plans approved prior to that date were not considered to be subdivisions and therefore have not been approved by the council. New ~~household-residential~~ units created as a result of a unit title subdivision will be charged a financial contribution.

**3. Tourist accommodation**

A financial contribution shall be levied on tourist accommodation. This contribution will be 2.5% of the value of the land or 1% of the total value of the costs associated with the construction of the accommodation, whichever is the greater as assessed by Council.

The contribution will be levied as cash, land or a combination of these.

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<sup>17</sup> Heading added and content moved from above to Residential Units section

## FC-R2 Financial contributions for infrastructure

In addition to any financial contribution payable for reserves purposes, where it is demonstrated that the servicing needs of a subdivision or land use cannot be met, and additional impacts on public infrastructure will result, a financial contribution in the form of cash or works, or land will be taken for infrastructure purposes by way of a condition of consent, and will be in accordance with the following:

### 1. Cash

The financial contribution for infrastructure purposes shall be the value of the actual costs of the necessary works in order for the effects on the infrastructure to be mitigated.

### 2. Land

The financial contribution for infrastructure purposes shall be an area of land sufficient to provide for the necessary infrastructure such as stormwater drainage, and such land will be vested in council. Land to be vested in council, or to provide for other infrastructure purposes, cannot be credited against the financial contribution taken as cash or works for other necessary infrastructure works.

## FC-R3 Financial contribution in the form of land for service lane acquisition

### 1. City Centre Zones:

- a. Where a site or building is to be subdivided, or a land use other than minor external alterations, internal alterations, repairs, maintenance or signage, is undertaken on land identified as a service lane on the planning maps, council will require the vesting of the land.
- b. The financial contribution will be taken in the form of land to the extent shown for the service lane on the planning maps. The maximum financial contribution to be taken will be the maximum amount required for service lane purposes.
- c. Costs associated with the vesting and forming of the service lane shall be met by the council.

## FC-R4 Assessment criteria for determining a reduction in the amount of a financial contribution required

There may be instances that justify a reduction in the amount of a financial contribution. Where an applicant seeks a reduction in the amount of financial contribution levied, the following criteria will be considered to determine whether a reduction is justified:

1. If there is a positive benefit that could accrue by not taking the contribution.
2. If there is a possibility of taking the financial contribution at a later date in a further stage of a project where this will be secured by way of consent notice or legal agreement.
3. If there is the provision for ongoing and secured public access that is considered to be part of a strategic network over private land where it otherwise would not occur.
4. If there is significant vegetation, natural features, important landscapes, habitats or cultural or historic sites that are to be formally protected indefinitely by a legal mechanism.

5. If there is significant vegetation, natural features, important landscapes, habitats or cultural or historic sites that will be enhanced and maintained indefinitely.
6. If there is buffering from the effects of land use to improve water quality, amenity, ecological values through fencing and planting vegetation.
7. Whether land is required for the purposes of road widening.



FIGURE FC-1 - Service Lanes

## ANTICIPATED ENVIRONMENTAL RESULTS

<b>FC-AER1</b>	An increase in the number of or area of reserves proportionate to the amount of new development in order to meet the need for new amenity areas.
<b>FC-AER2</b>	Increase in new infrastructure or increased capacity of existing infrastructure proportionate to growth and development.
<b>FC-AER3</b>	An increase in significant natural areas and outstanding natural features and landscapes that are protected and enhanced.
<b>FC-AER4</b>	Increased public access to water bodies.



# LIGHT

# LIGHT

Status: LIGHT is Operative

## OBJECTIVES

Refer to objectives:

- RESZ-02, RESZ-03, RESZ-05, RESZ-06;
- CCZ-01, CCZ-02, CCZ-03, CCZ-05;
- COMZ-02, COMZ-03;
- INZ-04, INZ-05;
- BIZ-01, BIZ-02;
- RURZ-03, RURZ-05; and
- RCAWZ-01, RCAWZ-02.

## POLICIES

Refer to policies:

- RESZ-P12, RESZ-P13, RESZ-P14, RESZ-P15;
- CCZ-P1, CCZ-P7, CCZ-P8, CCZ-P14;
- COMZ-P6, COMZ-P7;
- INZ-P1, INZ-P3, INZ-P10, INZ-P11;
- BIZ-P1, BIZ-P2, BIZ-P3;
- RURZ-11, RURZ-12, RURZ-18, RURZ-19, [Policy 9.3.6.2]; and
- RCAWZ-P1, RCAWZ-P4, RCAWZ-P5.

## RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District Wide Matters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

<b>LIGHT-R1</b>		<b>Direct or indirect illumination</b>
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Illumination standards <a href="#">LIGHT-S1</a> .	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> a. Compliance is not achieved with the performance standards for LIGHT-R1(1). <b>Matters of Discretion:</b> a. Non-Compliance <a href="#">LIGHT-MD1</a> ; and b. Zone specific <a href="#">LIGHT-MD2</a> .

### Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

#### **LIGHT-S1** Illumination standards

##### **1. Residential Zones:**

[4.6(7)]

- Activities shall be managed so that direct or indirect illumination measures no more than 10 lux on any site boundary.

##### **2. City Centre Zones and Commercial Zones:**

[5.6(1)(7)][5.6(2)(7)][6.6(7)]

- Activities within these zones shall be managed so that direct or indirect illumination measures no more than 10 lux when measured at the boundary of any residential zone.

##### **3. Industrial Zones:**

[7.6(7)]

- Activities shall be managed so that direct or indirect illumination measures no more than 10 lux on any boundary adjoining a residential zone or a site of an existing **residential household** unit within the block bounded by Fairy Springs Road, Victory Road, Russell Road and Salisbury Road.

##### **4. Business and Innovation Zones – Scion Innovation Park:**

[8.6(1)(7)]

- Activities shall be managed so that direct or indirect illumination measures no more than 10 lux on any boundary adjoining a residential or rural zone.

**5. Business and Innovation Zones – Waipa Business Park:***[8.6(2)(7)]*

- a. Any artificial illumination shall not exceed 20 lux when measured at the boundary adjoining a rural zone.

**6. Business and Innovation Zones – Eastgate Business Park:***[8.6(3)(7)]*

- a. Any artificial illumination shall not exceed 20 lux when measured 15m from the façade of any existing ~~dwelling~~ residential unit located in an adjoining rural or residential zone.

**7. Rural Zones:***[9.6(8)]*

- a. Activities shall be managed so that direct or indirect illumination measures no more than 10 lux on any site boundary.

**8. Rural Zones – Parklands Estate Precinct***[A5.2.2]*

- a. Any direct artificial illumination shall not exceed 10 lux when measured at the nearest site boundary.
- b. Luminance levels shall be measured vertically and horizontally in accordance with professional illumination engineering practice.
- c. Lighting shall be aimed no higher than 30° below the horizontal and shall be aimed, hooded or screened, to minimise glare.

**9. Reserves, Community Assets and Water Zones:***[10.6(7)]*

- a. Activities shall be managed so that direct or indirect illumination measures not more than 10 lux on any boundary adjoining an alternative zone.

**10. Infrastructure – All Zones***[7.6(7)]*

- a. Infrastructure activities addressed in EIT – Energy Infrastructure and Transport shall be managed so that direct or indirect illumination measures do not exceed more than 10 lux on any adjoining site boundary. This shall override any of the performance standards for the zone listed above.

**Matters of Discretion**

The following matters of discretion apply where listed in the rule table for the relevant activity.

**LIGHT-MD1 Non-compliance matters****1. Residential Zones:***[4.8(2)(1)]*

- a. The reason for the non-compliance with the performance standard and the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and objectives and policies.

**2. City Centre Zones, Commercial Zones, Industrial Zones, Business and Innovation Zones, Reserves, Community Assets and Water Zones:***[5.8(2)(1), 6.8(2)(1), 7.8(2)(1), 8.8(2)(1), 10.8(2)(1)]*

- a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the performance standard and the relevant objectives and policies;
- b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;
- c. How the activity provides more efficient and practical use of the remainder of the site; and
- d. Within the Transitional Industrial Zone, how the aspect of non-compliance will reduce the amenity of neighbouring residents.

**3. Rural Zones:***[9.8(2)(1)]*

- a. The extent of the effects of the non-compliance on achieving the purpose of the relevant performance standard and the Objectives and Polices relevant to the particular standard; and
- 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.

**LIGHT-MD2 Zone specific matters****1. Residential Zones:***[4.8(1)(2)]*

- a. The extent to which the activity adversely effects the character and amenity values of the zone.

**2. Industrial Zones:***[7.8(1)(3)]*

- a. The extent to which the proposal will enhance the character and amenity of the city entranceways.

**3. Reserves, Community Assets and Water Zones:***[10.8(1)(1)]*

- a. Building Design, Site Layout and Amenity:
  - i. The amenity of the streetscape is maintained and enhanced;
  - ii. The extent to which the activity would maintain or enhance heritage features, cultural sites, identified natural and cultural landscapes or archaeological sites;
  - iii. The extent to which the activity adversely affects the natural character, cultural amenity and landscape values;
  - iv. The extent to which the activity produces smoke, odour, fumes, dust, noise, glare, or any other nuisance effects;

- v. The extent to which the activity adversely affects adjoining sites or land-based activities;
- vi. The extent to which the activity adversely affects the recreational values of the lakes and waterways; and
- vii. The extent to which the hours of operation of an activity causes adverse effects on adjoining sites.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

### Residential Zones

<b>LIGHT-AER1</b>	Retained character of each of the five residential zones according to their attributes.
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### Commercial Zones

<b>LIGHT-AER2</b>	An increase in amenity and safety of commercial centres.
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### Industrial Zones

<b>LIGHT-AER3</b>	Improved amenity where industrial zones interface with other zones, particularly residential zones.
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### Business and Innovation Zones

<b>LIGHT-AER4</b>	Increase in development of the business park whilst ensuring the vitality of the city centre and amenity of the commercial, rural and residential environments are maintained.
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### Rural Zones

<b>LIGHT-AER5</b>	Rural character and amenity of the rural zone is maintained.
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### Reserves, Community Assets and Water Zones

<b>LIGHT-AER6</b>	No loss of natural character, amenity or biodiversity as it relates to the conservation values attributed to the conservation and destination reserves.
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# NOISE

# NOISE

Status: NOISE is Operative

## INTRODUCTION

Noise is a particularly important amenity consideration, and therefore a dedicated chapter and specific rules are included in the District Plan. The rules aim to avoid, remedy or mitigate the adverse effects of noise from activities on residents. The rules also aim to maintain a reasonable balance between the amenity expected in noise sensitive areas and the viable functioning of permitted and lawfully established activities. As such reverse sensitivity is also a focus of the Noise provisions. Reverse sensitivity is the potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment of other activities which are sensitive to the adverse effects generated by the first activity. A range of provisions are included, such as the requirement that new [dwellings residential units](#) in the City Centre includes insulation that provides an acceptable internal noise environment, reducing the potential for noise complaints arising from sleep disturbance. Other mechanisms are implemented at the zoning stage where appropriate buffers and separation distances are set between uses and zones that may clash.

In addition to the rules the enforcement orders and abatement notice procedures of the Act will be used to control unreasonable noise.

### Airport noise

The Rotorua Airport is an important resource for the Rotorua district and wider Bay of Plenty, East Coast and Central Plateau areas. It is a strategic transport infrastructure asset that has a direct link to the state highway network. From a business and convenience perspective the airport has the advantage of being close to the city centre, however the proximity of the urban edge presents a number of amenity and safety issues that require management.

Significant noise levels are created by airport operations. Detailed predictions of the future noise impacts of the Airport have been undertaken, modelling growth up to 2033. Air noise contours have been established to manage effects of, and from, the airport operations on activities sensitive to aircraft noise.

The planning method for the airport and surrounding area is one of balance; providing sufficient provision for expansion and growth of the Rotorua Airport, whilst providing certainty and protection for those existing activities that will be impacted by airport activities. Management and control of activities sensitive to aircraft noise that are within the Inner Noise and Air Noise Contours, such as residential [dwellings units](#), are required.

Located on the fringe of the urban area the Rotorua Airport is also susceptible to encroachment from noise sensitive activities. New activities that may be sensitive to aircraft noise, such as housing and schools, establishing in areas likely to be subject to high and moderate levels of aircraft noise over the lifetime of the Plan can impact airport operations, and an additional level of management is required. Controls for location of sensitive activities and the need for acoustic treatment of those new activities will ensure that the operation and future growth of the airport is provided for.

The established noise contours have set a noise limit for airport operations, encompassed anticipated growth needs, and established restrictions that acknowledge the existence of adjoining residential and community

activities. The noise contours have been modelled on 2033 predictions, and allow for growth and changes in technology.

As a result of establishing the noise contours, areas predicted to be subject to high noise; those experiencing noise above 2033 Ldn 65dBA are located within the Air Noise Area. Those sites located in the moderate noise levels of Ldn 60-65dBA area are located in the Inner Noise Control Area. An Outer Noise Control Area indicating lower noise levels, noise between Ldn 55dBA and Ldn 60dBA, has also been defined. The extent of the noise contours are defined on the district plan maps.

The district plan recognises the importance of limiting the amount of additional residential development in areas affected by high or moderate aircraft noise within the Air Noise Area and the Inner Noise Control Area. While it is possible to acoustically insulate ~~dwelling~~ residential units and other activities sensitive to aircraft noise to provide a suitable internal residential environment, it is not possible to use such methods to mitigate the effects of aircraft noise on the external environment.

## ISSUES

Noise has the potential to cause annoyance and affect health, depending on:

1. when and where it occurs;
2. its duration;
3. physical characteristics, including the sound pressure level (loudness) and frequency (pitch);
4. its steadiness;
5. variations of these properties; and
6. whether special audible characteristics are present.

### **NOISE-I1 Non-residential activities in Residential Zones**

The operation of non-residential activities within Residential Zones that generates noise which detracts from existing amenity.

### **NOISE-I2 Activities in zones generating noise.**

Activities within one zone generating noise which detracts from the amenity of adjacent zones, for example between Industrial and Residential Zones, and between the Airport and surrounding Residential and Rural Zones.

### **NOISE-I3 Rural and non-rural activities in Rural Zones**

The operation of rural and non-rural activities in the Rural Zones that generate noise which detracts from an amenity level that can be expected in a Rural Zone.

### **NOISE-I4 Perception of Rural Zones**

The perception of Rural Zones as being quiet environments that does not reflect the reality of these zones as productive working areas.

### **NOISE-I5 City centre amenity**

The expectation by residents of a certain standard of amenity in the central city that conflicts with the permitted noise environment and the primary function of the central city.

### **NOISE-I6 Operation of aircrafts**

The operation of aircraft, particularly helicopters; from landing areas in Residential and Rural Zones that detracts from the amenity of those zones.

**NOISE-17 Large scale rural industrial activities**

Large scale rural industrial activities which generate noise which are lawfully established and operating and are in the District's rural environments.

**OBJECTIVES****Appropriate noise environment**

<b>NOISE-O1</b> [A11.3(1)]	A noise environment consistent with the character and amenity expected for the zone. <i>Policies NOISE-P1 to NOISE-P6</i>
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**Reverse sensitivity**

<b>NOISE-O2</b> [A11.3(2)]	Existing and permitted activities in the Central City, Rural and Industrial Zones are protected from noise reverse sensitivity. <i>Policies NOISE-P7 to NOISE-P11</i>
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**Rotorua Airport**

<b>NOISE-O3</b> [15.3(4)]	To promote the safe, effective and efficient operation of the Rotorua Regional Airport. <i>Policies NOISE-P12 to NOISE-P14</i>
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**Transport network**

Refer to objective EIT-O6.

**POLICIES****Appropriate noise environment**

*Objective NOISE-O1*

<b>NOISE-P1</b> [11.3(1)(1)]	Control the potential adverse effects of noise on noise sensitive activities including by setting appropriate standards that reflect the function of the zones and permitted activities within them.
<b>NOISE-P2</b> [11.3(1)(2)]	Avoid the potential adverse effects of noise on noise sensitive activities by ensuring at time of zoning the potential for noise reverse sensitivity is taken into account.
<b>NOISE-P3</b> [11.3(1)(3)]	Control the potential adverse effects of noise generated in one zone and received in another.
<b>NOISE-P4</b> [11.3(1)(4)]	Minimise, where practicable, noise at its source or on the site from which it is generated to mitigate adverse effects on adjacent sites.
<b>NOISE-P5</b> [11.3(1)(5)]	Exempt from the maximum permitted noise level requirements those activities which are an integral part of accepted management practices of activities associated with production land in rural areas (well drilling, audible bird scaring devices, frost fans) as well as other activities (in any zone) clearly of a temporary nature (e.g. Construction works, emergency back-up generators).



<b>NOISE-P6</b> [5.3(1)(5)]	Encourage the provision of high amenity residential accommodation within the City Centre 1 zones above ground level. This will be achieved by ensuring residential units provide, amongst other things, appropriate noise insulation.
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### Reverse sensitivity

#### Objective NOISE-O2

<b>NOISE-P7</b> [11.3(2)(1)]	Encourage activities to locate in areas where the noise generated from existing activities, or noise anticipated by the zone rules, is compatible with the proposed activity.
<b>NOISE-P8</b> [11.3(2)(2)]	Avoid, remedy or mitigate adverse effects generated by central city, industrial, infrastructural and rural activities through appropriate zone buffering, landscaped buffers, building location and/or noise control boundaries to maintain the amenity of adjacent residential zones or marae and habitable buildings.
<b>NOISE-P9</b> [11.3(2)(3)]	Mitigate adverse effects generated by central city and infrastructural activities through the requirement that new noise sensitive activities that locate within the Central City or close to major infrastructure are appropriately insulated.
<b>NOISE-P10</b> [11.3(2)(4)]	Limit the location of new residential activities sensitive to disturbance from lawfully established urban and rural industries, recreation and infrastructure activities and network utilities to avoid reverse sensitivity effects.
<b>NOISE-P11</b> [4.3(1)(6)]	Require noise mitigation measures for <u>residential household</u> units that adjoin strategic roads to avoid reverse sensitivity effects.

### Rotorua Airport

#### Objective NOISE-O3

<b>NOISE-P12</b> [15.3(4)(1)]	Avoid the establishment of new and intensification of existing noise sensitive activities within the Air Noise Area.
<b>NOISE-P13</b> [15.3(4)(2)]	Minor additions to existing noise sensitive activities and subdivisions (for example, boundary adjustments and conversions of cross lease titles to freehold titles) are provided for where these do not result in the intensification of existing noise sensitive activities on the site or reverse sensitivity effects on the continued operation of the airport.
<b>NOISE-P14</b> [15.3(4)(3)]	Any additions to noise sensitive activities are fitted with appropriate acoustic insulation and associated ventilation. The certification of an approved acoustical engineer will be accepted as evidence that the design meets the insulation standard.

### Transport network

#### Objective EIT-06

<b>NOISE-P15</b> [1.6(7)(5)]	Ensure that subdivision, use and development located in the vicinity of the district's transport network is appropriately designed to avoid, remedy or mitigate any reverse sensitivity effects such as noise and vibration.
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## RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District Wide Matters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

Links to the rule categories are provided below:

Noise Emission .....	35
Noise Sensitive Activities .....	36

Noise Emission		
NOISE-R1	Emission of noise	[A11.5(1)]
<p>Applicable Spatial Layers</p> <p>All Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The noise is not:</p> <ol style="list-style-type: none"> <li>Construction noise; or</li> <li>The following types of noise emitted within the Rotorua airport:                             <ol style="list-style-type: none"> <li>Aircraft operations noise;</li> <li>Aircraft engine testing noise; or</li> <li>Noise from bird scaring devices.</li> </ol> </li> </ol> <p><b>Performance Standards:</b></p> <ol style="list-style-type: none"> <li>Noise within zone <a href="#">NOISE-S1</a>;</li> <li>Noise within different zone <a href="#">NOISE-S2</a>; and</li> <li>Temporary amplification <a href="#">NOISE-S8</a>.</li> </ol>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>Compliance is not achieved with the performance standards for NOISE-R1(1).</li> </ol> <p><b>Matters of Discretion:</b></p> <ol style="list-style-type: none"> <li>Non-compliance matters <a href="#">NOISE-MD1</a>;</li> <li>Noise specific <a href="#">NOISE-MD2</a>; and</li> <li>Zone specific <a href="#">NOISE-MD3</a>.</li> </ol>
<p>Advice Note:</p> <p>For the avoidance of doubt, this rule applies to all activities, including temporary activities and events, unless stated.</p>		
NOISE-R2	Construction noise	[A11.5(1)]
<p>Applicable Spatial Layers</p> <p>All Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ol style="list-style-type: none"> <li>All construction noise shall comply with the relevant noise levels stated in NZS 6803:1999, and shall be measured and assessed in accordance with NZS 6803:1999 ‘Acoustics – Construction Noise’.</li> </ol>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>Compliance is not achieved with the performance standards for NOISE-R2(1)</li> </ol> <p><b>Matters of Discretion:</b></p> <ol style="list-style-type: none"> <li>Non-compliance matters <a href="#">NOISE-MD1</a>;</li> <li>Noise specific <a href="#">NOISE-MD2</a>; and</li> </ol>

		c. Zone specific <a href="#">NOISE-MD3</a> .
<b>NOISE-R3</b>	<b>Airport noise at Rotorua airport</b>	[A7.2]
<b>Applicable Spatial Layers</b> All Zones	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The noise is:</p> <ol style="list-style-type: none"> <li>Aircraft operations noise at Rotorua Airport;</li> <li>Aircraft engine testing noise at Rotorua Airport; or</li> <li>Noise from bird scaring devices at Rotorua Airport.</li> </ol> <p><b>Performance Standards:</b></p> <ol style="list-style-type: none"> <li>Rotorua Airport noise <a href="#">NOISE-S3</a></li> <li>Noise mitigation programme <a href="#">NOISE-S4</a></li> </ol>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for NOISE-R3(1).</p>
<b>Noise Sensitive Activities</b>		
<b>NOISE-R4</b>	<b>Noise sensitive activities near State Highways</b>	[A11.6(3)(1)]
<b>Applicable Spatial Layers</b> All Residential Zones City Centre 1 and 3 Zones All Commercial Zones All Rural Zones	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>Noise sensitive activities are within: <ol style="list-style-type: none"> <li>40m of a state highway with a speed limit of less than 70km/h; or</li> <li>80m of a state highway with a speed limit of 70km/hr or more (measured from the nearest painted edge of the carriageway).</li> </ol> </li> </ol> <p><b>Performance Standards</b></p> <ol style="list-style-type: none"> <li>Noise sensitive activities near State Highways <a href="#">NOISE-S5</a>.</li> </ol> <p><b>Exception:</b> This rule shall not apply to Māori cultural training facilities at Te Puia, being the site inclusive of land legally described as Section 1 SO408975.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>Compliance is not achieved with the performance standards for NOISE-R4(1).</li> </ol> <p><b>Matters of Discretion:</b></p> <ol style="list-style-type: none"> <li>Non-compliance matters <a href="#">NOISE-MD1</a>;</li> <li>Noise specific <a href="#">NOISE-MD2</a>; and</li> <li>Zone specific <a href="#">NOISE-MD3</a>.</li> </ol>
<b>NOISE-R5</b>	<b>Noise sensitive activities within City Centre Zones, Commercial Zones and the Ōhakuri Electricity Generation Core Site Noise Control Boundary</b>	[A11.6(3)(2)]
<b>Applicable Spatial Layers</b>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ol style="list-style-type: none"> <li>Acoustic treatment <a href="#">NOISE-S6</a>.</li> </ol>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p>

<p>City Centre 1 and 3 Zones</p> <p>All Commercial Zones</p> <p>Water and Rural 1 Zones: Ōhakuri Core Site Noise Control Boundary.</p>		<p>a. Compliance is not achieved with the performance standards for NOISE-R5(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. Non-compliance matters <a href="#">NOISE-MD1</a>;</p> <p>b. Noise specific <a href="#">NOISE-MD2</a>; and</p> <p>c. Zone specific <a href="#">NOISE-MD3</a>.</p>
<b>NOISE-R6</b>	<b>Any noise sensitive activity within the 45dB LAeq (15 min) Noise Control boundary surrounding the Reporoa Dairy</b>	<i>[9.5(112)]</i>
<p><b>Applicable Spatial Layers</b></p> <p>Rural 1 Zone: Reporoa Noise Control Boundary 45dB Overlay.</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. The general assessment criteria for the relevant zone.</p>	
<b>NOISE-R7</b>	<b>Noise sensitive activity within the Inner Noise Control Area Overlay (60dBA Control Boundary)</b>	<i>[4.5(47), 8.5(3)(26)(c), 9.5.58, 4.5(48), 8.5(3)(26)(d), 9.5(59)]</i>
<p><b>Applicable Spatial Layers</b></p> <p>Residential 1 Zone</p> <p>Business and Innovation 3 Zone</p> <p>Rural 1 Zone: Airport Inner Noise Control Area Overlay 60dBA</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The activity is an addition to an existing noise sensitive activity.</p> <p><b>Performance Standards:</b></p> <p>a. The extension does not increase the total gross floor area of the noise sensitive activity by more than 25% of the total gross floor area that existed prior to 16 May 2018.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for NOISE-R7(1).</p> <p><b>Matters of Discretion</b></p> <p>a. Zone specific <a href="#">NOISE-MD3</a>; and</p> <p>b. Noise sensitive activities near Rotorua Airport <a href="#">NOISE-MD4</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Residential 1 Zone</p> <p>Business and Innovation 3 Zone</p> <p>Rural 1 Zone: Airport Inner Noise Control Area Overlay 60dBA</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>The activity is a new noise sensitive activity</p> <p><b>Assessment Criteria:</b></p> <p>a. Noise sensitive activities within Inner Noise Control Area <a href="#">NOISE-AC1</a>; and</p> <p>b. The general assessment criteria for the relevant zone.</p>	

<b>NOISE-R8</b>	<b>Noise sensitive activities within the Airport Air Noise Area Overlay (65dBA Control Boundary)</b>	[4.5(49), 9.5(60) 10.5(20)(a), 4.5(49)(a) 9.5(60)(a), 10.5(20)(b)]
<b>Applicable Spatial Layers</b> Residential 1 Zone Rural 1 Zone Reserves 1 and 2 Zones: Airport Air Noise Area Overlay 65DbA	<b>1. Activity Status:</b> Non-Complying <b>Where:</b> The activity is an extension to or upgrade or replacement of a building accommodating a noise sensitive activity.	
<b>Applicable Spatial Layers</b> Residential 1 Zone Rural 1 Zone Reserves Zones: Airport Air Noise Area Overlay 65dBA	<b>2. Activity Status:</b> Prohibited <b>Where:</b> The activity is a new noise sensitive activity within the Air Noise Area.	

## Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

### NOISE-S1 Noise generated and received within the same zone

[A11.6(1)]

#### 1. Residential Zones

- a. Noise levels shall not exceed the following limits when measured at any point within the boundary of the receiving site:

Daytime	7am to 7pm, any day except public holidays	50 dB LAeq (15 minutes)
Evening	7pm to 10pm any day except public holidays	45 dB LAeq (15 minutes)
Night-time and public holidays	At all other times	40 dB LAeq (15 minutes) 70 dB LAmax

#### 2. City Centre Zones and Commercial 1, 2, 4, 5 and 6 Zones

- a. Other than that specified below under (b), noise levels shall not exceed the following limits when measured at any point within the boundary of the receiving site:

Daytime	7am to 10pm, any day except public holidays	65 dB LAeq (15 minutes)
Night-time and public holidays	At all other times	60 dB LAeq (15 minutes) 75 dB LAmax

- b. Community events:

Noise levels for large scale community events located on council owned or controlled property within City Centre 3 shall comply with the following standards and limits:

- i. For four events in any 12 month period a noise limit of 95 dB  $L_{Aeq}$  (1 hour) at any point within the receiving site in adjacent zones.
- ii. For the four events provided for under i. above the events shall conclude by 12.30am.
- iii. For two events in any 12 month period – a noise limit of 70 dB  $L_{Aeq}$  (1 hour) at any point within the receiving site in adjacent zones providing the event does not exceed 12 hours per day over a two day period.
- iv. All other events shall comply with the noise standards specified under NOISE-S1(2)
- v. Octave band noise levels within residential zones shall not exceed 85 dB  $L_{Zeq}$  (1 minute) at 63Hz and 75 dB  $L_{Zeq}$  (1 minute) at 125Hz.

### 3. Commercial 3 Zone

- a. Noise levels shall not exceed the following limits when measured at any point within the boundary of the receiving site:

Daytime	7am to 10pm, any day except public holidays	50 dB $L_{Aeq}$ (15 minutes)
Night-time and public holidays	At all other times	40 dB $L_{Aeq}$ (15 minutes) 70 dB $L_{Amax}$

### 4. Industrial Zones

- a. Other than that specified below, noise levels shall not exceed the following limits when measured at any point within the boundary of the receiving site:

Daytime	7am to 10pm, any day except public holidays	75 dB $L_{Aeq}$ (15 minutes)
Night-time and public holidays	At all other times	70 dB $L_{Aeq}$ (15 minutes) 80 dB $L_{Amax}$

- b. Reporoa Dairy Manufacturing site:

Activities located within the Reporoa Dairy Manufacturing site (Planning Map 395) shall not exceed 45 dB  $L_{Aeq}$  (15 min) when measured at the 45 dB  $L_{Aeq}$  noise control boundary as shown on Planning Maps 395 and 546 except that where the noise control boundary is located within land in common ownership with the Reporoa Dairy Manufacturing site noise shall be measured at the boundary with land not in common ownership with the Reporoa Dairy Manufacturing site.

- c. Block bounded by Fairy Springs, Victory, Russell and Salisbury Road:

Noise levels within the block bounded by Fairy Springs Road, Victory Road, Russell Road and Salisbury Road, shall not exceed the noise limit specified for the residential zones at any point within the site boundary of a residential household unit.

**5. Business and Innovation Zones**

- a. Noise levels shall not exceed the following limits when measured at any point within the boundary of the receiving site:

- i. Scion Innovation Park:

Daytime	7am to 10pm, any day except public holidays	50 dB LAeq (15 minutes)
Night-time and public holidays	At all other times	40 dB LAeq (15 minutes) 75 dB LAmax

- ii. Waipa Business Park and Eastgate Business Park:

Daytime	7am to 10pm, any day except public holidays	75 dB LAeq (15 minutes)
Night-time and public holidays	At all other times	70 dB LAeq (15 minutes) 80 dB LAmax

**6. Rural Zones:**

- a. Other than that specified below, noise levels shall not exceed the following limits when measured at any point within the notional boundary of any rural **dwelling residential unit**.

Daytime	7am to 10pm, any day	50 dB LAeq (15 minutes)
Night-time and public holidays	At all other times	40 dB LAeq (15 minutes) 75 dB LAmax

- b. Well drilling

Noise levels shall not exceed the following limits when measured at any point within the notional boundary of any rural **dwelling residential unit**.

Daytime	7am to 10pm, any day	70 dB LAeq (15 minutes)
Night-time and public holidays	At all other times	60 dB LAeq (15 minutes) 85 dB LAmax

- c. Audible bird scaring devices

- i. Noise from audible explosive bird scaring devices shall only be operated between sunrise and sunset, and shall not exceed 100 dB LZpeak, when measured at any point within the notional boundary to any **dwelling residential unit** in the Rural zone, or at any point 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. 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).

- d. Frost fans

- i. Noise generated by frost fans shall not exceed 55 dB LAeq (15 minutes) when measured at any point within the notional boundary to any **dwelling residential unit** in the Rural zone, or at any point within the 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.

#### 7. Reserves, Community Assets and Water Zones:

- a. Other than that specified above under b, noise levels from any activity shall not exceed the following limits when measured at the boundary of the zone:

Daytime	7am to 10pm, any day except public holidays	50 dB LAeq (15 minutes)
Night-time and public holidays	At all other times	45 dB LAeq (15 minutes) 75 dB L <sub>Amax</sub>

- b. Temporary community and district events

Noise levels from temporary community and district events shall not exceed the following limits when measured at any point within the boundary of the receiving site in any adjoining zone:

Four events up to 3 hour duration per every 12 month period	80 dB LAeq (1 hour)
Three events every 12 month period, up to 12 hours per day for two consecutive days	70 dB LAeq (1 hour)
Octave band levels	85 dB LZeq (1 minute) at 63 Hz 75 dB LZeq (1 minute) at 125 Hz

#### 8. Taheke 8C Precinct:

- a. The noise standards for the Industrial 2 Zone shall apply to activities associated with geothermal electricity generation activities in in Areas A, C, D, E and G of Taheke 8C Precinct.

#### NOISE-S2 Noise received within a different zone

[A11.6(2)]

##### 1. All Zones:

- a. Noise levels from any activity shall not exceed the noise limits specified for the adjoining zone when measured at any point within the receiving site, or at any point within the notional boundary of any dwelling residential unit in the Rural zones, except where provided under:
  - i. Audible bird scaring devices NOISE-S1(6)(c), and Frost fans NOISE-S1(6)(d);
  - ii. Reserves NOISE-S1(7)); or
  - iii. City Centre events NOISE-S1(2)(b).
- b. Octave band noise levels from the Commercial 1, 2, 4, 5 and 6 Zones should not exceed the following limits when measured at any point within any residential-zoned site:

Octave band levels	75 dB LZeq (1 minute) at 63Hz 65 dB LZeq (1 minute) at 125Hz.
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**NOISE-S3 Rotorua Airport noise***[A7.2]*

1. Aircraft operations at Rotorua Airport
  - a. The Airport shall be managed so that noise from Aircraft Operations, as defined in the definitions shall not exceed a Day/Night Noise Level (Ldn) of 65dBA outside the Air Noise Area shown on the Planning Maps. For the purpose of this control aircraft noise shall be calculated as a 3 month rolling logarithmic average in accordance with NZS 6805:1992 using the Federal Aviation Authority (FAA) Integrated Noise Model (INM) and records of actual aircraft operations;
    - i. Noise from the following Aircraft Operations shall be excluded from the compliance calculations set out above:
      1. Aircraft landing or taking off in an emergency; and
      2. Emergency flights required to rescue persons from life threatening situations or to transport patients, human organs or medical personnel in medical emergency, and
      3. Aircraft using the airport due to unforeseen circumstances as an essential alternative to landing at another scheduled airport, and
      4. Flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Act 1983, and
      5. Certified by the Minister of Defence as necessary for reasons of National Security in accordance with Section 4 of the Act; and
      6. Aircraft undertaking fire-fighting duties.
    - ii. Except for those aircraft movements provided for in (i) above, no aircraft movement shall produce a noise level of SEL 95dBA or more at any location outside the Air Noise Area between the hours of midnight and 6.00am.
    - iii. A report detailing the calculated noise levels at the boundary between the Air Noise Area and the Inner Control Area shall be prepared and forwarded to the Council on an annual basis by the Airport Operator.
    - iv. Noise level measurements shall be carried out for a minimum of three months every two years to audit compliance with this rule and a report on the results of such monitoring shall be forwarded to the Council within one month of the monitoring being undertaken. These measurements shall only be required when the calculated noise levels at the boundary between the Air Noise Area and the Inner Noise Area is Ldn 64dBA or greater from aircraft operations. Noise level measurements shall be undertaken in accordance with NZS6805:1992 Airport Noise Management and Land Use Planning.
  - b. All engine testing related to airport activities shall take place between the hours of 6.00am and 12.00pm (midnight);
  - c. Subject to the provision relating to essential unscheduled engine testing in NOISE-S3(2)(c), no person shall start or run an aircraft engine for the purposes of aircraft engine testing unless carried out so as to comply with the following maximum noise levels at or within the boundary of any site not covered by the Airport designation:
2. Aircraft testing at Rotorua Airport
  - a. All engine testing related to airport activities shall take place between the hours of 6.00am and 12.00pm (midnight);
  - b. Subject to the provision relating to essential unscheduled engine testing in NOISE-S3(2)(c), no person shall start or run an aircraft engine for the purposes of aircraft engine testing unless carried out so as to comply with the following maximum noise levels at or within the boundary of any site not covered by the Airport designation:

Time Period	Noise Level
Monday to Sunday 6.00am to 12.00pm (midnight)	55dB LAeq (16 hours)

- c. Essential unscheduled engine testing undertaken at Rotorua Airport:

In situations where it may be necessary to conduct essential unscheduled maintenance and engine testing that may need to take place between 12.00pm (midnight) and 6.00am or where the testing cannot comply with the noise limit for scheduled engine testing stated in NOISE-S3(2)(b) then following shall apply;

- i. The testing shall take place on no more than 18 occasions per 12 months;
- ii. Where practical all essential unscheduled maintenance and engine testing shall take place between the hours of 6.00am and midnight;
- iii. The total duration of engine testing shall not exceed 1 hour in any 12.00pm (midnight) to 6.00am period;
- iv. On each occasion of the unscheduled engine testing the date, time, noise level reached, duration and reason for the tests shall be reported as soon as practicable to the Rotorua District Council and Airport Noise Management Committee;
- v. For the purpose of this control aircraft engine testing shall be measured in accordance with NZS 6801:1999 Acoustics: Measurement of Environmental Sound; and
- vi. The noise from such engine testing shall not exceed the following noise levels at, or within, the boundary of any site other than a site covered by the Airport designation:

Time Period	Noise Level
Monday to Sunday 6.00 am to 12.00 pm (midnight)	60dB LAeq (16 hours)
All days 12.00 pm (midnight) to 6.00 am	55dB LAeq (8 hours)
All days 12.00 pm (midnight) to 6.00 am	85dB L <sub>Amax</sub>

#### **NOISE-S4 Rotorua Airport noise mitigation programme**

[A11.7(4)]

1. Aircraft operations and the development and use of any runway at the Airport shall be subject to compliance with the requirements of a) to d).

**a. Annual Noise Report**

The Airport Operator shall prepare and forward to the Council at the same time as the annual report required by Performance Standard NOISE-S3(1)(iii) an Annual Aircraft Noise Contour Plan showing the properties (and including a list of their legal descriptions and street addresses) predicted to lie within the Ldn 60dBA and Ldn 65dBA contour at a date 12 months from the date of the report required by NOISE-S3(1)(iii) and based on calculations undertaken in accordance with NOISE-S3(1)(iii). The Council shall make the Annual Aircraft Noise Contour Plan available for public inspection and shall annually publicly notify that availability.

**b. Noise Mitigation Offer to Owners for Existing Activity Sensitive to Aircraft Noise Buildings**

Where an existing building is occupied and used by an Activity Sensitive to Aircraft Noise (other than an Educational Facility or Kōhanga Reo) which was established before 17 December 2005 ("the Qualifying Date"); or for which a resource consent or building consent was granted before the Qualifying Date; and where the site which contains that building is predicted to fall within or partly within either the Ldn 60dBA or the Ldn 65dBA contour in the Annual Aircraft Noise Contour Plan;

- i. the Airport Operator shall make an offer to the owner(s) to install ("the Offer"), and if the Offer is accepted shall install, acoustic treatment and related ventilation measures ("the Treatment Measures") to achieve an internal acoustic environment in the existing habitable rooms of the buildings (with all external doors of the building and all windows of the habitable rooms closed) of Ldn 40dBA, provided that no such Offer shall be required in respect of any site owned by the Airport Operator.
- ii. The Offer shall be made within six months of the public notification of the Annual Aircraft Noise Contour Plan showing the properties which are predicted to lie within the Ldn 60dBA and Ldn 65dBA contour in the twelve month prediction period.
- iii. The Treatment Measures shall include but not necessarily be limited to:
  1. a mechanical ventilation system or mechanical ventilation systems capable of meeting the performance standards specified in NOISE-S7(1)(b) and
  2. Thermal grade (minimum R1.8) ceiling insulation to all habitable rooms where equivalent ceiling insulation is not already in place; and
  3. A mechanical kitchen extractor fan ducted directly to the outside to serve any cooking hob, if such extractor fan is not already installed and in sound working order.
- iv. The Offer shall be made on the following basis:
  1. Any structural or other changes required under the Building Act or otherwise, to enable the installation of the Treatment Measures shall be at the Airport Operator's cost, except that nothing in this clause shall require the Airport Operator to fund any measures required to bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part was constructed or to improve the standard of finishes in the building;
  2. The owner(s) accepting an obligation to enter into a covenant prepared and registered at the Airport Operator's cost, in the terms set out in the appendix NOISE-APP1.
  3. The Airport Operator shall contribute to the full cost of the Treatment Measures where those works are within the Inner Control Area or the Air Noise Area; and
  4. It will remain open for acceptance on a willing participant basis for three years from the date on which it was made after which time the Airport Operator's obligations under this rule will be deemed to be fulfilled; and
  5. Where the Airport Operator installs any Treatment Measures the Airport Operator shall provide the Council with a certificate from a suitably qualified independent person or persons nominated by the Airport Operator and

approved by the Council, that the installation of those Measures has been properly undertaken in accordance with sound practice.

- v. If requested by the owner the Airport Operator may, at its discretion, install or contribute to the cost of the installation of alternative ventilation measures to those described in this clause, subject to the owner being granted any necessary building or resource consents and the Council waiving the Airport Operator's obligations in respect of the required ventilation measures in this clause.

**c. Noise Mitigation Offer to Owners for Existing Educational Facilities or Kōhanga Reo Buildings**

Where an existing building is occupied and use by an Educational facility or Kōhanga Reo which was established before the Qualifying Date; or for which an Outline Plan of Works has been submitted or resource consent or building consent was granted before the Qualifying Date; and where the site which contains that building is predicted to fall within or partly within either the Ldn 60dBA or the Ldn 65dBA contour in the Annual Aircraft Noise Contour Plan.

- i. the Airport Operator shall make an offer to the owner(s) to install ("the Offer"), and if the Offer is accepted shall install acoustic treatment and related ventilation measures ("the Treatment Measures") to achieve an internal acoustic environment in all existing classrooms, libraries and halls (with all external doors of the building and all windows of the classrooms, libraries and halls closed) of Ldn 40dBA.
- ii. The Offer shall be made within six months of the public notification of the Annual Aircraft Noise Contour Plan showing the educational facilities which are predicted to lie within the Ldn 60dBA and Ldn 65dBA contour in the twelve month prediction period.
- iii. The Treatment Measures shall include but not necessarily be limited to:
  - 1. In the case of classrooms and libraries, air conditioning and/or a mechanical ventilation system or mechanical ventilation systems for each classroom or library that are capable of meeting the performance standards specified in Rule NOISE-S7(1)(b)(i); and
  - 2. In the case of halls a mechanical ventilation system or mechanical ventilation systems for each hall capable of meeting the performance standards specified in Rule NOISE-S7(1)(b)(i); and
  - 3. Thermal grade (minimum R1.8) ceiling insulation to all classrooms, libraries and halls where equivalent ceiling insulation is not already in place.
- iv. The Offer shall be made on the following basis:
  - 1. Any structural or other changes required under the Building Act or otherwise, to enable the installation of the Treatment Measures shall be at the Airport Operator's cost, except that nothing in this clause shall require the Airport Operator to fund any measures required to bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part was constructed or to improve the standard of finishes in the building;
  - 2. The owner(s) accepting an obligation to enter into a covenant prepared and registered at the Airport Operator's cost, in the terms set out in the appendix.

3. The Airport Operator shall contribute the full cost of the Treatment Measures where those works are within the Inner Control Area or the Air Noise Area; and
  4. It will remain open for acceptance on a willing participant basis for three years from the date on which it was made after which time the Airport Operator's obligations under this rule will be deemed to be fulfilled; and
  5. Where the Airport Operator installs any Treatment Measures the Airport Operator shall provide the Council with a certificate from a suitably qualified independent person or persons nominated by the Airport Operator and approved by the Council, that the installation of those Measures has been properly undertaken in accordance with sound practice.
- v. If requested by the owner the Airport Operator may, at its discretion, install or contribute to the cost of the installation of alternative ventilation measures to those described in this clause, subject to the owner being granted any necessary building or resource consents and the Council waiving the Airport Operator's obligations in respect of the required ventilation measures in this clause.

**d. Noise Mitigation Offer for Proposed Classroom, Library or Hall Buildings for Established Educational Facility or Kōhanga Reo Within the Inner Control Area**

Where a new classroom, library or hall or an addition to an existing classroom, library or hall is proposed to be built as part of an Educational Facility or Kōhanga Reo which was established on land within the Inner Control area before the Qualifying Date; then the Airport Operator, upon receiving notice of the proposed works, shall make an offer to the owners of the relevant Educational facility or Kōhanga Reo to provide funding (and if the offer is accepted, provide funding) for the Treatment Measures set out in clause NOISE-S7(2). above on the basis set out in that clause provided that this offer shall be conditional on the owner agreeing to contribute 25% of the costs of the Treatment Measures and further provided that the Airport Operator's obligations in this regard shall only extend, in the case of additional classrooms, libraries and halls, to those which the Regional Manager of the Ministry of Education (or the successor of that office) certifies are required as a result of roll growth caused by underlying increases in population in the catchment in the immediate vicinity of the Educational Facility or Kōhanga Reo.

**NOISE-S5 Noise sensitive activities near State Highways**

*[A11.6(3)(1)]*

**1. Residential Zones, City Centre 1 Zone, City Centre 3 Zone, Commercial Zones and Rural Zones:**

- a. Internal sound level:
  - i. Any new residential unit or extension/alteration to an existing residential unit that exceeds 25% of the existing gross floor area, shall meet an internal road-traffic design sound level of 40 dB LAeq (24hour) inside all habitable rooms; or
  - ii. Any new noise sensitive activity other than a residential activity shall meet an internal road-traffic design sound level of 40 dB LAeq (24hour) inside all habitable rooms and teaching areas; and

- b. An acoustics design report from a suitably qualified acoustics specialist shall be provided to the Council demonstrating compliance with NOISE-S5(1)(a) prior to the commencement of construction.
- c. As an alternative to complying with NOISE-S5(1)(a) any new noise sensitive activity, including extension/alteration to a residential unit which exceeds 25% of the existing gross floor area, shall comply with the following:
  - i. The windows of all habitable rooms and teaching areas shall be constructed with glazing that includes a laminated pane that is at least 6.38mm thick and covers the glazed area; and
  - ii. A ventilation system shall be installed in accordance with NOISE-S5(1)(e) below.

Advice Note:

An acoustic design report will not be required for compliance with NOISE-S5(1)(c).

- d. NOISE-S5.1(a) and NOISE-S5.1(c) do not apply if:
  - i. It can be demonstrated by way of prediction or measurement by a suitably qualified and experienced acoustics specialist that the road-traffic noise level from any existing state highway is less than 55 dB LAeq (24hour) on all façades of a new noise sensitive activity, or extension/alteration to an existing noise sensitive activity; or
  - ii. The nearest façade of the dwelling residential unit is at least 50m from any state highway and there is a solid building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors to habitable rooms to any part of the road surface of any state highway; or
  - iii. The NZ Transport Agency provides written consent that the performance standards do not need to be applied to a proposed activity.

Explanatory Note:

NOISE-S5.1(d)(iii) is intended to provide for circumstances where the expectation of human occupancy of buildings would, by reason of the period of occupancy or vulnerability, not be sensitive to state highway noise. It may also account for other circumstances which may not justify the compliance costs including the viability of the proposed activity or where it is apparent that the occupants of a building are unlikely to be subject to noise issues, such as low traffic volumes or building design.

- e. A ventilation system installed under NOISE-S5.1(c) above shall comply with one of the following:
  - i. Consist of an air conditioning unit(s) provided that the noise level generated by the unit(s) shall not exceed 40dB LAeq (30seconds) in the largest habitable room (excluding bedrooms) and 35dB LAeq (30seconds) in all other habitable rooms and teaching areas, when measured 1m away from any grille or diffuser, or
  - ii. Comprise a system capable of providing at least 6 air changes per hour in the largest habitable room (excluding bedrooms) and teaching spaces and at least 5 air changes per hour in all other habitable rooms, and
    - 1. The noise level generated by the system shall not exceed 40 dB LAeq (30seconds) in the largest habitable room (excluding bedrooms) and 35 dB LAeq (30seconds) in all other habitable rooms, when measured 1m away from any grille or diffuser, and

2. The internal air pressure shall be no more than 10 Pa above ambient air pressure due to the mechanical ventilation, and
3. The system must provide cooling that is controllable by the occupant and can maintain the temperature at no greater than 25 degrees Celsius.

## Advice Notes:

1. This performance standard shall not apply to Māori cultural training facilities at Te Puia, being the site inclusive of land legally described as Section 1 SO408975.
2. The requirements of Clause G4 of the New Zealand Building Code will apply at the same time as to the requirements contained in this performance standard.

**NOISE-S6 Noise sensitive activities within City Centre Zones, Commercial Zones, and the Ōhakuri Electricity Generation Core Site**

[A11.6(3)(2)]

1. Any new noise sensitive activities shall be designed and constructed to ensure that noise from activities on any other sites will not exceed the following when measured in accordance with *AS/NZS 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors*:

In bedrooms 10pm to 7am on any day	35 dB LAeq (1 hour) 45 dB Leq at 63 Hz 35 dB Leq at 125Hz
In all other habitable rooms at all times; and in bedrooms 7am to 10pm on any day	40 dB LAeq (1 hour) 50 dB Leq at 63 Hz 45 dB Leq at 125Hz

2. Compliance with the indoor noise criteria in NOISE-S6(1) shall be determined within habitable rooms when external noise sources shall represent the logarithmic sum of the following:
  - a. Road traffic noise:
    - i. During night time hours, outdoor noise from road traffic existing at the time of establishing the new noise sensitive activity, at the external wall, logarithmically averaged between 10pm and 7am;
    - ii. During daytime hours, outdoor noise from road traffic existing at the time of establishing the new noise sensitive activity, at the external wall, logarithmically averaged between 7am and 10pm; and
  - b. The allowable noise permitted by the District Plan in the zone or any adjacent zone;
  - c. Noise due to activities on any site approved by way of resource consent; and
  - d. Exiting lawfully established activities.
3. Under this performance standard habitable areas do not include transit and utility areas such as corridors, kitchens, bathrooms and storage areas.
4. If the internal noise criteria cannot be achieved with the windows and doors open, then a forced-air ventilation or air conditioning systems which complies with the NZ Building Code shall be provided so that the acoustic and ventilation criteria can be achieved simultaneously with

windows and doors closed. Noise from any ventilation system shall not cause the internal noise criteria to be exceeded.

5. At the time of application for building consent, an acoustic design certificate from a suitably qualified and experienced acoustic engineer will be required demonstrating how the internal noise criteria will be achieved.
6. The acoustic design is not required to include mitigation from noise generated by large scale events as detailed in NOISE-S1(7)(b) and defined in the definitions.

## **NOISE-S7 Noise sensitive activities near Rotorua Airport**

[A7.3]

1. Acoustic standards for:
  - additions to existing activities sensitive to aircraft noise (except for educational facilities including Kōhanga Reo (see NOISE-S7(2)); and
  - any new activities sensitive to aircraft noise (except for educational facilities (including Kōhanga Reo)(see NOISE-S7(2))) in the Inner Control Area; and
  - Papakāinga; and
  - extensions to an existing activity sensitive to aircraft noise within the Air Noise Area
- a. Prior to the issue by the Council of a resource consent or a building consent an applicant shall provide a certificate from a suitably qualified and experienced acoustical consultant stating that the design and construction of a new building or additions or alterations to an existing building are able to attenuate aircraft noise sufficiently to meet an internal noise environment of Ldn 40dBA in all habitable rooms and rooms used for sleeping, convalescing or learning with all windows closed. A similar certificate is to be provided from a suitably qualified and experienced ventilation engineer stating that the design and construction of a new building or additions or alterations to an existing building are able to meet the ventilation performance standard set out below. This certificate is to be accompanied by the following information:
  - i. A plan clearly identifying the system to be installed and the location of the fan and ducting;
  - ii. Sufficient information to confirm that the system is within the volume limits; and
  - iii. A covering letter stating that suitable arrangements have been made with the approved provider or supplier for the installation.
- b. The ventilation performance standard shall be, either:
  - i. A mechanical ventilation system or mechanical ventilation systems capable of:
    1. Providing at least 15 air changes of outdoor air per hour in the principal living room of each building and 5 air changes of outdoor air per hour in the other habitable rooms of each building, in each case with all external doors and windows of the building closed with the exception of such windows in non-habitable rooms that need to be ajar to provide air relief paths;
    2. Enabling the rate of airflow to be controlled across the range, from the maximum airflow capacity down to 0.5 air changes (plus or minus 0.1) of outdoor air per hour in all habitable rooms;



3. Limiting internal air pressure to not more than 30 Pascals above ambient air pressure;
  4. Being individually switched on and off by the building occupants, in the case of each system; and
  5. Creating no more than 40dB LAeq in the principal living room, no more than 30dB LAeq in the other habitable rooms, and no more than 40dB LAeq in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1m away from any diffuser, or
- ii. Air conditioning plus mechanical outdoor air ventilation capable of:
    1. Providing internal temperatures in habitable rooms not greater than 25 degrees Celsius at 5% ambient design conditions as published by the National Institute of Water & Atmospheric Research (“NIWA”) (NIWA, Design Temperatures for Air Conditioning (degrees Celsius), Data Period 1991 – 2000), with all external doors and windows of the habitable rooms closed;
    2. Providing 0.5 air changes (plus or minus 0.1) of outdoor air per hour in all habitable rooms;
    3. Each of the air conditioning and mechanical ventilation systems shall be capable of being individually switched on and off by the building occupants; and
    4. Creating no more than 40dB LAeq in the principal living room, no more than more than 30dB LAeq in the other habitable rooms, and no more than 40dB LAeq in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1m away from any diffuser, and
  - iii. A mechanical kitchen extractor fan ducted directly to the outside to serve any cooking hob, if such extractor fan is not already installed and in sound working order.
- c. Following the installation of the measures to meet the above standards the applicant shall provide the Council with a certificate from a suitably qualified independent person or persons approved by the Council, that the installation of those measures has been properly undertaken in accordance with sound practice.
2. Acoustic standards for additions to existing educational facilities and any new educational facilities in the Inner Control Area
    - a. Prior to the issue by the Council of a resource consent or a building consent an applicant shall provide a certificate from a suitably qualified and experienced acoustical consultant stating that the design and construction of a new building or additions or alterations to an existing building are able to attenuate aircraft noise sufficiently to meet an internal noise environment of Ldn 40dBA in all classrooms, libraries and halls with all windows closed. A similar certificate is to be provided from a suitably qualified and experienced ventilation engineer stating that the design and construction of a new building or additions or alterations to an existing building are able to meet the ventilation performance standard set out below. This certificate is to be accompanied by the following information:
      - i. A plan clearly identifying the system to be installed and the location of the fan and ducting;
      - ii. Sufficient information to confirm that the system is within the volume limits; and

- iii. A letter stating that suitable arrangements have been made with the approved provider or supplier for the installation.
- b. The ventilation performance standard shall be:
  - i. In the case of classrooms and libraries, air conditioning and/or a mechanical ventilation system or mechanical ventilation systems that are:
    - 1. Designed to achieve indoor air temperatures of not less than 16 degrees Celsius in winter and not greater than 27 degrees Celsius in summer at 5% ambient design conditions as published by the National Institute of Water and Atmospheric Research in its publication "Design Temperatures for Air Conditioning (degrees Celsius) Data Period 1991-2000";
    - 2. Capable of providing outdoor air ventilation at the rate of 8 litres of air per second per person for the maximum number of people able to be accommodated in any such room at one time ("the required airflow");
    - 3. Capable of enabling (in the case of classrooms or libraries in which only mechanical ventilation systems are used to satisfy the above temperature and outdoor air requirements) the outdoor airflow to be controlled across the range, from the maximum airflow capacity down to the required airflow when all external doors of the classroom or library are closed;
    - 4. Otherwise complying with the New Zealand Standard NZS 4303:1990 "Ventilation for Acceptable Indoor Air Quality"; and
    - 5. Capable of creating no more than 35dB LAeq in each classroom and no more than 40dBA Leq in each library or any hallway or corridor. Noise levels from the mechanical system(s) shall be measured at least 1m away from any diffuser.
  - ii. In the case of halls, a mechanical ventilation system or mechanical ventilation systems that are capable of:
    - 1. Providing at least 12 litres of outdoor air per second per square metre with all external doors and windows of the hall closed;
    - 2. Enabling the outdoor airflow to be controlled across the range, from the maximum airflow down to the rate of 8 litres of outdoor air per second per person for the maximum number of occupants able to be accommodated in the hall at one time;
    - 3. Otherwise complying with the New Zealand Standard NZS 4303:1990 "Ventilation for Acceptable Indoor Air Quality"; and
    - 4. Creating no more than 35dB LAeq in each hall and no more than 40dB LAeq in any hallway or corridor. Noise levels from the mechanical system(s) shall be measured at least 1m away from any diffuser.

## **NOISE-S8 Amplification involved with temporary activities and events**

*[4.6(9), 5.6(8), 6.6(9), 7.6(9), 8.6(1)(9), 8.6(2)(9), 8.6(3)(9), 9.6(10), 10.6(10)]*

- 1. Any 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.

## Matters of Discretion

The following matters of discretion apply where listed in the rule table for the relevant activity.

### **NOISE-MD1 Non-compliance matters**

#### **1. Residential Zones:**

*[4.8(2)(1)]*

- a. The reason for the non-compliance with the performance standard and the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and objectives and policies.

#### **2. City Centre Zones, Commercial Zones, Industrial Zones, Business and Innovation Zones, and Reserves, Community Assets and Water Zones:**

*[5.8(2)(1)][6.8(2)(1)][7.8(2)(1)][8.8(2)(1)][10.8(2)(1)]*

- a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the performance standard and the relevant objectives and policies.
- b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites.
- c. How the activity provides more efficient and practical use of the remainder of the site.
- d. Within the Transitional Industrial Zone, how the aspect of non-compliance will reduce the amenity of neighbouring residents.

#### **3. Rural Zones:**

*[9.8(2)(1)]*

- a. The extent of the effects of the non-compliance on achieving the purpose of the relevant performance standard and the Objectives and Polices 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.

### **NOISE-MD2 Noise specific matters**

*[A11.7(1)]*

1. Where one or more performance standards are not met, the reason for the non-compliance and the extent to which the activity will avoid, remedy or mitigate the effects of non-compliance on achieving the purpose of the relevant performance standard and objectives and policies.
2. The nature of the zone within which the noise generating activity is located and its compatibility with the expected environmental results for that zone.
3. The nature of any adjoining zone(s), and the compatibility of the noise generating activity with the expected environmental results for those adjoining zone(s).
4. Existing ambient noise levels.
5. The length of time for which specified noise levels will be exceeded, particularly at night, with regard to likely disturbance that may be caused.
6. The potential for cumulative noise effects to result in an adverse outcome for receivers of noise.

7. The likely adverse impacts of noise generating activities both on and beyond sites, on a site, on visitors, users of business premises, or on public places in the vicinity.
8. The extent to which the noise may detract from enjoyment of any recreation or conservation area.
9. The maximum level of noise likely to be generated, its nature, character and frequency, and the disturbance this may cause to people in the vicinity.
10. Whether the noise generated would be of such a level as to create a threat to the health or well-being of persons living or working in the vicinity.
11. The proposals made by the applicant to reduce noise generation. This may include guidance provided by a suitably qualified and experienced acoustic consultant.
12. The value and nature of entertainment activities and their benefit to the wider community, having regard to the frequency of noise intrusion and the practicality of mitigating noise, or utilising alternative sites.
13. The extent to which achieving the relevant limits is practicable, given any existing activities which create noise, particularly on the interface with commercial, industrial or recreational activities.
14. The extent to which achieving the relevant limits is practicable where the existing noise environment is subject to significant noise intrusion from road, rail or air transport activities.
15. The adequacy of information provided by the applicant.
16. The level of involvement of a suitably qualified and experienced acoustic consultant in the assessment of potential noise effects and/or mitigation options
17. Any other relevant standards, codes of practice or assessment methods based on robust acoustic principles.
18. Whether the proposed activity is likely to lead to potential conflicts with, or adverse effects on, lawfully established noise generating activities in the locality.
19. Methods of reducing noise sensitivity.
20. Whether the proposed activity achieves the relevant reverse sensitivity objectives and policies of this chapter.

### **NOISE-MD3                      Zone specific matters**

- 1. Residential Zones:**
  - a. The extent to which the activity adversely effects the character and amenity values of the zone.
- 2. Industrial Zones:**
  - a. The extent to which the proposal will enhance the character and amenity of the city entranceways.
- 3. Reserves, Community Assets and Water Zones:**
  - a. Building Design, Site Layout and Amenity:
    - i. The amenity of the streetscape is maintained and enhanced
    - ii. The extent to which the activity would maintain or enhance heritage features, cultural sites, identified natural and cultural landscapes or archaeological sites.
    - iii. The extent to which the activity adversely affects the natural character, cultural amenity and landscape values.

- iv. The extent to which the activity produces noise or any other nuisance effects.
- v. The extent to which the activity adversely affects adjoining sites or land-based activities.
- vi. The extent to which the hours of operation of an activity causes adverse effects on adjoining sites

#### **NOISE-MD4 Noise sensitive activities near Rotorua Airport**

*[4.8(2)(2), 8.8(2)(4), 9.8(2)(2)]*

1. Any addition to Existing Activities Sensitive to Aircraft Noise within the Inner Noise Control Area, that increases the total gross floor area of the noise sensitive activity by more than 25% - 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 to existing parts of the structure housing the activity sensitive to aircraft noise.
  - c. Whether a covenant should be registered on the title to secure any conditions of consent; and the means of securing any conditions of consent.
  - d. Whether, having regard to all the circumstances the nature, size and scale of the addition is likely to lead to potential conflict with and adverse effects upon airport activities.
  - e. Any assessment criteria applicable to the activity within the residential zones.
  - f. Any particular issues of safety relating to occupants of the site, or aircraft, in relation to any proposed activities or buildings on the site.
  - g. The potential to detract from the qualities and characteristics specified of a landscape or feature identified in the schedules of Natural Environmental Values Inventory or the natural character of the environment.
  - h. How the proposal affects the appearance of the outstanding natural feature or landscape.
  - i. The level of involvement of a suitably qualified and experienced acoustic consultant in the assessment of potential noise effects and/or mitigation options.

#### **Assessment Criteria**

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

#### **NOISE-AC1 Noise sensitive activities within the Inner Noise Control Area**

*[4.9(2)(1), 8.9(2)(3), 9.9(2)(1)]*

1. 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;
2. Any particular issues of safety relating to occupants of the site, or aircraft, in relation to any proposed activities or buildings on the site;
3. 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;

4. The application of the applicable acoustic performance standards listed; and
5. Whether a covenant should be registered on the title to secure any conditions of consent; and the means of securing any conditions of consent.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

<b>NOISE-AER1</b>	Amenity of zones consistent with that anticipated.
<b>NOISE-AER2</b>	Improved amenity where residential zones interface with other zones.
<b>NOISE-AER3</b>	No reverse sensitivity effects at the interface f industrial zones and infrastructure activates and other zones.
<b>NOISE-AER4</b>	No reverse sensitivity effects within the Central City zones.
<b>NOISE-AER5</b>	The continued viable production of rural land and operation of permitted and lawfully established industries in the rural zone.

## APPENDICES

### NOISE-APP1 – Deed of Land Covenant

**DEED** dated the..... day of ..... 20....

#### PARTIES

1. **[REGISTERED PROPRIETOR]** together with its successors in title ("**Covenantor**")
2. **THE ROTORUA DISTRICT COUNCIL ("the Council")**

#### INTRODUCTION

- A. The Covenantor is registered as proprietor of the land more particularly described in the First Schedule ("**Servient Land**")
- B. The Council is registered as proprietor of the land more particularly described in the Second Schedule ("**Dominant Land**").
- C. The Rotorua Regional Airport is sited on the Dominant Land and [**NAME OF AIRPORT OPERATOR**] ("**AO**") operates the Rotorua Regional Airport with the agreement of the Council under the powers conferred on it pursuant to section 3(3) of the Airport Authorities Act 1966.
- D. The operation of the Rotorua Regional Airport results and is likely to result in environmental effects, such as noise, which has and is likely to have consequences beyond the boundaries of the Dominant Land, including upon the Servient Land.
- E. The Rotorua District Plan requires that where land is identified as being occupied and used by an Activity Sensitive to Aircraft Noise, and is predicted to fall within or partly within either the  $L_{dn}$  60dBA or the  $L_{dn}$  65dBA contour in the Annual Aircraft Noise Contour Plan relating to levels of noise from operations at Rotorua Regional Airport, AO shall make an offer to the owner of that land to install acoustic treatment and related ventilation measures in the building(s) on the Servient Land, for the purpose of mitigating the effects of such noise, more particularly described in the Fourth Schedule ("Treatment Measures").
- F. The Servient Land is identified as being occupied and used by an Activity Sensitive to Aircraft Noise, and is [predicted to fall] [falls] within or partly within the [ $L_{dn}$  60dBA] [ $L_{dn}$  65dBA] contour in the Annual Aircraft Noise Contour Plan relating to levels of noise from operations at Rotorua Regional Airport, and the Covenantor has accepted AO's offer to install Treatment Measures in the building(s) on the Servient Land.
- G. In consideration of AO's offer the Covenantor has agreed with AO to accept for itself and its successors in title to the Servient Land and any part or interest in the Servient Land, for the period until [insert date 30 years from date of plan change becoming operative], an obligation not to lessen the effectiveness of, or remove, the Treatment Measures, in accordance with the terms of this Deed.

#### COVENANTS

The Covenantor for itself and its successors in title to the Servient Land, or any part of it, hereby covenants, acknowledges and agrees with the Council as a covenant for the benefit of the Dominant Land, that the Covenantor will observe and perform all the stipulations and restrictions contained in the Third Schedule to the end and intent that each of the stipulations and restrictions shall, in the manner and to the extent prescribed, ensure for the benefit of, and be appurtenant

to, the whole of the Dominant Land until [insert date 30 years from date of plan change becoming operative].

**EXECUTION**

**Signed by** )

**Registered Proprietor** )

in the presence of: )

.....

(Signature of Witness)

.....

(Name of Witness)

.....

(Occupation of Witness)

.....

(Address of Witness)

**THE COMMON SEAL** of )

**ROTORUA DISTRICT COUNCIL** )

was affixed in the )

presence of: )

.....

.....

.....

**FIRST SCHEDULE**

(Servient Land)

**Legal Description**

**Certificate of Title**

**SECOND SCHEDULE**

(Dominant Land)

**Legal Description**

**Certificate of Title**

**THIRD SCHEDULE**

(Covenants)

1. The Covenantor acknowledges that:



- (a) The Servient Land is being occupied and used by an Activity Sensitive to Aircraft Noise, and is [predicted to fall] [falls] within or partly within the [L<sub>dn</sub> 60dBA] [L<sub>dn</sub> 65dBA] contour in the Annual Aircraft Noise Contour Plan relating to levels of noise from operations at Rotorua Regional Airport; and that
  - (b) The Covenantor has accepted AO's offer to install Treatment Measures in the building(s) on the Servient Land; and that
  - (c) The terms of this Deed will remain binding on the Parties notwithstanding any future change to the Rotorua District Plan.
2. The Covenantor will do nothing to lessen the effectiveness of the Treatment Measures ("modifications") and will not remove the Treatment Measures ("removal work") in any building on the Servient Land unless:
  - (a) The Covenantor has obtained the written approval of AO; or
  - (b) The modifications or removal works are being undertaken for the purpose of reconstructing, altering or extending the building or part of the building or removing part of the building, and:
    - (i) The entire building; or
    - (ii) Any room directly affected by the modifications or removal works, which is to remain a habitable room, will meet the requirements of the relevant Rotorua District Plan for acoustic treatment measures to mitigate aircraft noise; or
  - (c) The Covenantor is demolishing the entire building or removing it from the Servient Land.
3. The Covenantor will not seek any further acoustic treatment or related ventilation measures from AO in respect of the Servient Land beyond the Treatment Measures described in the Fourth Schedule, EXCEPT THAT if AO, after entering into this Deed:
  - (a) Amend either by designation or resource consent, the length of the existing runways, or add new runways; or
  - (b) Permit any change in the type of aircraft using Rotorua Regional Airport; and
  - (c) The effect is to increase the noise exposure of the Servient Land beyond that contemplated within the Air Noise Area or the Inner Control Area, the Covenantor shall be released from this Deed.
4. AO shall not unreasonably withhold its approval under clause 2(a); and in considering a request for approval it shall take into account the reason(s) why approval is sought and in particular whether:
  - (a) The owner intends to upgrade or improve the acoustic insulation in the building or relevant parts of the building;
  - (b) Whether the proposed modifications or removal works will affect in any material way the mitigation of the effects of aircraft noise in any habitable room in the building;
  - (c) The owner wishes to change the use of a habitable room to a non-habitable room;
  - (d) The use of the building for an Activity Sensitive to Aircraft Noise has or is intended to cease, on more than a temporary basis.

- 5. AO shall deal promptly with any request for approval under clause 2(a) and shall as soon as is practicable:
  - (a) Serve the Covenantor with written notice of AO's decision under clause 2(a);
  - (b) Include as part of that written notice its reasons for any refusal to give its approval; and
  - (c) Where approval is refused, forward a copy of that written notice to the Rotorua District Council.
  
- 6. For the purpose of this Covenant, the terms "operative", "District Plan", and "designation" are as defined under the Resource Management Act 1991, or any equivalent subsequent legislation, and references to any sections or parts of the Resource Management Act 1991 are deemed to refer to any equivalent provisions of the subsequent legislation also.

**FOURTH SCHEDULE**

(Treatment Measures)

**[REGISTERED PROPRIETOR]**

Covenantor

**AIRPORT OPERATOR**

AO

**DEED OF LAND COVENANT**

Correct for the purposes of the Land Transfer Act

Solicitor for Covenantor

**TO: DISTRICT LAND REGISTRAR**

**SOUTH AUCKLAND LAND REGISTRY**

Please note the covenants contained in the within Deed of Land Covenant against the Certificate of Title referred to in the First Schedule to this Deed.

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Solicitor for Covenantor

# PAPAKĀINGA AND KAUMĀTUA HOUSING

Status: PK is Operative

## OBJECTIVES

Refer to objective SDML-O1 (Development of Māori Land) in Strategic Direction.

## POLICIES

### Sustainable development of Māori land

Objective SDML-O1

#### PK-P1

[3.3(4)(1)]

Enable opportunities for papakāinga development that provides for a range of functions including living, working, cultural activities and recreation that can be serviced and is in keeping with the zone in which it is located.

Refer also to policies SDML-P1 and SDML-P2.

## RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District Wide Matters.

However, these rules override the rules for the zone with respect to the activities addressed.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

Papakāinga (including Kaumātua Flats)		
PK-R1	Papakāinga (including kaumātua flats)	
		[3.5(14) 3.5(14)(a) 3.5(17) 3.5(18)]
<b>Applicable Spatial Layers</b> All Zones except in <b>Rural</b> and Industrial Zones	<b>1. Activity Status:</b> Permitted <b>Where:</b> The papakāinga or kaumātua flats have not been approved through the development plan process set out in PK-R2	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for PK-R1(1). <b>Matters of Discretion:</b>

	<p><b>Performance Standards:</b></p> <p>a. Activities shall comply with the performance standards of the zone for <u>residential household</u> units, <del>except in respect of the density of kaumātua flats (see b. below);</del></p> <p><del>b. The density for kaumātua flats shall not exceed one per 150m<sup>2</sup> of land area;</del></p> <p>c. The activity must be located on <del>land that adjoins or is adjacent to a Marae, and is on</del> Māori multiple-owned land, or <u>land which is otherwise</u> under the jurisdiction of the Māori Land Court; and</p> <p>d. The land concerned must be vested in trustees whose authority is defined in a Trust Order or other empowering instrument which will ensure that:</p> <p>i. The land remains vested in the trustees without power of sale; and</p> <p>ii. The occupation or beneficial interest in the land shall be restricted to members of the hapu.</p>	<p>a. Those matters of non-compliance and the objectives and policies relevant to the matters of discretion;</p> <p>b. Where performance standards of the zone are not met: 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;</p> <p>c. <u>PK-MD1</u> General;</p> <p>d. The extent to which papakāinga affects the natural landscape, geothermal or wildlife resources;</p> <p>e. The extent to which papakāinga affects the sustainable management of the natural and physical resources of the district;</p> <p>f. The extent to which papakāinga affects streams, rivers, lakes or other elements of the water environment; and</p> <p>g. The extent to which papakāinga affects the <u>planned</u> character and amenity of the underlying zone.</p>
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<p><b><u>Applicable Spatial Layers</u></b></p> <p><u>All Rural Zones</u></p>	<p><b><u>3 Activity Status: Permitted</u></b></p> <p><b><u>Where:</u></b></p> <p><u>The papakāinga or kaumātua flats have not been approved through the development plan process set out in PK-R2.</u></p> <p><b><u>Performance Standards:</u></b></p> <ol style="list-style-type: none"> <li>a. <u>Activities shall comply with the performance standards of the zone for household units, except in respect to RURZ-S4 Household unit density;</u></li> <li>b. <u>The number of residential units per site does not exceed one residential unit per 2,000m<sup>2</sup> of net site area.</u></li> <li>c. <u>The density for kaumātua flats shall not exceed one per 150m<sup>2</sup> of land area;</u></li> <li>d. <u>Any places of assembly and commercial or industrial activities are established in conjunction with, and are directly associated with, the residential activities of the papakāinga.</u></li> <li>e. <u>Non-residential activities are set back at least 100m from any existing residential unit on a separate site.</u></li> <li>f. <u>Non-residential activities shall not cumulatively exceed 500m<sup>2</sup> in gross floor area on any one site.</u></li> <li>g. <u>The activity must be located on Māori multiple-owned land, or land which is otherwise under the jurisdiction of the Māori Land Court; and</u></li> <li>h. <u>The land concerned must be vested in trustees whose authority is defined in a Trust Order or other empowering instrument which will ensure that:</u></li> </ol>	<p><b><u>4 Activity Status: Restricted Discretionary</u></b></p> <p><b><u>Where:</u></b></p> <p><u>Compliance is not achieved with the performance standards for PK-R1(3).</u></p> <p><b><u>Matters of Discretion:</u></b></p> <ol style="list-style-type: none"> <li>a. <u>Those matters of non-compliance and the objectives and policies relevant to the matters of discretion;</u></li> <li>b. <u>Where performance standards of the zone are not met: 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;</u></li> <li>c. <u>PK-MD1 General;</u></li> <li>d. <u>The extent to which papakāinga affects the natural landscape, geothermal or wildlife resources;</u></li> <li>e. <u>The extent to which papakāinga affects the sustainable management of the natural and physical resources of the district;</u></li> <li>f. <u>The extent to which papakāinga affects streams, rivers, lakes or other elements of the water environment; and</u></li> <li>g. <u>The extent to which papakāinga affects the character and amenity of the underlying zone.</u></li> </ol>
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	<ul style="list-style-type: none"><li>i. <u>The land remains vested in the trustees without power of sale; and</u></li><li>ii. <u>The occupation or beneficial interest in the land shall be restricted to members of the hapū.</u></li></ul>	
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<b>Applicable Spatial Layers</b> All Industrial Zones	<b>35. Activity Status:</b> Non-Complying	
<b>PK-R2 Papakāinga (including kaumātua flats) under a development plan</b>		[3.5(15)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Restricted Discretionary <b>Performance Standard</b> a. Applications for development plan <a href="#">PK-S1</a> . <b>Matters of Discretion:</b> a. Those matters of non-compliance and the objectives and policies relevant to the matters of discretion; b. Where one or more performance standards of the zone are not met: 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; and c. The extent to which development affects: i. the natural landscape, geothermal or wildlife resources; ii. the sustainable management of the natural and physical resources of the district; iii. streams, rivers, lakes or other elements of the water environment; iv. the character and amenity of the underlying zone; and d. <a href="#">PK-MD1</a> General;	
<b>Advice Note:</b> Where an application for resource consent is required for papakāinga (including kaumātua flats), the resource consent can be in the form of a ‘development plan’ to establish the principles of development, rather than providing all details with the application. Papakāinga or kaumātua flats developed in accordance with the development plan will not require further resource consent for not meeting the performance standards of the zone.		

**Advice Note:**

The subdivision provisions of the District Plan are located in SUB – Subdivision. This section has limited application to the subdivision of Māori land. However SUB – Subdivision does include provisions for the subdivision of sites that include, or that adjoin, sites of importance to Māori. The criteria upon which a subdivision application will be assessed, and any conditions that council may impose, are included in SUB - Subdivision.

## Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

### **PK-S1 Applications for development plans for papakāinga (including kaumātua flats) under a development plan**

[3.8(3)]

1. Applications shall include sufficient detail to describe the scale and means of servicing the site by providing information regarding:
  - a. The number of **residential household** units or other buildings,

- b. The means of access to a road,
  - c. The means of providing services (potable water supply, stormwater and sewage disposal, electricity, gas and telecommunications),
  - d. Any proposal for the staging of the development;
2. It may also include all or any of the following:
- a. Landscaping of the site (including earthworks, existing planting to be retained, proposed planting, fencing or other means of enclosure, and any other hard landscaping features).
  - b. Design and external appearance of the buildings.

**Advice Notes:**

1. Where an application for resource consent is required for papakāinga, the resource consent can be in the form of a 'development plan' to establish the principles of development, rather than providing all details with the application.
2. A development plan may be subject to conditions relevant to any of the above matters that are considered necessary given the circumstances of the site, but are not submitted with the development plan accompanying the application for resource consent.

## Matters of Discretion

The following matters of discretion apply where listed in the rule table for the relevant activity.

### **PK-MD1 General matters of discretion**

[3.8(1)]

1. The extent to which legal protection of a site scheduled in the Historical and Cultural Values or Natural Environmental Values schedules can be achieved;
2. The extent to which the subdivision boundary complies with the requirements of existing legal protection;
3. The extent to which the ongoing preservation and maintenance of the site of cultural importance listed in the Historical and Cultural Values or Natural Environmental Values schedules is secured through a formal management arrangement;
4. The extent of any further investigations and studies necessary to determine the precise location of the site;
5. The degree to which existing planting is retained and the extent of proposed re-vegetation; and
6. The extent of the use of Tikanga Māori to ensure that the intrinsic worth of the site is able to be maintained.
7. Whether a financial contribution is required under the provisions of FC – Financial Contributions.



# SIGN

## SIGNS

Status: SIGN is Operative

## ISSUES

### **SIGN-I1 Management of signs to maintain and/or improve amenity and protect a safe and efficient transport network**

The size, type, colour, illumination and location of signs, as well as the proliferation of signs can have an adverse effect on the safe and efficient operation of the transport network and the amenity and character of the zone and district. In order to promote Rotorua's image as a tourist destination, the cumulative effects and visual clutter of signs, especially along the entranceways, strategic and collector roads need to be managed.

The amenity and character can therefore be improved by avoiding signs which are not related to the site on which they are located (non-site related signs). Similarly, the adverse visual effects of a proliferation of signs across the district needs to be offset by maintaining a high amenity level in more sensitive zones such as the Residential and Rural environments.

The plan needs to enable the inclusion of te reo Māori on signs.

## OBJECTIVES

### Activities in All Zones

#### **SIGN-O1**

[4.3(9), 5.3(7),  
6.3(5), 7.3(6)  
8.3(7), 9.3(8)  
10.3(6)]

Signs are designed and located to maintain and/or improve the amenity and character of the zone and district and to ensure traffic safety is not compromised.

*Policies SIGN-P1 to SIGNS-P4, Polices SIGN-P6 to SIGN-P9, Policies SIGN-10 to SIGN-P13*

### Activities in Residential Zones

#### **SIGN-O2**

[4.3(6)]

Residential site design and development in a sustainable manner that promotes and maintains the character of the zone, residential amenity and community safety.

*Policies SIGNS-P5*

## POLICIES

### Activities in Residential Zones

#### Objective SIGN-O1

<b>SIGN-P1</b> [4.3(9)(1)]	The size and scale, type, colour, number and location of signs is consistent with the amenity value and character of the zone, and illuminated, flashing and multi-media signs are avoided.
<b>SIGN-P2</b> [4.3(9)(2)]	Enable site-related signs to support and promote the activity on the site, including identification of location, whilst minimising the visual impact.
<b>SIGN-P3</b> [4.3(9)(3)]	Reduce the cumulative effects of signs, particularly along the city entranceways, strategic and collector roads by: <ol style="list-style-type: none"> <li>1. Avoiding the establishment of non-site related signs that detract from the purpose of the zone and amenity and character of the district</li> <li>2. Mitigating visual clutter through integration of multiple signs into multi sign signboards.</li> </ol>
<b>SIGN-P4</b> [4.3(9)(4)]	Ensure that the scale, design and location of signs are consistent with the safe and efficient functioning of the transport network, especially near roundabouts and intersections, as well as providing for clear identification of access to sites.

#### Objective SIGN-O2

<b>SIGN-P5</b> [4.3(6)(3)]	Control signage to ensure that it does not adversely affect traffic safety, residential amenity, or matters of significant cultural, historical, or landscape value as listed in Appendices 1 and 2, Cultural Historic Heritage Inventory and Natural Heritage Inventory respectively.
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### Activities in City Centre, Commercial, Industrial, Business and Innovation Zones

#### Objective SIGN-O1

<b>SIGN-P6</b> [5.3(7)(1) 6.3(5)(1) 7.3(6)(1) 8.3(7)(1)]	The size and scale, type, colour, number and location of signs is consistent with the amenity value and character of the zone, and illuminated, flashing and multi-media signs are restricted to appropriate locations.
<b>SIGN-P7</b> [5.3(7)(2) 6.3(5)(2) 7.3(6)(2) 8.3(7)(2)]	Enable site-related signs to support and promote the activity on the site, including identification of location, whilst minimising the visual impact.
<b>SIGN-P8</b> [5.3(7)(3) 6.3(5)(3) 7.3(6)(3) 8.3(7)(3)]	Reduce the cumulative effects of signs, particularly along the city entranceways, strategic and collector roads by: <ol style="list-style-type: none"> <li>1. Avoiding the establishment of non-site related signs that detract from the purpose of the zone and amenity and character of the district</li> <li>2. Mitigating visual clutter through integration of multiple signs into multi sign signboards.</li> </ol>

<b>SIGN-P9</b> [5.3(7)(4) 6.3(5)(4) 7.3(6)(4) 8.3(7)(4)]	Ensure that the scale, design and location of signs are consistent with the safe and efficient functioning of the transport network, especially near roundabouts and intersections, as well as providing for clear identification of access to sites.
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### Activities in Rural, Reserves, Community Assets and Water Zones

Objective SIGN-O1

<b>SIGN-P10</b> [9.3(8)(1)]	The size and scale, type, colour, illumination, number and location of signs is consistent with the amenity value and character of the zone, and flashing and multi-media signs are avoided.
<b>SIGN-P11</b> [9.3(8)(2)]	Enable site-related signs to support and promote the activity on the site, including identification of location, whilst minimising the visual impact.
<b>SIGN-P12</b> [9.3(8)(3)]	Reduce the cumulative effects of signs, particularly along the city entranceways, strategic and collector roads by: <ol style="list-style-type: none"> <li>1. Avoiding the establishment of non-site related signs that detract from the purpose of the zone and amenity and character of the district</li> <li>2. Mitigating visual clutter through integration of multiple signs into multi sign signboards.</li> </ol>
<b>SIGN-P13</b> [9.3(8)(4)]	Ensure that the scale, design and location of signs are consistent with the safe and efficient functioning of the transport network, especially near roundabouts and intersections, as well as providing for clear identification of access to sites.

## RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District Wide Matters.

However, these rules override the rules for the zone with respect to the activities addressed.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

<b>SIGN-R1 Signs</b>		[A8]
<b>Applicable Spatial Layers</b> All Zones excluding Water Zones	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>a. Signs relate to a permitted or controlled activity on the site.</p> <p><b>Performance Standards:</b></p> <p>a. General <a href="#">SIGN-S1</a>; and</p> <p>b. Zone specific <a href="#">SIGN-S2</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>a. Compliance is not achieved with the performance standards for SIGN-R1(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. Non-compliance <a href="#">SIGN-MD1</a>;</p> <p>b. Sign <a href="#">SIGN-MD2</a>; and</p> <p>c. Zone specific <a href="#">SIGN-MD3</a>.</p>

<b>SIGN-R2 Temporary signs</b>		[A8]. 7.5(98)
<b>Applicable Spatial Layers</b> All Zones excluding Water Zones	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. Signs relate to the site.</li> <li>b. The sign is not addressed by Rules SIGN-R2(3) or (4)</li> </ul> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">SIGN-S1</a>; and</li> <li>b. Temporary <a href="#">SIGN-S3</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. Compliance is not achieved with the performance standards for SIGN-R2(1)</li> </ul> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">SIGN-MD1</a>;</li> <li>b. Sign <a href="#">SIGN-MD2</a>; and</li> <li>c. The general assessment criteria for the relevant zone.</li> </ul>
<b>Applicable Spatial Layers</b> Industrial 1 Zone	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. It is signage for a temporary event</li> </ul>	
<b>Applicable Spatial Layers</b> Industrial 2 and T Zones	<p><b>4. Activity Status:</b> Non-complying</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. It is signage for a temporary event</li> </ul>	
<b>SIGN-R3 Signs within Government Gardens in accordance with Council's Government Gardens Signage Strategy</b>		[10.5(40)]
<b>Applicable Spatial Layers</b> Reserves 2 Zone	<p><b>1. Activity Status:</b> Permitted</p>	
<b>SIGN-R4 One freestanding sign for sites that contain multiple businesses, or where a number of sites are located down a single accessway, which combines each business' or tenancy's sign into one</b>		[7.5(63)]
<b>Applicable Spatial Layers</b> All Industrial Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. Signs relate to permitted or controlled activities on the site; and</li> <li>b. Signs exceed the maximum signage area in <a href="#">SIGN-S2</a>.</li> </ul> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">SIGN-S1</a>;</li> <li>b. Zone specific <a href="#">SIGN-S2</a> but excluding maximum signage area; and</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Building design, site layout and amenity;</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. Compliance is not achieved with the performance standards for SIGN-S4(1)</li> </ul> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">SIGN-MD1</a>;</li> <li>b. Sign <a href="#">SIGN-MD2</a>; and</li> <li>c. Zone specific <a href="#">SIGN-MD3</a>.</li> </ul>

	<ul style="list-style-type: none"> <li>i. The location of buildings and structures and location of outdoor activities in order to mitigate potential adverse effects on amenity of the city entranceways, rural or residential zones;</li> <li>ii. Vegetative screening and landscaping along any boundary adjoining a residential or rural zone in order to maintain residential or rural amenity;</li> <li>iii. The cultural or social effects created on the surrounding environment with particular regard to effects of activities on the Ngāpuna residential area; and</li> <li>iv. Management of glare, illumination and light levels to avoid adversely affecting surrounding residents.</li> <li>v. The maintenance and enhancement of amenity of the streetscape, and where relevant the city entranceway;</li> <li>b. Any requirement for on-going maintenance of the sign(s);</li> <li>c. The benefits of the consolidation of signs;</li> <li>d. The location, type and size of other signs on the same site and adjoining sites;</li> <li>e. Any comments received from the New Zealand Transport Agency if the site fronts or is directed towards a State Highway, and/or</li> <li>f. Any adverse effects of a sign on road safety or visual amenity.</li> </ul>	
<p><b>SIGN-R5 Signs located on a historic site or attached to a Historic Structure listed in the schedules for Historical and Cultural Values.</b></p>		<p>[4.5(46) 5.5(1)(35) 5.5(2)(27) 6.5(49) 9.5(51) 10.5(41)]</p>
<p><b>Applicable Spatial Zones</b> All Zones</p>	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. Signs relate to a permitted or controlled activity on the site.</li> </ul> <p><b>Matters of Discretion</b></p> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">SIGN-MD1</a>;</li> <li>b. Sign <a href="#">SIGN-MD2</a>; and</li> <li>c. Zone specific <a href="#">SIGN-MD3</a>.</li> </ul>	

<b>SIGN-R6 Non site related signs</b>		[A8]
<b>Applicable Spatial Layers</b> All City Centre Zones Industrial 1,2 and T Zones All Business and Innovation Zones All Reserves, Community Assets and Water Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. Sign <a href="#">SIGN-AC1</a> ; and b. The general assessment criteria for the relevant zone.	
<b>Applicable Spatial Layers</b> All Residential Zones Industrial 1E Zone All Rural Zones	<b>2. Activity Status:</b> Non-Complying <b>Assessment Criteria:</b> a. Sign <a href="#">SIGN-AC1</a> .	

## Advice Notes:

1. Signs required to comply with HAZS-S3 are exempt from the rules of this chapter.
2. Signs within the road reserve are controlled through the Rotorua District Council Signs on Roads Bylaw 2015, not the rules in this plan.
3. Signs required by statute such as the Electoral Act 1993, or bylaw, are governed by the relevant statute or bylaw.
4. Signs that are not visible from beyond the boundary of a site are not included in the definition of a sign and are not subject to the provisions in this Plan.
5. For the rules relating to signs in the Water Zones, refer to the rules for lake structures.

## Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

**SIGN-S1 General signs performance standards**

[A8.2(1)]

1. All signs shall relate to the activity located on-site. A community information sign is site related when it relates to the primary activity of the site and does not include occasional use of the site for community-based or charitable organization purposes.
2. No sign shall mimic the design, wording, graphics, shape or colour of an official traffic sign.
3. All signs shall comply with the performance standards for the relevant zone in relation to:
  - a. Maximum Height and Daylight Envelope;

- b. Yard Requirements;
  - c. Site Coverage;
  - d. Reflectivity; and
  - e. Location of Buildings within the Rotorua Caldera Rim.
4. Signs shall be maintained at all times in the same or similar standard as when the sign was erected.
5. A sponsor’s name and logo may appear in relation to:
- a. Educational activities; or
  - b. Sports or Club Facilities; or
  - c. A temporary sign advertising a single forthcoming event; or
  - d. Community information signs;
- and shall occupy no more than 20% of the sign area.
6. No sign shall be visible from a road that:
- a. Obscures or impairs the sight distance of any vehicle/pedestrian entry or exit; or
  - b. Is of a design or contains lettering that constitutes a hazard to traffic safety; or
  - c. Is constructed, placed and/or affixed in a manner that poses a danger to property, people or traffic.
7. Sign area shall be calculated as follows:
- a. The area of a single sided sign whether painted, attached to a structure or freestanding shall be its face area.
  - b. The area of a double sided sign shall only be calculated once.
  - c. Support structures including poles shall not be included in the area calculation.
8. The diagram below illustrates the different types of signs referred to in the plan.

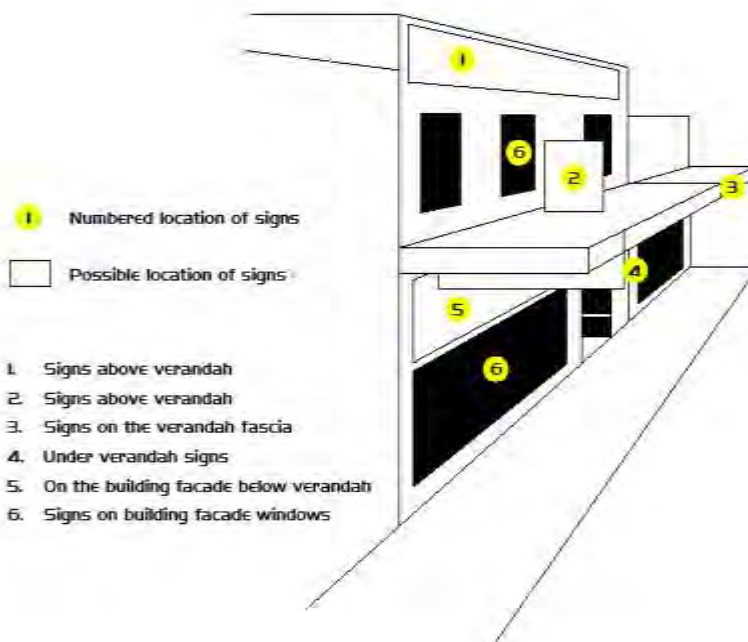


Figure SIGN-1

**SIGN-S2 Zone specific sign performance standards****1. Residential Zones:***[A8.3(1)]*

- a. No more than one sign per site up to a maximum area of 1m<sup>2</sup>.
- b. Signs attached to an external wall or fence must be parallel to the face of the wall or fence and shall not project at an angle.
- c. No sign shall be located on a roof.
- d. No free standing sign shall exceed 1.5m in height.
- e. Signs shall be located so they do not restrict visibility to and from intersections and property access.
- f. Signs shall not contain any moving or flashing parts, be illuminated, or use electronic screens for displaying digital media.
- g. Freestanding signs that comply with the performance standards in this paragraph shall be exempt from the yard and daylighting performance standards.

**2. City Centre 1 Zone and City Centre 3 Zone:***[A8.3(2)(1)]*

- a. Attached signs on a building above the verandah:
  - i. No more than 20% of the building façade located above the verandah for each tenancy shall consist of signs.
  - ii. Attached signs shall not project past the building on which the sign is located.
  - iii. No restrictions apply to building façades that are not visible from a public road or public space.
  - iv. No signs on buildings listed in the schedules for Historical and Cultural Values.
- b. Attached signs on a building under the verandah:
  - i. No more than 20% of each window on the building façade visible from a pedestrian focussed street shall consist of signs.
  - ii. Under verandah signs shall be set back at least 0.15m from the verandah fascia, shall be at least 2.5m above the footpath at any measured point, and shall not exceed 1.8m in length and 0.3m in-depth.
  - iii. No restrictions apply to building façades that are not visible from a public road or public space.
  - iv. For buildings listed in the schedules for Historical and Cultural Values., the following performance standards shall apply in addition to the above:
    1. The sign shall be located at ground floor level and shall not protrude beyond the body of the building.
    2. The sign shall not be placed over any building names, plaster detailing, fretwork or cover the doors. This will also apply to freestanding signs.
    3. The sign shall be attached by means of Ramset Ankascrews, Chemset anchors or similar product for concrete or brick buildings or by support system for a



wooden building.

4. The height of any freestanding sign shall not exceed 2m.
- c. Signs located on the verandah fascia:
- i. The external dimensions of verandah fascia signs shall be no more than 740mm in height, or the height of the verandah fascia whichever is the greater.
  - ii. Verandah fascia signs shall not be illuminated or contain any moving or flashing parts, or utilise electronic screens for displaying digital media.
- d. Signs for buildings with no verandah:
- i. No more than 20% of each window on the building façade visible from a public place shall consist of signs.
  - ii. No more than 20% of the building façade visible from a public place shall consist of signs.
  - iii. No restrictions apply to building façades that are not visible from a public road or public space.
  - iv. For buildings listed in the schedules for Historical and Cultural Values., the following performance standards shall apply in addition to the above:
    1. The sign shall be located at ground floor level and shall not protrude beyond the body of the building.
    2. The sign shall not be placed over any building names, plaster detailing, fretwork or cover the doors. This will also apply to freestanding signs.
    3. The sign shall be attached by means of Ramset Ankascrews, Chemset anchors or similar product for concrete or brick buildings or by support system for a wooden building.
    4. The height of any freestanding sign shall not exceed 2m.

### 3. City Centre 2 Zone:

[A8.3(2)(2)]

- a. Attached signs on a building above the verandah:
- i. The area of any signs on façades of buildings located within 50m of Victoria Street or Ranolf Street and directly facing those streets shall comprise no more than 5% of the area of that façade.
  - ii. For all other building surfaces, signs shall not exceed 20% of each face of the building façade.
  - iii. Attached signs shall not project past the building on which the sign is located.
- b. Freestanding signs:
- i. One freestanding sign per public (pedestrian or vehicle) entrance to the Rotorua Central site shall be permitted. These signs shall provide for the advertising of the Rotorua Central commercial centre as a whole.
  - ii. Freestanding signs at the public thoroughfare entrances at Amohau and Fenton Streets shall comply with the maximum height provision for the zone. The maximum area of each sign shall not exceed 40m<sup>2</sup>.

- iii. Freestanding signs at the public thoroughfare entrances at Victoria Street and Ranolf Street shall not exceed 9m in height. The maximum area of each sign shall not exceed 20m<sup>2</sup>.
- iv. For sites located outside of Precincts Area A and B as shown on Figure CCZ-2, one freestanding sign shall be permitted per lot provided it does not exceed 9m height and 20m<sup>2</sup> in area.
- v. For sites located outside of Precincts Area A and B as shown on Figure CCZ-2, one illuminated directional sign per vehicle crossing shall be permitted provided it does not exceed maximum height 2.7m in height or 0.7m in width.

#### 4. Commercial Zones:

- a. Signs on buildings with verandahs in Commercial 1, 2 and 3 Zones:

*[A8.3(3)(1), A8.3(3)(2), A8.3(3)(3)]*

- i. Attached signs on a building above the verandah:
  - 1. No more than 20% of the building façade above the verandah shall consist of signs;
  - 2. Attached signs shall not project beyond the external walls, verandah fascia on which the sign is located; and
  - 3. No restrictions apply to building façades that are not visible from a public road or public place.
- ii. Attached signs on a building under the verandah:
  - 1. No more than 20% of each window of the building façade visible from a public road or public space shall consist of signs.
  - 2. Under verandah signs shall be set back 0.15m from the verandah fascia, shall be at least 2.5m above the footpath at any measured point, and shall not exceed 1.8m in length and 0.3m in depth.
  - 3. No restrictions apply to building façades that are not visible from a public road or public space.
- iii. Signs located on the verandah fascia:
  - 1. The external dimensions of verandah fascia signs shall be within the area of the verandah fascia.
  - 2. Verandah fascia signs shall not be illuminated or contain any moving or flashing parts, or utilise electronic screens for displaying digital media.
- b. Signs on buildings in Commercial 4, 5 and 6 Zones and on buildings in Commercial 1, 2 and 3 Zones without verandahs:
  - i. No more than 20% of each window on the building façade visible from a public road or public space shall consist of signs.
  - ii. No more than 20% of the building façade visible from a public road or public space shall consist of signs.
  - iii. No restrictions apply to building façades not visible from a public road or public space.

- iv. In addition to the above, for buildings in listed in the schedules of schedules for Historical and Cultural Values (Commercial 4 and 5 Zones), the following performance standards shall apply:
  - 1. The sign shall be located at ground floor level and shall not protrude beyond the body of the building.
  - 2. The sign shall not be placed over any building names, plaster detailing, fretwork or cover the doors. This will also apply to freestanding signs.
  - 3. The sign shall be attached by Ramset Ankascrews, Chemset anchors or similar product for concrete or brick buildings or by support system for a wooden building.
  - 4. The height of any freestanding sign shall not exceed 2m.
- c. Commercial freestanding signs not otherwise provided for:
  - i. Freestanding signs are not permitted within the Commercial 1 and 3 Zones.
  - ii. One freestanding sign is permitted per lot or tenancy within the Commercial 2, 4 and 6 Zones provided it does not exceed 8m height and 10m<sup>2</sup> in area.
  - iii. One free-standing sign is permitted per lot or tenancy or one per 500m of road frontage within the Commercial 5 Zone provided it does not exceed 8m height and 10m<sup>2</sup> in area.
  - iv. Within the Commercial 2 Zone one freestanding sign is permitted at each entrance to any supermarket provided that this does not exceed 9m height and 20m<sup>2</sup> in area.
  - v. Freestanding signs that comply with the performance standards shall be exempt from the yard and daylighting performance standards, except where the site adjoins a Residential zone.

## 5. Industrial Zones:

[A8.3(4)]

- a. Attached signs per tenancy:
  - i. No more than 25% of the building façade that is visible from a public road or public space shall consist of signs.
- b. Freestanding signs:
  - i. One freestanding sign is permitted at each entrance to the site. This shall not exceed 8m in height and shall have a maximum area of 20m<sup>2</sup>.

## 6. Business and Innovation 1 Zone - Scion Innovation Park:

[A8.3(5)(1)]

Freestanding and attached signs:

- a. No more than one freestanding sign per tenancy within Precinct B shall be permitted up to a maximum area of 25m<sup>2</sup>.
- b. No more than one freestanding sign shall be permitted at the main access point to Precinct A up to a maximum area of 40m<sup>2</sup>.
- c. No sign other than the freestanding sign located at the Entry point to Precincts A and B shall be visible from the road reserve or adjoining properties not zoned as Business and

Innovation.

**7. Business and Innovation 2 Zone - Waipa Business Park:**

*[A8.3(5)(2)]*

Freestanding and attached signs shall comply with the following:

- a. No more than two freestanding signs shall be constructed within the front yard adjoining State Highway 30. Each sign shall not exceed 10m<sup>2</sup> in area.
- b. No other restrictions on signs apply.

**8. Business and Innovation 3 Zone - Eastgate Business Park:**

*[A8.3(5)(3)]*

Freestanding and attached signs:

- a. Signs shall not exceed a total area of 25m<sup>2</sup> per site.
- b. Attached signs shall not project beyond the external walls or roof on which the sign is located.
- c. Any one freestanding sign shall not exceed 8m in height and 2m in width and shall have a maximum area of 4m<sup>2</sup>.

**9. Rural Zones:**

*[A8.3(6)]*

All signs for Permitted and Controlled activities within the Rural Zones shall comply with the following standards:

- a. The maximum area of signs per site shall not exceed 1m<sup>2</sup> and shall consist of either an attached or freestanding sign.
- b. Signs attached to an external wall or fence must be parallel to the plane of the wall or fence and not project at an angle.
- c. No signs shall be erected on a roof.
- d. Any free standing sign shall not exceed 1.5m in height.
- e. Signs shall not contain any moving or flashing parts, be illuminated or use electronic screens for displaying digital media.
- f. In the Parklands Estate Precinct, signage shall be restricted to the provision of up to a maximum of one sign at the entrance to the zone, specifying the name of the estate and other relevant details, of no more than a total area of 5m<sup>2</sup>.

**10. Reserves and Designated Reserves Zones:**

*[A8.3(7)]*

- a. Signs shall not contain any moving or flashing parts, or use electronic screens for displaying digital media.
- b. Freestanding and attached signs:
  - i. The maximum area of any freestanding sign shall not exceed 1m<sup>2</sup>.
  - ii. Any freestanding sign shall not exceed 1.5m in height.
  - iii. Attached signs shall not project beyond the external walls on which the sign is

located and shall be no more than 20% of the building façade visible from a public road or public space.

- iv. Roof signs shall not be permitted.
- v. Freestanding signs that comply with the specified performance standards shall be exempt from the yard and daylighting performance standards.
- vi. Where multiple tenants are located on a site, a multi sign signboard shall be used, complying with the following:
  - 1. No more than one sign per reserve entrance;
  - 2. The maximum area of each activity being advertised on the signboard shall not exceed 1m<sup>2</sup> and the signboard shall not exceed 3m<sup>2</sup>;
  - 3. Any freestanding sign shall not exceed 2m in height.

#### **11. Taheke 8C Precinct:**

*[A5.9(3)(2)(3)]*

- a. The sign standards for the Industrial 2 Zone shall apply to activities associated with geothermal electricity generation activities in in Areas A, C, D, E and G of Taheke 8C Development Area.

#### Advice Note:

- 1. Signs located within Government Gardens shall comply with the Council Government Gardens Signage Strategy.
- 2. Signs relating to public works on designated reserves are managed by the provisions in Designations, which are also subject to the relevant management plan for that reserve.

#### **SIGN-S3 Temporary signs**

*[A8.2(2)]*

##### **1. Construction signs:**

- a. Signs displayed on construction sites may denote the owner, professional and construction firms associated with an active building project on that site.
- b. A maximum sign area of 10m<sup>2</sup> shall be attached to the site frontage for the duration of the construction phase.
- c. The total sign area may be reached through a single sign or a combination of smaller signs.
- d. All signs shall relate to the activity located onsite.

##### **2. Real estate signs:**

- a. The maximum area for each real estate sign shall not exceed 1.5m<sup>2</sup> in area.
- b. A maximum of three real estate signs shall be permitted per site at any one time, with these located within the boundary of the site a maximum of 150mm from the relevant site boundary and, where practicable, parallel to the boundary of the site being advertised.
- c. Real estate signs may be displayed for the duration that the property or building is for sale or lease but must be removed within 10 days of the property being sold (going unconditional), leased or withdrawn from the market.
- d. All signs shall relate to the activity located on site.

- 3. All other temporary signs (including community information signs):**
- a. Any sign for temporary activities, events or information shall relate to the activity located on site.
  - b. It shall be displayed for not more than six weeks before an event begins and removed within two days after the event finishes.
  - c. Temporary signs that are displayed for more than 18 weeks (such as, at three separate times each for a six week period) in any calendar year, will be considered to be a permanent sign.
  - d. The sign shall not exceed an area of 3m<sup>2</sup> or a height of 2m.
  - e. The number of the organisation or individual responsible for the sign shall be provided on the sign (front or back).
  - f. No sign that uses reflective material or is illuminated shall be visible from a road.

## Matters of Discretion

The following matters of discretion apply where listed in the rule table for the relevant activity.

### **SIGN-MD1 Non-compliance matters**

#### **1. Residential Zones:**

*[4.8(2)(1)]*

- a. The reason for the non-compliance with the performance standard and the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and objectives and policies.

#### **2. City Centre Zones, Commercial Zones, Industrial Zones, Business and Innovation Zones, and Reserves, Community Assets and Water Zones:**

*[5.8(2)(1), 6.8(2)(1), 7.8(2)(1), 8.8(2)(1), 10.8(2)(1)]*

- a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the performance standard and the relevant objectives and policies.
- b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites.
- c. How the activity provides more efficient and practical use of the remainder of the site.
- d. Within the Transitional Industrial Zone, how the aspect of non-compliance will reduce the amenity of neighbouring residents.

#### **3. Rural Zones:**

*[9.8(2)(1)]*

- a. The extent of the effects of the non-compliance on achieving the purpose of the relevant performance standard and the Objectives and Polices relevant to the particular standard; and
- 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.

### **SIGN-MD2 Signs specific matters**

*[A8.4(1)]*

1. The extent to which the size, scale, design, character and location of a sign is compatible with the surrounding environment.
2. The extent to which any sign or the increase in the number of signs in any location have an adverse effect on the amenity values and character of zone or adjoining land.
3. The extent to which a sign is consistent with the scale, style and character of identified historic heritage buildings and features.
4. The extent to which the performance standards for signs relating to signs on buildings listed in the schedules for Historical and Cultural Values, are complied with.
5. The effect of the sign on the character, value and features of the historic structure or site identified in the schedules for Historical and Cultural Values,.
6. The extent to which a sign adversely affects the character and amenity of local purpose and recreational reserves.
7. The extent to which the sign is designed and located in a manner to avoid, remedy or mitigate adverse effects on public safety and the safe and efficient operation of the transport network.
8. Take into account the potential need to increase the size of a sign to accommodate the inclusion of both te reo Māori and English.
9. The cumulative adverse effects of signs, including:
  - a. The extent to which non-site related signs contribute to visual clutter and detract from the tourist focussed amenity and character of the district, especially along the entranceways, major strategic and collector roads.
  - b. The extent to which non-site related signs detract from the purpose and character of the zone.
  - c. The number, duration and visual effects of signs.
  - d. The time period that non-site related signs are intended to be displayed, including whether the sign(s) will be displayed over a recurring period.
  - e. The extent to which a multiple sign signboard reduces visual clutter and improves the amenity of the zone.
  - f. The extent that site-related signs align with the city entranceway objectives to maintain or enhance amenity.
  - g. The effects of any illuminated signs on visual clutter and amenity of the City Centre zone streetscape and neighbouring properties, especially residential and tourist accommodation in terms of light spill.

### **SIGN-MD3 Zone specific matters**

#### **1. Residential and Rural Zones:**

*[4.8(1)(2), 9.8(1)(2)]*

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

#### **2. Industrial Zones:**

*[7.8(1)(3)]*

- a. The extent to which the proposal will enhance the character and amenity of the city entranceways.

### 3. Reserves, Community Assets and Water Zones:

*[10.8(1)(1)]*

- a. Building Design, Site Layout and Amenity:
  - i. The amenity of the streetscape is maintained and enhanced.
  - ii. The extent to which the activity would affect ecological values of the area or the quality of the water.
  - iii. The extent to which the activity maintains the passage of flood flows and the maintenance and enhancement of riparian habitat.
  - iv. The extent to which the activity would maintain or enhance indigenous biodiversity vegetation and natural character.
  - v. The extent to which the activity would maintain or enhance heritage features, cultural sites, identified natural and cultural landscapes, or archaeological sites.
  - vi. The extent to which the activity adversely affects the natural character, cultural, amenity and landscape values.
  - vii. The extent to which the activity produces glare or any other nuisance effects.
  - viii. The extent to which the activity adversely affects adjoining sites or land-based activities.
  - ix. The extent to which the activity adversely affects the public access to the lake or waterway.
  - x. The extent to which the activity adversely affects the recreational values of the lakes and waterways.
  - xi. The extent to which the activity conflicts with other users of the surface of waters of the lake or river, including recreational and commercial activities.
  - xii. Implementation of the principles of CPTED and sustainable building design.
  - xiii. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.

### Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

#### **SIGN-AC1 Sign assessment criteria**

*[A8.4(1)]*

1. The extent to which the size, scale, design, character and location of a sign is compatible with the surrounding environment.
2. The extent to which any sign or the increase in the number of signs in any location have an adverse effect on the amenity values and character of zone or adjoining land.
3. The extent to which a sign is consistent with the scale, style and character of identified historic heritage buildings and features.



4. The extent to which the performance standards for signs relating to signs on buildings listed in the schedules for Historical and Cultural Values, are complied with.
5. The effect of the sign on the character, value and features of the historic structure or site identified in the schedules for Historical and Cultural Values.
6. The extent to which a sign adversely affects the character and amenity of local purpose and recreational reserves.
7. The extent to which the sign is designed and located in a manner to avoid, remedy or mitigate adverse effects on public safety and the safe and efficient operation of the transport network.
8. Take into account the potential need to increase the size of a sign to accommodate the inclusion of both te reo Māori and English.
9. The cumulative adverse effects of signs, including:
  - a. The extent to which non-site related signs contribute to visual clutter and detract from the tourist focussed amenity and character of the district, especially along the entranceways, major strategic and collector roads.
  - b. The extent to which non-site related signs detract from the purpose and character of the zone.
  - c. The number, duration and visual effects of signs.
  - d. The time period that non-site related signs are intended to be displayed, including whether the sign(s) will be displayed over a recurring period.
  - e. The extent to which a multiple sign signboard reduces visual clutter and improves the amenity of the zone.
  - f. The extent that site-related signs align with the city entranceway objectives to maintain or enhance amenity.
  - g. The effects of any illuminated signs on visual clutter and amenity of the City Centre zone streetscape and neighbouring properties, especially residential and tourist accommodation in terms of light spill.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

### Residential Zones

<b>SIGN-AER1</b>	An improved perception of Rotorua as a safe attractive place to live.
<b>SIGN-AER2</b>	Retained character of each of the five residential zones according to their attributes
<b>SIGN-AER3</b>	A low number of applications for activities that seek changes to the performance standards.

### Commercial Zones

<b>SIGN-AER4</b>	An increase in activities in commercial centres that support surrounding residential communities.
<b>SIGN-AER5</b>	An increase in amenity and safety of commercial centres.

**Industrial Zones**

<b>SIGN-AER6</b>	Improved amenity where industrial zones interface with other zones, particularly residential zones.
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**Rural Zones**

<b>SIGN-AER7</b>	Rural character and amenity of the rural zone is maintained.
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**Reserves, Community Assets and Water Zones**

<b>SIGN-AER8</b>	No loss of natural character, amenity or biodiversity as it relates to the conservation values attributed to the conservation and destination reserves.
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**TEMP****TEMPORARY ACTIVITES**

Status: TEMP is Operative
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**OBJECTIVES****Activities on Conservation Reserves (Reserve 1 Zone) and Destination Reserves (Reserve 2 Zone)****TEMP-O1**

[10.3(2)]

Temporary events that by their short term nature do not have adverse effects on the values of the reserve or adjoining zone.

*Policy TEMP-P1*

Refer also to provisions relating to other matters such as amenity in the Zone chapters.

**POLICIES****Activities on Conservation Reserves (Reserve 1 Zone) and Destination Reserves (Reserve 2 Zone)***Objective CNSZ-O2***TEMP-P1**

[10.3(2)(1)]

Enable temporary events held on the conservation and destination reserves that contribute to the community's social, cultural and economic wellbeing, and have no more than a temporary adverse effect on the defined values of the reserve.

Refer also to provisions relating to other matters such as amenity in the zone chapters

**RULES**

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District Wide Matters.

However, these rules override the rules for the zone with respect to the activities addressed.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

<b>TEMP-R1</b>	<b>Temporary activities and events, including associated buildings and structures</b>		<i>[4.5(40), 5.5(30), 7.5(97), 8.5(26), 9.5(53), 10.5(18), 10.5(20), 6.5(43) 5.5(31), 6.5(45), 7.5(98), 8.5(28), 8.5(35), 10.5(19)]</i>
<b>Applicable Spatial Layers</b> All Residential Zones City Centre 1 and 2 Zones Commercial Zones Industrial 1E Zone Business and Innovation Zones Rural Zones Community Asset Zone Reserve Zones	<b>1. Activity Status:</b> Permitted <b>Where:</b> a. The event is not a concert involving amplified music in the following zones: i. All Residential Zones ii. City Centre 2 Zone iii. Business & Innovation 1 and 3 iv. All Rural Zones; or v. Reserves 2 Zone. <b>Performance standards:</b> a. Any 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; and b. Reserves Zones: any buildings and structures meet the performance standards for the zone.	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for TEMP-R1(1). <b>Matters of Discretion:</b> a. Non-compliance <a href="#">TEMP-MD1</a> ; b. Zone specific <a href="#">TEMP-MD2</a> ; c. Natural hazards <a href="#">TEMP-MD3</a> ; and d. Financial contributions <a href="#">TEMP-MD4</a> .	
<b>Applicable Spatial Layers</b> Rural 1 Zone Reserves 2 Zone	<b>3. Activity Status:</b> Controlled <b>Where:</b> The event is a concert involving amplified music. <b>Matters of Control:</b> a. Zone Specific <a href="#">TEMP-MC2</a> ; b. Natural hazards <a href="#">TEMP-MC3</a> ; and c. Financial contributions <a href="#">TEMP-MC4</a>		
<b>Applicable Spatial Layers</b> City Centre 2 Zone Rural 2 Zone	<b>4. Activity Status:</b> Discretionary <b>Where:</b> The event is a concert involving amplified music. <b>Assessment Criteria:</b> a. The general assessment criteria set out in the relevant zone.		
<b>Applicable Spatial Layers</b>	<b>5. Activity Status:</b> Discretionary <b>Assessment Criteria:</b>		

City Centre 3 Zone Industrial 1 Zone Water Zone	a. The general assessment criteria set out in the relevant zone.	
<b>Applicable Spatial Layers</b> Residential Zones Business and Innovation 1 and 3 Zones Rural 3 Zone	<b>6. Activity Status:</b> Non-Complying <b>Where:</b> The event is a concert involving amplified music.	
<b>Applicable Spatial Layers</b> Industrial 2 and T Zones	<b>7. Activity Status:</b> Non-Complying	
<b>TEMP-R2</b>	<b>Temporary military training</b>	[4.5(41), 6.5(46) 7.5(99), 8.5(27) 9.5(54), 10.5(99)]
<b>Applicable Spatial Layers</b> All Zones except: City Centre Zones Reserves 2 Zone Community Asset Zone Water Zone	<b>1. Activity Status:</b> Permitted	
<b>TEMP-R3</b>	<b>Temporary stockpiling</b>	[4.5(43), 9.5(57)(a)]
<b>Applicable Spatial Layers</b> Residential Zones Rural Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. The materials are not stored for more than three months in any 12 month period and is entirely removed within 3 months, or for stockpiling associated with general farming practices, no time limit applies;</li> <li>b. The materials to be stored on site shall not include refuse or hazardous substances;</li> <li>c. Measures shall be put in place to control any dust from cleanfill;</li> <li>d. The stockpile shall be located outside an ephemeral watercourse</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for TEMP-R3(1) <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. The materials or cleanfill to be stored on site;</li> <li>b. The location, size, scale and duration over which the site will be used;</li> <li>c. The extent to which the stockpiling affects ephemeral watercourses, lake flood levels, water bodies and geothermal surface features or bores;</li> </ol>

	<p>or the 2% AEP lake flood level, water bodies and geothermal surface features or bores;</p> <p>e. The stockpile shall be clear of the front yard setback;</p> <p>f. Re-usable or recyclable material shall not exceed an area greater than 15m<sup>2</sup>;</p> <p>g. Cleanfill shall not exceed volume greater than 100m<sup>3</sup>; the stockpile shall be stored in a manner to ensure it remains stationary;</p> <p>h. It shall not disturb any features scheduled in the Historical and Cultural Values or Natural Environmental Values schedules; and</p> <p>i. for stockpiling associated with general farming practices, the quantity of stockpiling material must align with the quantity required for which it is stored.</p>	<p>d. Points of access and numbers and timing of any heavy vehicles accessing the site;</p> <p>e. Control of dust;</p> <p>f. The visual impact of the stockpile on neighboring properties and the amenity of the zone;</p> <p>g. Any measures to mitigate the visual impact e.g. erection or use of existing fences, screening, gates and warning signs;</p> <p>h. Effects on water quality;</p> <p>i. Site management;</p> <p>j. Rehabilitation and restoration of the site on completion;</p> <p>k. Any assessment criteria applicable to the activity within the zones;</p> <p>l. the extent to which any features scheduled in the Historical and Cultural Values or Natural Environmental Values schedules; and</p> <p>m. Non-compliance <a href="#">TEMP-MD1</a>;</p> <p>n. Zone specific <a href="#">TEMP-MD2</a>;</p> <p>o. Natural hazards <a href="#">TEMP-MD3</a>; and</p> <p>p. Financial contributions <a href="#">TEMP-MD4</a>.</p>
<b>TEMP-R4</b>	<b>Expo stalls and markets</b>	[6.5(44)]
<b>Applicable Spatial Layers</b> Commercial 1, 2 and 6 Zones	<b>1. Activity Status:</b> Permitted	
<b>Applicable Spatial Layers</b> Commercial 3, 4 and 5 Zones	<b>2. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> The general assessment criteria set out in the relevant zone.	
<b>TEMP-R5</b>	<b>Motorised sporting events on roads</b>	[9.5(56)]
<b>Applicable Spatial Layers</b> Rural Zones	<b>1. Activity Status:</b> Permitted	
<b>TEMP-R6</b>	<b>Motorised sporting events on private land</b>	[9.5(55)]
<b>Applicable Spatial Layers</b> Rural 1 Zone	<b>1. Activity Status:</b> Controlled <b>Matters of Control:</b> <ol style="list-style-type: none"> <li>Zone Specific <a href="#">TEMP-MC2</a>;</li> <li>Natural hazards <a href="#">TEMP-MC3</a>; and</li> <li>Financial contributions <a href="#">TEMP-MC4</a>.</li> </ol>	

<b>Applicable Spatial Layers</b> Rural 2 Zone	<b>2. Activity Status:</b> Discretionary  <b>Assessment Criteria:</b> The general assessment criteria set out in the relevant zone.
<b>Applicable Spatial Layers</b> Rural 3 Zone	<b>3. Activity Status:</b> Non-Complying

## Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

### TEMP-MC1 Zone Specific Matters

#### 1. Rural Zones:

- a. Building design, site layout and amenity
  - i. The extent to which:
    1. The privacy and outlook for neighbouring occupiers is maintained;
    2. The principles of CPTED are implemented, including provision for the passive surveillance of any adjoining road or reserve;
    3. The amenity of the adjoining properties and of the zone is maintained and enhanced;
    4. The character and environmental quality of the adjoining properties, the street scene and the zone is maintained and enhanced;
    5. The principles of sustainable building design are implemented to make use of solar gain; and
    6. Building design and site layout does not compromise the future subdivision by demonstrating subdivision can be undertaken in a complying manner.
- b. Parking, access and turning
  - i. The extent to which:
    1. On site design, location and surfacing of access, parking and turning areas provides for practical use and maintains the amenity of neighbouring occupiers;
    2. Adequate sight distances to prevent adverse effects on traffic flow and safety is provided;
    3. The requirements of an integrated transport assessment carried out in accordance with Appendix APP1 – Parking, Turning and Access can be implemented; and
    4. How the activities will avoid, remedy or mitigate any adverse effects on the function and safe and efficient operation of the transport network.
- c. Measures to secure water quality improvement
  - i. The revegetation, retirement and legal protection of land, gullies, wetlands and riparian areas; and

- ii. The management and maintenance of revegetation and retirement areas.

## 2. Reserve Zone and Water Zone:

- a. Building Design, Site Layout and Amenity
  - i. The design and orientation of buildings and structures and location of outdoor activities to mitigate potential adverse cumulative effects on adjoining sites and the streetscape.
  - ii. Ensuring landscaping is provided to enhance streetscape amenity whilst promoting the safety of pedestrians.
  - iii. Ensuring soil retention and mitigation measures are provided where earthworks are necessary.
  - iv. The extent to which the amenity of the adjoining properties and of the properties within the zone is maintained and enhanced.
- b. Character of the Zone
  - i. The extent to which the character and environmental quality of the adjoining properties, the street scape and the properties within the zone is maintained and enhanced.
- c. Parking, Access and Turning
  - i. The provision of adequate sight distances to prevent on-street congestion caused by the ingress and egress of vehicles to and from sites.
  - ii. Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.
  - iii. Where access is gained onto or within the vicinity of a State Highway ensuring that the proposal is consistent with the standards of the Road Controlling Authority.

### TEMP-MC2 Natural Hazards

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. 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, may be required for activities subject to flooding. This applies primarily for significant developments.

### TEMP-MC3 Financial Contributions

1. Whether the proposal requires a financial contribution under the provisions of FC– Financial Contributions.

### Matters of Discretion

The following matters of discretion apply where listed in the rule table for the relevant activity.



**TEMP-MD1 Non-compliance matters****1. Residential Zones:***[4.8(2)(1)]*

- a. The reason for the non-compliance with the performance standard and the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and objectives and policies.

**2. City Centre Zones, Commercial Zones, Industrial Zones, Business and Innovation Zones, Reserves, Community Assets and Water Zones:***[5.8(2)(1), 6.8(2)(1), 7.8(2)(1), 8.8(2)(1), 10.8(2)(1)]*

- a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies;
- b. How the aspect of non-compliance will reduce the amenity of the zone and affect adjacent sites;
- c. How the activity provides more efficient and practical use of the remainder of the site; and
- d. Within the Transitional Industrial Zone, how the aspect of non-compliance will reduce the amenity of neighbouring residents.

**3. Rural Zones:***[9.8(2)(1)]*

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

**TEMP-MD2 Zone specific matters****1. Residential and Rural Zones:**

- a. The extent to which the activity adversely effects the character and amenity values of the zone.

**2. Industrial Zones:**

- b. The extent to which the proposal will enhance the character and amenity of the city entranceways.

**3. Reserves, Community Assets and Water Zones:**

- a. Building Design, Site Layout and Amenity:
  - i. The amenity of the streetscape is maintained and enhanced;
  - ii. The extent to which the activity would affect ecological values of the area or the quality of water;
  - iii. The extent to which the activity maintains the passage of food flows and the maintenance and enhancement of riparian habitat;
  - iv. The extent to which the activity would maintain or enhance heritage features, cultural sites, identified natural and cultural landscapes or archaeological sites;

- v. The extent to which the activity adversely affects the natural character, cultural amenity and landscape values;
- vi. The extent to which the activity produces smoke, odour, fumes, dust, noise, glare, or any other nuisance effects;
- vii. The extent to which the activity adversely affects adjoining sites or land-based activities;
- viii. The extent to which the activity adversely affects the public access to the lake or water way;
- ix. The extent to which the activity adversely affects the recreational values of the lakes and waterways;
- x. The extent to which the activity conflicts with other users of the surface of waters of the lake or river, including recreational and commercial activities;
- xi. The extent to which the hours of operation of an activity causes adverse effects on adjoining sites; and
- xii. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.

**TEMP-MD3 Natural Hazards**

1. Adverse effects from natural hazards or the worsening of any hazard identified on the special Interest Series maps 208 and 213 are managed.
2. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood of consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.

**TEMP-MD4 Financial Contributions**

1. Whether the proposal requires a financial contribution under the provisions of FC – Financial Contributions.

# Part 2: District-Wide Matters

## HAZARDS AND RISKS

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# CONTAMINATED LAND - WHENUA POKE

Status: CL is Operative and subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough~~.

## INTRODUCTION

The Resource Management Act 1991 (the Act) gives both the regional and district councils responsibilities and functions with regards to contaminated land.

Rotorua District Council has functions under section 31 of the Act relating to contaminated land. These are to control any actual or potential effects of the use, development, or protection of land for the purpose of preventing or mitigating any adverse effects of the development, subdivision or use of contaminated land.

Section 30 of the Act assigns other functions to regional councils relating to contaminated land. This includes the investigation of land for the purposes of identifying and monitoring contaminated land. Both the Bay of Plenty Regional Council (BOPRC) and Waikato Regional Council (WRC) maintain Selected Land Use Registers for contaminated sites.

The Waikato Regional Plan also describes the role territorial authorities play working in partnership with WRC and other stakeholders to develop strategies for managing risk on contaminated land; including seeking site assessments prior to allowing subdivision or redevelopment of land where any historical use may have caused land contamination.

All territorial authorities (district and city councils) are required to observe and enforce the requirements of the [National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health \(NESCS\)](#).

## ISSUES

### **CL-I1 Protection of human health and the environment from the risks of contaminated land**

Contaminated land is land that has a hazardous substance in or on it that has, or is likely to have adverse effects on human health and the environment. Use, subdivision and development of contaminated land can potentially expose people and the environment to increased levels of contaminants. The development of land can expose previously contained contaminants, discharge contaminants within or outside the site, and result in the movement of contaminated soils into inappropriate areas. Earthworks and change of use on contaminated land can create an exposure pathway from the contaminant to people and the receiving environment.

## OBJECTIVES

### Protection of human health and the environment from the risks of contaminated land

<b>CL-O1</b> [16.3.4]	Prevent or mitigate adverse effects and significant risk from contaminated land on human health and the receiving environment. <i>Policies CL-P1 to CL-P3</i>
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## POLICIES

### Protection of human health and the environment from the risks of contaminated land

#### Objective CL-O1

<b>CL-P1</b> [16.3.4.1]	Ensure use, subdivision and development of contaminated land is managed or restricted in such a way to prevent or mitigate adverse effects and significant risk on human health and the environment.
<b>CL-P2</b> [16.3.4.2]	Ensure contaminated land is managed or remediated or contained or disposed off-site, to prevent or mitigate adverse effects and significant risk from contaminated land on human health and the receiving environment, so that the land is fit for the purpose intended.
<b>CL-P3</b> [16.3.4.3]	Ensure potentially contaminated land is identified and investigated, to determine if the piece of land is contaminated, and what level of risks is posed to human health and the receiving environment for the proposed use, subdivision or development.

## RULES

#### Advice Note:

There are no rules contained in this chapter. Reference should instead be made to the rules contained in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

## ANTICIPATED ENVIRONMENTAL RESULTS

<b>CL-AER1</b>	Reduce the risk to the environment or human health and property as a result of the adverse effects of contaminated land.
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**HAZS**

# HAZARDOUS SUBSTANCES – MATŪ MŌREAREA

Status: HAZS is operative.

## INTRODUCTION

This chapter establishes a district-wide framework for managing hazardous facilities under the Resource Management Act 1991 (the Act) to avoid or minimise adverse effects and the risk associated with hazardous substances. “Hazardous facilities” is the general term used in this part to describe any site or part of a site where hazardous substances are stored, used, transported or disposed. Some activities involving hazardous substances are excluded from the definition of hazardous facilities, use and storage. Check the definitions first to see if this chapter applies.

It is recognised that the storage, use, disposal or transportation of hazardous substances is an accepted and essential part of many industrial and rural activities such as farming, forestry and horticulture. Hazardous substances are required to be managed to ensure that the districts’ industries are able to continue to produce high quality output without compromising the district’s sensitive environments including our lakes, rivers, streams, wetlands and geothermal areas that are sensitive to contamination from hazardous substance spillage within their catchment.

Most industrial land use activities in the district are located within or in close proximity to the Lake Rotorua water catchment. In addition, agricultural activities can require the storage and use of substantial amounts of hazardous substances. Several of the lake catchments within the Rotorua district contain farming activities which, if there was a spill or accidental release of hazardous substances, would impact on sensitive lake and river systems. There are also a number of land use activities which use hazardous substances within some of the District’s groundwater recharge areas, which are also used as potable water supplies. Some of these areas are also within a lake catchment.

The Hazardous Substances and New Organisms Act 1996 (HSNO) regulates the management of hazardous substances. It sets minimum performance standards for all hazardous substances, regardless of where they are used, stored, transported or disposed of; i.e. they are not site specific. Regulations for hazardous substances under HSNO are administered primarily by the Environmental Protection Authority and Work Safe NZ.

In the context of controls on hazardous substances, the Resource Management Act 1991 is focused on site-specific controls of the use of land to manage risks to the local environment. It requires councils to take an effects-based approach to managing land use activities which use, store, dispose or transport hazardous substances. The threat of a fire, explosion, liquid spill or toxic gas release is the hazard; while the probability of this occurring and the consequences of such an incident is the risk. Risk can range from low to high levels of risk.

The two Acts work together. HSNO provides the framework for managing hazardous substances anywhere in New Zealand, and the Act, through the District Plan, provides additional controls for hazardous facilities at the particular site. These controls may vary from industrial activities to residential areas or natural areas worthy of conservation, depending on the local environment and its level of sensitivity. Under Section 142 of HSNO, where necessary, more stringent measures than those required under the provisions of the HSNO Act and regulations may be imposed to manage the risk to more sensitive environments.

The regional councils have the functions of controlling discharges of hazardous substances into water, onto land in circumstances which may result in contaminants entering water, or into air. The Bay of Plenty Regional Council (BOPRC) Regional Policy Statement requires territorial authorities to regulate activities using or storing hazardous substances, or disposing of hazardous waste, through the District, the land use consent process and provisions of other legislation.

Under the Water Services and Trade Waste Bylaw 2017, Rotorua District Council also manages geothermal fluids and stormwater entering into Rotorua District Council Wastewater Services. This is required to ensure conditions of discharge consents council holds on behalf of the community are complied with. Compliance with council's discharge consents ensures waterways and lake water quality is safeguarded. The bylaw is administered as an asset management function of council and does not remove any requirement to comply with the District Plan in terms of this section or any regional council requirements.

The issues detailed below have shaped the hazardous substances policy framework. While many issues have required consideration, and the objectives and policies are comprehensive, most are related to achieving one of the following major outcomes:

1. To clarify council's role in managing the land use aspects of hazardous substances, and avoid duplication of the responsibilities of other agencies;
2. To advise the community when resource consent will be required for the amount and type of substances to be managed on a site;
3. To achieve acceptable risk levels to human health and safety from hazardous substance incidents.
4. To protect the lakes and water bodies from spillages and prevent land from becoming contaminated by hazardous substances; and
5. To inform the community on how to manage spillage or leakages and identify ways to avoid these events.

## ISSUES

### **HAZS-I1 Protection of the environment from short and long-term damage caused by hazardous substances**

If not managed effectively hazardous substances have the potential to cause short or long-term damage to the environment and ecosystems. This can be caused by the accidental, unintentional or uncontrolled release of hazardous substances resulting in contamination of water, soil and air. There will be some locations such as next to waterways, above aquifers or close to environmentally sensitive areas such as Rotorua's lakes, rivers, streams and wetlands where risks will be unacceptable. Indirect effects also need to be managed to avoid the accumulation of a substances or sediment within sensitive environments.

### **HAZS-I2 Protection of human safety/health and property form adverse effects risk caused by hazardous substances**

Hazardous substances need to be responsibly managed in terms of how they are handled, stored and disposed of which extends to planning for sites and facilities. Of importance is the awareness of environmental risk associated with the storage, use, disposal or transport of hazardous substances, and how best to mitigate or reduce these risks. If not managed effectively, hazardous substances have the potential to cause damage to human health and property. This can occur through:

1. Unintended ignition or explosion resulting in heat and overpressure;
2. Toxic material being released directly or indirectly resulting in acute health effects; or



3. The accumulation of persistent substances in the bodies of humans and animals, resulting in chronic toxicity and/or long-term damage to health.

It may also be important to protect existing hazardous facilities, or areas identified for major hazardous facilities, from encroachment of more sensitive land uses. Existing facilities may need some assurance that they can continue their lawfully established activities without unreasonable constraints due to changes of land use activities potentially affected by hazardous substance risks.

### **HAZS-I3 Avoid future site contamination by hazardous substances**

Performance standards, assessment criteria and consent conditions, if consent is required, can be used to manage the likely effects of hazardous substances at all stages of a process including raw materials, production, storage and use. There are other controls and legislative requirements for transport and disposal of hazardous substances.

## **OBJECTIVES**

### **Protection of the environment from short and long-term damage caused by hazardous substances**

<b>HAZS-O1</b> [16.3.1]	Rotorua's lakes, rivers and the margins, and other sensitive environments are protected from unacceptable adverse effects and risks from activities involving the use and/or storage, disposal and transport of hazardous substances. <i>Policies HAZS-P1 to HAZS-P5</i>
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### **Protection of human safety/health and property from adverse effects risk caused by hazardous substances**

<b>HAZS-O2</b> [16.3.2]	Protect the Rotorua community and its assets from adverse effects and unacceptable risks from hazardous facilities. <i>Policies HAZS-P6 to HAZS-P8</i>
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## **POLICIES**

### **Protection of the environment from short and long-term damage caused by hazardous substances**

*Objective HAZS-O1*

<b>HAZS-P1</b> [16.3.1.1]	Identify through the use of the Maximum Combined Quantities of Hazardous Substances table those activities involving the use, storage and/or disposal of hazardous substances which could pose a risk to the natural environment or to public health and safety.
<b>HAZS-P2</b> [16.3.1.2]	Ensure activities involving the use, storage and/or disposal of hazardous substances are located, designed and constructed and managed in such a way that avoids, remedies or mitigates adverse effects and unacceptable risks to the environment including: <ol style="list-style-type: none"> <li>1. Contamination of water, soil and air</li> <li>2. Short and long-term damage to ecosystems</li> <li>3. Damage through fire and explosion events.</li> </ol>
<b>HAZS-P3</b> [16.3.1.3]	Promoting a clean production ethic and best practice methods appropriate to the environment of the district for all hazardous facilities.

<b>HAZS-P4</b> [16.3.1.4]	Ensure adverse cumulative effects from activities involving the use, storage, disposal and transport of hazardous substances on the environment and on the health and safety of the community are avoided, remedied or mitigated.
<b>HAZS-P5</b> [16.3.1.5]	Avoid locating activities involving the use, storage, disposal and transportation of hazardous substance where levels of risk are incompatible with those of surrounding land use activities and identified natural hazards.

### Protection of human health and property from adverse effects/risks caused by hazardous substances

#### Objective HAZS-O2

<b>HAZS-P6</b> [16.3.2.1]	Ensure hazardous facilities are located, designed constructed, and managed in such a way that avoids, remedies or mitigates adverse effects and unacceptable risks to human health and property, including: <ol style="list-style-type: none"> <li>1. Damage through fire and explosion events</li> <li>2. Accumulation of persistent substances in the bodies of humans and animals, resulting in chronic toxicity and/or long-term damage to their health</li> <li>3. Acute damage to human health through exposure to substances affecting skin, mucous membranes, respiratory and digestive systems</li> <li>4. Events at hazardous facilities triggered by natural hazards which result in adverse effects of hazardous substances.</li> </ol>
<b>HAZS-P7</b> [16.3.2.2]	Avoid the establishment of sensitive land uses in close proximity to existing hazardous facilities or areas identified for hazardous facilities, to allow such facilities to carry out their operations without unreasonable constraints.
<b>HAZS-P8</b> [16.3.2.3]	Minimise the potential for further contamination of land by controlling hazardous facilities.

## RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District-wide Matters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

**Links to the rule categories can be found below:**

General .....	9
Hazardous Substances Associated with Bulk Earthworks and Road Construction Activities .....	10
Storage and/or Retailing of CNG, LPG, Petroleum and Diesel facilities.....	10
Hazardous substances associated with teaching, research and laboratories .....	13
Radioactive Substances .....	14
Fertilisers .....	14
Hazardous Substances Associated with Geothermal Steamfields.....	14

Other Activities ..... 15

General		
<b>HAZS-R1</b>	<b>Use, storage, disposal and transportation of hazardous substances not otherwise addressed in rules</b>	
	<i>[16.5(2)(1)(21), 16.5(2)(1)(20)]</i>	
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status: Permitted</b> <b>Where:</b> The substances classes are not covered by Appendix <a href="#">HAZS-APP1</a> .	
<b>Applicable Spatial Layers</b> All Zones	<b>2. Activity Status: Permitted</b> <b>Where:</b> The substances classes are covered by Appendix <a href="#">HAZS-APP1</a> and the maximum quantities for a permitted activity are not exceeded. <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Design and management <a href="#">HAZS-S1</a>;</li> <li>b. Waste management <a href="#">HAZS-S2</a>;</li> <li>c. Signs <a href="#">HAZS-S3</a>; and</li> <li>d. Emergency management <a href="#">HAZS-S4</a>.</li> </ol>	<b>4. Activity Status: Discretionary</b> <b>Where:</b> Compliance not achieved with the performance standards in HAZS-R1(2) or HAZS-R1(3). <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>a. Risk assessment <a href="#">HAZS-AC1</a>.</li> </ol>
<b>Applicable Spatial Layers</b> All Zones	<b>3. Activity Status: Controlled</b> <b>Where:</b> The substances classes are covered by Appendix <a href="#">HAZS-APP1</a> and the maximum quantities exceed those for a permitted activity but do not exceed those for a controlled activity. <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Design and management <a href="#">HAZS-S1</a>;</li> <li>b. Waste management <a href="#">HAZS-S2</a>;</li> <li>c. Signs <a href="#">HAZS-S3</a>; and</li> <li>d. Emergency management <a href="#">HAZS-S4</a>.</li> </ol> <b>Matters of Control:</b> <ol style="list-style-type: none"> <li>a. General <a href="#">HAZS-MC1</a>.</li> </ol>	

Hazardous Substances Associated with Bulk Earthworks and Road Construction Activities		
<b>HAZS-R2</b>	<b>The storage or use of hazardous substances in conjunction with bulk earthworks and road construction activities (e.g. road construction and improvement activities)</b>	[16.5(2)(1)(10) 16.5(2)(1)(11) 16.8(2)]
<b>Applicable Spatial Layers</b> All Zones	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Design and management <a href="#">HAZS-S1</a>;</p> <p>b. Waste management <a href="#">HAZS-S2</a>;</p> <p>c. Signs <a href="#">HAZS-S3</a>; and</p> <p>d. Emergency management <a href="#">HAZS-S4</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in HAZS-R2(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. The effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies; and</p> <p>b. Measure to minimize or mitigate potential adverse effects that may result from natural hazards identified on the planning maps.</p>
Storage and/or Retailing of CNG, LPG, Petroleum and Diesel facilities		
<b>HAZS-R3</b>	<b>Storage and/or dispensing facilities for CNG outlets</b>	[16.5(2)(1)(12)]
<b>Applicable Spatial Layers</b> All Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. CNG storage is up to 1000m3 in cascades (AS/NZS 1696:2008 Storage and Handling of LP Gas).</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">HAZS-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in HAZS-R3(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. Risk assessment <a href="#">HAZS-AC1</a>.</p>
<b>HAZS-R4</b>	<b>Storage and/or dispensing for LPG products at retail outlets permitted as per levels in Appendix HAZS-APP1 and controlled up to 6 tonnes water capacity</b>	[16.5(2)(1)(13)]
<b>Applicable Spatial Layers</b> All Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. The storage is:</p> <p>i. in a single above ground storage vessel; or</p> <p>ii. in exchange facilities for portable LPG cylinders;</p> <p>iii. or up to 24 tonnes in an underground storage vessel</p> <p>b. The storage complies with AS/NZS 1596:2008 Storage and Handling of LP Gas.</p> <p><b>Matters of Control:</b></p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in HAZS-R4(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. Risk assessment <a href="#">HAZS-AC1</a>.</p>

	a. General <a href="#">HAZS-MC1.</a>	
<b>HAZS-R5</b>	<b>Storage of up to 6 tonnes water capacity of LPG for use in “industrial fuel burning equipment”</b>	
	[16.5(2)(1)(14)]	
<b>Applicable Spatial Layers</b> All Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. It complies with AS/NZS 1596:2008 Storage and Handling of LPG.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">HAZS-MC1.</a></p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in HAZS-R5(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. Risk assessment <a href="#">HAZS-AC1.</a></p>
<b>HAZS-R6</b>	<b>Storage and/or dispensing (facilities) for petroleum products at a fuel retail outlet permitted as per the levels in Appendix HAZS-APP1 and controlled up to 160,000 litres</b>	
	[16.5(2)(1)(15)]	
<b>Applicable Spatial Layers</b> All Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Storage is underground with 60,000 litres maximum capacity for any individual compartment; and</p> <p>b. Storage complies with:</p> <p>i. Below Ground Stationary Container Systems for Petroleum – Design and Installation HSNOCOP 44, Environmental Protection Agency, May 2012; and</p> <p>ii. Below Ground Stationary Container Systems for Petroleum - Operation HSNOPCOP 45, Environmental Protection Agency, May 2012.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">HAZS-MC1.</a></p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in HAZS-R6(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. Risk assessment <a href="#">HAZS-AC1.</a></p>
<b>HAZS-R7</b>	<b>Storage and/or dispensing (facilities) at diesel fuel retail outlets in any above ground or underground tank permitted as per the levels in Appendix HAZS-APP1 and controlled with up to 50,000 litres maximum capacity</b>	
	[16.5(2)(1)(16)]	
<b>Applicable Spatial Layers</b> All Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Storage complies with the following where relevant:</p> <p>i. Below Ground Stationary Container Systems for Petroleum – Design and Installation HSNOCOP 44,</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in HAZS-R7(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. Risk assessment <a href="#">HAZS-AC1.</a></p>

	<p>Environmental Protection Agency, May 2012;</p> <p>ii. Below Ground Stationary Container Systems for Petroleum - Operation HSNOPCOP 45, Environmental Protection Agency, May 2012; and</p> <p>iii. Above Ground Bulk Tank Containment Systems – HSNOCOP24 Above ground stationary tanks with integral secondary containment.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">HAZS-MC1</a>.</p>	
<p><b>HAZS-R8 Storage and/or dispensing facilities for Jet A1 fuel and/or Av gas</b></p>		<p>[16.5(2)(1)(17) 16.5(2)(1)(18)]</p>
<p><b>Applicable Spatial Layers</b> All Zones</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b> Storage is in above ground storage tanks.</p> <p><b>Performance Standards:</b></p> <p>a. Storage is up to 200,000 litres with 60,000 litres maximum capacity for any individual compartment; and</p> <p>b. It complies with Above Ground Bulk Tank Containment Systems – Ministry for the Environment 1995.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">HAZS-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b> Compliance not achieved with the performance standards in HAZS-R8(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. Risk assessment <a href="#">HAZS-AC1</a>.</p>
<p><b>Applicable Spatial Layers</b> All Zones</p>	<p><b>3. Activity Status:</b> Controlled</p> <p><b>Where:</b> Storage is in underground storage tanks.</p> <p><b>Performance Standards:</b></p> <p>a. Storage is up to 140,000 litres with 60,000 litres maximum capacity for any individual compartment; and</p> <p>b. It complies with:</p> <p>i. Below Ground Stationary Container Systems for Petroleum - Design and Installation HSNOCOP 44, Environmental Protection Agency, May 2012; and</p>	<p><b>4. Activity Status:</b> Discretionary</p> <p><b>Where:</b> Compliance not achieved with the performance standards in HAZS-R8(3).</p> <p><b>Assessment Criteria:</b></p> <p>a. Risk assessment <a href="#">HAZS-AC1</a>.</p>

	<p>ii. Below Ground Stationary Container Systems for Petroleum - Operation HSNOCOP 45, Environmental Protection Agency, May 2012.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">HAZS-MC1</a>.</p>	
<b>Hazardous substances associated with teaching, research and laboratories</b>		
<b>HAZS-R9</b>	<b>Storage (not including bulk hazardous substance storage facilities), handling, use, transport and disposal of hazardous substances by teaching, research and hospital laboratories</b>	<i>[16.5(2)(1)(19)]</i>
<p><b>Applicable Spatial Layers</b></p> <p>All Zones</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. It complies with the following where relevant:</p> <ul style="list-style-type: none"> <li>i. AS 2982-2010 - Laboratory Construction;</li> <li>ii. AS 2243.1-2005 - Safety in Laboratories Planning and operational aspects;</li> <li>iii. AS 2243.2-2006 - Safety in Laboratories Part 2: Chemical aspects;</li> <li>iv. AS 2243.3-2002 - Safety in Laboratories Part 3: Microbiology;</li> <li>v. AS 2243.5-2004 - Safety in Laboratories Part 5: Non-Ionising Radiation;</li> <li>vi. AS 2243.6-1990 - Safety in Laboratories Part 6: Mechanical Aspects; and</li> <li>vii. AS 2243.9 2009 - Safety in Laboratories Part 9: Recirculating Fume Cabinets.</li> </ul> <p>b. Design and management <a href="#">HAZS-S1</a>;</p> <p>c. Waste management <a href="#">HAZS-S2</a>;</p> <p>d. Signs <a href="#">HAZS-S3</a>; and</p> <p>e. Emergency management <a href="#">HAZS-S4</a>.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">HAZS-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in HAZS-R9(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. Risk assessment <a href="#">HAZS-AC1</a>.</p>

Radioactive Substances		
<b>HAZS-R10 Any use or storage of radioactive substances</b>		[16.5(2)(1)(22), 16.5(2)(1)(23), 16.5(2)(1)(24), 16.5(2)(1)(25)]
<b>Applicable Spatial Layers</b> All Zones	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. The activity is specified as exempt in the Radiation Protection Regulations 1982, except smoke detectors are exempt from the requirements.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with performance standards in HAZS-R10(1).</p> <p><b>Performance Standards:</b></p> <p>a. Radioactive substances are less than 1,000 terabecqueral.</p>
<b>Applicable Spatial Layers</b> All Zones	<p><b>3. Activity Status:</b> Prohibited</p> <p><b>Where:</b></p> <p>Radioactive substances are in excess of 1,000 terabecqueral (<math>1 \times 10^{16}</math>).</p>	
Fertilisers		
<b>HAZS-R11 Temporary storage of fertiliser</b>		[16.5(2)(1)(26)]
<b>Applicable Spatial Layers</b> All Zones	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>a. The storage is for a period of up to six weeks; and</p> <p>b. Storage is up to 100T and in a fertiliser bin.</p> <p><b>Performance Standards:</b></p> <p>a. Design and management <a href="#">HAZS-S1</a>;</p> <p>b. Waste management <a href="#">HAZS-S2</a>;</p> <p>c. Signs <a href="#">HAZS-S3</a>; and</p> <p>d. Emergency management <a href="#">HAZS-S4</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in HAZS-R11(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. Risk assessment <a href="#">HAZS-AC1</a>.</p>
Hazardous Substances Associated with Geothermal Steamfields		
<b>HAZS-R12 The storage and/or use of hazardous substances associated with the ongoing lawful operation of geothermal steamfield activities on the Eastern Steamfield (forming part of the Ohaaki Geothermal System) including intermittent activities such as well drilling and maintenance activities</b>		[16.5(2)(1)(27)]
<b>Applicable Spatial Layers</b> All Zones	<p><b>1. Activity Status:</b> Permitted</p>	



<b>HAZS-R13 Storage and/or use of hazardous substances accessory to the principal activity at any geothermal electricity generation facility and steamfield activities on the Taheke Geothermal System within the areas A,C,D, E and G of the Taheke Development Plan</b>		[16.5(2)(1)(28)]
<b>Applicable Spatial Layers</b> All Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b> Quantities are above the permitted level in <a href="#">Appendix HAZS-APP1</a>.</p> <p><b>Performance Standards:</b></p> <p>a. Design and management <a href="#">HAZS-S1</a>;</p> <p>b. Waste management <a href="#">HAZS-S2</a>;</p> <p>c. Signs <a href="#">HAZS-S3</a>; and</p> <p>d. Emergency management <a href="#">HAZS-S4</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b> Compliance not achieved with the performance standards in HAZS-R13(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. Risk assessment <a href="#">HAZS-AC1</a>.</p>
<b>Other Activities</b>		
<b>HAZS-R14 Transportation of hazardous substances unless otherwise stated</b>		[16.5(2)(1)(1)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted	
<b>HAZS-R15 Fuel in motor vehicles, boats and small engines such as weed-eaters, lawnmowers, chainsaws etcetera</b>		[16.5(2)(1)(2)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted	
<b>HAZS-R16 Retail outlets for the sale of hazardous consumer products for domestic purposes (such as supermarkets, hardware shops, pharmacies)</b>		[16.5(2)(1)(3)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted	
<b>HAZS-R17 Pole mounted transformers and street transformers for the transmission of electric power</b>		[16.5(2)(1)(4)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted	
	<b>Where:</b> Transformers contain 500 litres or less of transformer oil within the equipment.	
Advice Note: Refer to the general rule HAZS-R1 for transformers containing more than 500 litres of transformer oil and not covered by Rule HAZS-R17.		

<b>HAZS-R18 UN Class 1 blasting explosives used as one off operations, as controlled under HSNO, associated regulations and the Health and Safety in Employment Act 1992</b>		[16.5(2)(1)(5)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted <b>Where:</b> Up to 60kgs of explosives is used.	
<b>Advice Note:</b> Refer to the general rule HAZS-R1 where more than 60kg of explosives are used and the activity is not covered by Rule HAZS-R18.		
<b>HAZS-R19 Trade waste sewer facilities such as grease traps and interceptors</b>		[16.5(2)(1)(6)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted	
<b>Advice Note:</b> a. Notwithstanding any provisions in this part, the discharge of liquid and solid trade wastes onto land or into a sewer serviced by the Rotorua Wastewater Treatment Plant, or to a storm water drain must comply with the councils Water Services and Trade Waste Bylaw 2017. b. The issue of trade waste consent does not constitute compliance or substitute liability to comply with the requirements under the District Plan, Regional Council or other legislation.		
<b>HAZS-R20 Use, storage or transportation of hazardous substances by any temporary military training activity</b>		[16.5(2)(1)(7)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Design and management <a href="#">HAZS-S1</a> ; b. Waste management <a href="#">HAZS-S2</a> ; c. Signs <a href="#">HAZS-S3</a> ; and d. Emergency management <a href="#">HAZS-S4</a> .	<b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance not achieved with the performance standards in HAZS-R20(1). <b>Assessment Criteria:</b> a. Risk assessment <a href="#">HAZS-AC1</a> .
<b>HAZS-R21 Storage and processing of milk (including milk products and by-products) on farms or in factories</b>		[16.5(2)(1)(8)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Any spillage is prevented from entering a water body, or from seeping into groundwater; b. Design and management <a href="#">HAZS-S1</a> ; c. Waste management <a href="#">HAZS-S2</a> ; d. Signs <a href="#">HAZS-S3</a> ; and	<b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance not achieved with the performance standards in HAZS-R21(1). <b>Assessment Criteria:</b> a. Risk assessment <a href="#">HAZS-AC1</a> .

	e. Emergency management <a href="#">HAZS-S4</a> .	
<b>HAZS-R22</b>	<b>Storage and/or use of hazardous substances accessory to the principal activity at the Reporoa Dairy Manufacturing site</b>	[16.5(2)(1)(9)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Controlled <b>Where:</b> Quantities are above the permitted levels in Appendix HAZS-APP1. <b>Matters of Control:</b> a. General <a href="#">HAZS-MC1</a>	

## Advice Note:

- The activity status for all other new hazardous facilities (not identified in the above table) is determined through the Activity Status Appendix of this chapter [HAZS-APP1](#). The calculation of the quantities of hazardous substances within Appendix [HAZS-APP1](#) does not include hazardous substances that are stored in vehicles being used in transit on public or private roads or within the strategic transport corridor for the transport of hazardous substances.
- For further clarification, refer to the explanation below APPENDIX [HAZS-APP1](#).

## Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

**HAZS-S1 Site design and management**

[16.6.1]

- The following Site Design and Management standards are in addition to, and not in substitution of the performance standards of the relevant zone and other legislation that deals with hazardous substances. Any part of a site where hazardous substances are contained, used or stored, or otherwise handled shall have a spill containment system that is designed, constructed and managed to prevent any adverse effects extending outside the area where the particular activity is to be carried out and shall be protected by a spill containment system.

The spill containment system shall include at least the following:

- Be constructed from impervious materials that are resistant to the hazardous substances involved, except that this clause shall not apply to geothermal steamfield activities; and
- For pooling hazardous substances: be able to contain the maximum volume of the largest tank present plus have an additional depth of 200mm for tanks located in an uncovered area to allow for stormwater or fire water.
- For drums or other smaller containers: able to contain half of the maximum volume of substances stored, plus have an additional depth of 200mm for containers located in an uncovered area to allow for stormwater or fire water; and
- Be designed, constructed and managed so that any spill or release of any hazardous substance and any stormwater that may have entered and become contaminated in the spill containment system is:

- i. Prevented from discharging into or onto land or groundwater, into any water body, or into any potable water supply unless permitted by a rule in a regional plan or proposed regional plan or a regional resource consent has been obtained; and
  - ii. Prevented from entering the stormwater drainage system unless allowed by the Water Services and Trade Waste Bylaw 2010 (or any later version) or by a rule in a regional plan or Proposed Regional plan or a regional resource consent has been obtained.
2. Underground storage tanks shall be designed and constructed to contain any leakage. A leak detection system shall be integrated into the design of the tank and backed up with an effective monitoring programme. Underground tanks for storage of petroleum products shall be designed, constructed and managed in accordance with the Below Ground Stationary Container Systems for Petroleum - Design and Installation HSNO COP 44, Environmental Protection Agency, May 2012 and Below Ground Stationary Container Systems for Petroleum - Operation HSNO COP 45, Environmental Protection Agency, May 2012, and any requirements of HSNO Act and regulations.
3. All stormwater grates shall be clearly marked to ensure that hazardous substances are not inadvertently released into the stormwater system.
4. The part of the site where vehicles, equipment or containers (that are or may have become contaminated with hazardous substances) are washed, shall be designed and constructed so that any contaminated effluent from the wash-down area or washing facility cannot be discharged into the stormwater system, into a sewer, into or onto land, into groundwater or any water body, or to a potable water supply unless the discharge is permitted by a rule in a regional plan or proposed regional plan or by a resource consent, or allowed by the Network Utility Operator.

#### Advice Note-

It is anticipated that the following practices will occur in relation to site design and management:

1. The storage and dispensing of LPG carried out in accordance with AS/NZ 1596 : 2008 LP Gas Storage and Handling, and HSNO Act requirements and regulations; or
2. The implementation of best management practices during operation of vehicles such as mobile trailer fuel tanks, asphalt trucks, bitumen spray trucks and bulk tanker trailers.

#### **HAZS-S2 Waste management**

1. Any waste including trade wastes or waste containing hazardous substances, shall comply with any relevant requirements of HSNO Act and regulations, and NZS 8409:2004 Management of Agrichemicals (where relevant), and shall be managed so they are not:
  - a. Discharged on to land or into any stormwater drain; or
  - b. Discharged into sewers serviced by the Rotorua Wastewater Treatment Plant unless authorised under council's Water Services and Trade Waste Bylaw 2010; or
  - c. Discharged into or onto land, groundwater, any water body, or potable water supply unless a resource consent from a regional council allows otherwise, or the discharge complies with Appendix S of NZS 8409:2004 Management of Agrichemicals.
2. The storage of any waste containing hazardous substances shall be in a manner that prevents:
  - a. The exposure to ignition sources;
  - b. The corrosion or other alteration of the containers used for the storage of waste;
  - c. The unintentional release of the waste.

Wastes containing hazardous substances shall be disposed of within the Rotorua District only in facilities formally approved by the Rotorua District Council, unless covered by a resource consent issued by a regional council.

### **HAZS-S3 Signs**

1. All hazardous facilities shall be sign posted to indicate the nature of the substance stored, used or otherwise handled; and shall be in accordance with the Environmental Protection Authority (EPA) approved Code of Practice for Signage for Premises Storing Hazardous Substances and Dangerous Goods HSNO COP 2-1 09-04; and any requirements of the HSNO Act and regulations.
2. All signs required to comply with this provision will be exempt from the signs provisions within the zone/s the activity locates.

### **HAZS-S4 Emergency Management Plans**

1. All hazardous facilities shall have an emergency management plan in place which deals with possible accidents involving hazardous substances.

## Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

### **HAZS-MC1 General**

[16.7(1)]

1. The proposed operation and site layout.
2. Identification and management of potential on-site hazards and exposure pathways arising from the proposed facility.
3. The nature and extent of proposed emergency management planning (spills, fire and other relevant hazards).
4. The nature and extent of proposed monitoring and maintenance schedules.
5. The degree of compliance with relevant Codes of Practice and standards.
6. Measures to minimise or mitigate potential adverse effects that may result from natural hazards identified on the planning maps.

## Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

### **HAZS-AC1 Risk assessment for activities involving the use, storage, disposal or transportation of hazardous substances**

[16.9(2)]

1. A risk assessment, identifying any risks to the environment or health and safety of the community shall be required with any resource consent. The level of detail required will depend on the scale and intensity of the proposed hazardous facility. A risk assessment shall include an assessment of the following matters.
  - a. Separation distances to people and sensitive activities, especially land use activities such as schools, rest homes, hospitals, marae and shopping centres; and
  - b. the location of the hazardous facility in relation to aquifers, streams or lakes; and

- c. the nature of the site's subsoil and/or geology; and
- d. the distance to sensitive habitats in the area or water catchments; and
- e. the cumulative and/or synergistic effect, eco-toxicity and bio-accumulation of hazardous substances used or stored; and
- f. fire safety and fire water management; and
- g. the extent to which the adherence to health and safety, code of practice, or environmental management system is relevant to the particular circumstances of the application or will lead to improved environmental outcomes. Where appropriate, council recommends the use of a national and/or international standard, such as the NZCIC Responsible Car Programme, the ISO 9000 system, the ISO 14000 system, the ISRS system and the BS 7750 system, as well as compliance with the requirements of the HSNO Act and regulations. The council will give consideration to any other alternative site management system which will achieve the same intent of any of the above systems; and
- h. spill contingency and emergency planning, monitoring and maintenance schedules; and
- i. site drainage and off-site infrastructure (e.g. storm water, sewer and capacity); and
- j. the level of risk associated with the transportation of hazardous substances, both for the roading network and for the amenity and environment through which the transport route concerned passes; and
- k. management of hazardous wastes and off-site disposal; and
- l. whether proposed site management systems are appropriate. Consideration will be given to spill contingency plans, health and safety systems, energy procedures, storm water treatment and disposal procedures for hazardous wastes, fire safety, transport, monitoring and maintenance procedures, including compliance with the requirements of the HZNO Act and regulations; and
- m. measures to minimise or mitigate potential adverse effects that may result from natural hazards identified on the planning maps.

## ANTICIPATED ENVIRONMENTAL RESULTS

### HAZS-AER1

Reduce the risk to the environment or human health and property as a result of the adverse effects of hazardous substances.

## APPENDICES

## HAZS-APP1 – Maximum Combined Quantities of Hazardous Substances for Use and Storage

RULE NR	HAZARDOUS SUBSTANCE PROPERTY	CLASS	LAND USE HSNO Subclass	INDZ1, INDZ2, BIZ			CCZ, COMZ, INDZ1E, RURZ			RESZ, WZ and Designated Reserves	
				Permitted	Controlled	Discretionary	Permitted	Controlled	Discretionary	Permitted	Discretionary
1	EXPLOSIVE	1	1.1 (all-storage)	<0.05	0.05-0.1	>0.1	<0.02	0.02-0.04	>0.04	0	>0
2			1.2 (all-storage)	<0.5	0.5-1	>1	<0.2	0.2-0.4	>0.4	0	>0
3			1.3 (all-storage)	<1.5	1.5-3	>3	<0.5	0.5-1	>1	0	>0
4			1.2/1.3 with 1.1*	<0.05	0.05-0.1	>0.1	<0.02	0.02-0.04	>0.04	0	>0
5	FLAMMABLE (GASES) (AEROSOLS)	2	2.1 (all)	<1/ 2,000	1-2/ 2000- 4000	>2/ 4,000	<0.5 /1000	0.5-1/ 1000- 2000	>1/ 2,000	<0.02/40	>0.02/40
6			2.1 (within 50 m of m.s.z.)	<0.2 /400	0.2-0.5 /400-1000	>0.5/ 1000	<0.1/200	0.1-0.2 /200-400	>0.2/400	na	na
7			All other non-hazardous	5/ 10,000	5-10 /10,000 - 20,000	>5/ 20,000	<2/ 4,000	2-4/ 4,000- 8,000	>4/ 8,000	<0.1/200	>0.1/200
8			LPG	<3	3-6	>6	<1.5	1.5-3	>3	<0.2	>0.2
9			LPG (within 50 m of m.s.z.)	<1	1-2	>2	<0.5	0.5-1	>1	na	na
10	FLAMMABLE (LIQUIDS)	3	3.1A, 3.1B	<6	6-12	>12	<2	2-4	>4	<0.1	>0.1
11			3.1A/B (within 50 m of m.s.z.)	<2	2-4	>4	<0.6	0.6-1.2	>1.2	na	na
12			3.1C	<20	20-40	>40	<6	6-12	>12	<0.3	>0.3
13			3.1D	<60	60-120	>120	<20	20-40	>40	<1	>1
14			3.2 (all)	<3	3-6	>6	<1	1-2	>2	<0.05	>0.05
15	FLAMMABLE (SOLIDS)	4	4.1 (all)	<3	3-6	>6	<1	1-2	>2	<0.05	>0.05
16			4.2 (all)	<1	1-2	>2	<0.4	0.4-1	>1	<0.02	>0.02
17			4.3 (all)	<1	1-2	>2	<0.4	0.4-1	>1	<0.02	>0.02
18	OXIDISING CAPACITY	5	5.1.2 Gases	<1,000	1,000- 2,000	>2,000	<400	400- 1,000	>1,000	<40	>40
19			5.1.1 (all)	<3	3-6	>6	<1.5	1.5-3	>3	<0.05	>0.05
20			5.2 (all)	<1	1-2	>2	<0.5	0.5-1	>1	<0.02	>0.02
21	TOXIC	6	6.1A	<0.5	0.5-1	>1	<0.2	0.2-0.4	>0.4	0	>0
22			6.1 Gases	<300	300-600	>600	<100	100-200	>200	0	>0
23			6.1A (within 50 m of m.s.z.)	<0.2/100	0.2-0.4/ 100-200	>0.4/200	<0.1/50	0.1-0.2/ 50-100	>0.2/100	0	>0
24			6.1B	<6	6-12	>12	<2	2-4	>4	<0.05	>0.05
25			6.1B (within 50 m of m.s.z.)	<2	2-4	>4	<1	1-2	>2	na	na
26			6.1C, 6.3(All)-6.9(All)	<20	20-40	>40	<6	6-12	>12	<0.3	>0.3
27			6.1C, 6.3(All)-6.9(All) (within 50 m of m.s.z.)	<6	6-12	>12	<2	2-4	>4	na	na
28	CORROSIVE	8	8.1A, 8.2A, 8.3A	<6	6-12	>12	<2	2-4	>4	<0.05	>0.05
29			8.2 B/C	<20	20-40	>40	<10	10-20	>20	<0.3	>0.3
30	ECO-TOXIC	9	9.1A, 9.2A, 9.3A, 9.4A	<0.5	0.5-1	>1	<0.5	0.5-1	>1	<0.5	>0.1
31			(within 30 m of watercourse)	<0.1	0.1-0.3	>0.3	<0.1	0.1-0.3	>0.3	<0.1	>0.1
32			9.1B, 9.2B, 9.3B, 9.4B	<10	10-20	>20	<10	10-20	>20	<10	>10
33			(within 30 m of watercourse)	<3	3-6	>6	<3	3-6	>6	<3	>3

34			9.1C, 9.2C, 9.3C, 9.4C	<30	30-60	>60	<30	30-60	>60	<30	>30
35			(within 30 m of watercourse)	<10	10-20	>20	<10	10-20	>20	<10	>10
36	HIGH BOD <sub>5</sub>	-	-	<100	100-200	>200	<40	40-80	>80	<40	>40
37	(>10,000 mg/l)		(within 30 m of watercourse)	<40	40-80	>80	<20	20-40	>40	<20	>20

Note: The measure in the table is in tonnes (t) apart from Class 2.1, 5.1 and 6.1 permanent or compressed gases which are in m<sup>3</sup> at standard temperature/pressure (20 deg. C/1013 kPa).

#### Advice Notes:

1. "all" means all HSNO subclasses within the class, e.g. 6.3 to 6.9 (all includes subclass 6.3A and 6.3B).
2. Class 1.2 and 1.3 (explosive) substances are to be treated as if they are Class 1.1 substances if they are stored together with any 1.1 substances.
3. The table does not apply to activities that are specifically excluded from the definitions of 'storage' and 'use' of the hazardous substances or the definition of 'hazardous facility'.
4. The hazard classification is based on the criteria and numbering as specified in the HSNO Classification Regulations 2001. All approved hazardous substances in New Zealand have a HSNO hazard classification.
5. It should be noted that many substances have more than one hazardous property, and the activity status is to be determined for each hazard class. The most stringent activity status will determine if and which consent application is required. Petrol for example is classified as a highly flammable liquid (3.1A), acutely toxic (6.1E), mildly irritating to skin (6.3B), a suspected human carcinogen (6.7B) and eco-toxic to the aquatic environment (9.1B). Diesel is classified as flammable liquid (3.1D) and also acutely toxic (6.1E), mildly irritating to the skin (6.3B), a suspected human carcinogen (6.7B) and eco-toxic to the aquatic environment (9.1B).



NH

# NATURAL HAZARDS – MŌREAREA TŪTURU

Status: NH is Operative

## ISSUES

Refer to Part 2, District Wide Matters, SD- Strategic Direction.

## OBJECTIVES

Refer also to Part 2, District Wide Matters, SD- Strategic Direction.

### Flooding in the Waikato River catchment

<b>NH-O1</b> <i>[9.3(7)]</i>	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. <i>Policies NH-P1</i>
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## POLICIES

Refer also to Part 2, District Wide Matters, SD- Strategic Direction.

### Buildings in Areas Susceptible to Flooding

<b>NH-PA</b>	<u>Minimise the risks to people and property associated with development in areas susceptible to flooding by:</u> <ol style="list-style-type: none"> <li>a. <u>In areas where the anticipated flood depths are low and, therefore, the likely risks to people and property are less, requiring new buildings and larger additions to existing buildings to have floor levels above the flood level for the 1% AEP event with an allowance for climate change and freeboard.</u></li> <li>b. <u>In areas where anticipated flood depths are higher and, therefore the potential risks to people and property are greater, requiring a broad assessment for new buildings and larger additions to existing buildings and their associated site works that corresponds to the nature and scale of the anticipated flooding on site, including consideration of:</u> <ol style="list-style-type: none"> <li>i. <u>The appropriateness of the proposed development, and the extent to which the flood risks on site are mitigated;</u></li> <li>ii. <u>Whether the development will increase risks to other people, property or infrastructure;</u></li> <li>iii. <u>Whether there is a need for safe evacuation routes or refuges; and</u></li> <li>iv. <u>Impacts on overland flowpaths and river corridors.</u></li> </ol> </li> </ol>
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### Overland flowpaths and river corridors

<b>NH-PB</b>	<u>Maintain the function of overland flowpaths and river corridors to safely convey flood water and reduce risk to life, property and infrastructure by:</u> <ol style="list-style-type: none"> <li>a. <u>Maintaining the water carrying capacity of overland flowpaths and river corridors;</u></li> <li>b. <u>Maintaining the water storage capacity of major overland flowpaths and river corridors;</u></li> <li>c. <u>Restricting activities that may obstruct an overland flowpath; and</u></li> <li>d. <u>Considering the impact of any changes to the entry or exit points of overland flowpaths on a site and the impact on other sites and infrastructure.</u></li> </ol>
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### Impervious surfaces

<b>NH-PC</b>	<u>Restrict impervious surfaces to reduce the cumulative effect of stormwater run-off on flooding.</u>
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### Flooding in the Waikato River catchment

*Objective NH-01*

<b>NH-P1</b> <i>[9.3(7)(1)]</i>	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.
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**Land instability in Rural Zones**

<b>NH-P2</b> <i>[9.3(2)(1)]</i>	Ensure buildings and activities do not increase land instability by requiring stabilisation measures where necessary.
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**~~Te Arawa villages of Ōhinemutu and Whakarewarewa~~ Geothermal Hazards**

<b>NH-P3</b> <i>[4.3.4.1]</i>	Enable the continued co-existence of residential activities <u>in the Te Arawa villages of Ōhinemutu and Whakarewarewa</u> with the geothermal features throughout each village, whilst ensuring future development is undertaken with an acknowledgement of risks.
<b><u>NH-P4</u></b>	<u>Minimise the risks to people and property from geothermal hazards, including by locating the discharge of any geothermal gas away from confined spaces on a site.</u>

## RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters in Part 2 – District-wide Matters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

For natural hazard rules relating to subdivision refer to SUB – Subdivision.

Links to the rule categories can be found below:

Fault Lines.....	26
Flooding.....	27
Geothermal.....	30

Fault Lines		
<b>NH-R1</b>	<b>Additions to existing buildings or replacement buildings in the Fault Avoidance Area Overlay</b>	[4.5(92) 7.5(82) 8.5(2)(21) 9.5(117) 10.5(89)]
<b>Applicable Spatial Layers</b> Fault Avoidance Area Overlay in: Residential Zones Industrial Zones Business and Innovation 1 Zone All Rural Zones Reserve 1 Zone	<b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b> a. Replacement buildings within the fault avoidance area shall be within the existing building footprint.	<b>2. Activity Status:</b> Restricted Discretionary  <b>Where:</b> Compliance is not achieved with the performance standards for NH-R1(1).  <b>Matters of Discretion:</b> a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.  b. 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 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.

<b>NH-R2 Low importance buildings in the Fault Avoidance Area Overlay</b>		[4.5(93) 7.5(83) 8.5(2)(22) 9.5(118) 10.5(90)]
<b>Applicable Spatial Layers</b> Fault Avoidance Area Overlay in: Residential Zones Industrial Zones Business and Innovation 2 Zone All Rural Zones Reserve 1 Zone	<b>1. Activity Status:</b> Permitted	
<b>NH-R3 New buildings in the Fault Avoidance Area Overlay</b>		[4.5(93) 7.5(84) 8.5(2)(23) 9.5(119) 10.5(91)]
<b>Applicable Spatial Layers</b> Fault Avoidance Area Overlay (2010) in: Residential Zones Industrial Zones Business and Innovation 23 Zone All Rural Zones Reserve 1 Zone	<b>1. Activity Status:</b> Restricted Discretionary <b>Matters of Discretion:</b> a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed; and b. 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 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.	
<b>Flooding</b>		
<del><b>NH-R4 Buildings in the 2% AEP Lake Flood Level Overlay</b></del>		<del>[4.6(13) 5.6(1)(16) 9.6(20) 10.6(16)]</del>
<del><b>Applicable Spatial Layers</b></del> <del>2% AEP Lake Flood Level Overlay in:</del> <del>Residential Zones</del> <del>City Centre 1 Zone</del> <del>City Centre 3</del>	<del><b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. <del>Building platform must be above the 2% AEP stated maximum lake level.</del></del>	<del><b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> <del>Compliance is not achieved with the performance standards for NH-R4(1).</del> <b>Matters of Discretion:</b> a. <del>Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed; and</del></del>

<p>Zone                  Rural Zones                  Reserves Zones                  Water Zone</p>		<p><del>b. A flood risk assessment by a suitably qualified person, which includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.</del></p>
<p><b>NH-R4 New buildings and additions to existing buildings in areas susceptible to flooding</b></p>		
<p><b>Applicable Spatial Layers</b>                  All Zones</p>	<p><b>1 Activity Status:</b> Permitted  <b>Where:</b></p> <p>a. <u>This activity is:</u></p> <ul style="list-style-type: none"> <li>i. <u>building within the Electricity Generation Core Site; or</u></li> <li>ii. <u>a buildings of low importance; or</u></li> <li>iii. <u>an addition of less than 20m<sup>2</sup> to an existing building.</u></li> </ul> <p><b>Advice note:</b></p> <p><u>Additions under 20m<sup>2</sup>, although they are permitted by these rules, are subject to the requirements of the Building Act and Building Code. This includes requirements to design to prevent water entering a building and restrictions on when building consent can be issued in areas subject to inundation.</u></p>	
<p><b>Applicable Spatial Layers</b>                  All Zones</p>	<p><b>2 Activity Status:</b> Permitted  <b>Where:</b></p> <ul style="list-style-type: none"> <li>a. <u>The activity is not permitted by NH-R4(1); and</u></li> <li>b. <u>The maximum anticipated flood depth at the building site is no more than 300mm from:</u> <ul style="list-style-type: none"> <li>i. <u>The 1% AEP flood level from rivers or overland flows , and/or the 1% AEP lake flood level; and</u></li> <li>ii. <u>taking into account climate change, based on RCP8.5 (or most recent national or regional guidance), to the year 2130.</u></li> </ul> </li> </ul> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. <u>The building or addition has a minimum floor level above the anticipated maximum flood level (as relevant to the site) for the events described above and allowing for freeboard that represents uncertainties and limitations in the calculation of the flood level.</u></li> </ul>	<p><b>3 Activity Status:</b> Restricted Discretionary  <b>Where:</b></p> <p><u>Compliance is not achieved with the performance standards for rule NH-R4(2)</u></p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. <u>Building in areas susceptible to flooding NH-MD1</u></li> </ul>
<p><b>Applicable Spatial Layers</b>                  All Zones</p>	<p><b>4. Activity Status:</b> Restricted Discretionary  <b>Where:</b></p> <ul style="list-style-type: none"> <li>a. <u>The activity is not permitted by rule NH-R4(1); and</u></li> </ul>	

	<p>b. <u>The maximum anticipated flood depth at the building site is more than 300mm from:</u></p> <ul style="list-style-type: none"> <li>i. <u>The 1% AEP flood level from rivers or overland flows, and/or the 1% AEP lake flood level; and</u></li> <li>ii. <u>taking into account climate change, based on RCP8.5 (or most recent national or regional guidance), to the year 2130.</u></li> </ul> <p><b><u>Matters of Discretion</u></b></p> <ul style="list-style-type: none"> <li>a. <u>Building in areas susceptible to flooding NH-MD1</u></li> </ul> <p><b><u>Advice note:</u></b>  <u>Additions under 20m<sup>2</sup>, although they are permitted by these rules, are subject to the requirements of the Building Act and Building Code. This includes requirements to design to prevent water entering a building and restrictions on when building consent can be issued in areas subject to inundation.</u></p>	
<p><b>NH-R5</b></p>	<p><b><del>Buildings in areas affected by inundation by surface water</del></b></p>	<p><del>{4.6(13) 5.6(1)(16)                  5.6(2)(14)                  6.6(18) 7.6(16)                  8.6.(1)(12)                  8.6(2)(12)                  8.6(3)(13) 9.6(20)                  10.6(16)}</del></p>
<p><b>Applicable Spatial Layers</b>                  All Zones</p>	<p><b><del>1. Activity Status:</del></b> Permitted</p> <p><b><del>Performance Standards:</del></b></p> <ul style="list-style-type: none"> <li>a. <del>All Zones except in the Waikato River Catchment:</del> <ul style="list-style-type: none"> <li>i. <del>Any habitable additions to existing buildings shall have building platforms filled to above the 2% AEP flood level; and</del></li> <li>ii. <del>Any replacement building shall be provided with a building platform filled to above the 2% AEP flood level and be located entirely within the existing building footprint.</del></li> </ul> </li> <li>b. <del>Waikato River Catchment:</del> <ul style="list-style-type: none"> <li>i. <del>Any building shall have a building platform above the 1% AEP flood level, except buildings within the Electricity Generation Core Site,</del></li> </ul> </li> </ul>	<p><b><del>2. Activity Status:</del></b> Restricted-Discretionary</p> <p><b><del>Where:</del></b>                  Compliance is not achieved with the performance standards for NH-R5(1).</p> <p><b><del>Matters of Discretion:</del></b></p> <ul style="list-style-type: none"> <li>a. <del>Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed; and</del></li> <li>b. <del>A flood risk assessment by a suitably qualified person, which includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments</del></li> <li>c. <del>In the Waikato River Catchment:</del> <ul style="list-style-type: none"> <li>i. <del>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).</del></li> </ul> </li> </ul>

Geothermal		
<b>NH-R6</b>	<b>Buildings erected within 5 metres of the edge of a Geothermal Surface Feature</b>	
	<p>[4.6(13)] [5.6(1)(16)] [6.6(18)] [7.6(16)] [8.6(1)(12)] [8.6(2)(12)] [8.6(3)(13)] [9.6(20)] [10.6(16)]</p>	
<b>Applicable Spatial Layers</b> All Zones	<p><b>1. Activity Status:</b> Permitted <b>Where:</b> The building is associated with geothermal electricity generation.</p>	
<b>Applicable Spatial Layers</b> All Zones	<p><b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> The building is not associated with geothermal electricity generation. <b>Matters of Discretion:</b></p> <p>a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed; and</p> <p>b. Reserves, Community Assets and Water Zones:</p> <p>i. The extent to which the activity would affect ecological values of the area or the quality of the water;</p> <p>ii. The extent to which the activity would maintain or enhance indigenous biodiversity vegetation and natural character; and</p> <p>iii. The extent to which the activity adversely affects natural character, cultural amenity and landscape values.</p>	
<b>NH-R7</b>	<b>Site Coverage in the Geothermal Systems Overlay</b>	
	<p>[4.6(3), 5.6(1)(3), 5.6(2)(3), 6.6(3), 7.6(3), 8.6(1)(3), 8.6(2)(3) 10.6(3)]</p>	
<b>Applicable Spatial Layers</b> All Zones	<p><b>1. Activity Status:</b> Permitted <b>Performance Standards:</b></p> <p>a. Where the total building and hard surface coverage is 90% or more of a site, the works shall be designed to achieve a low level of risk from geothermal gas, hot ground and acid ground. This shall be demonstrated by a suitably qualified and experienced person as part of any required building consent application.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary <b>Matters of Discretion:</b></p> <p>a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.</p>
<b><u>NH – R8 Venting Structures in the Geothermal Systems Overlay</u></b>		
<b><u>Applicable Spatial Layers</u></b>	<b><u>1. Activity Status: Permitted Performance Standards:</u></b>	<b><u>2. Activity Status: Restricted Discretionary Matters of Discretion:</u></b>



<u>All Zones</u>	a. <u>Within the Geothermal Systems Overlay, any venting structures necessary for gas ingress mitigation on a site shall be directed to vehicle accessways or the street.</u>	b. <u>Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.</u>
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## Matters of Discretion

### **NH-MD1 Building in areas susceptible to flooding**

1. Where new buildings or building additions do not meet the minimum floor levels for permitted activities; the extent to which the proposal minimises the risks to people and property on site from flooding;
2. Where new buildings or additions are proposed in areas where the anticipated flood depths during the 1%AEP event with an allowance for climate change are greater than 300mm:
  - a. The appropriateness of the proposed development (including the associated site works) and the extent to which the proposal minimises the risks to people and property on site from flooding through measures such as building design and provision of safe evacuation routes or refuge;
  - b. The extent to which the development will increase risks from flooding to people and property on other sites or infrastructure; and the extent to which the proposal minimises this effect; and
  - c. Whether the proposal will affect the carrying capacity and storage capacity of any river corridor or major overland flowpath.
3. Where overland flowpaths affect the site:
  - a. the extent to which the development provides for the conveyance of water;
  - b. whether the development will change the entry and/or exit points of the overland flowpaths on the site and the impact other sites and infrastructure;
  - c. management of any potential erosion caused by any overland flowpaths; and
  - d. provision for access and maintenance to the overland flowpaths.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

<b>NH-AER1</b>	Enhanced public safety in relation to natural hazards through the design and management of land use activities and subdivision to an acceptable level.
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Part 2: District Wide  
Matters

HISTORICAL AND  
CULTURAL VALUES

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# HISTORIC HERITAGE - TAONGA TUKU IHO

Status: HH is Operative with the exception of the changes proposed by Plan Change 9 (notified 19 August 2022), which are shown with underline and ~~strikethrough~~. The proposed amendments have immediate legal effect (refer to section 86B(3)(d) of the Act). Provisions that have legal effect are marked in this chapter with a gavel (🔨).

## INTRODUCTION

Historic heritage covers a broad range of features of both Māori and European origin that contribute to an understanding and appreciation of New Zealand's history and culture. They may be identifiable features or sites where often there is no visible feature or evidence.

Heritage items addressed in this chapter are archaeological sites, historic structures and historic sites. As many of these items are also of significance to Māori there is strong connection between this chapter and SASM- Sites and Areas of Significance to Māori. SASM also addresses additional heritage schedules not addressed in this chapter: marae and structures and sites of cultural significance.

Notable trees are addressed in a separate chapter TREE- Notable Trees.

Unidentified historic heritage sites are protected by a discovery protocol under Heritage New Zealand, Pouhere Taonga (HNZPT).

### Archaeological sites schedule

Information used in the Archaeological Sites Schedule comes from the Archaeological Site Recording Scheme and Upgrade Project called ArchSite, provided by the New Zealand Archaeological Association (NZAA). ArchSite data consists of a combination of manually plotted co-ordinates and GPS technology.

### Historic structures schedule

The Historic Structures Schedule lists the historic buildings or structures. Additional information on many of the heritage buildings and structures in the schedule is available in the 'Rotorua Central Area: Built Heritage Study' (Matthews & Matthews Architects Ltd).

Historic Structures are divided into two categories. Category status 1 is given to places of "special or outstanding historic or cultural heritage significance or value". Category 2 status is given to places of "historic of cultural heritage significance or value". Structures that are listed and have no category are buildings identified within the district by the Council and are deemed to provide good examples of urban design practice and contribute to the character of the environment.

### Historic sites schedule

This schedule lists a number of other sites of historical values that are not included in the archaeological sites or historic structures schedules.

### Relationship between the District Plan protections and Heritage New Zealand Pouhere Taonga Act 2014

The schedules are not the same as the New Zealand Historic Heritage List for Rotorua. It is a separate but parallel protection process. Since an item may appear in either or both lists care should be taken to ascertain and fulfil any obligations under both the District Plan and the Heritage New Zealand Pouhere Taonga Act 2014. It should be noted that archaeological sites, known and unknown, are protected under this Act.

## ISSUES

### HH-I1 Historic heritage

Inappropriate subdivision, use and development can impact the identified heritage values of a historic structure, site or archaeological site. This includes the setting of the historic structure, which extends to the land surrounding the historic structure that contributes to its historical values.

To avoid, remedy or mitigate adverse effects on such historic features the District Plan intends to manage any activity where the heritage values of the historic item may be impacted. The challenge is to implement an appropriate level of control over heritage features to ensure that they are appropriately managed and protected whilst providing enough flexibility for the establishment and operation of activities. To enable this Council must ensure appropriate regulatory mechanisms are in place and consultation procedures completed before land use decisions are made.

Advice Note:

SASM- Sites and Areas of Significance to Māori focuses in more detail on the contemporary and traditional relationship between Māori with their ancestral lands, water, sites, wāhi tapu and other taonga. It is important that this chapter of the District Plan is not read with SASM.

## OBJECTIVES

<b>HH-O1</b> [2.3(8)]	Protect cultural heritage features (Māori and European) from different eras and of themes that contribute to, and that are representative of Rotorua's evolving history. <i>Policies HH-P1 to HH-P3</i>
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## POLICIES

Objective HH-01

<b>HH-P1</b> [2.3(8)(1)]	Enable land use activities to occur within a site or structure identified in the Historic Structures Schedule or Historic Sites Schedule as being of heritage importance where the activity will not result in modification that will adversely affect the associated heritage values of the structure or site.
<b>HH-P2</b> [2.3(8)(2)]	Enable subdivision, use and development where these do not detract from the values of an archaeological site identified in the Archaeological Site Schedule.
<b>HH-P3</b> [2.3(8)(3)]	Enable alterations for the purpose of improving structural performance, fire safety and access to a structure identified in the Historic Structures Schedule, while minimising the significant loss associated with the heritage values.

## RULES

The rules in the table below apply in addition to:


- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters in Part 2 – District-wide Matters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

Links to the rule categories can be found at below:

Built Historic Heritage – Historic Heritage Structures .....	6
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Built Historic Heritage – Historic Heritage Structures		
<b>HH-R1</b>	<b>Maintenance and repair of historic heritage structures listed in the <a href="#">Historic Structures Schedule</a></b>	[4.5(56), 5.5.1(38) 6.5(60), 9.5(61) 10.5(47)]
<b>Applicable Spatial Layers</b> Historic Structures Overlay	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>The repair and maintenance of any structure shall use materials that are the same or similar to the original materials; and</li> <li>The repair and maintenance work shall comply in all respects with the relevant performance standards of the zone.</li> </ol>	<b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for HH-R1(1). <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>Zone Specific <a href="#">HH-AC1</a></li> </ol>
<b>HH-R2</b>	<b>Alterations and additions to historic heritage structures listed in the <a href="#">Historic Structures Schedule</a></b>	[4.5(57), 4.5(58) 5.5.1(39), 6.5(61) 6.5(62), 9.5(62) 9.5(63), 10.5(48) 10.5(49)]
<b>Applicable Spatial Layers</b> Historic Structures Overlay	<b>1. Activity Status:</b> Permitted <b>Where:</b> The activity is internal alterations only and only the exterior of the structure is identified for protection in the schedule.	
<b>Applicable Spatial Layers</b> Historic Structures Overlay	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> The activity is not permitted internal alterations under HH-R2(1) or permitted maintenance and repair under HH-R1(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Zone Specific <a href="#">HH-MD1</a>;</li> <li>Additions and Alterations to Historic Structures <a href="#">HH-MD2</a>; and</li> </ol>	

	c. Infrastructure Specific <a href="#">HH-MD3</a> .	
<b>HH-R2A</b> 	<b><u>New buildings that are on the same site as a heritage structure listed in the <a href="#">Historic Structures Schedule</a>, or a specified adjacent site</u></b>	
<b>Applicable Spatial Layers</b> <a href="#">Residential 1 Zone</a> <a href="#">Residential 2 Zone</a> <a href="#">Commercial 4 Zone</a>	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>The new building is on the same site a heritage structure in the Residential 1, 2 or Commercial 4 zone.</p> <p>Rule HH-R5(2A) also applies to the sites adjacent to Landmark Restaurant (H1.25) at 2 Meade Street (Legal Description: Section 3 Block LI Town of Rotorua and Part Section 4 Block LI Town of Rotorua and Part Section 4 Block LI Town of Rotorua), and 3 Meade Street (Legal description: Section 2 Block XLIX Town of Rotorua).</p> <p>Rule HH-R5(2A) does not apply to Pukehangi Cottage (H1.27).</p> <p><b>Matters of Discretion:</b></p> <ol style="list-style-type: none"> <li><a href="#">Zone Specific HH-MD1</a>;</li> <li><a href="#">Whether the new building complements the form and fabric which contributes to, or is associated with, the heritage values of the structure.</a></li> <li><a href="#">Whether the new building uses materials and/or design details that respect rather than replicate any features of the heritage structure. New and contemporary interpretations in form and detail are encouraged.</a></li> <li><a href="#">Whether the new building will not compromise the ability to interpret the heritage structure and its setting.</a></li> <li><a href="#">Whether new buildings maintain visual linkages between the building or structure, and the street where relevant.</a></li> <li><a href="#">Whether the location of the building and associated siteworks allows for an adequate setting for the heritage item.</a></li> <li><a href="#">Whether other structures or features associated with the heritage item are retained and are complemented.</a></li> </ol>	
<b>HH-R3</b>	<b>Re-siting, destruction or demolition of a historic heritage structure listed in the <a href="#">Historic Structures Schedule</a></b>	[4.5(61), 5.5.1(42) 6.5(65), 9.5(66) 10.5(52), 15.5(5)]
<b>Applicable Spatial Layers</b> Historic Structures Overlay	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>The activity is required by new infrastructure as described in EIT- Energy, Infrastructure and Transport.</p> <p><b>Assessment Criteria:</b></p> <ol style="list-style-type: none"> <li>Infrastructure Specific <a href="#">HH-AC2</a>.</li> </ol>	
<b>Applicable Spatial Layers</b> Historic Structures Overlay	<p><b>2. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>The activity is not provided for in Rule HH-R3(1).</p>	



<b>Archaeological Sites and Historic Sites</b>		
<b>HH-R4</b>	<b>Maintenance and repair of sites listed in the <a href="#">Archaeological Sites Schedule</a> or <a href="#">Historic Sites Schedule</a></b>	[4.5(56), 5.5(38) 6.5(60), 9.5(61) 10.5(47), 15.5(5)]
<b>Applicable Spatial Layers</b> Archaeological Sites Overlay Historic Sites Overlay	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. The repair and maintenance of any structure shall use materials that are the same or similar to the original materials;</li> <li>b. The repair and maintenance work shall comply in all respects with the relevant performance standards of the zone;</li> <li>c. The activity can involve maintenance of the existing site such as gardens, lawns and planting beds but no development or redevelopment of the site involving excavation, modification or disturbance of the ground shall be undertaken; and</li> <li>d. Modification and disturbance of historic and archaeological sites may only be undertaken where an archaeological authority has been granted from Heritage New Zealand.</li> </ul>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for HH-R4(1).</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. Zone Specific <a href="#">HH-AC1</a>.</li> </ul>
<b>HH-R5</b>	<b>Disturbance, modification and alteration of cultural historic heritage listed in the <a href="#">Archaeological Sites Schedule</a> or <a href="#">Historic Sites Schedule</a></b>	[4.5(59), 5.5.1(40) 5.5.2(23), 6.5(63) 7.5(85), 9.5(64) 10.5(50), 15.5(5)]
<b>Applicable Spatial Layers</b> Archaeological Sites Overlay Historic Sites Overlay	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is not provided for as permitted maintenance and repair under HH-R1; and</li> <li>b. If located in the Industrial T Zone, the activity is required by new infrastructure as described in EIT- Energy, Infrastructure and Transport.</li> </ul> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. Zone specific <a href="#">HH-AC1</a>; and</li> <li>b. Infrastructure specific <a href="#">HH-AC2</a>.</li> </ul>	
<b>Applicable Spatial Layers</b> Archaeological Sites Overlay Historic Sites Overlay	<p><b>2. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>The activity is in the Industrial T Zone and is not required by new infrastructure as described in EIT- Energy, Infrastructure and Transport.</p>	

<b>HH-R6</b>	<b>Destruction of cultural historic heritage listed in the <a href="#">Archaeological Sites Schedule</a> or <a href="#">Historic Sites Schedule</a></b>	[4.5(60), 5.5(41) 5.5.2(24), 6.5(64) 7.5(86), 9.5(65) 10.5(51)]
<b>Applicable Spatial Layers</b> Archaeological Sites Overlay Historic Sites Overlay	<b>1. Activity Status:</b> Non-Complying	

## Matters of Discretion

The following matters of discretion apply where listed in the rule table for the relevant activity.

### HH-MD1 Zone specific matters of discretion

#### 1. Residential Zones:

- a. The extent to which the activity adversely effects the character and amenity values of the zone.

#### 2. Industrial Zones:

- a. The extent to which the proposal will enhance the character and amenity of the city entranceways.

#### 3. Reserves, Community Assets and Water Zones:

- a. Building Design, Site Layout and Amenity:
  - i. The amenity of the streetscape is maintained and enhanced;
  - ii. The extent to which the activity would maintain or enhance heritage features, cultural sites, identified natural and cultural landscapes or archaeological sites;
  - iii. The extent to which the activity adversely affects the natural character, cultural amenity and landscape values; and
  - iv. The extent to which the activity adversely affects adjoining sites or land-based activities.

### HH-MD2 Additions and alterations to Historic Heritage Structures

1. A Conservation plan shall be submitted with an application for resource consent. The Conservation plan will be assessed in accordance with the extent to which it makes provision for the following:
  - i. A statement of the significance of the historic heritage structure;
  - ii. The physical condition and structural integrity of the historic heritage item;
  - iii. The physical conservation, action and care necessary for returning or revealing the historic heritage significance of the structure (this may include maintenance, reconstruction or restoration);
  - iv. The associated significance (if any) of the land surrounding the historic heritage structure;
  - v. Activities which may be compatible and incompatible with the protection of the historic heritage structure;

- vi. Measures to enable the cultural significance of a place to be retained;
  - vii. Any listing with Heritage New Zealand Pouhere Taonga and the reasons for the listing of the historic heritage structure under the Heritage New Zealand Pouhere Taonga Act 2014; and
  - viii. Any recommendations made by Heritage New Zealand Pouhere Taonga and any other professionally recognised party in historic heritage conservation issues, where relating to Category 1 Heritage New Zealand items or others, which, in council's opinion might benefit from the recommendations.
2. Any consultation and feedback undertaken with Iwi regarding the cultural values and importance of the historic heritage structure; and
  3. Detail on how the alterations and additions will be carried out in a way that is in keeping with and does not detract from those features for which the historic heritage item has been listed and protects the following elements;
    - a. Style and character of the building;
    - b. Scale, form and detailing, including roof form, roof angle and eaves;
    - c. Minimisation of the loss of historic fabric, original materials and original craftsmanship;
    - d. Use of original materials, including cladding profiles, colour and texture;
    - e. Original setting, including protection and maintenance of surrounding trees and gardens;
    - f. Original floor plan; and
    - g. Cultural significance of the historic heritage item.

### **HH-MD3      Infrastructure specific**

1. The benefits to be derived from the proposal, including its contribution to achieving central government initiatives (e.g. high speed broadband), national energy objectives and renewable energy targets.
2. The extent to which the proposal detracts from the cultural values of the scheduled item.
3. The extent to which technical and operational constraints impact the ability to avoid, remedy or mitigate adverse effects.
4. The extent to which the substantial upgrade of transmission infrastructure reduce the existing adverse effects of the transmission infrastructure.

### Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

### **HH-AC1      Zone specific assessment criteria**

1. **All Zones:**
  - a. The degree to which the proposal complies with the performance standards of the zone.
2. **Residential Zones:**
  - a. The extent to which the proposal will avoid, remedy, or mitigate effects on the character and amenity of the zone;

- b. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of neighbouring residents, including protection of privacy and outlook and protection from adverse effects from any source of disturbance;
- c. The extent to which the proposal will avoid, remedy, or mitigate the effects on the streetscape and on-site landscaping, in particular where buildings intrude into the front yards; and
- d. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules for Historical and Cultural Values or Natural Environmental Values.

### **3. City Centre Zones:**

- a. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity and vitality of the city centre zone or pedestrian focussed streets;
- b. The extent to which the proposal will avoid, remedy or mitigate the effects on the streetscape and on-site landscaping; and
- c. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules for Historical and Cultural Values or Natural Environmental Values.

### **4. Commercial Zones:**

- a. The extent to which the proposal will avoid, remedy or mitigate the effects on the streetscape and on-site landscaping;
- b. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of adjacent lots, including protection of privacy and outlook and protection from adverse effects from any source of disturbance or nuisance, including noise, glare, illumination and light levels;
- c. The extent to which the proposal will avoid, remedy or mitigate effects on the amenity and vitality of the city centre zone, and the character and amenity of the City Entranceways; and
- d. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules for Historical and Cultural Values or Natural Environmental Values.

### **5. Industrial Zones:**

- a. The extent to which the proposal will avoid, remedy or mitigate the effects on the streetscape and on-site landscaping;
- b. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of adjacent lots, including protection of privacy and outlook and protection from adverse effects from any source of disturbance or nuisance, including noise, glare, illumination and light levels;
- c. The extent to which the proposal will avoid, remedy, or mitigate the effects on the amenity and vitality of the city centre zone, and the character and amenity of the City Entranceways; and
- d. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules for Historical and Cultural Values or Natural Environmental Values.

**6. Business and Innovation Zones:**

- a. The extent to which the proposal will avoid, remedy or mitigate the effects on the streetscape and on-site landscaping;
- b. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of adjacent lots, including protection of privacy and outlook and protection from adverse effects from any source of disturbance or nuisance, including noise, glare, illumination and light levels;
- c. The extent to which the proposal will avoid, remedy, or mitigate the effects on the amenity and vitality of the city centre zone, and the character and amenity of the City Entranceways; and
- d. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules for Historical and Cultural Values or Natural Environmental Values.

**7. Rural Zones:**

- a. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of neighbouring residents, including protection of privacy and outlook and protection from adverse effects from any source of disturbance;
- b. The cumulative effect on the character and amenity area; and
- c. The location and or design of the proposal detracts from the qualities and characteristics specified of a landscape or feature identified in the schedules for Natural Environmental values or the natural character of the environment.

**8. Reserves, Community Assets and Water Zones:**

- a. How the activity will detract from the amenity of the zone and will result in visual domination of the adjoining sites;
- b. Any cumulative effects resulting from the operation and development of the activity; and
- c. The extent to which the proposal detracts from the physical, natural and cultural values as listed in the schedules for Historical and Cultural Values or Natural Environmental Values as well as other relevant matters that are identified in the associated chapters.

**HH-AC2 Infrastructure specific**

1. The benefits to be derived from the proposal, including its contribution to achieving central government initiatives (e.g. high speed broadband), national energy objectives and renewable energy targets.
2. The extent to which the proposal detracts from the cultural values of the scheduled item.
3. The extent to which technical and operational constraints impact the ability to avoid, remedy or mitigate adverse effects.
4. The extent to which the substantial upgrade of transmission infrastructure reduce the existing adverse effects of the transmission infrastructure

## ANTICIPATED ENVIRONMENTAL RESULTS

<b>HH-AER1</b>	No loss of the diverse and representative range of historic buildings, sites, structures, and notable vegetation and trees that contribute to Rotorua's identity and sense of place.
<b>HH-AER4</b>	No loss of values or significance of historic heritage or cultural values due to inappropriate use and development of infrastructure.

## SCHEDULES

### HH-SCHED1 – Archaeological Sites Schedule

Unique ID# (NZAA ref)	Planning map	Type	Site identifier (location)
U15/ 5	358	Hill Pā	Ōkawa Bay
U15/ 6	309	Pā	Awahou
U15/ 7	357	Ridge Peak/Pā	Mourea
U15/ 8	357	Pā	Mourea
U15/ 9	304	Midden	Hamurana
U15/ 10	370	Pā	Ōkere Falls
U15/ 11	532	Pā	Tārukenga
U15/ 12	522	Pā	Mourea
U15/ 13	373	Pā	Te Ākau Point
U15/ 14	373	Pā	Motuhiwa Island
U15/ 15	358	Pā	Motutara Point
U15/ 16	357	Pā	Mourea
U15/ 17	513	Pā	Tārukenga
U15/ 18	309	Pā	Awahou
U15/ 19	534	Pā	Te Ārero Bay
U15/ 20	303	Pā	Hamurana
U15/ 21	373	Pā	Ōkere Falls
U15/ 22	532	Pā	Waiteti
U15/ 23	534	Pā	Pāteko Island
U15/ 24	304	Pā	Hamurana
U15/ 25	534	Pā	Ngārehu Point
U15/ 26	306	Pā	Hamurana
U15/ 27	313	Pā	Ngongotahā
U15/ 28	312	Pā	Pukekura

Unique ID# (NZAA ref)	Planning map	Type	Site identifier (location)
U15/ 29	373	Pā	Pukeroa
U15/ 30	374	Pā	Kahurua Point
U15/ 31	358	Pā	Wairau Bay
U15/ 32	307	Pā	Mission Bay
U15/ 33	376	Pā	Tūmoana Point
U15/ 34	359	Pā	Mourea
U15/ 35	305	Pā	Hamurana
U15/ 36	374	Pā	Kaharoa Point
U15/ 37	534	Pā	Cherry Bay
U15/ 38	357	Pā	Mourea
U15/ 39	377	Pā	Tapanāiu Point
U15/ 40	508	Pā	Te Rangiwahakairo
U15/ 41	312	Pā	Ngongotahā
U15/ 42	376	Pā	Te Rei Bay
U15/ 43	309	Pā	Awahou
U15/ 44	306	Pā	Hamurana
U15/ 45	534	Pā	Pōtangotango Point
U15/ 46	307	Pā	Mission Bay
U15/ 47	534	Pā	Wharetata Bay
U15/ 48	301	Pā	Awahou
U15/ 49	532	Pā	Tārukenga
U15/ 50	533	Pā	Mokoia Island
U15/ 51	533	Rock Carving	Mokoia Island
U15/ 52	533	Cultivation	Mokoia Island
U15/ 53	532	Pā	Tārukenga
U15/ 54	534	Pā	Te Ārero Bay
U15/ 55	534	Pā	Te Ārero Bay
U15/ 56	524	Pā	Te Ngae
U15/ 57	524	Pā	Tikitere
U15/ 58	523	Pā	Wairau Bay
U15/ 59	363	Pā	Te Ngae
U15/ 60	533	Pā	Mokoia Island

Unique ID# (NZAA ref)	Planning map	Type	Site identifier (location)
U15/ 61	533	Pā	Mokoia Island
U15/ 62	533	Pā	Mokoia Island
U15/ 63	533	Pā	Mokoia Island
U15/ 64	533	Pā	Mokoia Island
U15/ 65	533	Terrace	Mokoia Island
U15/ 66	533	Pā	Mokoia Island
U15/ 67	533	Pā	Mokoia Island
U15/ 68	533	Pā	Mokoia Island
U15/ 69	533	Pā	Mokoia Island
U15/ 70	533	Pā	Mokoia Island
U15/ 71	533	Pā	Mokoia Island
U15/ 72	533	Bath	Mokoia Island
U15/ 73	533	Trail	Mokoia Island
U15/ 74	533	Track	Mokoia Island
U15/ 75	362	Flour Mill	Te Ngae
U15/ 76	534	Flour Mill	Lake Rotoiti
U15/ 77	377	Pā	Hauparu Bay
U15/ 78	374	Pā	Kaharoa Point
U15/ 79	358	Kāinga	Mourea
U15/ 80	361	Pā	Tikitere
U15/ 81	357	Pā	Mourea
U15/ 82	513	Pā	Waiteti
U15/ 83	376	Pā	Tāhunaroa
U15/ 84	370	Pit	Ōkere Falls
U15/ 85	357	Pit	Mourea
U15/ 86	362	Mission Site	Te Ngae
U15/ 87	534	Hut Site	Ruahine Springs
U15/ 88	513	Pā	Waiteti
U15/ 89	314	Pā	Ngongotahā
U15/ 90	308	Pā	Awahou
U15/ 91	524	Pā	Te Ngae
U15/ 92	301	Pā	Awahou



Unique ID# (NZAA ref)	Planning map	Type	Site identifier (location)
U15/ 94	502	Headland Pā	Kaharoa
U15/ 104	534	Headland Pā	Kaharoa
U15/ 512	515	Pā	Hamurana
U15/ 591	533	Terrace	Mangorewa River Catchment
U15/ 598	305	Urupā	Hamurana
		Pit	
U15/ 599	305	Pit	Hamurana
U15/ 600	305	Burial, trench	Hamurana
U15/ 601	305	Pit, artefact, midden	Hamurana
U15/ 602	509	Midden, pit	Hamurana
U15/ 603	304	Pit	Hamurana
U15/ 604	310	Burial, Church/ chapel	Hamurana / Awahou Stream
U15/ 605	507	Urupā	Hamurana
		Pit	
U15/ 606	507	Trench	Hamurana
U15/ 607	508	Pit	Hamurana
U15/ 608	508	Pit	Hamurana
U15/ 609	508	Midden, artefact	Hamurana
U15/ 610	508	Pit	Hamurana
U15/ 611	509	Pit	Hamurana
U15/ 612	508	Urupā	Hamurana
U15/ 613	301	Pit	Hamurana
U15/ 614	508	Midden	Hamurana
U15/ 615	507	Urupā/ cemetery	Hamurana
U15/ 616	306	Urupā	Hamurana
U15/ 617	315	Tramway tracks	Ngongotahā
U15/ 618	315	Timber Mill	Ngongotahā
U15/ 619	534	Karaka grove	Kaituna River Catchment
U15/ 620	534	Terrace, pit	Kaituna River Catchment
U15/ 622	509	Pit	Hamurana
U15/ 623	534	Pit	Lake Rotoiti

Unique ID# (NZAA ref)	Planning map	Type	Site identifier (location)
U15/ 624	534	Midden, terrace	Lake Rotoiti
U15/ 625	376	Terrace	Lake Rotoiti
U15/ 626	523	Terrace, oven stones	Lake Rotoiti
U15/ 636	370	House floor, site, artefact	Ōkere Falls
U15/ 637	534	Pit	Kaituna River Catchment
U15/ 638	358	Terrace	Lake Rotoiti
U15/ 639	534	Terrace	Lake Rotoiti
U15/ 645	534	Pit, terrace	Kaituna River Catchment
U15/ 646	534	Terrace	Kaituna River Catchment
U15/ 647	534	Pit	Kaituna River Catchment
U15/ 648	534	Pit	Kaituna River Catchment
U15/ 649	534	Pit	Kaituna River Catchment
U15/ 650	534	Pit	Kaituna River Catchment
U15/ 651	534	Pit	Kaituna River Catchment
U15/ 652	534	Pit	Kaituna River Catchment
U15/ 653	534	Terrace	Kaituna River Catchment
U15/ 654	534	Terrace	Kaituna River Catchment
U15/ 655	534	Terrace	Kaituna River Catchment
U15/ 656	534	Terrace	Kaituna River Catchment
U15/ 657	534	Terrace, oven stones	Kaituna River Catchment
U15/ 658	534	Terrace	Kaituna River Catchment
U15/ 659	534	Pit	Kaituna River Catchment
U15/ 660	534	Terrace	Kaituna River Catchment
U15/ 661	534	Pit	Kaituna River Catchment
U15/ 662	534	Pit	Kaituna River Catchment
U15/ 663	534	Scarp, terrace	Kaituna River Catchment
U15/ 664	534	Scarp, terrace	Kaituna River Catchment
U15/ 665	534	Pit	Kaituna River Catchment
U15/ 666	534	Pit	Kaituna River Catchment
U15/ 667	534	Pit	Kaituna River Catchment
U15/ 700	534	Pit	Kaituna River Catchment

Unique ID# (NZAA ref)	Planning map	Type	Site identifier (location)
U15/ 716	534	Depression/ pit complex	Kaituna River Catchment
U16/ 1	316	Ridge Pā	Fairy Springs
U16/ 5	321	Pā	Kāwaha Point
U16/ 6	345	Pā	Whakarewarewa
U16/ 7	345	Pā	Pōhaturoa
U16/ 9	332	Pā/ Urupā	Pukehāngi Hill
U16/ 10	325	Pā	Rotorua Hospital
U16/ 17	516	Pā	Ngongotahā Valley
U16/ 18	519	Pā	Pukehāngi Hill
U16/ 19	325	Pā	Ōhinemutu
U16/ 20	537	Rail Road	SH 5 Whakarewarewa Forest Park
U16/ 21	324	Flour Mill	Utuhina
U16/ 24	525	Pā	Rotokawau
U16/ 25	525	Pā	Rotokawau
U16/ 33	537	Pā	Te Kahikatea Stream
U16/ 34	537	Kāinga	Tumunui
U16/ 37	348	Pā	Tokorangi Pā
U16/ 38	537	Terraces	Hemo Gorge
U16/ 39	351	Pā	Hemo Gorge
U16/ 40	521	Pit	Tihiōtonga
U16/ 41	521	Pit	Tihiōtonga
U16/ 42	351	Fence Line	Tihiōtonga
U16/ 43	521	Fence Line	Tihiōtonga
U16/ 44	330	Fishing Weirs	Holdens Bay
U16/ 46	328	Pā	Ngāpuna
U16/ 47	328	Depression	Ngāpuna
U16/ 48	328	Pā	Ngāpuna
U16/ 49	328	Hut Sites	Ngāpuna
U16/ 50	328	Pit	Ngāpuna
U16/ 51	328	Pā	Ngāpuna
U16/ 52	328	Tapū Rocks	Ngāpuna

Unique ID# (NZAA ref)	Planning map	Type	Site identifier (location)
U16/ 53	328	Trail	Ngāpuna
U16/ 54	525	Pit	Pikirangi Marae
U16/ 55	525	Hut Site	Rotokawa
U16/ 56	525	Pā	Rotokawa
U16/ 57	537	Pā	Eastern Suburbs
U16/ 58	341	Pā	Ōwhata
U16/ 62	525	Pits	Rotokawa
U16/ 63	525	Pit	Rotokawa
U16/ 64	366	Pā	Rotokawa
U16/ 67	538	Pā	Motuwētero Island
U16/ 72	515	Pā	Ngongotahā Valley
U16/ 73	518	Pā	Paradise Valley
U16/ 74	519	Pā	Paradise Valley
U16/ 75	520	Pā	Utuhina Stream
U16/ 76	520	Pā	Utuhina Stream
U16/ 77	520	Pā	Utuhina Stream
U16/ 78	525	Pā	Hannah's Bay
U16/ 79	518	Pā	Paradise Valley
U16/ 80	316	Pā	Fairy Springs
U16/ 81	321	Pā	Koutu
U16/ 84	342	Pā	Ngātautara
U16/ 85	515	Pā	Ngongotahā Valley
U16/ 86	515	Pā	Ngongotahā Valley
U16/ 92	537	Tomo	Tumunui
U16 /93	537	Kāinga	Tumunui
U16/ 94	537	Burial	Waimangu
U16/107	518	Burial Site	Paradise Valley
U16/ 184	323	Midden	Pukehāngi
U16/ 185	342	Obsidian	Pukehāngi
U16/ 186	342	Midden	Pukehāngi
U17/ 60	545	Pit, terrace	Lake Ohakuri
U17/ 61	545	House/ floor site	Lake Ohakuri Arm

Unique ID# (NZAA ref)	Planning map	Type	Site identifier (location)
V15/ 1	378	Pā	Ruatō
V15/ 2	379	Pā	Rotoiti
V15/ 3	534	Pā	Tokerau Bay
V15/ 94	534	Tunnel	Lake Rotoiti
V15/ 163	535	Pits	Lake Rotomā Scenic Reserve
V15/ 169	535	Pā	Matūtū Point
V15/ 200	379	Pā	Gisborne Point
V15/ 201	535	Pā	Hinehopu
V15/ 202	535	Pā	Ōkahu Point
V15/ 203	535	Pā	Matawhāura Bay
V15/ 204	380	Pā	Gisborne Point
V15/ 207	535	Pā	Matawhāura Bay
V15/ 208	385	Pā	Te Pōhue Bay
V15/ 214	535	Pā	Marāua Pā
V15/ 215	535	Pā	Wharenareke Bay
V15/ 234	535	Pā	Lake Rotomā
V15/ 235	535	Terrace/Pit	Patarata Point
V15/ 236	535	Pā	Ōtumarekura Point
V15/ 240	534	Pā	Lake Rotomā
V15/ 385	534	Pā	Puketapu Point
V15/ 386	534	Pā	Puketapu Point
V15/ 387	534	Pā	Te Pāpatu Point
V15/ 415	390	Pā	Pangopangoa Bay
V15/ 420	384	Terrace	Te Pōhue Bay
V15/ 499	384	Pits	Te Pōhue Bay
V15/ 500	386	Kāinga	Rotoehu
V15/ 501	386	Terraces	Rakaumakere Point
V15/ 504	535	Pā	Waione Bay
V15/ 505	535	Pits	Matawhāura Bay
V15/ 506	535	Pits	Lake Rotomā
V15/ 507	535	Pits	Lake Rotomā
V15/ 508	535	Pā	Lake Rotoehu

Unique ID# (NZAA ref)	Planning map	Type	Site identifier (location)
V15/ 509	384	Pit	Hinehopu
V15/ 510	535	Pā	Omahota Bay
V15/ 511	535	Pā	Lake Rotoehu
V15/ 513	535	Pā	Omahota Bay
V15/ 514	535	Pā	Ōmarupoto Bay
V15/ 515	535	Pā	Matawhāura Bay
V15/ 516	535	Pā	Waipūia Point
V15/ 519	534	Canoe Artefact– Hollowed out Totara log	Kaiwaka Road
V15/ 555	535	Pits	Lake Rotomā
V15/ 556	391	Burial	Lake Rotomā
V15/ 1200	534	Pā	Lake Rotoiti
V15/ 1216	535	Fence, ditch	Lake Rotoehu
V15/ 1217	535	Midden, bank, ditch	Lake Rotoehu
V15/ 1218	535	Fence	Lake Rotoehu
V15/ 1219	535	Ditch	Lake Rotoehu
V15/ 1220	535	Ditch	Lake Rotoehu
V15/ 1221	535	Terrace	Lake Rotoehu
V15/ 1238	534	Terrace, bank, ditch	Tokerau
V16/ 271	539	Bank, ditch, scarp, platform, terrace	Tarawera River Catchment
V16/ 272	539	Ditch, platform, earth bank	Rotomā Forest
V16/ 286	539	Pit	Rotomā Forest

## HH-SCHED2 – Historic Structures Schedule










Photo	Unique ID# and Map	Item	Location	Legal description	NZHPT Category
	H1.1 Planning Map 326	The Bath-House Rotorua Museum	Government Gardens, Hinemaru Street	Lot 2 SECT 2 Blk Tarawera SD, Lot 2 SO 42367 of Pt Sec 2 Blk 1 Tarawera SD	1
	H1.2 Planning Map 326	Blue Baths (exterior)	Government Gardens, Hinemaru Street	Pt Lot 3 DPS 15998	1
	H1.3 Planning Map 326	Bandstand Rotunda	Government Gardens, Hinemaru Street	Pt Lot 3 DPS 15998	2
	H1.4 Planning Map 326	Te Runanga Tea Pavilion and Storeroom (whole building)	Government Gardens, Hinemaru Street	Pt Lot 3 DPS 15998	2
	H1.5 Planning Map 326	Gardener's Cottage (exterior)	Government Gardens, Hinemaru Street	Pt Section 2 Blk I Tarawera SD	2
	H1.6 Planning Map 345	Carved Storehouse, Model Village	Whakarewar ewa	Pt Lot 3 DPS 23567	Not listed
	H1.7 Planning Map 326	Ex-Government Tourist Bureau Building	Corner Fenton and Haupapa Streets null	Pt Section 14 Blk XXIII TN of Rotorua	Not listed
	H1.8 Planning Map 335	"Glenholme" Dwelling Edwardian Villa, (whole building)	63 Miller Street	Pt Lot 5 DPS 4366	2
	H1.9 Planning Map 345	Guide Rangi's House (whole building)	Corner of Froude and Fenton Streets	Section 4 Blk LII TN of Rotorua	Not listed


Photo	Unique ID# and Map	Item	Location	Legal description	NZHT Category
	H1.10 Planning Map 326	Prince's Gate Archway (whole structure)	Government Gardens, Hinemaru Street	Lot 3 SECT 2 Blk I Tarawera SD, PT Section 2 Blk I Tarawera SD, Pt Lot 3 DPS 15998	2
	H1.11 Planning Map 326	Arawa War Memorial including Māori carvings	Government Gardens, Hinemaru Street	Pt Section 2 Blk I Tarawera SD	Not listed
	H1.12 Planning Map 326	Wylie Memorial	Government Gardens, Hinemaru Street	Pt Lot 3 DPS 15998	2
	H1.15 Planning Map 326	Dr Lewis' House, Rave Complex	Hinemoa Street	Section 90 Blk I Tarawera SD	Not listed
	H1.13 Planning Map 326	Bowling Pavilion	Government Gardens, Hinemaru Street	Pt Lot 3 DPS 15998	2
	H1.14 Planning Map 326	Polynesian Baths	Government Gardens	Lot 1 DPS 15998	Not listed
	H1.15 Planning Map 326	Former nurses' house	Hinemoa Street	Section 90 Blk I Tarawera SD	Not listed
	H1.16 Planning Map 326	Dr. Wohlman's House, Rave Complex	Hinemoa Street	Section 90 Blk I Tarawera SD	Not listed
	H1.18 Planning Map 325	Te Hāhi o te Whakapono/St Faith's Anglican (whole building)	Ōhinemutu	Waikareao	9705 Wahi Tupuna/Ti puna












Photo	Unique ID# and Map	Item	Location	Legal description	NZHPT Category
	H1.19 Planning Map 325	The Bath-House behind and below the Lake House Hotel	Ōhinemutu	Waihunuhunukuri	Not listed
	H1.20 Planning Map 326	Old Post Office (exterior and clock mechanism)	Corner of Arawa and Fenton Streets	Lot 1 DPS 56898	2
	H1.21 Planning Map 326	Prince's Gate Hotel	1-3 Arawa Street	Lot 2 DP 34492	2
	H1.22 Planning Map 335	Robertson House (whole building)	70 Pererika Street	Lot 16 DP 3016	2
	H1.23 Planning Map 335	Scout Hall (exterior)	Pererika Street Reserve	Pt Rotorua TN BELT	2
	H1.24 Planning Map 336	Westpac Building (exterior)	1251 Tutanekai Street	Section 8 Blk XXXIX TN of Rotorua	Not listed
	H1.25 Planning Map 345	Landmark Restaurant (exterior)	1 Meade Street	Section 1 Blk XLIX TN of Rotorua	2
	H1.26 Planning Map 326	Graeff's Bakery	Corner Tutanekai and Haupapa Streets	Section 15 Blk XXX TN of Rotorua	Not listed
	H1.27 Planning Map 332	Cottage on Pukehāngi Road	Pukehāngi Road	Kaitao Rotohokahoka 1 T	Not listed










Photo	Unique ID# and Map	Item	Location	Legal description	NZHPT Category
	H1.28 Planning Map 345	Rotorua Catholic Immaculate Conception (whole building)	Whakarewarewa	Whakarewarewa Lot 16A	Not listed
	H1.29 Planning Map 358	St Mary's Anglican (whole building)	Mourea	Mourea Papakāinga 3E2	Not listed
	H1.30 Planning Map 367	St Peter's Anglican (whole building)	Hinemoa Point	Ōwhata 1Q5	2
	H1.31 Planning Map 533	St Peter's Anglican (whole building)	Mamakū	Pt Section 3 Blk XVI VILL of Mamakū	Not listed
	H1.32 Planning Map 345	Te Arawa Anglican (whole building)	Whakarewarewa	Whakarewarewa 3 No 1B73	Not listed
	H1.33 Planning Map 310	The Church of the Good Shepherd (whole building)	Awahou	Mangorewa Kaharoa Church Reserve	Not listed
	H1.34 Planning Map 515	Edward Vaile Early Settler Memorial (whole structure)	Broadlands	Lot 16 DP 28027	Not listed
	H1.35 Planning Map 325	Horse Trough	Near corner of Lake Road /Ranolf Street	Section 6 Blk LV TN of Rotorua	Not listed
	H1.36 Planning Map 335	Horse Trough	Old Taupo Road (on Boy's High School frontage)	Pt Rotorua TN BELT	Not listed










Photo	Unique ID# and Map	Item	Location	Legal description	NZHT Category
	H1.37 Planning Map 362	Remnants of Niu Tireni baker's oven at Te Ngae	Sited behind the meeting house of the Waiōhewa Marae and the water channel from the Waiōhewa Stream.	Lot 2 DPS 92329	Not listed
	H1.39 Planning Map 370	Steps down to the former Government Power Works	Near the car park, Ōkere Falls	Section 8 Blk VI Rotoiti SD	Not listed
	H1.40 Planning Map 325	St. Luke's Church and Hall	1123 Amohia Street	Lot 1 DPS 23270	Not listed
	H1.41 Planning Map 326	Mayfair Flats	1057 Arawa Street	Lot 8 DP 18658	Not listed
	H1.42 Planning Map 326	Fat Dog Cafe building. Former EC Randle and Co., Auckland House	1161 Arawa Street	Lot 3 DPS 5654	Not listed
	H1.43 Planning Map 326	Rotorua Women's Club/Soldiers' Institute	1133 Hinemaru Street	Lot 1 DP 34492	Not listed
	H1.44 Planning Map 325	Villa associated with Gardiner family	1271 Hinemoa Street	Lot 4C DP 2809	Not listed
	H1.45 Planning Map 335	Edward La Trobe Hill's house	1282 Hinemoa Street	Section 6 Blk XXXVII TN of Rotorua	Not listed
	H1.46 Planning Map 326	Grosvenor Flats	1079 Pukuatua Street	Section 5 Blk XXXVI TN of Rotorua	Not listed

Photo	Unique ID# and Map	Item	Location	Legal description	NZHPT Category
	H1.47 Planning Map 326	Rotorua Primary School Infant Block	1249 Rangiuru Street	Pt Section 3 Blk LVII TN of Rotorua	Not listed
	H1.48 Planning Map 326	Rotorua Primary School Dental Block	1249 Rangiuru Street	Pt Section 3 Blk LVII TN of Rotorua	Not listed
	H1.49 Planning Map 326	Rotorua Primary School, Main Building	1249 Rangiuru Street	Section 2 Blk LVII TN of Rotorua	Not listed
	H1.50 Planning Map 325	Janet Fraser Memorial Guest House	2A Ranolf Street	Section 12 Blk LVII TN of Rotorua	Not listed
	H1.51 Planning Map 326	Kusab's Building	1154 Tutanekai Street	Lot 2 DPS 5654	Not listed
	H1.52 Planning Map 326	The Pig and Whistle, Former Police Station	1182 Tutanekai Street	Lot 3 DPS 56898	Not listed
	H1.53 Planning Map 326	Rotorua District Council Civic Administration Building	1061 Haupapa Street	Pt Section 3BLK XXIV TN of Rotorua	Not listed
	H1.54 Planning Map 336	Capers Café Building, ex Lee Brothers Ltd	1181 Eruera Street	Lot 2 DPS 5016	Not listed

## HH-SCHED3 – Historic Sites Schedule

Unique ID#	Planning map	Item	Location	Legal description
H4.1	326, 327	Government Gardens	Queens Drive	Pt Lot 3 DPS 15998
H4.2	368	Kāramuramu Baths	Rotokawa	Pt Lot 1 DPS 49938
H4.3	365	Pikirangi Puna	Rotokawa	Pt Lot 1 DPS 49938
H4.4	367	Iri-irikapua, Hinemoa's rock	Hinemoa Point	Ōwhata 1Q5
H4.5	326	Makawe (tapū stone)	Pukeroa Hill, Hospital Grounds, Rangioru Street	Pt Section 8 Blk LVII TN of Rotorua
H4.6	502	Mātuatonga, the Kumara god	Mokoia Island	Mokoia Island ML 10120
H4.7	345	Pohutu Geyser	Whakarewarewa	Section 7 Blk I Tarawera SD
H4.8	321	Te Koutu Battle Site	Taharangi Street	Te Koutu E170
H4.9	326	Malfroy Geyser	Government Gardens	Pt Lot 3 DPS 15998
H4.10	533	Wakimihia (Hinemoa's Pool)	Mokoia Island	Mokoia Island ML 10120

**TREE****NOTABLE TREES– RAKAU  
RONGONUI**

Status: TREE is operative.
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**INTRODUCTION**

Trees are an important part of the heritage of the Rotorua landscape and some are worthy of protection. The District Plan provides for the protection of trees on public and private land.

**ISSUES****TREE-I1 General**

Inappropriate subdivision, use and development can impact the identified heritage values. To avoid, remedy or mitigate adverse effects on such historic features the District Plan intends to manage any activity where the heritage values of the historic item may be impacted. The challenge is to implement an appropriate level of control over heritage features to ensure that they are appropriately managed and protected whilst providing enough flexibility for the establishment and operation of activities. To enable this Council must ensure appropriate regulatory mechanisms are in place and consultation procedures completed before land use decisions are made.

**OBJECTIVES****TREE-O1**

[2.3(9)]

Notable trees and vegetation are recognised and protected as important living components of Rotorua's environment due to their scientific, cultural, aesthetic, or ecological values.

*Policies TREE-P1 to TREE-P3*

**POLICIES**

*Objective TREE-O1*

**TREE-P1**

[2.3(9)(1)]

Enable land use activities to occur within sites containing notable trees subject to the health, vigour and function of the tree being maintained.

**TREE-P2**

[2.3(9)(2)]

Consider the location of notable tree or area of vegetation listed in the Schedule of Notable Trees as an integral part in determining its importance when assessing land use and subdivision in the surrounding environment.

**TREE-P3**

[2.3(9)(3)]

Restrict the removal or destruction of notable trees and areas of vegetation listed in the Schedule of Notable Trees, unless the tree or vegetation poses a danger to human safety, or is certified as dead.

## RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters in Part 2 – District-wide Matters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

Notable Trees		
<b>TREE-R1</b>	<b>Maintenance of a notable tree listed in the <a href="#">Notable Trees Schedule</a></b>	
	<i>[4.5(62), 4.5(63) 5.5(43), 5.5(44) 7.5(87), 7.5(88) 8.5.1(23), 8.5.1(24) 9.5(105), 9.5(104) 10.5(81), 10.5(82) 15.5(5)]</i>	
<b>Applicable Spatial Layers</b> Notable Trees Overlay	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Trimming and maintenance shall only be:               <ol style="list-style-type: none"> <li>under taken where it is completed by a qualified arboriculturist and approved by Council prior to commencement of works; or</li> <li>Emergency work to safeguard life or property shall be carried out by the council or a utility operator. In this case the operator concerned shall notify the council in writing as to the reason for the trimming within 10 working days.</li> </ol> </li> </ol>	<b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for TREE-R1(1). <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>Zone specific <a href="#">TREE-AC1</a>; and</li> <li>Infrastructure specific <a href="#">TREE-AC3</a>.</li> </ol>
<b>TREE-R2</b>	<b>Removal of a notable tree listed in the <a href="#">Notable Trees Schedule</a></b>	
	<i>[4.5(62), 4.5(63) 5.5(43), 5.5(44) 7.5(87), 7.5(88) 8.5(1)(23), 8.5(1)(24) 9.5(105), 9.5(104) 10.5(81), 10.5(82), 15.5(5)]</i>	
<b>Applicable Spatial Layers</b> Notable Trees Overlay	<b>1. Activity Status:</b> Permitted <b>Where:</b> Any tree removal is only to a tree certified as dead or dangerous by a qualified arboriculturist and certified by council prior to removal.	
<b>Applicable Spatial Layers</b> Notable Trees	<b>2. Activity Status:</b> Discretionary <b>Where:</b>	

Overlay	The removal is required by a new infrastructure activity as described in EIT-Energy Infrastructure and Transport and is not provided for in TREE-R2(1).	
<b>Applicable Spatial Layers</b> Notable Trees Overlay	<p><b>3. Activity Status:</b> Non-Complying</p> <p><b>Where:</b> The removal is not provided for in TREE-R2(1) or (2).</p> <p><b>Assessment Criteria:</b></p> <p>a. For the removal of any notable tree the proposal shall consider:</p> <p>i. The health and condition of the notable tree.</p> <p>ii. Alternative measures available that avoid the removal of the tree.</p> <p>iii. Measures proposed to provide for replanting and compensating for the loss of the tree.</p>	
<b>TREE-R3</b>	<b>Buildings, structures (including infrastructure) or earthworks within the dripline of notable tree identified in <a href="#">Notable Trees Schedule</a></b>	<i>[4.5(64), 5.5(45) 7.5(89), 5(1)(25) 9.5(107), 10.5(83) 15.5(5)]</i>
<b>Applicable Spatial Layers</b> Notable Trees Overlay	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. Zone specific <a href="#">TREE-AC1</a>;</p> <p>b. Buildings, structures and earthworks <a href="#">TREE-AC2</a>; and</p> <p>c. Infrastructure specific: <a href="#">TREE-AC3</a>.</p>	

## Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

### TREE-AC1 Zone specific

#### 1. All Zones:

- a. The degree to which the proposal complies with the performance standards of the zone.

#### 2. Residential Zones:

- a. The extent to which the proposal will avoid, remedy, or mitigate effects on the character and amenity of the zone;
- b. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of neighbouring residents, including protection of privacy and outlook and protection from adverse effects from any source of disturbance;
- c. The extent to which the proposal will avoid, remedy, or mitigate the effects on the streetscape and on-site landscaping, in particular where buildings intrude into the front yards; and
- d. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules for Historical and Cultural Values or Natural Environmental Values.

#### 3. City Centre Zones:

- a. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity and vitality of the city centre zone or pedestrian focussed streets;



- b. The extent to which the proposal will avoid, remedy or mitigate the effects on the streetscape and on-site landscaping; and
- c. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules for Historical and Cultural Values or Natural Environmental Values.

**4. Industrial Zones:**

- a. The extent to which the proposal will avoid, remedy or mitigate the effects on the streetscape and on-site landscaping;
- b. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of adjacent lots, including protection of privacy and outlook and protection from adverse effects from any source of disturbance or nuisance, including noise, glare, illumination and light levels;
- c. The extent to which the proposal will avoid, remedy, or mitigate the effects on the amenity and vitality of the city centre zone, and the character and amenity of the City Entranceways; and
- d. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules for Historical and Cultural Values or Natural Environmental Values.

**5. Business and Innovation Zones:**

- a. The extent to which the proposal will avoid, remedy or mitigate the effects on the streetscape and on-site landscaping;
- b. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of adjacent lots, including protection of privacy and outlook and protection from adverse effects from any source of disturbance or nuisance, including noise, glare, illumination and light levels;
- c. The extent to which the proposal will avoid, remedy, or mitigate the effects on the amenity and vitality of the city centre zone, and the character and amenity of the City Entranceways; and
- d. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules for Historical and Cultural Values or Natural Environmental Values.

**6. Rural Zones:**

- a. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of neighbouring residents, including protection of privacy and outlook and protection from adverse effects from any source of disturbance;
- b. 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;
- c. The cumulative effect on the character and amenity area; and
- d. The quality of the landscape and of any proposed landscaping scheme designed to mitigate the potential adverse effects of the activity.

**7. Reserves, Community Assets and Water Zones:**

- a. How the activity will detract from the amenity of the zone and will result in visual domination of the adjoining sites; and
- b. The extent to which the proposal detracts from the physical, natural and cultural values as listed in the schedules for Historical and Cultural Values or Natural Environmental Values as well as other relevant matters that are identified in Historical and Cultural Values and Natural Environmental Values.

**TREE-AC2 Buildings, structures and earthworks within the dripline of a Notable Tree**

1. For activities within the dripline of any notable tree whether the proposal will:
  - a. Alter the soil levels or water table by addition or excavation or compaction.
  - b. May discharge or disperse any toxic substance.
  - c. Include the placement of a membrane or any other impervious surfacing.
  - d. Involves a use, excavation or construction work or any other activity which will damage, destroy or detract from the appearance and survival of the tree.

**TREE-AC3 Infrastructure specific**

1. The benefits to be derived from the proposal, including its contribution to achieving central government initiatives (e.g. high speed broadband), national energy objectives and renewable energy targets.
2. The extent to which the proposal detracts from the physical, natural and cultural values of the notable tree
3. The extent to which technical and operational constraints impact the ability to avoid, remedy or mitigate adverse effects.
4. The extent to which the substantial upgrade of transmission infrastructure reduce the existing adverse effects of the transmission infrastructure.

**ANTICIPATED ENVIRONMENTAL RESULTS**

<b>TREE-AER1</b>	No loss of the diverse and representative range of historic buildings, sites, structures and notable vegetation and trees that contribute to Rotorua's identity and sense of place.
<b>TREE-AER2</b>	No loss of values or significance of historic heritage or cultural values due to inappropriate use and development of infrastructure.

**SCHEDULES**

## TREE-SCHED1 – Notable Trees Schedule

Unique ID#	Botanical Name	Location	Notes	Map Ref.
H3.1	<i>Ginkgo biloba</i>	Government Gardens	Planted circa 1892. Located near totem pole.	326

Unique ID#	Botanical Name	Location	Notes	Map Ref.
H3.4	Ginkgo biloba	Kuirau Park		325
H3.5	Quercus species	Pererika Street Reserve		335
H3.6	Liriodendron tulipifera	Pererika Street Reserve and Rotorua Boys High School	Planted on Arbor Day, 19 July 1933.	335
H3.7	Dacrydium cupressinum	Rotorua Boys High School	Largest of three trees planted in 1934 by Taiporutu Mitchell.	335
H3.9	Podocarpus totara	Rotorua Boys High School	Planted by Mrs. Peter Fraser, the wife of the Prime Minister on 12 September 1944 in honour of Taiporutu Mitchell.	325
H3.10	Populus yunnanensis	Rotorua Boys High School		335
H3.11	Quercus borealis rubra	Rotorua Boys High School		325
H3.12	Quercus ilex	Rotorua Boys High School		335
H3.13	Quercus robur	Rotorua Boys High School		325
H3.14	Sequoia sempervirens	Rotorua Boys High School		335
H3.15	Sequoiadendron gigantea	Rotorua Boys High School	Planted by H.A. Goldie, Arbor Day 19 July 1933.	335
H3.16	Cryptomeria japonica	Scion campus	Largest examples of this species in New Zealand.	346
H3.17	Pinus echinata	Scion campus	Planted circa 1908.	345
H3.18	Pinus leiophylla	Scion campus	Planted circa 1903.	345
H3.19	Pinus taeda	Scion campus	Planted circa 1903.	345
H3.20	Pinus montezumae	Whakarewarewa School		345

Unique ID#	Botanical Name	Location	Notes	Map Ref.
H3.21	<i>Quercus x heterophylla</i>	Whakarewarewa School	Rarely seen in New Zealand.	346
H3.22	<i>Acer palmatum</i>	22 Vista Place		318
H3.23	<i>Cryptomeria japonica</i>	2 Ford Road	The one remaining survivor of the once two trees which stood either side of the gateway to Ford's farm.	334
H3.25	<i>Dacrycarpus dacrydioides</i>	1105 State Highway 30/ Te Ngae Road	Refer SNA 43.	365
H3.26	<i>Dacrycarpus dacrydioides</i>	380 Ngongotahā Rd	Refer SNA 9.	316 & 317
H3.27	<i>Dacrycarpus dacrydioides</i>	5a / 110 Curtis Road	Planted by Sir Frank and Lady Mappin. Located north of Moose Lodge.	377
H3.28	<i>Juglans cordiformis</i> var. <i>ailantiflora</i>	19e Te Mū Road	Planted by Rev. Spencer in 1860 on the Old Te Mū Mission site.	745
H3.29	<i>Metrosideros excelsa</i>	205 Kāwaha Pt Road		321
H3.30	<i>Prumnopity taxifolia</i>	Hongi's Track, State Highway 30	The track was founded by Chieftainess Hinehopu, who planted the Matai beside the track.	384
H3.31	<i>Quercus palustris</i>	401 Old Taupo Road		344
H3.33	<i>Quercus robur</i>	North side of Pukeroa Hill (Hospital)	Planted by Jean Michel Camille Malfroy on 20 January 1884.	326
H3.34	<i>Sequoia sempervirens</i>	Hamurana Lakeshore Reserve		302
H3.35	<i>Sequoia sempervirens</i>	Long Mile Road	Grove planted in 1901.	346
H3.36 to H3.50	<i>Dacrycarpus dacrydioides</i>	Curtis Road	Kahikatea Stand (of 15 trees)	377 & 534



TREE-FIGURE1 - Boys High Notable Trees

# SITES AND AREAS OF SIGNIFICANCE TO MĀORI – NGĀ RAWA AHUREA Ā-IWI NGĀ RAWA TUKU IHO

Status: SASM is Operative

## INTRODUCTION

This chapter addresses the protection of buildings, sites, landscapes, natural features and wāhi tapu that are of cultural significance to Iwi.

The relationship of Iwi and their culture and traditions is reflected through kaitiakitanga. This provides for the active protection of the whole environment, its resources and ecosystems in order to maintain and protect the mauri of all taonga.

### **Marae**

This chapter includes rules regarding renovations and alterations to marae. There are over 30 marae in the district. These features are an integral part of Māori culture and marae are places of cultural living history.

A Marae Protection Area Overlay is also set out in this chapter to manage the effects of buildings near marae.

### **Other areas and sites of cultural significance**

This chapter also contains broad provisions areas and sites of cultural significance. With respect to historic structures other than marae, archaeological sites and historic sites this chapter needs to be read in conjunction HH Historic Heritage. Many of the items scheduled in HH Historic Heritage have significance to Iwi. To avoid duplication and confusion, the rules are not repeated in this chapter but the objectives and policies provide additional guidance for the rule framework in HH Historic Heritage.

This chapter also contains the rule framework for a small number of scheduled cultural structures and sites not included in the schedules of historic structures, archaeological sites or historic sites.

Customary activities are also addressed in this chapter with a permissive approach provided performance standards are met.

### **Traditional Māori villages**

Council acknowledges that the traditional Māori villages of Ōhinemutu, Whakarewarewa and Ngāpuna in the Urban Area have historical and cultural significance to the tangata whenua. Although all three retain a primarily residential function, the villages of Ōhinemutu and Whakarewarewa have become significant destinations for tourists as well.

The objectives and policies of this chapter are relevant to these villages but the management of land use is primarily addressed through a unique zone (Residential 5 Zone).

## ISSUES

### SASM-I1 Areas and sites of cultural historic heritage values

Development, re-development, and some land uses can compromise the cultural and historic heritage value of land, water, sites, wāhi tapu and taonga. These are an integral part of Māori culture, history, and tradition, taking many forms such as lakes, mountains, headlands, islands, trees and archaeological sites, all contributing to the rich cultural identity of the district. The values associated with some sites may be obvious such as archaeological sites, while others are less apparent, and can relate to the values derived from an association of an ancestor to a particular area. It is important that the effects of activities are managed so the cultural historic heritage of the district is maintained, and where possible enhanced.

There are some areas and cultural sites that are 'unknown sites', and not identified. Their locations have not been made public as they are of high cultural value and identification may undermine the integrity of the site. Consultation with Iwi is required to ensure activities do not impact these undisclosed sites.

Water holds mauri for Māori and is recognised as being an integral part of Māori cultural and spiritual life. Further, land and water are not considered separate environmental components; rather the two are looked at as a whole. While issues of abstraction, discharge and geothermal activity are managed at a regional level, the effects of land use and its impact on stream, river, and water quality are also considerations of the District Plan. Te Arawa is kaitiaki over land, air and water considering the lakes of the district as taonga. Further, Te Arawa is the owner of the beds of 12 of the 16 natural lakes within the district making Te Arawa a key stakeholder in lake and land management. Lake water quality is not just a scientific or community issue, but also a significant cultural issue.

### SASM-I2 Marae are sites of living cultural historic heritage

Marae are places with a high cultural historic heritage value that are centres of activity, and function as an integral component of everyday life. The design of marae is purposeful in that it provides a link to the past, ancestral whakapapa, oral history, and acts as a centre for traditional and community activities.

Regular maintenance of core buildings and marae facilities is necessary and should be encouraged for their continued use and to maintain the historic heritage aspects for which the buildings are valued. Tangata whenua are best placed to know and care for the cultural values of their own marae and the District Plan recognises and provides for this.

The significance of marae can be adversely affected by unsympathetic development around them. High buildings can detract from the prominence of the marae and the setting of the whareniui. Views of significant cultural landmarks may be obstructed. Windows, balconies and decks on adjoining sites may have an intrusive relationship to the marae. Activity that would be acceptable as permitted activity elsewhere may be potentially harmful to the status of the marae.

## OBJECTIVES

### Areas and sites of cultural and historic heritage value

<b>SASM-O1</b> <i>[3.3(1)]</i>	Sites of importance to tangata whenua are protected so that their cultural values are maintained and not adversely affected by new activities. <i>Policies SASM-P1 to SASM-P4</i>
<b>SASM-O2</b> <i>[3.3(2)]</i>	Resource management decisions that give appropriate weighting to the relationship of tangata whenua with water, the lakes, rivers and streams of the district. <i>Policies SASM-P5 to SASM-P7</i>

**Marae are sites of living cultural historic heritage**

<b>SASM-O3</b> [3.3(3)]	The cultural significance of marae, as landmarks, significant sites and buildings, and their relationship with the landscape is protected. <i>Policies SASM-P8 to SASM-P9</i>
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**POLICIES****Areas and sites of cultural and historic heritage value***Objective SASM-O1*

<b>SASM-P1</b> [3.3(1)(1)]	Avoid activities that will adversely affect the spiritual and cultural heritage values of sites of importance to tangata whenua.
<b>SASM-P2</b> [3.3(1)(2)]	Enable activities on sites of importance to tangata whenua that do not adversely affect the spiritual or cultural values of the site.
<b>SASM-P3</b> [3.3(1)(3)]	Encourage consultation with tangata whenua where applications may affect identified and unidentified sites of spiritual and cultural significance of the land, water, wāhi tapu and taonga.
<b>SASM-P4</b> [3.3(1)(4)]	Manage effects of subdivision, use and development on those lands, water, wāhi tapu, taonga and other areas of importance to tangata whenua.

*Objective SASM-O2*

<b>SASM-P5</b> [3.3(2)(1)]	Recognise the Te Arawa Lakes Trust as a partner in the management of the effects of activities on the district's water bodies, through requiring affected party approval, particularly in relation to the activities that may affect the beds of the lakes that the Trust is the owner of.
<b>SASM-P6</b> [3.3(2)(2)]	Recognise the Te Arawa River Iwi Trust, Ngāti Tūwharetoa and Raukawa Settlement Trust as partners in the management of the effects of activities on the Waikato River and its catchment.
<b>SASM-P7</b> [3.3(2)(3)]	Consider Iwi and Hapu management plans, or memoranda of understanding between Iwi and the council (available on the Council's website) when making decisions on resource consents and plan changes.

**Marae are sites of living cultural historic heritage***Objective SASM-O3*

<b>SASM-P8</b> [3.3(3)(1)]	Enable opportunities for the development of marae that; <ol style="list-style-type: none"> <li>1. provide for a range of functions including living, working, cultural activities and recreation serviced by infrastructure and road access</li> <li>2. protect the amenity of papakāinga and the cultural and spiritual values of the marae.</li> </ol>
<b>SASM-P9</b> [3.3(3)(2)]	Ensure that activities within the Marae Protection Area as shown on the Planning Maps are managed so that they do not adversely affect the cultural historic heritage values associated with marae, particularly that the height, siting and orientation of buildings and structures adjacent to marae respect the tikanga of the marae and the whareniui.



## RULES

The rules under the following headings override the rules in Part 3 Area Specific Matters (zones and development area chapters):

1. Customary activities; and
2. Marae activities.

The rules in the other chapters of Part 2 District Wide Matters continue to apply to these activities, unless expressly stated, for example: earthworks, natural hazards, signs, light and noise.

The rules under the following headings apply in addition to the rules in Part 3 (zones and development area chapters) and in the other chapters of Part 2 District Wide Matters:

1. Sites and structures of cultural significance; and
2. Marae Protection Overlay.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

Links to the rule categories can be found below:

Customary Activities .....	40
Structures and Sites of Cultural Significance .....	40
Marae Protection Area Overlay .....	41
Marae Activities .....	42

Customary Activities		
<b>SASM-R1</b>	<b>Customary activities</b>	[3.5(4)]
<b>Applicable Spatial Layers</b> Structures and Sites of Cultural Significance Overlay	<b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b> a. Activities shall comply with the relevant performance standards of the zone.	<b>2. Activity Status:</b> Restricted Discretionary  <b>Where:</b> Compliance is not achieved with the performance standards for SASM-R1(1).  <b>Matters of Discretion:</b> a. Those matters of non-compliance and the objectives and policies relevant to the matters of discretion; and b. <a href="#">SASM-MD1</a> General.
Structures and Sites of Cultural Significance		
<b>SASM-R2</b>	<b>Maintenance and repair of sites listed in the <a href="#">Structures and Sites of Cultural Significance Schedule</a></b>	[4.5(56), 5.5(38) 6.5(60), 9.5(61) 10.5(47), 15.5(5)]
<b>Applicable Spatial Layers</b>	<b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b>	<b>2. Activity Status:</b> Discretionary  <b>Where:</b>

Structures and Sites of Cultural Significance Overlay	<p>a. The repair and maintenance of any structure shall use materials that are the same or similar to the original materials;</p> <p>b. The repair and maintenance work shall comply in all respects with the relevant performance standards of the zone; and</p> <p>c. The activity can involve maintenance of the existing site such as gardens, lawns and planting beds but no development or redevelopment of the site involving excavation, modification or disturbance of the ground shall be undertaken.</p>	<p>Compliance is not achieved with the performance standards for SASM-R2(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. Zone Specific <a href="#">SASM-AC1</a></p>
<b>SASM-R3</b> <b>Disturbance, modification and alteration of cultural historic heritage listed in the <a href="#">Structures and Sites of Cultural Significance Schedule</a></b>		[3.5(2)]
<p><b>Applicable Spatial Layers</b></p> <p>Structures and Sites of Cultural Significance Overlay</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>The activity is not permitted maintenance under SASM-R2.</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SASM-AC1</a>; and</p> <p>b. Infrastructure specific <a href="#">SASM-AC2</a>.</p> <p><b>Advice Note:</b></p> <p>Modification and disturbance of historic and archaeological sites may only be undertaken where an archaeological authority has been granted from Heritage New Zealand.</p>	
<b>SASM-R4</b> <b>Destruction or demolition of cultural historic heritage listed in the <a href="#">Structures and Sites of Cultural Significance Schedule</a></b>		[3.5(3)]
<p><b>Applicable Spatial Layers</b></p> <p>Structures and Sites of Cultural Significance Overlay</p>	<p><b>1. Activity Status:</b> Non-Complying</p>	
<b>Marae Protection Area Overlay</b>		
<b>SASM-R5</b> <b>Alterations to existing buildings located within the Marae Protection Area Overlay</b>		[3.5(5)]
<p><b>Applicable Spatial Layers</b></p>	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>The marae will be visible from proposed second floor windows or balconies.</p>	

Marae Protection Area Overlay	<b>Matters of Discretion:</b> a. <a href="#">SASM-MD1</a> General; and b. <a href="#">SASM-MD2</a> Alterations in Marae Protection Area Overlay.	
<b>SASM-R6</b>	<b>New buildings within the Marae Protection Area Overlay</b>	[3.5(6)]
<b>Applicable Spatial Layers</b> Marae Protection Area Overlay	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. <a href="#">SASM-AC1</a> General; and b. <a href="#">SASM-AC2</a> New Buildings in Marae Protection Area Overlay.	
<b>Marae Activities</b>		
<b>SASM-R7</b>	<b>Replacement, additions, alterations and maintenance to buildings on the marae</b>	[3.5(7)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Activities shall comply with the performance standards of the zone.	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for SASM-R7(1). <b>Matters of Discretion:</b> a. Those matters of non-compliance and the objectives and policies relevant to the matters of discretion; and b. <a href="#">SASM-MD1</a> General.
<b>SASM-R8</b>	<b>Establishment of a new marae</b>	[3.5(8)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Activities shall comply with the performance standards of the zone.	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for SASM-R8(1). <b>Matters of Discretion:</b> a. Those matters of non-compliance and the objectives and policies relevant to the matters of discretion; b. Where the performance standards of the zone are not met: 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; and c. <a href="#">SASM-MD1</a> General.

<b>SASM-R9</b>		<b>Temporary buildings and structures erected for cultural events on marae</b>	[3.5(9)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b> a. Activities shall comply with the performance standards of the zone.	<b>2. Activity Status:</b> Restricted Discretionary  <b>Where:</b> Compliance is not achieved with the performance standards for SASM-R9(1).  <b>Matters of Discretion:</b> a. Those matters of non-compliance and the objectives and policies relevant to the matters of discretion; and b. <a href="#">SASM-MD1</a> General.	
<b>SASM-R10</b>		<b>Community, educational or health facilities associated with the marae complex, and located on marae grounds</b>	[3.5(12)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Controlled  <b>Performance Standards:</b> a. Activities shall comply with the relevant performance standards of the zone.  <b>Matters of Control:</b> a. The extent to which the scale and nature of the proposal affects the cultural and historic heritage values of sites scheduled in the historical and cultural values or natural environmental values schedules; b. The extent to which the scale and nature of the proposal affects the character and environmental quality of the adjoining properties, the street scene and the properties within the zone; c. The extent to which the amenity of the adjoining properties and of the properties within the zone is maintained and enhanced by the proposal; d. <a href="#">SASM-MC1</a> Design and layout; e. <a href="#">SASM-MC2</a> Parking, turning and access; and f. Whether a financial contribution is required under the provisions of FC - Financial Contributions.	<b>2. Activity Status:</b> Restricted Discretionary  <b>Where:</b> Compliance is not achieved with the performance standards for SASM-R10(1).  <b>Matters of Discretion:</b> a. Those matters of non-compliance and the objectives and policies relevant to the matters of discretion; b. Where the performance standards of the zone are not met: 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; and c. <a href="#">SASM-MD1</a> General.	
<b>SASM-R11</b>		<b>Marae under a development plan</b>	[3.5(10)]
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Restricted Discretionary  <b>Performance Standards</b> a. Application for development plan <a href="#">SASM-S1</a>		

	<p><b>Matters of Discretion</b></p> <p>a. Where the performance standards of the zone are not met: 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.</p> <p>b. <a href="#">SASM-MD1</a> General.</p>
<p>Advice Note:</p> <p>Where an application for resource consent is required for marae, the resource consent can be in the form of a 'development plan' to establish the principles of development, rather than providing all details with the application. Marae developed in accordance with the development plan will not require further resource consent for not meeting the performance standards of the zone.</p>	

## Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

### **SASM-S1 Development plans for marae**

[3.8(3)]

1. Applications shall include sufficient detail to describe the scale and means of servicing the site by providing information regarding:
  - a. The number of ~~household-residential~~ units or other buildings,
  - b. The means of access to a road,
  - c. The means of providing services (potable water supply, stormwater and sewage disposal, electricity, gas and telecommunications),
  - d. Any proposal for the staging of the development;
2. It may also include all or any of the following:
  - a. Landscaping of the site (including earthworks, existing planting to be retained, proposed planting, fencing or other means of enclosure, and any other hard landscaping features).
  - b. Design and external appearance of the buildings.

Advice Note:

1. A development plan may be subject to conditions relevant to any of the above matters that are considered necessary given the circumstances of the site, but are not submitted with the development plan accompanying the application for resource consent.

## Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

### **SASM-MC1 Building design and site layout**

[3.7(1)(1)]

The extent to which –

1. The privacy and outlook for adjoining properties is maintained.
2. The principles of CPTED are implemented, including provision for the passive surveillance of any adjoining road or reserve.
3. Adverse effects from natural hazards or the worsening of any hazard are managed.

4. The principles of sustainable building design are implemented to make use of solar gain.
5. The exterior finishing of buildings and structures complements adjoining activities and reflects the appearance and character of the other Marae buildings on site.

### **SASM-MC2 Parking, access and turning**

[3.7(1)(4)]

The extent to which –

1. Onsite design, location and surfacing of vehicle, pedestrian and cycle access, parking and turning areas provide for practical use of the site and maintains the amenity of neighbouring occupiers.
2. Adequate sight distances to prevent adverse effects on traffic flow and safety are provided.

### **Matters of Discretion**

The following matters of discretion apply where listed in the rule table for the relevant activity.

### **SASM-MD1 General matters of discretion**

[3.8(1)]

Council shall restrict its discretion to the following matters for all activities listed as restricted discretionary activities in the activity table:

1. The extent to which legal protection of the site of cultural importance scheduled in the Historical and Cultural Values or Natural Environmental Values schedules can be achieved;
3. The extent to which the ongoing preservation and maintenance of the site of cultural importance scheduled in the Historical and Cultural Values or Natural Environmental Values schedules is secured through a formal management arrangement;
4. The extent of any further investigations and studies necessary to determine the precise location of the site;
5. The degree to which existing planting is retained and the extent of proposed re-vegetation; and
6. The extent of the use of Tikanga Māori to ensure that the intrinsic worth of the site is able to be maintained.
7. Whether a financial contribution is required under the provisions of FC- Financial Contributions.

### **SASM-MD2 Alterations to existing buildings within the Marae Protection Area Overlay**

[3.8(2)(2)]

In addition to the general criteria set out in SASM-MD1 above, for alterations to existing buildings located within the protection areas shown on the Planning Maps that do not comply with the performance standards of the zone and where the marae is visible from windows or balconies, council in consultation with the relevant marae Committee shall also have regard to the extent to which the following measures ensure:

1. The building is orientated on site and designed to avoid, remedy or mitigate second floor windows or balconies from looking directly into or over the marae complex.
2. The building is located away from any marae building or provides a greater setback from the boundary than that required in the performance standards.

3. The exterior treatment and materials used are sympathetic to the marae and avoid glare and reflectivity.
4. The building respects the tikanga of the individual components of the marae.
5. The landscaping or screening is proposed to reduce overlooking from the building into the marae.
6. The cultural significance of buildings and areas associated with the marae is affected by the proposed alterations.

### Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

#### **SASM-AC1 General assessment criteria**

[3.9(1)]

1. The extent to which conservation principles contained within the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value are complied with.
2. The extent to which policies of any Iwi and Hapu management plan, conservation plan and heritage inventory relating to the heritage resource are achieved.
3. The extent to which the proposal will avoid, remedy or mitigate effects on the significance of the associated landscape and land surrounding the cultural site, archaeological site or wāhi tapu.
4. The extent to which the activity follows the recommendations made by Heritage New Zealand Pouhere Taonga and any other professionally recognised party (including an expert in tikanga Māori and local knowledge who is recognised by tangata whenua in heritage conservation issues).
5. The extent to which the proposal will avoid, remedy or mitigate effects of the loss of historic fabric.
6. The degree of change to the original setting of a site scheduled in the Cultural and Historical Values or Natural Environmental Values schedules, including landscapes and protection and maintenance of surrounding vegetation.
7. The extent of the impact upon the health and wellbeing of waterbodies including the Waikato River.
8. The extent to which new activities will avoid, remedy or mitigate effects on the appearance and integrity of a heritage site or item, with particular regard to the:
  - a. Visual impact of buildings, structures, signs, and exterior lighting.
  - b. Visual connectivity of sites, including Marae to other sites, landmarks, landscapes or wāhi tapu, that contributes to its cultural importance.
  - c. Cumulative effects of built form and human presence.
  - d. Appropriate separation distance from the cultural site, archaeological site or wāhi tapu, from the proposed activity.
  - e. The extent to which:
    - i. Onsite design, location and surfacing of vehicle, pedestrian and cycle access, parking and turning areas provide for practical use of the site and maintains the amenity of neighbouring occupiers.
    - ii. Adequate sight distances to prevent adverse effects on traffic flow and safety are provided.

- f. Proposed hard and soft landscaping including planting, paths, fencing and gates.
9. Whether a financial contribution is required under the provisions of FC – Financial Contributions.

### **SASM-AC2 New buildings within the Marae Protection Area Overlay**

[3.9(2)]

In addition to the general criteria set out in SASM-AC1 of the district plan, for buildings located within the protection areas shown on the planning maps that do not comply with the performance standards for height requirements of the zone and where exterior glazing or balconies face, council in consultation with the relevant Marae Committee shall also have regard to the extent to which the following measures ensure:

1. The building is orientated on site and is designed to prevent windows or balconies from looking directly into or over marae complex.
2. The building is located away from any marae building or provides a greater setback from the boundary than that required in the performance standards.
3. The exterior treatment and materials used are sympathetic to the marae and avoid glare and reflectivity.
4. The building respects the tikanga of the individual components of the marae.
5. The landscaping or screening proposed, reduces overlooking from the building into the marae.
6. The cultural significance of buildings and areas associated with the marae is not affected by the proposed alterations.
7. The proposed building does not adversely affect any urupā located within the Marae and any mitigation proposed to reduces its impact.

### **SASM-AC3 Infrastructure specific**

1. The benefits to be derived from the proposal, including its contribution to achieving central government initiatives (e.g. high speed broadband), national energy objectives and renewable energy targets.
2. The extent to which the proposal detracts from the cultural values of the scheduled item.
3. The extent to which technical and operational constraints impact the ability to avoid, remedy or mitigate adverse effects.
4. The extent to which the substantial upgrade of transmission infrastructure reduce the existing adverse effects of the transmission infrastructure

## **ANTICIPATED ENVIRONMENTAL RESULTS**

The efficiency and effectiveness of the policy framework of this part will be the focus of ongoing 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:

<b>SASM-AER1</b>	No loss of Appendix 1 and 2 sites of cultural value and the elements for which they are valued.
<b>SASM-AER2</b>	Retain the visual prominence of marae in their surrounding environment and landscape.
<b>SASM-AER3</b>	Improved water quality and the elements for which water is valued are retained, and where possible enhanced.
<b>SASM-AER4</b>	No loss of values or significance of historic heritage or cultural values due to inappropriate use and development of infrastructure.

## SCHEDULES

### SASM-SCHED1 – Structures and Sites of Cultural Significance Schedule

Unique ID# and Map	Item	Location	Legal description	NZHPT Category
C1.1 Planning Map 345	Whakarewarewa Bridge	Puarenga Stream, Whakarewarewa	N/A	Not listed
C1.2 Planning Map 372	Urupā	Whangamoā, Lake Rotorua	Lot 1 DP 312311	Not Listed

### SASM-SCHED2 – Marae Schedule

Planning map	Marae	Whareniui (Meeting house)	Wharekai (Dining room)	Hapū (Tribe)
310	Tarimano	Tawakeheimoa	Te Aongahoro	Ngāti Rangiwewehi
312	Waiteti	Ngārarānui	Te Urutakiao	Ngāti Ngārarānui
315	Parawai	Whatumairangi	Parehina	Ngāti Tura Ngāti Tuteiti
317	Waikuta	Rangitunaeke	Hinerā	Ngāti Tūteaiti
321	Kārenga/ Tūmahaurangi	Tūmahaurangi	Kārenga	Ngāti Whakaue
325	Mātaatua	Mātaatua	Hinetai	Tūhoe
325	Paratehōata	Tūnohopu	Rukuwai	Ngāti Whakaue
325	Tārewa Pounamu	Taharangi	Te Tiukahapa	Ngāti Tūara
325 326	Te Papāiōuru	Tamatekapua	Whakatūria	Ngāti Whakaue
325	Te Roro-o-te- Rangi / Te Kuirau	Te Roro-o-te-Rangi	Kaimatai	Ngāti Whakaue
337 338	Āpumoana	Āpumoana Āpumoana o te Ao Hou	Te Aowhēoro	Ngāti Tūmatawera
337	Hinemihi	Hinemihi	Hinewai	Ngāti Tarāwhai Tūhourangi
337	Hurungateran gi	Hurungaterangi	Whaingarangi	Ngāti Hurungaterangi
337	Tapuaekura	Rakeiao	Maruahangaroa	Ngāti Rongomai

<b>Planning map</b>	<b>Marae</b>	<b>Wharenui (Meeting house)</b>	<b>Wharekai (Dining room)</b>	<b>Hapū (Tribe)</b>
345	Te Pākira	Wāhiao	Te Rau Aroha	Tūhourangi Ngāti Wāhiao
357	Hinetapaturangi/ Waiātuhi	Kahumatamomoe	Hinetaputūrangi	Ngāti Pīkiao
357	Pāruaharanui	Pāruaharanui	Waiwaha	Ngāti Pārua
358	Hōhōwai	Te Tākinga	Hineora	Ngāti Te Tākinga
362	Mātaikotare/ Waiōhewa	Rangiwhakaekeau	Uenukauri	Ngāti Rangiteaorere
365	Pikirangi	Ohomairangi	Makuratawhiti	Ngāti Uenukukōpako
365	Ruamata	Uenukukōpako	Taoitekura	Ngāti Uenukukopako
367	Hinemoa Point/ Ōwhata Marae	Tutanekai	Hinemoa	Ngāti Te Roro-o-te-rangi
372	Ōtaramarae Pounamunui	Houmaitawhiti	Hinekukute-rangi	Ngāti Hinekura
373	Tāheke/ Ōpatia	Rangitihi	Manawakoto-koto	Ngāti Pīkiao
378 379	Ruatō	Ngāpūmanawa-e- Waru o Te Arawa	Te-Awa-i- Takapuhaia	Ngāti Rongomai
379 380	Punawhakareia	Uenukumarotonga	Te Ao Kapu- rangi	Ngāti Te Rangiunuora
379	Waikōhatu	Tarāwhai	Rangimaikuku	Ngāti Tarāwhai
381	Tauruao	Rangiunuora	Wetengāuru	Ngāti Te Rangiunuora
382	Te Waiiti	Hinekura	Niniurangi	Ngāti Hinekura
383	Tapuaeharuru	Uruika	Kauiarangi	Ngāti Tamate-atūtahi Kawiti
509 510	Rongomaipāpā	Maruahangaroa	Hineteata	Ngāti Kahungunu
532	Tārukenga	Te Ngākau	Hinetai	Ngāti Te Ngākau
536	Kearoa	Kearoa	Te Uira	Ngāti Tūara Ngāti Kea
546	Mataarae	Mataarae	Hinetai	Ngāti Tahu

# Part 3: Area-Specific Matters

## ZONES

**INZ**

INDUSTRIAL ZONES – AHUMAHI

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# INDUSTRIAL ZONES – AHUMAHI

Status: INZ is Operative and subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough~~.

## INTRODUCTION

Industrial activities are important to the economy of the district, as they add to economic well-being, they support and service rural activities and they provide employment. The plan provides an enabling industrial environment within which a range of heavy or light industrial activities can establish and operate that support economic growth.

There are three main industrial zones within Rotorua. The Industrial 1 (light) Zone is within the Rotorua and Ngongotahā urban areas and contains a range of services and general industrial activities. The Industrial 1E Zone follows the city entranceways and provides for a range of commercial activities that are not suited for commercial or city centre zones. The Industrial 2 (heavy) Zone is located within rural areas and provides for industries that may have effects beyond those which can be accommodated in the Industrial 1 (light) Zone. Each of these zones are strategically located along, or within close proximity to, State Highways which provide direct connectivity to adjoining districts and significant infrastructure such as airports and ports, thus enhancing the efficient operation of industrial activities.

Industrial land is a finite resource and past trends have seen a range of non-industrial activities that are more suited to the residential, commercial or city centre zones located within the industrial zones. Past trends have also highlighted the wide range of commercial activities and the differing locational needs of each. The plan has acknowledged both of these trends and has identified and provided for certain commercial activities within the Industrial 1E Zone that are associated with or complementary to the needs and amenity of industrial areas.

Commercial activities provided for in this zone are more compatible with industrial amenity rather than the amenity found within the city centre or commercial zones. This is due to their dependence on high traffic flow, location on city entranceways, low dependence on active frontages and need for large ground floor and parking areas.

The Industrial 1E Zone follows the city entranceways of Fairy Springs Road, Lake Road and Te Ngae Road. These entranceways are important in providing first impressions and the initial perception of Rotorua to visitors. The provision of identified commercial activities along city entranceways can enhance the amenity of these entranceways with the design of commercial buildings generally being more aesthetically pleasing than those designed for industrial activities. However, the effects of these activities need to be managed to ensure the function and safe efficient operation of these roads are not adversely affected and to ensure that they do not impact the amenity and vibrancy of the city centre.

The plan contains additional measures to ensure the efficient operation of industrial zones is not compromised or reduced by the establishment of non-industrial activities best suited for other zones. Activities that are sensitive to industrial amenity such as residential activities and commercial activities other than those listed are not provided for within the industrial zones.

The three industrial zones, and the different activities and amenity provided within each, are described in further detail below, along with the Transitional Zone:

Zone	Code	Description
<b>Industrial 1 Zone</b> Light Industrial	INZ1	Provides for a mix of light industrial activities including food processing, mechanical servicing, selling of farm machinery, car sale yards, building depots and lunch bars. The features that distinguish this zone from others include larger bulky buildings, high levels of noise, odour, signage and heavy vehicle and car movements. High levels of lighting and use and storage of hazardous substances are also common features of this environment.
<b>Industrial 1E Zone</b> City Entranceway Mixed Use	INZ1E	Provides for a mix of light industrial and commercial activities that are dependent on high traffic flows, larger sections and are compatible with industrial activities. The Industrial 1E Zone follows the city entranceways and intends to provide an amenity buffer between the entranceways and general industrial activity, helping to enhance the amenity of these routes through the presence of more aesthetically pleasing buildings than those expected and provided for within the Industrial 1 Zone.
<b>Industrial 2 Zone</b> Heavy Industrial	INZ2	Provides for heavy industrial activities such as dairy manufacturing and associated activities, wood and biomass processing and geothermal development similar to that seen at Waipa and Ohaaki. Use and storage of hazardous substances and risk of contaminated sites are higher than in other zones. Features affecting the amenity of this zone include high levels of noise, lighting, odour, dust and smoke and high levels of traffic movement predominantly from heavy vehicles.
<b>Industrial T Zone</b> Transitional	INZT	Within the block bounded by Fairy Springs Road, Victory Road, Russell Road and Salisbury Road there are sites that are in residential use immediately adjacent to industrial activity. The houses front the streets and give a residential appearance and character to the area. In the long term these sites may be purchased to extend the adjoining industrial activity and the zoning provides for the transition to industrial use, whilst maintaining the residential amenity of the residents in the zone.

## ISSUES

There are five key issues shaping the policy framework in the industrial zones in addition to reverse sensitivity, which is common to all zones:

### **INZ-I1 Economic growth and wellbeing**

Industrial activities are important contributors to the economic growth and well-being of Rotorua. Whilst providing an enabling regulatory environment for the establishment and operation of industrial activities, the manner in which these zones are managed has the ability to reduce the efficient operation and productivity of industrial activities. Providing distinct industrial zones that provide for differing activities and complementary levels of amenity and reinforcing the role of the industrial zone by limiting the establishment of non-industrial activities will reduce any potential reverse sensitivity effects between activities, ensure the efficient operation of industrial zones and their continued contribution to the economic growth of the district.

### **INZ-I2 Industrial operations**

The amenity of industrial zones is different to other zones, as the focus is on production and servicing. The Industrial zone is characterised by large vehicles, high volume and frequency of vehicle movement, noise, and larger bulk built form. Many of the industrial zones in the urban area adjoin residential zones and can have significant impacts on the amenity values and environmental quality. Residential zones have a higher expectation of amenity than what would occur within an industrial zone, this requiring the management of built form and setting of standards to minimise the opportunities for conflicts between land uses. A balanced approach is needed to ensure sustainable industrial development, whilst managing the adverse effects of these activities at a residential or rural zone interface.

### **INZ-13 Non industrial uses**

Non industrial uses such as residential development, community facilities or tourism facilities locating in industrial zones can expect a different quality of amenity to that provided for in other zones and have the ability to cause reverse sensitivity issues and reduce land availability for industrial uses. This may constrain the efficient use of industrial areas and operation of industrial activities. However, the district plan acknowledges the need for particular commercial activities to locate within industrial zones such as trade retail and the needs to provide a balance in protecting land for industrial purposes and the provision of certain types of commercial activities. This has been achieved through the creation of the Industrial 1E Zone that provides for identified commercial activities, and strong correlating definitions in Part 1, Definitions.

### **INZ-14 Industrial activities on city entranceways**

The visual effects of industrial activities adjacent to state highways and city entranceways may not provide an attractive perception for tourists visiting Rotorua, promote tourism, or contribute to a sense of pride in Rotorua. The location of activities, parking and the design of buildings have the ability to enhance safety, and amenity along these routes.

### **INZ-15 Existing residential activity**

Within the block bounded by Fairy Springs Road, Victory Road, Russel Road and Salisbury Road there is an existing group of houses that adjoin industrial activity. The Council's intention now is that the transitional zone may provide for incremental change to industrial and business use, while protecting residential amenity by minimising adverse effects. Provisions are required to ensure that this balance between enabling industrial expansion and maintaining residential amenity is continued.

### **INZ-16 Reverse sensitivity**

The establishment of new activities within incompatible zones or in close proximity to the existing activities that have a different level of amenity can create adverse reverse sensitive effects. This has the ability to reduce the efficient operation of the existing activities or undermine the intended amenity of the zone. Examples include residential activities locating in rural working environments or industrial zones. These zones provide for the establishment and operation of a range of activities that play a significant role in the economy of Rotorua, align with the intended amenity of the zone and therefore have priority.



## OBJECTIVES

### Economic growth and wellbeing

<b>INZ-O1</b> [7.3(1)]	The establishment and operation of efficient industrial activities in a manner that promotes the economic wellbeing of the district. <i>Policies INZ-P1 to INZ-P2</i>
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### Industrial operations

<b>INZ-O2</b> [7.3(2)]	Efficient industrial environments that do not detract from the amenity of adjacent residential and rural zones and respect the visual and cultural prominence of Marae. <i>Policies INZ-P3 to INZ-P7</i>
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### Non-Industrial uses

<b>INZ-O3</b> [7.3(3)]	Efficient use of industrial zoned land and infrastructure by establishing industrial activities that are consistent with the intended use of the zone. <i>Policies INZ-P8 to INZ-P9</i>
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### Industrial activities on city entranceways

<b>INZ-O4</b> [7.3(4)]	Development of industrial land in a manner that does not detract from the amenity of residential zones and the northern and southern city entranceways (State Highways 5 and 30). <i>Policy INZ-P9</i>
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### Existing residential activity

<b>INZ-O5</b> [7.3(5)]	Retain the amenity values of residential activity within the block bounded by Fairy Springs Road, Victory Road, Russell Road and Salisbury Road. <i>Policies INZ-P11 to INZ-P13</i>
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### Reverse Sensitivity

<b>INZ-O6</b> [1.3(10)]	Subdivision, use and development that enables the continued efficient operation of existing development and activities. <i>Policies INZ-P14</i>
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## POLICIES

### Economic growth and wellbeing

#### Objective INZ-O1

<b>INZ-P1</b> [7.3(1)(1)]	Enable the establishment and efficient operation of industrial activities that align with the intended use and existing amenity of each industrial zone.
<b>INZ-P2</b> [7.3(1)(2)]	Recognise and support the role industrial zones have in employment and the economic growth of the district.

**Industrial operations***Objective INZ-O2*

<b>INZ-P3</b> [7.3(2)(1)]	Control the location and design of buildings, structures and operations adjacent to Ngāpuna Marae and any other Marae to ensure development respects the visual and cultural prominence of the Marae.
<b>INZ-P4</b> [7.3(2)(2)]	Mitigate adverse effects generated by industrial activities through landscaped buffers and building location to maintain the amenity of adjacent residential zones or Marae and habitable buildings within the adjoining rural zones.
<b>INZ-P5</b> [7.3(2)(3)]	Limit the location of new residential activities sensitive to disturbance from lawfully established rural industries, recreation, infrastructure and network utilities to avoid reverse sensitivity effects.
<b>INZ-P6</b> [7.3(2)(4)]	Ensure that any actual or potential off-site effects of activities undertaken on the Industrial zoned portion of land within Lot 1 DPS 70760 (Owhatiura South) on adjacent residential zoned land are mitigated through the implementation of appropriate landscaping, acoustic fencing and setbacks.
<b>INZ-P7</b> [7.3(2)(5)]	Ensure the development of the Industrial 1E Zoned portion of land within Lot 1 DPS 70760 (Owhatiura South) provides for a continuous, safe and efficient pedestrian and cycle accessway between Vaughan Road and Te Ngae Road which is designed to meet the principles of CPTED.

**Non-Industrial uses***Objective INZ-O3*

<b>INZ-P8</b> [7.3(3)(1)]	Restrict the establishment of non-industrial activities in Industrial 1 and 2 Zones to ensure the efficient use of industrial zoned land.
<b>INZ-P9</b> [7.3(3)(2)]	Provide for the establishment of identified commercial activities in the Industrial 1E Zone where they are fronting a city entranceway and designed in a manner that maintains or enhances the amenity of the city entranceway and does not detract from the safety and efficiency of the transport network.

**Industrial activities on city entranceways***Objective INZ-O4*

<b>INZ-P10</b> [7.3(4)(1)]	Require new buildings to be designed and located in a manner that positively contributes to the amenity of the city entranceways.
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**Existing residential activity***Objective INZ-O5*

<b>INZ-P11</b> [7.3(5)(1)]	Mitigate the adverse effects of activities on <del>household</del> residential units located within the block bounded by Fairy Springs Road, Victory Road, Russell Road and Salisbury Road.
<b>INZ-P12</b> [7.3(5)(2)]	Allow for continuation and replacement of existing residential activities within the block bounded by Fairy Springs Road, Victory Road, Russell Road and Salisbury Road.
<b>INZ-P13</b> [7.3(5)(3)]	If land within the block bounded by Fairy Springs Road, Victory Road, Russell Road and Salisbury Road, ceases to be used for residential activity, Council may change the transitional zoning of that land through either a plan change process or by Council resolution.

**Reverse sensitivity****INZ-P14**

[1.3(10)(1)]

Manage the location and design of new subdivision, use and development within each zone to avoid adverse reverse sensitivity effects on existing activities.

**RULES**

The rules in this chapter apply in addition to the rules in other chapters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1 - How the Plan Works.

Key relationships to note include:

1. The District Wide Matters chapters must also be considered. Examples of matters managed under these rules that are commonly associated with activities in Industrial Zones include (but are not limited to) earthworks, noise and light emissions, signs and management of natural hazards.
2. For subdivision in Industrial Zones refer to the separate chapter SUB – Subdivision.

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**Rules for Activities in Industrial Zones**

<b>General</b>		
<b>INZ-R1</b>	<b>Activities accessory to a permitted activity carried out on site</b>	[7.5(6)]
<b>Applicable Spatial Layers</b> All Industrial Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>;</li> <li>e. Landscaping <a href="#">INZ-S5</a>; and</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R1(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. Non-Compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> </ol>

	f. Industrial 1E Zone: Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.	d. Financial contributions <a href="#">INZ-MD4</a> ; and e. The extent to which the proposal will enhance the character and amenity of the city entranceways.
<b>INZ-R2</b>	<b>Any activity not expressly stated in this table</b>	
	[7.5(2)]	
<b>Applicable Spatial Layers</b> All Industrial Zones	1. <b>Activity Status:</b> Non-Complying	
<b>Industrial Activities</b>		
<b>INZ-R3</b>	<b>Industrial buildings, activities or trade processes unless otherwise specified</b>	
	[7.5(3)]	
<b>Applicable Spatial Layers</b> Industrial 1, 1E and 2 Zones	1. <b>Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">INZ-S1</a> ; b. Yard <a href="#">INZ-S2</a> ; c. Site coverage <a href="#">INZ-S3</a> ; d. Parking, access and turning <a href="#">INZ-S4</a> ; e. Landscaping <a href="#">INZ-S5</a> ; and f. Industrial 1E Zone: Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.	2. <b>Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R3(1). <b>Matters of Discretion:</b> a. Non-Compliance <a href="#">INZ-MD1</a> ; b. City centre vitality <a href="#">INZ-MD2</a> ; c. Natural hazards <a href="#">INZ-MD3</a> ; d. Financial contributions <a href="#">INZ-MD4</a> ; and e. The extent to which the proposal will enhance the character and amenity of the city entranceways.
<b>Applicable Spatial Layers</b> Industrial T Zone	3. <b>Activity Status:</b> Non-Complying	
<b>INZ-R4</b>	<b>Ancillary office and administration activities</b>	
	[7.5(4)]	
<b>Applicable Spatial Layers</b> Industrial 1, 1E and 2 Zones	1. <b>Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">INZ-S1</a> ; b. Yard <a href="#">INZ-S2</a> ; c. Site coverage <a href="#">INZ-S3</a> ; d. Parking, access and turning <a href="#">INZ-S4</a> ; e. Landscaping <a href="#">INZ-S5</a> ; and f. Industrial 1E Zone: Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.	2. <b>Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R4(1). <b>Matters of Discretion:</b> a. Non-Compliance <a href="#">INZ-MD1</a> ; b. City centre vitality <a href="#">INZ-MD2</a> ; c. Natural hazards <a href="#">INZ-MD3</a> ; d. Financial contributions <a href="#">INZ-MD4</a> ; and e. The extent to which the proposal will enhance the character and amenity of the city entranceways.

<b>Applicable Spatial Layers</b> Industrial T Zone	<b>3. Activity Status:</b> Non-Complying	
<b>INZ-R5 Ancillary retail activities</b>		[7.5(5)]
<b>Applicable Spatial Layers</b> Industrial 1, 1E and 2 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">INZ-S1</a>;</li> <li>Yard <a href="#">INZ-S2</a>;</li> <li>Site coverage <a href="#">INZ-S3</a>;</li> <li>Parking, access and turning <a href="#">INZ-S4</a>;</li> <li>Landscaping <a href="#">INZ-S5</a>; and</li> <li>Industrial 1E Zone: Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R5(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Non-Compliance <a href="#">INZ-MD1</a>;</li> <li>City centre vitality <a href="#">INZ-MD2</a>;</li> <li>Natural hazards <a href="#">INZ-MD3</a>;</li> <li>Financial contributions <a href="#">INZ-MD4</a>; and</li> <li>The extent to which the proposal will enhance the character and amenity of the city entranceways.</li> </ol>
<b>Applicable Spatial Layers</b> Industrial T Zone	<b>3. Activity Status:</b> Non-Complying	
<b>INZ-R6 Commercial storage facilities</b>		[7.5(7)]
<b>Applicable Spatial Layers</b> Industrial 1 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">INZ-S1</a>;</li> <li>Yard <a href="#">INZ-S2</a>;</li> <li>Site coverage <a href="#">INZ-S3</a>;</li> <li>Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>Landscaping <a href="#">INZ-S5</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R6(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Non-Compliance <a href="#">INZ-MD1</a>;</li> <li>City centre vitality <a href="#">INZ-MD2</a>;</li> <li>Natural hazards <a href="#">INZ-MD3</a>;</li> <li>Financial contributions <a href="#">INZ-MD4</a>; and</li> <li>The recommendations in an integrated transport assessment if one is required under in APP1 - Parking and Turning Standards; and</li> <li>Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.</li> </ol>

<p><b>Applicable Spatial Layers</b></p> <p>Industrial 1E Zone</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. <a href="#">INZ-MD2</a> City centre vitality;</li> <li>c. <a href="#">INZ-MD3</a> Natural hazards;</li> <li>d. The extent to which the proposal will enhance the character and amenity of the city entranceways;</li> <li>e. The recommendations in an integrated transport assessment if one is required under in Appendix APP1 - Parking and Turning Standards;</li> <li>f. Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network; and</li> <li>g. Buildings within the Industrial 1E Zone should present an attractive visual appearance to passing traffic and in particular avoid: <ul style="list-style-type: none"> <li>i. Large featureless building façades facing the city entranceway;</li> <li>ii. The extent of effects from over dominant illuminated signage within the site; and</li> <li>iii. The location of the service and outdoor storage areas within the front yard setbacks.</li> </ul> </li> </ul>	
<p><b>Applicable Spatial Layers</b></p> <p>Industrial 2 and T Zones</p>	<p><b>4. Activity Status:</b> Non-Complying</p>	
<p><b>INZ-R7</b></p>	<p><b>Service stations</b></p>	<p>[7.5(8)]</p>
<p><b>Applicable Spatial Layers</b></p> <p>Industrial 1 Zone</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>e. Landscaping <a href="#">INZ-S5</a>; and</li> <li>f. Maximum retail area: The maximum trading floor space devoted to the display, sale or hire of retail goods (other than motor vehicle parts, accessories or goods associated with motoring) shall not exceed 250m<sup>2</sup>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards in INZ-R7(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> <li>e. The design and location of access, on-site parking, queuing and turning areas to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians, cyclists and the safe and efficient functioning of the road network;</li> <li>f. Ensuring adequate sight distances are provided to prevent on-street</li> </ul>

		<p>congestion caused by the ingress or egress of vehicles to and from sites;</p> <p>g. Implementation of the recommendations in an integrated transport assessment if one is required under Appendix APP1 - Parking and Turning Standards; and</p> <p>h. Landscaping to maintain the amenity of surrounding areas (particularly residential areas and City Entranceways), streetscapes and pedestrian amenity.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Industrial 1E Zone</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <p>a. In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</p> <p>b. City centre vitality <a href="#">INZ-MD2</a>;</p> <p>c. Natural hazards <a href="#">INZ-MD3</a>;</p> <p>d. Financial contributions <a href="#">INZ-MD4</a>;</p> <p>e. The extent to which the proposal will enhance the character and amenity of the city entranceways;</p> <p>f. The design and location of access, on-site parking, queuing and turning areas to provide efficient circulation on-site and avoid potential adverse effects on adjoining sites, the safety of pedestrians, cyclists and the safe and efficient functioning of the road network;</p> <p>g. Ensuring adequate sight distances are provided to prevent on-street congestion caused by the ingress or egress of vehicles to and from sites;</p> <p>h. Implementation of the recommendations in an integrated transport assessment if one is required under Appendix APP1 - Parking and Turning Standards; and</p> <p>i. Landscaping to maintain the amenity of surrounding areas (particularly residential areas and City Entranceways), streetscapes and pedestrian amenity.</p>	
<p><b>Applicable Spatial Layers</b></p> <p>Industrial 2 and T Zones</p>	<p><b>4. Activity Status:</b> Non-Complying</p>	
<p><b>INZ-R8</b></p>		<p><b>Motor vehicle repair garages</b></p>
<p><b>Applicable Spatial Layers</b></p> <p>Industrial 1 and 2 Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">INZ-S1</a>;</p> <p>b. Yard <a href="#">INZ-S2</a>;</p> <p>c. Site coverage <a href="#">INZ-S3</a>;</p> <p>d. Parking, access and turning <a href="#">INZ-S4</a>; and</p> <p>e. Landscaping <a href="#">INZ-S5</a>.</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards in INZ-R8(1) and INZ-R8(2).</p> <p><b>Matters of Discretion:</b></p> <p>a. Non-compliance <a href="#">INZ-MD1</a>;</p> <p>b. City centre vitality <a href="#">INZ-MD2</a>;</p>

<p><b>Applicable Spatial Layers</b> Industrial 1E Zone</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>;</li> <li>e. Landscaping <a href="#">INZ-S5</a>; and</li> <li>f. Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Design <a href="#">INZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">INZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MC3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MC4</a>; and</li> <li>e. Buildings should be designed and located to present an attractive visual appearance to passing traffic and in particular avoid: <ul style="list-style-type: none"> <li>i. Large featureless building façades facing the city entranceway.</li> <li>ii. Adverse effects of over dominant illuminated signage within the site.</li> <li>iii. Adverse effects on the amenity of the city entranceway from the location of the service and outdoor storage areas and parking.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>; and</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways.</li> </ul>
<p><b>Applicable Spatial Layers</b> Industrial T Zone</p>	<p><b>4. Activity Status:</b> Non-Complying</p>	
<p><b>INZ-R9 Truck stops</b></p>		<p>[7.5(10) 7.5(11)]</p>
<p><b>Applicable Spatial Layers</b> Industrial 2 Zone</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b> The activity does not adjoin a Residential or Transitional Zone.</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> </ul>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> Compliance is not achieved with the performance standards in INZ-R9(1) and INZ-R9(2).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> </ul>



	<ul style="list-style-type: none"> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>e. Landscaping <a href="#">INZ-S5</a>.</li> </ul>	<ul style="list-style-type: none"> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>Industrial 1 Zone</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The activity does not adjoin a Residential or Transitional Zone.</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>e. Landscaping <a href="#">INZ-S5</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Design <a href="#">INZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">INZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MC3</a>; and</li> <li>d. Financial contributions <a href="#">INZ-MC4</a>.</li> </ul>	<ul style="list-style-type: none"> <li>e. How the hours of operation may conflict with existing residential land uses located within residential zones and the transitional zone;</li> <li>f. The extent of vegetative screening or landscaping along any boundary adjoining a residential zone to maintain residential amenity or along any city entranceway;</li> <li>g. The recommendations in an integrated transport assessment if one is required under in Appendix APP1 - Parking and Turning Standards; and</li> <li>h. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.</li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>Industrial 1E Zone</p>	<p><b>4. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>The activity does not adjoin a Residential or Transitional Zone.</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways;</li> <li>f. How the hours of operation may conflict with existing residential land uses located within residential zones and the transitional zone;</li> <li>g. The extent of vegetative screening or landscaping along any boundary adjoining a residential zone to maintain residential amenity or along any city entranceway;</li> <li>h. The recommendations in an integrated transport assessment if one is required under in Appendix 4 Parking, Access and Turning Standards;</li> <li>i. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network; and</li> </ul>	

	<p>j. Buildings and activities within the Industrial 1E Zone should present an attractive visual appearance to passing traffic and in particular avoid:</p> <ul style="list-style-type: none"> <li>i. Large featureless building façades facing the city entranceway.</li> <li>ii. The extent of effects from over dominant illuminated signage within the site.</li> <li>iii. The location of the service areas and outdoor storage or wood storage areas within the front yard setbacks.</li> </ul>	
<p><b>Applicable Spatial Layers</b> Industrial 1 and 1E Zones</p>	<p><b>5. Activity Status:</b> Discretionary</p> <p><b>Where:</b> The activity is adjoining a Residential Zone or the Transitional Zone.</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">INZ-AC1</a>; and</li> <li>b. Adjoining residential or transitional <a href="#">INZ-AC2</a>.</li> </ul>	
<p><b>Applicable Spatial Layer</b> Industrial T Zone</p>	<p><b>6. Activity Status:</b> Non-Complying</p>	
<b>INZ-R10</b>	<b>Wood or timber storage on Lot 1 DPS 70760 (Owhatiura South)</b>	<i>[7.5(18)]</i>
<p><b>Applicable Spatial Layers</b> Industrial 1 Zone</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>e. Landscaping <a href="#">INZ-S5</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> Compliance is not achieved with the performance standards in INZ-R10(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> <li>e. How the hours of operation may conflict with existing residential land uses located within residential zones and the transitional zone;</li> <li>f. The extent of vegetative screening or landscaping along any boundary adjoining a residential zone to maintain residential amenity or along any city entranceway;</li> <li>g. The recommendations in an integrated transport assessment if one is required under in Appendix APP1 - Parking and Turning Standards; and</li> <li>h. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of</li> </ul>

		pedestrians and the safe and efficient functioning of the road network.
<b>Applicable Spatial Layers</b> Industrial 1E Zone	<b>3. Activity Status:</b> Restricted Discretionary <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways.</li> <li>f. How the hours of operation may conflict with existing residential land uses located within residential zones and the transitional zone;</li> <li>g. The extent of vegetative screening or landscaping along any boundary adjoining a residential zone to maintain residential amenity or along any city entranceway;</li> <li>h. The recommendations in an integrated transport assessment if one is required under in Appendix APP1 - Parking and Turning Standards;</li> <li>i. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network;</li> <li>j. Buildings and activities within the Industrial 1E Zone should present an attractive visual appearance to passing traffic and in particular avoid; and <ol style="list-style-type: none"> <li>i. Large featureless building façades facing the city entranceway;</li> <li>ii. The extent of effects from over dominant illuminated signage within the site; and</li> <li>iii. The location of the service areas and outdoor storage or wood storage areas within the front yard setbacks.</li> </ol> </li> </ol>	
<b>INZ-R11</b>	<b>Sawmilling</b>	[7.5(17) 7.5(19)]
<b>Applicable Spatial Layers</b> Industrial 1 and 2 Zones	<b>1. Activity Status:</b> Permitted <b>Where:</b> The activity does not adjoin a Residential or Transitional Zone. <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>e. Landscaping <a href="#">INZ-S5</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R11(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> <li>e. How the hours of operation may conflict with existing residential land uses located within residential zones and the transitional zone;</li> </ol>

		<ul style="list-style-type: none"> <li>f. The extent of vegetative screening or landscaping along any boundary adjoining a residential zone to maintain residential amenity or along any city entranceway;</li> <li>g. The recommendations in an integrated transport assessment if one is required under in Appendix APP1 - Parking and Turning Standards; and</li> <li>h. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.</li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>Industrial 1E Zone</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>The activity does not adjoin a Residential or Transitional Zone.</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways;</li> <li>f. How the hours of operation may conflict with existing residential land uses located within residential zones and the transitional zone;</li> <li>g. The extent of vegetative screening or landscaping along any boundary adjoining a residential zone to maintain residential amenity or along any city entranceway;</li> <li>h. The recommendations in an integrated transport assessment if one is required under in Appendix 4 Parking, Access and Turning Standards;</li> <li>i. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network; and</li> <li>j. Buildings and activities within the Industrial 1E Zone should present an attractive visual appearance to passing traffic and in particular avoid: <ul style="list-style-type: none"> <li>i. Large featureless building façades facing the city entranceway;</li> <li>ii. The extent of effects from over dominant illuminated signage within the site; and</li> <li>iii. The location of the service areas and outdoor storage or wood storage areas within the front yard setbacks.</li> </ul> </li> </ul>	

<b>Applicable Spatial Layers</b> Industrial 1 and 1 E Zones	<b>4. Activity Status:</b> Discretionary <b>Where:</b> The activity adjoins a Residential or Transitional Zone. <b>Assessment Criteria:</b> a. General <a href="#">INZ-AC1</a> ; and b. Adjoining residential or transitional <a href="#">INZ-AC2</a> .	
<b>Applicable Spatial Layers</b> Industrial T Zone	<b>5. Activity Status:</b> Non-Complying	
<b>INZ-R12</b>	<b>Prospecting and exploration</b> <span style="float: right;">[7.5(20)]</span>	
<b>Applicable Spatial Layers</b> Industrial 1 and 2 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">INZ-S1</a> ; b. Yard <a href="#">INZ-S2</a> ; c. Site coverage <a href="#">INZ-S3</a> ; d. Parking, access and turning <a href="#">INZ-S4</a> ; and e. Landscaping <a href="#">INZ-S5</a> .	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R12(1). <b>Matters of Discretion:</b> a. Non-compliance <a href="#">INZ-MD1</a> ; b. City centre vitality <a href="#">INZ-MD2</a> ; c. Natural hazards <a href="#">INZ-MD3</a> ; and d. Financial contributions <a href="#">INZ-MD4</a> ;
<b>Applicable Spatial Layers</b> Industrial 1E and T Zones	<b>3. Activity Status:</b> Non-Complying	
<b>INZ-R13</b>	<b>Carriers and couriers including transport operators</b> <span style="float: right;">[7.5(21) 7.5(16)]</span>	
<b>Applicable Spatial Layers</b> Industrial 1 and 2 Zones	<b>1. Activity Status:</b> Permitted <b>Where:</b> The activity is not otherwise specified. <b>Performance Standards:</b> a. Height <a href="#">INZ-S1</a> ; b. Yard <a href="#">INZ-S2</a> ; c. Site coverage <a href="#">INZ-S3</a> ; d. Parking, access and turning <a href="#">INZ-S4</a> ; and e. Landscaping <a href="#">INZ-S5</a> .	<b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R13(1) and INZ-R13(2). <b>Matters of Discretion:</b> a. Non-compliance <a href="#">INZ-MD1</a> ; b. City centre vitality <a href="#">INZ-MD2</a> ; c. Natural hazards <a href="#">INZ-MD3</a> ; d. Financial contributions <a href="#">INZ-MD4</a> ; and
<b>Applicable Spatial Layers</b> Industrial 1E Zone	<b>2. Activity Status:</b> Controlled <b>Performance Standards:</b> a. Height <a href="#">INZ-S1</a> ; b. Yard <a href="#">INZ-S2</a> ; c. Site coverage <a href="#">INZ-S3</a> ; d. Parking, access and turning <a href="#">INZ-S4</a> ;	e. The extent to which the proposal will enhance the character and amenity of the city entranceways.

	<p>e. Landscaping <a href="#">INZ-S5</a>; and</p> <p>f. Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.</p> <p><b>Matters of Control:</b></p> <p>a. Design <a href="#">INZ-MC1</a>;</p> <p>b. Parking, access and turning <a href="#">INZ-MC2</a>;</p> <p>c. Natural hazards <a href="#">INZ-MC3</a>;</p> <p>d. Financial contributions <a href="#">INZ-MC4</a>; and</p> <p>e. Buildings should be designed and located to present an attractive visual appearance to passing traffic and in particular avoid:</p> <p>i. Large featureless building façades facing the city entranceway.</p> <p>ii. Adverse effects of over dominant illuminated signage within the site.</p> <p>iii. Adverse effects on the amenity of the city entranceway from the location of the service and outdoor storage areas and parking.</p>		
<p><b>Applicable Spatial Layers</b>                  Industrial 1 and 1E Zones</p>	<p><b>4. Activity Status:</b> Discretionary</p> <p><b>Where:</b>                  The activity adjoins a Residential Zone or the Transitional Zone.</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">INZ-AC1</a>; and</p> <p>b. Adjoining residential and transitional <a href="#">INZ-AC2</a>.</p>		
<p><b>Applicable Spatial Layers</b>                  Industrial T Zone</p>	<p><b>5. Activity Status:</b> Non-Complying</p>		
<p><b>INZ-R14</b></p>	<p><b>Recycling facilities</b></p>		<p>[7.5(22)                  7.5(23)]</p>
<p><b>Applicable Spatial Layers</b>                  Industrial 1 and 2 Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b>                  The activity is not adjacent to a Transitional Zone.</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">INZ-S1</a>;</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b>                  Compliance is not achieved with the performance standards in INZ-R14(1) and INZ-R14(2).</p> <p><b>Matters of Discretion:</b></p>	

	<ul style="list-style-type: none"> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>e. Landscaping <a href="#">INZ-S5</a>.</li> </ul>	<ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>; and</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways.</li> </ul>
<p><b>Applicable Spatial Layers</b>                  Industrial 1E Zone</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>;</li> <li>e. Landscaping <a href="#">INZ-S5</a>; and</li> <li>f. Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Design <a href="#">INZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">INZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MC3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MC4</a>; and</li> <li>e. Buildings should be designed and located to present an attractive visual appearance to passing traffic and in particular avoid:                         <ul style="list-style-type: none"> <li>i. Large featureless building façades facing the city entranceway.</li> <li>ii. Adverse effects of over dominant illuminated signage within the site.</li> <li>iii. Adverse effects on the amenity of the city entranceway from the location of the service and outdoor storage areas and parking.</li> </ul> </li> </ul>	
<p><b>Applicable Spatial Layers</b>                  Industrial 1 Zone</p>	<p><b>4. Activity Status:</b> Discretionary</p> <p><b>Where:</b>                  The activity is adjacent to a Transitional Zone.</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">INZ-AC1</a>; and</li> <li>b. Adjoining residential or transitional <a href="#">INZ-AC2</a>.</li> </ul>	

<b>Applicable Spatial Layers</b> Industrial T Zone	<b>5. Activity Status:</b> Non-Complying	
<b>INZ-R15</b>		<b>Dairy manufacturing and associated activities</b> [7.5(24)]
<b>Applicable Spatial Layers</b> Industrial 2 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">INZ-S1</a>;</li> <li>Yard <a href="#">INZ-S2</a>;</li> <li>Site coverage <a href="#">INZ-S3</a>;</li> <li>Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>Landscaping <a href="#">INZ-S5</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R15(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Non-compliance <a href="#">INZ-MD1</a>;</li> <li>City centre vitality <a href="#">INZ-MD2</a>;</li> <li>Natural hazards <a href="#">INZ-MD3</a>; and</li> <li>Financial contributions <a href="#">INZ-MD4</a>.</li> </ol>
<b>Applicable Spatial Layers</b> Industrial 1 Zone	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General <a href="#">INZ-AC1</a>; and</li> <li>Adjoining residential and transitional <a href="#">INZ-AC2</a>.</li> </ol>	
<b>Applicable Spatial Layers</b> Industrial 1E and T Zones	<b>4. Activity Status:</b> Non-Complying	
<b>INZ-R16</b>		<b>Rural industry and forestry on the area bounded by State Highways 5 and 30 shown on Planning Maps 351 and 537</b> [7.5(25)]
<b>Applicable Spatial Layers</b> Industrial 2 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">INZ-S1</a>;</li> <li>Yard <a href="#">INZ-S2</a>;</li> <li>Site coverage <a href="#">INZ-S3</a>;</li> <li>Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>Landscaping <a href="#">INZ-S5</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R16(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Non-compliance <a href="#">INZ-MD1</a>;</li> <li>City centre vitality <a href="#">INZ-MD2</a>;</li> <li>Natural hazards <a href="#">INZ-MD3</a>; and</li> <li>Financial contributions <a href="#">INZ-MD4</a>;</li> </ol>
<b>INZ-R17</b>		<b>Biomass processing</b> [7.5(14)]
<b>Applicable Spatial Layers</b> Industrial 2 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">INZ-S1</a>;</li> <li>Yard <a href="#">INZ-S2</a>;</li> <li>Site coverage <a href="#">INZ-S3</a>;</li> <li>Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>Landscaping <a href="#">INZ-S5</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R17(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Non-compliance <a href="#">INZ-MD1</a>;</li> <li>City centre vitality <a href="#">INZ-MD2</a>;</li> <li>Natural hazards <a href="#">INZ-MD3</a>; and</li> </ol>



		d. Financial contributions <a href="#">INZ-MD4</a> ;
<b>Applicable Spatial Layers</b> Industrial 1, 1E and T Zones	<b>3. Activity Status:</b> Non-Complying	
<b>INZ-R18</b>	<b>Offensive trades</b>	[7.5(12) 7.5(13)]
<b>Applicable Spatial Layers</b> Industrial 1 and 2 Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b> The activity does not adjoin a Residential or Transitional Zone.</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>e. Landscaping <a href="#">INZ-S5</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Design <a href="#">INZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">INZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MC3</a>; and</li> <li>d. Financial contributions <a href="#">INZ-MC4</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> Compliance is not achieved with the performance standards in INZ-R18(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>; and</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> </ul>
<b>Applicable Spatial Layers</b> Industrial 1E and T Zones	<b>3. Activity Status:</b> Non-Complying	
<b>Applicable Spatial Layers</b> Industrial 1 Zone	<b>4. Activity Status:</b> Non-Complying	
	<b>Where:</b> The activity is adjoining a Residential Zone or Transitional Zone.	
<b>INZ-R19</b>	<b>Pulpmills</b>	[7.5(15)]
<b>Applicable Spatial Layers</b> Industrial 2 Zone	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>e. Landscaping <a href="#">INZ-S5</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Design <a href="#">INZ-MC1</a>;</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> Compliance is not achieved with the performance standards in INZ-R19(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>; and</li> </ul>

	<ul style="list-style-type: none"> <li>b. Parking, access and turning <a href="#">INZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MC3</a>; and</li> <li>d. Financial contributions <a href="#">INZ-MC4</a>.</li> </ul>	<ul style="list-style-type: none"> <li>e. The recommendations in an integrated transport assessment if one is required under Appendix APP1 - Parking and Turning Standards.</li> </ul>
<b>Applicable Spatial Layers</b> Industrial 1, 1E and T Zones	<b>3. Activity Status:</b> Prohibited	
<b>Rural Activities</b>		
<b>INZ-R20 Agricultural production activities</b>		[7.5(26)]
<b>Applicable Spatial Layers</b> Industrial 2 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>e. Landscaping <a href="#">INZ-S5</a>.</li> </ul>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R20(1). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>; and</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> </ul>
<b>Applicable Spatial Layers</b> Industrial 1, 1E and T Zones	<b>3. Activity Status:</b> Non-Complying	
<b>Retail and Commercial</b>		
<b>INZ-R21 Lunch bars</b>		[7.5(36)]
<b>Applicable Spatial Layers</b> Industrial 1, 1E and 2 Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>;</li> <li>e. Landscaping <a href="#">INZ-S5</a>; and</li> <li>f. Industrial 1E Zone: Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.</li> </ul>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R21(1). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways.</li> </ul>
<b>Applicable Spatial Layers</b> Industrial T Zone	<b>3. Activity Status:</b> Non-Complying	

<b>INZ-R22</b>		<b>Wholesale and retail of bulk goods, vehicles, vessels, heavy machinery, building, trade or farming supplies or motor vehicle parts</b>	[7.5(37)]
<b>Applicable Spatial Layers</b> Industrial 1 and 1E Zones	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>;</li> <li>e. Landscaping <a href="#">INZ-S5</a>; and</li> <li>f. Industrial 1E Zone: Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards in INZ-R22(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>; and</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways.</li> </ul>	
<b>Applicable Spatial Layers</b> Industrial 2 and T Zones	<b>3. Activity Status:</b> Non-Complying		
<b>INZ-R23</b>		<b>Convenience retail</b>	[7.5(27)]
<b>Applicable Spatial Layers</b> Industrial 1E Zone	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>;</li> <li>e. Landscaping <a href="#">INZ-S5</a>; and</li> <li>f. Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Design <a href="#">INZ-MC1</a></li> <li>b. Parking, access and turning <a href="#">INZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MC3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MC4</a>; and</li> <li>e. Buildings should be designed and located to present an attractive visual appearance to passing traffic and in particular avoid:</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards in INZ-R23(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>; and</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways.</li> </ul>	

	<ul style="list-style-type: none"> <li>i. Large featureless building façades facing the city entranceway.</li> <li>ii. Adverse effects of over dominant illuminated signage within the site.</li> <li>iii. Adverse effects on the amenity of the city entranceway from the location of the service and outdoor storage areas and parking.</li> </ul>	
<p><b>Applicable Spatial Layers</b>                  Industrial 1, 2 and T Zones</p>	<p><b>3. Activity Status:</b> Non-Complying</p>	
<p><b>INZ-R24 Veterinary hospitals</b></p>		<p>[7.5(32)]</p>
<p><b>Applicable Spatial Layers</b>                  Industrial 1 and 1E Zones</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>;</li> <li>e. Landscaping <a href="#">INZ-S5</a>; and</li> <li>f. Industrial 1E Zone: Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Design <a href="#">INZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">INZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MC3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MC4</a>; and</li> <li>e. Buildings should be designed and located to present an attractive visual appearance to passing traffic and in particular avoid (Industrial 1E Zone):                             <ul style="list-style-type: none"> <li>i. Large featureless building façades facing the city entranceway.</li> <li>ii. Adverse effects of over dominant illuminated signage within the site.</li> </ul> </li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards in INZ-R24(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>; and</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways.</li> </ul>

	iii. Adverse effects on the amenity of the city entranceway from the location of the service and outdoor storage areas and parking.	
<b>Applicable Spatial Zones</b> Industrial 2 and T Zone	<b>3. Activity Status:</b> Non-Complying	
<b>INZ-R25</b>	<b>Garden centres</b>	[7.5(33)]
<b>Applicable Spatial Layers</b> Industrial 1 and 1E Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>;</li> <li>e. Landscaping <a href="#">INZ-S5</a>; and</li> <li>f. Industrial 1E Zone: Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Design <a href="#">INZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">INZ-MC2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MC3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MC4</a>; and</li> <li>e. Industrial 1E Zone: Buildings should be designed and located to present an attractive visual appearance to passing traffic and in particular avoid: <ul style="list-style-type: none"> <li>i. Large featureless building façades facing the city entranceway.</li> <li>ii. Adverse effects of over dominant illuminated signage within the site.</li> <li>iii. Adverse effects on the amenity of the city entranceway from the location of the service and outdoor storage areas and parking.</li> </ul> </li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards in INZ-R25(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>; and</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways.</li> </ul>

<b>Applicable Spatial Zones</b> Industrial 2 and T Zones	<b>3. Activity Status:</b> Non-Complying	
<b>INZ-R26 Trade retail</b>		[7.5(28)]
<b>Applicable Spatial Layers</b> Industrial 1E Zone	<b>1. Activity Status:</b> Restricted Discretionary <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways.</li> <li>f. The recommendations in an integrated transport assessment if one is required under in Appendix APP1 - Parking, Access and Turning Standards.</li> <li>g. Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.</li> <li>h. Buildings within the Industrial 1E Zone should present an attractive visual appearance to passing traffic and in particular avoid: <ol style="list-style-type: none"> <li>i. Large featureless building façades facing the city entranceway.</li> <li>ii. The extent of effects from over dominant illuminated signage within the site.</li> <li>iii. The location of the service and outdoor storage areas within the front yard setbacks.</li> </ol> </li> </ol>	
<b>Applicable Spatial Zones</b> Industrial 1, 2 and T Zones	<b>2. Activity Status:</b> Non-Complying	
<b>INZ-R27 Supermarkets</b>		[7.5(29)]
<b>Applicable Spatial Layers</b> Industrial 1E Zone	<b>1. Activity Status:</b> Restricted Discretionary <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways;</li> </ol>	

	<ul style="list-style-type: none"> <li>f. The recommendations in an integrated transport assessment if one is required under in Appendix APP1 – Parking, Access and Turning Standards.</li> <li>g. Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network.</li> <li>h. Buildings within the Industrial 1E Zone should present an attractive visual appearance to passing traffic and in particular avoid: <ul style="list-style-type: none"> <li>i. Large featureless building façades facing the city entranceway.</li> <li>ii. The extent of effects from over dominant illuminated signage within the site.</li> <li>iii. The location of the service and outdoor storage areas within the front yard setbacks.</li> </ul> </li> </ul>	
<b>Applicable Spatial Zones</b>  Industrial 1 Zones	<b>2. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">INZ-AC1</a>;</li> <li>b. Adjoining residential or transitional <a href="#">INZ-AC2</a>;</li> <li>c. The extent to which the new activities will result in and mitigate adverse effects on the commercial and community services and facilities of any existing business center;</li> <li>d. The extent to which the overall availability and accessibility of commercial and community services and facilities will be maintained in any existing business centre;</li> <li>e. Any adverse traffic, social, economic effects and any cumulative effects associated with the additional activity on other areas within the district; and</li> <li>f. The extent to which the proposal contributes to the enhancement of the amenity of the city entranceways.</li> </ul>	
<b>Applicable Spatial Layers</b>  Industrial 2 and T Zones	<b>3. Activity Status:</b> Non-Complying	
<b>INZ-R28</b>	<b>Restaurants</b>	[7.5(30)]
<b>Applicable Spatial Layers</b>  Industrial 1E Zone	<b>1. Activity Status:</b> Restricted Discretionary <b>Where:</b> The activity is a drive-through restaurant. <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways;</li> <li>f. The recommendations in an integrated transport assessment if one is required under in Appendix APP1 – Parking, Access and Turning Standards;</li> <li>g. Access, on-site parking, queuing and turning areas are suitably designed and located to provide efficient circulation on site and avoid potential adverse effects</li> </ul>	

	<p>on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network; and</p> <p>h. Buildings within the Industrial 1E Zone should present an attractive visual appearance to passing traffic and in particular avoid:</p> <ul style="list-style-type: none"> <li>i. Large featureless building façades facing the city entranceway;</li> <li>ii. The extent of effects from over dominant illuminated signage within the site;</li> <li>iii. The location of the service and outdoor storage areas within the front yard setbacks.</li> </ul>
<p><b>Applicable Spatial Zones</b></p> <p>Industrial 1, 2 and T Zones</p>	<p><b>2. Activity Status:</b> Non-Complying</p> <p><b>Where:</b> The activity is a drive-through restaurant.</p>
<p><b>Applicable Spatial Zones</b></p> <p>All Industrial Zones</p>	<p><b>3. Activity Status:</b> Non-Complying</p> <p><b>Where:</b> The activity is a not drive-through restaurant.</p>
<b>INZ-R29</b>	<b>Outdoor recreation outlet stores</b> <span style="float: right;">[7.5(31)]</span>
<p><b>Applicable Spatial Layers</b></p> <p>Industrial 1E Zone</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">INZ-AC1</a>; and</li> <li>b. Adjoining residential or transitional <a href="#">INZ-AC2</a>.</li> </ul>
<p><b>Applicable Spatial Zones</b></p> <p>Industrial 1, 2 and T Zones</p>	<p><b>2. Activity Status:</b> Non-Complying</p>
<b>INZ-R30</b>	<b>Medical centres</b> <span style="float: right;">[7.5(34)]</span>
<p><b>Applicable Spatial Layers</b></p> <p>Industrial 1 and 1 E Zones</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">INZ-AC1</a>; and</li> <li>b. Adjoining residential or transitional <a href="#">INZ-AC2</a>.</li> </ul>
<p><b>Applicable Spatial Zones</b></p> <p>Industrial 2 and T Zones</p>	<p><b>2. Activity Status:</b> Non-Complying</p>
<b>INZ-R31</b>	<b>Retail shops</b> <span style="float: right;">[7.5(35)]</span>
<p><b>Applicable Spatial Layers</b></p> <p>All Industrial Zones</p>	<p><b>1. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>The activity is not otherwise specified.</p>



<b>INZ-R32 Office activities</b>		[7.5(38)]
<b>Applicable Spatial Layers</b> All Industrial Zones	<b>1. Activity Status:</b> Non-Complying <b>Where:</b> The activity is not an ancillary office.	
<b>INZ-R33 Night clubs and taverns</b>		[7.5(39)]
<b>Applicable Spatial Layers</b> All Industrial Zones	<b>1. Activity Status:</b> Non-Complying	
<b>Tourism and Recreation</b>		
<b>INZ-R34 Commercial recreation and retail activities associated with a geothermal resource</b>		[7.5(45)]
<b>Applicable Spatial Layers</b> Industrial 2 Zone	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">INZ-S1</a>;</li> <li>Yard <a href="#">INZ-S2</a>;</li> <li>Site coverage <a href="#">INZ-S3</a>;</li> <li>Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>Landscaping <a href="#">INZ-S5</a>.</li> </ol> <b>Matters of Control:</b> <ol style="list-style-type: none"> <li>Design <a href="#">INZ-MC1</a>;</li> <li>Parking, access and turning <a href="#">INZ-MC2</a>;</li> <li>Natural hazards <a href="#">INZ-MC3</a>; and</li> <li>Financial contributions <a href="#">INZ-MC4</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R34(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Non-compliance <a href="#">INZ-MD1</a>;</li> <li>City centre vitality <a href="#">INZ-MD2</a>;</li> <li>Natural hazards <a href="#">INZ-MD3</a>; and</li> <li>Financial contributions <a href="#">INZ-MD4</a>.</li> </ol>
<b>Applicable Spatial Layers</b> Industrial 1 Zone	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General <a href="#">INZ-AC1</a>; and</li> <li>Adjoining residential or transitional <a href="#">INZ-AC2</a>.</li> </ol>	
<b>Applicable Spatial Layers</b> Industrial 1E and T Zone	<b>4. Activity Status:</b> Non-Complying	
<b>INZ-R35 Indoor commercial recreation activities</b>		[7.5(43)]
<b>Applicable Spatial Layers</b> Industrial 1E Zone	<b>1. Activity Status:</b> Restricted Discretionary <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> </ol>	

	<ul style="list-style-type: none"> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>;</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways;</li> <li>f. The extent to which the new activities would result in social, economic and cumulative adverse effects on the commercial and community services and facilities of any existing or proposed commercial centre as a whole;</li> <li>g. The extent to which the overall availability and accessibility of commercial and community services and facilities will be maintained in any commercial centre;</li> <li>h. The extent to which the new activities would result in a significant adverse effects on the character, heritage and amenity values of any existing or proposed commercial centre;</li> <li>i. The recommendations in an integrated transport assessment if one is required under in Appendix APP1 - Parking and Turning Standards;</li> <li>j. Access, on-site parking, queuing and turning areas are designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network; and</li> <li>k. Buildings within the Industrial 1E Zone should present an attractive visual appearance to passing traffic and in particular avoid: <ul style="list-style-type: none"> <li>i. Large featureless building façades facing the city entranceway.</li> <li>ii. The extent of effects from over dominant illuminated signage within the site.</li> <li>iii. The location of the service and outdoor storage areas within the front yard setbacks.</li> </ul> </li> </ul>	
<b>Applicable Spatial Layers</b> Industrial 1 Zone	<b>2. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">INZ-AC1</a>; and</li> <li>b. Adjoining residential or transitional <a href="#">INZ-AC2</a>.</li> </ul>	
<b>Applicable Spatial Layers</b> Industrial 2 and T Zones	<b>3. Activity Status:</b> Non-Complying	
<b>INZ-R36</b>	<b>Tourist accommodation including bed and breakfast</b>	[7.5(41)]
<b>Applicable Spatial Layers</b> Industrial 1E Zone	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">INZ-AC1</a>; and</li> <li>b. Adjoining residential or transitional <a href="#">INZ-AC2</a>.</li> </ul>	
<b>Applicable Spatial Layers</b> Industrial 1, 2 and T Zones	<b>2. Activity Status:</b> Non-Complying	

<b>INZ-R37 Motor sports and firearm sports</b>		[7.5(42)]
<b>Applicable Spatial Layers</b> Industrial 1 and 1E Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General <a href="#">INZ-AC1</a>; and</li> <li>Adjoining residential or transitional <a href="#">INZ-AC2</a>.</li> </ol>	
<b>Applicable Spatial Layers</b> Industrial 2 and T Zones	<b>2. Activity Status:</b> Non-Complying	
<b>INZ-R38 Outdoor commercial recreation activities</b>		[7.5(44)]
<b>Applicable Spatial Layers</b> All Industrial Zones	<b>1. Activity Status:</b> Non-Complying	
<b><del>Households</del> Residential Activities</b>		
<b>INZ-R39 <del>Household</del> Residential units</b>		[7.5(46)]
<b>Applicable Spatial Layers</b> Industrial T Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">INZ-S1</a>;</li> <li>Yard <a href="#">INZ-S2</a>;</li> <li>Site coverage <a href="#">INZ-S3</a>;</li> <li>Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>Landscaping <a href="#">INZ-S5</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R39(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Non-compliance <a href="#">INZ-MD1</a>;</li> <li>City centre vitality <a href="#">INZ-MD2</a>;</li> <li>Natural hazards <a href="#">INZ-MD3</a>; and</li> <li>Financial contributions <a href="#">INZ-MD4</a>.</li> </ol>
<b>Applicable Spatial Layers</b> Industrial 1, 1E and 2 Zones	<b>3. Activity Status:</b> Non-Complying	
<b>INZ-R40 Existing <del>household</del> residential units and accessory activities within the Transitional Zone</b>		[7.5(51)]
<b>Applicable Spatial Layers</b> Industrial T Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">INZ-S1</a>;</li> <li>Yard <a href="#">INZ-S2</a>;</li> <li>Site coverage <a href="#">INZ-S3</a>;</li> <li>Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>Landscaping <a href="#">INZ-S5</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R40(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Non-compliance <a href="#">INZ-MD1</a>;</li> <li>City centre vitality <a href="#">INZ-MD2</a>;</li> <li>Natural hazards <a href="#">INZ-MD3</a>; and</li> </ol>

		d. Financial contributions <a href="#">INZ-MD4</a> .	
<b>INZ-R41</b>	<b>Replacement of an existing <del>household residential</del> unit with another <del>household residential</del> unit and accessory activities within the Transitional Zone</b>		[7.5(52)]
<b>Applicable Spatial Layers</b> Industrial T Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Residential 1 Zone performance standards: <ol style="list-style-type: none"> <li>Height RESZ-S1;</li> <li>Yards RESZ-S2;</li> <li>Site coverage RESZ-S3;</li> <li><del>Household Residential</del> unit density RESZ-S4; and</li> <li>Parking, turning and access RESZ-S5;</li> </ol> </li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R41(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>Non-compliance <a href="#">INZ-MD1</a>;</li> <li>City centre vitality <a href="#">INZ-MD2</a>;</li> <li>Natural hazards <a href="#">INZ-MD3</a>; and</li> <li>Financial contributions <a href="#">INZ-MD4</a>.</li> </ol>	
<b>INZ-R42</b>	<b>Onsite employee accommodation</b>		[7.5(47)]
<b>Applicable Spatial Layers</b> Industrial 1, 1E and 2 Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General <a href="#">INZ-AC1</a>; and</li> <li>Adjoining residential or transitional <a href="#">INZ-AC2</a>.</li> </ol>		
<b>Applicable Spatial Layers</b> Industrial T Zone	<b>2. Activity Status:</b> Non-Complying		
<b>INZ-R43</b>	<b>Community housing</b>		[7.5(50)]
<b>Applicable Spatial Layers</b> All Industrial Zones	<b>1. Activity Status:</b> Non-Complying		
<b>Community Infrastructure</b>			
<b>INZ-R44</b>	<b>Education and training facilities located on Lot 3 DPS 81934</b>		[7.5(55)]
<b>Applicable Spatial Layers</b> Industrial 1E Zone	<b>1. Activity Status:</b> Permitted <b>Where:</b> The activity involves the operation and upgrade of the facility. <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">INZ-S1</a></li> <li>Yard <a href="#">INZ-S2</a>;</li> <li>Site coverage <a href="#">INZ-S3</a>;</li> <li>Parking, access and turning <a href="#">INZ-S4</a>;</li> </ol>	<b>3 Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R44(1). <b>Matters of Discretion:</b> Non-compliance <a href="#">INZ-MD1</a> ; <ol style="list-style-type: none"> <li>City centre vitality <a href="#">INZ-MD2</a>;</li> <li>Natural hazards <a href="#">INZ-MD3</a>; and</li> </ol>	

	<p>e. Landscaping <a href="#">INZ-S5</a>; and</p> <p>f. Industrial 1E Zone: Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.</p>	<p>c. Financial contributions <a href="#">INZ-MD4</a>.</p> <p>d. The extent to which the proposal will enhance the character and amenity of the city entranceways.</p>
	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Where:</b> The activity involves the extension of the facility.</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">INZ-S1</a>;</p> <p>b. Yard <a href="#">INZ-S2</a>;</p> <p>c. Site coverage <a href="#">INZ-S3</a>;</p> <p>d. Parking, access and turning <a href="#">INZ-S4</a>;</p> <p>e. Landscaping <a href="#">INZ-S5</a>; and</p> <p>f. Any exterior wall of any building which faces a road or area of public space must contain doors, windows or architectural detail which covers a minimum of 30% of the façade.</p> <p><b>Matters of Control</b></p> <p>a. Design <a href="#">INZ-MC1</a>;</p> <p>b. Parking, access and turning <a href="#">INZ-MC2</a>;</p> <p>c. Natural hazards <a href="#">INZ-MC3</a>;</p> <p>d. Financial contributions <a href="#">INZ-MC4</a>; and</p> <p>e. Buildings should be designed and located to present an attractive visual appearance to passing traffic and in particular avoid (Industrial 1E Zone):</p> <p>i. Large featureless building façades facing the city entranceway.</p> <p>ii. Adverse effects of over dominant illuminated signage within the site.</p> <p>iii. Adverse effects on the amenity of the city entranceway from the location of the service and outdoor storage areas and parking.</p>	

<b>INZ-R45 Funeral homes</b>		[7.5(53)]
<b>Applicable Spatial Layers</b> Industrial 1 and 1E Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">INZ-AC1</a> ; and b. Adjoining residential or transitional <a href="#">INZ-AC2</a> .	
<b>Applicable Spatial Layers</b> Industrial 2 and T Zones	<b>2. Activity Status:</b> Non-Complying	
<b>INZ-R46 Industrial and trade training facilities</b>		[7.5(57)]
<b>Applicable Spatial Layers</b> Industrial 1, 1E and 2 Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">INZ-AC1</a> ; and b. Adjoining residential or transitional <a href="#">INZ-AC2</a> .	
<b>Applicable Spatial Layers</b> Industrial T Zone	<b>2. Activity Status:</b> Non-Complying	
<b>INZ-R47 Educational facilities</b>		[7.5(56)]
<b>Applicable Spatial Layers</b> All Industrial Zones	<b>1. Activity Status:</b> Non-Complying	
<b>INZ-R48 Community facilities</b>		[7.5(58)]
<b>Applicable Spatial Layers</b> All Industrial Zones	<b>1. Activity Status:</b> Non-Complying	
<b>INZ-R49 Retirement homes</b>		[7.5(59)]
<b>Applicable Spatial Layers</b> All Industrial Zones	<b>1. Activity Status:</b> Non-Complying	
<b>INZ-R50 Daycare centres</b>		[7.5(60)]
<b>Applicable Spatial Layers</b> All Industrial Zones	<b>1. Activity Status:</b> Non-Complying	

Other Activities		
<b>INZ-R51</b>		<b>Micro scale wind turbines</b>
		<i>[7.5(93)]</i>
<b>Applicable Spatial Layers</b> All Industrial Zones	<b>1. Activity Status:</b> Permitted <b>Where:</b> The micro scale wind turbines are rooftop/building integrated or pole/tower mounted. <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Landscaping <a href="#">INZ-S5</a>; and</li> <li>d. Any wind turbines located on land that is either rooftop or building integrated shall not exceed 3 metres above the building height. The rotor blades shall not exceed 1 metre in diameter.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R51(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>; and</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>.</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways.</li> </ol>
<b>INZ-R52</b>		<b>Fire training facilities</b>
		<i>[7.5(94)]</i> <i>7.5(95)]</i>
<b>Applicable Spatial Layers</b> Industrial 1 and 2 Zones	<b>1. Activity Status:</b> Permitted <b>Where:</b> The activity is not otherwise specified. <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Height <a href="#">INZ-S1</a>;</li> <li>b. Yard <a href="#">INZ-S2</a>;</li> <li>c. Site coverage <a href="#">INZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">INZ-S4</a>; and</li> <li>e. Landscaping <a href="#">INZ-S5</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards in INZ-R52(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. Non-compliance <a href="#">INZ-MD1</a>;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>; and</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>.</li> </ol>
<b>Applicable Spatial Layers</b> Industrial 1E Zone	<b>3. Activity Status:</b> Restricted Discretionary <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. In instances where one more performance standards are not met: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the relevant objectives and policies;</li> <li>b. City centre vitality <a href="#">INZ-MD2</a>;</li> <li>c. Natural hazards <a href="#">INZ-MD3</a>;</li> <li>d. Financial contributions <a href="#">INZ-MD4</a>; and</li> <li>e. The extent to which the proposal will enhance the character and amenity of the city entranceways.</li> </ol>	
<b>Applicable Spatial Layers</b>	<b>4. Activity Status:</b> Discretionary <b>Where:</b> The activity is adjacent to a Transitional Zone	

Industrial 1 Zone	<b>Assessment Criteria:</b> a. General <a href="#">INZ-AC1</a> ; and b. Adjoining residential or transitional <a href="#">INZ-AC2</a> .
<b>Applicable Spatial Layers</b> Industrial T Zone	<b>5. Activity Status:</b> Non-Complying
<b>INZ-R53</b>	<b>Helicopter take-off and landing areas</b> <span style="float: right;">[7.5(91)]</span>
<b>Applicable Spatial Layers</b> Industrial 1 and 2 Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">INZ-AC1</a> ; b. Adjoining residential or transitional <a href="#">INZ-AC2</a> ; c. Topographical features and existing buildings and their likely effect on visual and noise impacts of the proposal; d. Proposals for the monitoring and regular audit of noise and other environmental impacts; and e. How the activity complies with NZS6807:1994 Noise management and land use planning for helicopter landing areas.
<b>Applicable Spatial Layers</b> Industrial 1E and T Zones	<b>2. Activity Status:</b> Non-Complying

## Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

### INZ-S1 Maximum height and daylight envelope

[7.6(1)]

1. Industrial 1 Zone and Industrial 1E Zone: 15m above the natural ground level.
2. Industrial 2 Zone: 30m above the natural ground level.
3. Transitional Zone: 7.5m above the natural ground level.
4. Sites adjoining State Highway 5 and within the Industrial 2 Zone (as shown on Planning Map 395): The buildings shall not exceed 55m above the natural ground level.
5. There is no height limit for cranes and drilling rigs.
6. The maximum height specified under INZ-S1(1) is subject to complying with the following:
  - a. Where sites adjoining a Residential Zone, Rural Zone, Transitional Zone or site containing a Marae no part of a building shall extend outside the daylight envelope.

### INZ-S2 Yard requirements

[7.6(2)]

1. **Industrial 1 Zone and Industrial 1E Zone:**



- a. Yards for boundaries adjoining a Residential Zone: 10m  
except for Lot 1 DPS 70760 (Owhatiura South) where the site specific yards, landscaping, acoustic bunding and fencing set out in [INZ-S5](#) apply.
- b. Yards for boundaries adjoining a site containing a Marae: 10m
- c. New buildings on sites located within the Industrial 1E Zone adjoining a city entranceway as identified on the planning maps shall be located no less than 3m and no more than 10m from the front boundary. This buffer shall not be used for the storage of pallets, containers, raw materials, machinery or goods of any kind.
- d. Yards for boundaries adjoining a Transitional Zone: 5m
- e. On a site adjacent to a Transitional Zone, the yards shall not be used by vehicles for the purpose of servicing and loading between 10pm and 7am.

## 2. Transitional Zone:

- a. Minimum front yard for buildings: 5m
- b. Minimum side and rear yards for buildings: 2.5m  
except single storey accessory buildings may be constructed in the side or rear yards up to 1.0 metre from the side or rear boundary subject to complying with the following standards:
  - i. Maximum length of the accessory building adjacent to a side or rear boundary: 7.2m.
  - ii. No part of a building shall extend outside the daylight envelope.
  - iii. All parts of the building, including eaves shall be a minimum of 1m from any side or rear boundary.
  - iv. No door, window or other opening shall be located in any exterior wall of the building that is less than 2.5ms from the boundary and which faces that boundary (i.e. at an angle to that boundary of less than 90 degrees).

## 3. Industrial 2 Zone:

- a. No yards are required unless otherwise specified.
- b. Yards adjoining Strategic Roads, as listed in the appendix Road Hierarchy in EIT- Energy Infrastructure and Transport, other than city entranceways: 20ms
- c. No building, with the exception of water intake and outfall structures may be erected within 25m of any river or stream with an average width of 3m or more, or a lake of 8 hectares or more. This 25m buffer shall not be used for the storage of pallets, containers, raw materials, machinery or goods of any kind. This area shall be planted with trees, shrubs and/or grass.

## 4. Road Widening:

- a. No building may be constructed over any part of a site that has been identified for road widening in Designations.
- b. 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.

**INZ-S3 Site coverage***[7.6(3)]***1. Maximum site coverage:**

- a. Industrial 1 Zone, Industrial 1E Zone, and Industrial 2 Zone: No maximum site coverage.
- b. Transitional Zone: 40% of the site area.

Advice Note:

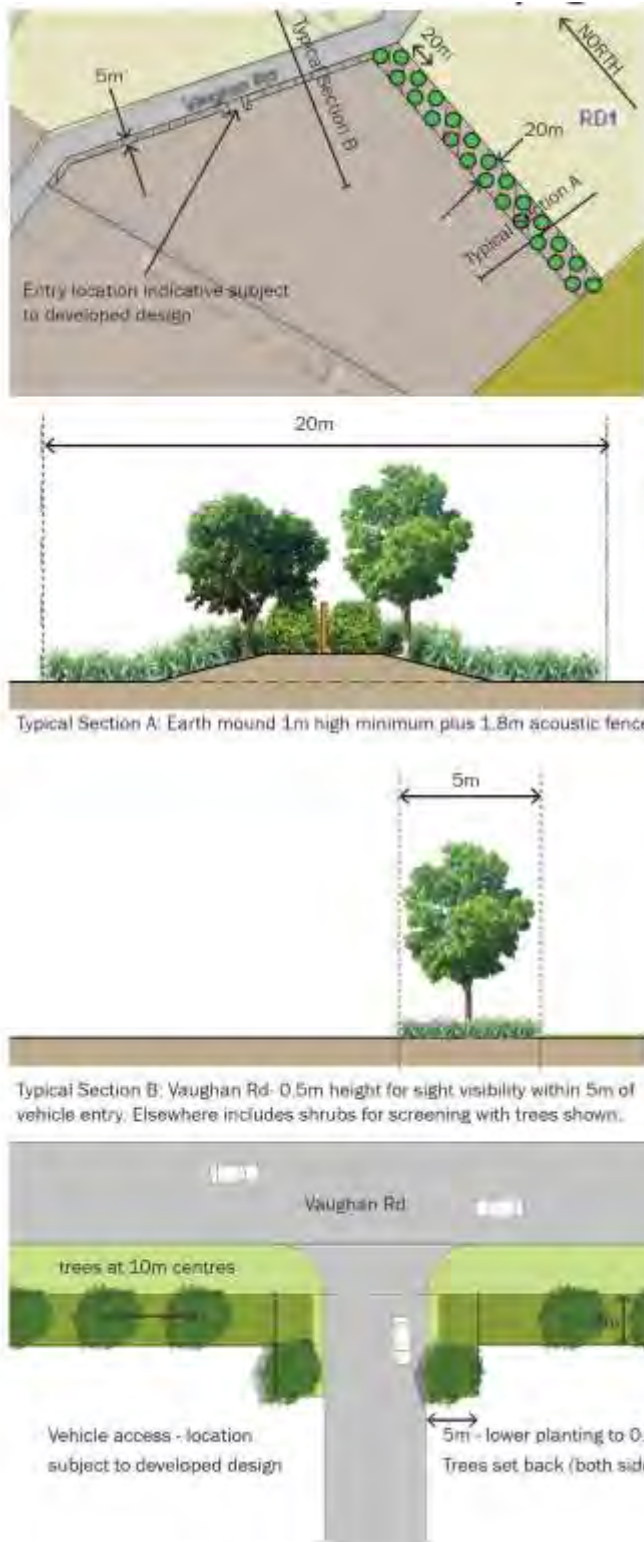
Other requirements may dictate coverage of the site such as those for yards, parking, on-site turning of vehicles and landscaping provisions.

**INZ-S4 Parking access and turning***[7.6(5)]*

1. Parking and on-site turning of vehicles shall be provided in accordance with the provisions of Appendix APP1 – Parking, Access and Turning Standards.
2. On-site car parking and turning adjoining a strategic road shall be provided so that vehicles can exit the site in a forward motion.
3. All vehicle crossings onto local roads shall be provided and constructed to the standards of Rotorua District Council. Where new vehicle crossings are proposed onto a State Highway, written consent from the New Zealand Transport Agency shall be provided.

**INZ-S5 Landscaping***[7.6(11)]***1. Industrial 1 Zone and Industrial 1E Zone:**

- a. Where a yard is required under INZ-S2(1)(a), INZ-S2(1)(b), INZ-S2(1)(d), the yard adjoining a boundary with a Residential Zone or Transitional Zone or a site containing a Marae shall be landscaped with trees and shrubs or fenced in a manner that will provide a continuous screen of at least 1.8m in all seasons, except for Lot 1 DPS 70760 (Owhatiura South).
- b. Lot 1 DPS 70760 (Owhatiura South):
  - i. Site specific yards, landscaping, acoustic bunding and fencing shall be provided in accordance with the following landscaping plan. Prior to developing any of the Industrial 1E Zoned portion of Lot 1 DPS 70760 (Owhatiura South) a pedestrian accessway shall be provided from Te Ngae Road to the boundary of the Residential 1 zoned portion of the land. The accessway shall be designed to ensure a continuous, safe and efficient access taking into account CPTED principles.



**PURPOSE**

The purpose of the landscaping and acoustic fencing buffer shall be to provide a healthy attractive and effective landscape screen between the industrial and residential zones.

**SPECIES SCHEDULE**

- Nothofagus solandri var Cliffortioides
- Pittosporum euginoides (tarata)
- Kunzea ericoides (kanuka)
- Carpodetus serratus (putaputaweta)
- Sophora tetraptera (kowhai)
- Pseudopanax crassifolius (horoeka)
- Eleocharpus dentatus (hinau)
- Cornus capitata (Irish strawberry)
- Pittosporum sp
- Acer palmatum (maple - deciduous)
- Rhododendron sp, tree types
- Phormium sp

Alternative species approved by RDC

**NOTES**

Tree spacing to be 10m staggered rows within the 20m strip (Section A) and no more than 10m centres along Vaughan Rd (Section B). Minimum grade PB28-95 or open ground equivalent. Trees shall achieve a height of 2.5m after two years and 3-4m height after 5 years. Trees of good form for species and with healthy growth (not rootbound). Double/ single stake to support but allowing for caliper growth.

Acoustic fence to be wooden closed board fence or any other material approved by Council. Any security fencing shall be incorporated into the acoustic fencing or be on the inside of the landscaping.

Other plantings. Larger shrubs placed to provide amenity screening for neighbours. Groundcovers to achieve full cover over (nominal spacing 1 plant/ 2sq.m average). Mulch until fully established.

Maintenance in perpetuity. Maintain at least four times annually to carry out weed control, remove litter, top up mulches, remove and replace dead plants, trim any hedge sections, prune & deadwood, and generally keep landscape strip healthy and in accordance

INZ-FIGURE1: Landscaping Industrial 1 and 1E Zones

**2. Industrial 2 Zone:**

- a. The depth of landscaping along any major arterial route shall be 5 metres. No landscaped area may be used for the parking, loading or turning of vehicles except that every Industrial site may have two two-way vehicle crossings.

- b. In addition the following landscaping provisions shall be provided and maintained at the Ohaaki Thermal Kilns site zoned Industrial 2 on Broadlands Road as shown on Planning Map 546:
  - i. The existing double row of large specimen trees located on the northern boundary of the site, running perpendicular to Broadlands Road shall be maintained.
  - ii. These requirements apply only to the main part of the site where industrial plant and buildings are located, and not to the access road which connects the site to Broadlands Road.

### 3. All Industrial Zones:

- a. Pallets, containers, raw materials, machinery or goods of any kind shall, if stored outside, be screened from public places, public roads, dwellings and residential activities and shall not be stored on any area provided for landscaping, parking, loading or turning area or the buffer area provided for rivers or lakes.
- b. No landscaped areas shall be used for the parking, loading or turning of vehicles except on a site adjacent to a Transitional zone. A landscaped area adjacent to the Transitional zone may be used for the parking, loading and turning of vehicles subject to compliance with the following:
  - i. No loading of vehicles can occur in the landscaped area between 10pm and 7am Monday to Friday or anytime on Saturday, Sunday or a public holiday; and
  - ii. The same landscaped area shall not be used more than four times in the same day to load vehicles; and
  - iii. The loading of vehicles must comply at all times with the performance standards for noise.
- c. No vegetation capable of growing more than 0.5m in height shall be planted within 5m of any vehicle crossing providing access to a public road.

## Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

### **INZ-MC1 Building design, site layout and amenity**

*[7.7(1)(1)]*

1. The location of buildings and structures and location of outdoor activities in order to mitigate potential adverse effects on amenity of the city entranceways, rural or residential zones.
2. Vegetative screening and landscaping along any boundary adjoining a residential or rural zone in order to maintain residential or rural amenity.
3. The cultural or social effects created on the surrounding environment with particular regard to effects of activities on the Ngapuna residential area.
4. Management of glare, illumination and light levels to avoid adversely affecting surrounding residents.
5. The hours of operation in order to avoid conflict with existing residential land uses located within residential zones.
6. The effect on the vitality of the city centre.

7. The maintenance and enhancement of amenity of the streetscape, and where relevant the city entranceway.

### **INZ-MC2 Parking, access and turning**

[7.7(1)(3)]

1. Onsite design, location and surfacing of access, parking and turning areas provides for practical use of the site, maintains the amenity of neighbouring occupiers, the safety of pedestrians and the safe and efficient functioning of the road network.
2. Adequate sight distances to prevent adverse effects on traffic flow and safety are provided.
3. Access to the site is designed to be consistent with the standards of the Road Controlling Authority.
4. How the activities will avoid, remedy or mitigate any adverse effects on the function and safe and efficient operation of the transport network.

### **INZ-MC3 Natural hazards**

[7.7(1)(5)]

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. 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, may be required for activities subject to flooding. This applies primarily for significant developments.

### **INZ-MC4 Financial contributions**

[7.7(1)(4)]

1. Whether the proposal requires a financial contribution under the provisions of FC – Financial Contributions.

## **Matters of Discretion**

The following matters of discretion apply where listed in the rule table for the relevant activity.

### **INZ-MD1 Non-compliance with the performance standards**

[7.8(2)(1)]

1. 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.
2. How the aspect of non-compliance will reduce the amenity of the zone and affect adjoining sites.
3. How the activity provides more efficient and practical use of the remainder of the site.
4. Within the Transitional zone, how the aspect of non-compliance will reduce the amenity of neighbouring residents.
5. The extent to which the retail activity impacts on the overall vitality and viability of the CBD.

**INZ-MD2 Activities that may affect the vitality and viability of the City Centre and Commercial Zones***[7.8(1)(1)]*

1. The extent to which the retail activity impacts on the overall vitality and viability of the CBD.
2. The extent to which the activity promotes the efficient use of resources and a compact urban form.
3. The extent to which the activity affects existing public investment and minimises the need for additional public investment in infrastructure and public spaces.
4. How the activity promotes accessibility, enables sustainable transport choices (including public transport), and minimises trip generation through the co-location of similar activities.

**INZ-MD3 Natural hazards***[7.8(1)(2)]*

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. 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, may be required for activities subject to flooding. This applies primarily for significant developments.

**INZ-MD4 Financial contributions**

1. Whether the proposal requires a financial contribution under the provisions of FC – Financial Contributions.

**Assessment Criteria**

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

**INZ-AC1 General assessment criteria***[7.9(1)]*

1. The extent to which the proposal complies with the performance standards of the zone.
2. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity and vitality of the city centre zone, and the character and amenity of the city entranceways.
3. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of neighbouring residents, including protection of privacy and outlook and protection from adverse effects from any source of disturbance or nuisance, including noise, glare, illumination and light levels.
4. The extent to which the proposal will avoid, remedy, or mitigate the effects on the streetscape and on-site landscaping.
5. The extent to which the proposal will avoid, remedy, or mitigate effects on water quality.
6. The ability for the activity to be connected to existing transport networks and utility services.
7. The extent to which the proposal will avoid, remedy, or mitigate effects on the function and safe and efficient operation of the transport network.

8. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.
9. The extent to which the proposal will avoid, remedy or mitigate effects on the qualities and characteristics of a landscape of feature identified in the schedules to Natural Environmental Values or the natural character of the environment.
10. The extent to which the proposal will avoid, remedy or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules to Historical and Cultural Values or Natural Environmental Values.
11. The extent to which the proposal is an efficient use and development of industrial zoned land and consideration of alternative locations for the activity.
12. The recommendations in an integrated transport assessment if one is required under in Appendix APP1 – Parking, Access and Turning Standards.
13. Whether the proposal requires a financial contribution under the provisions of FC – Financial Contributions.
14. Natural hazards:
  - a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps. The likelihood and consequences of a natural hazard event will be assessed to determine the level of risk associated with natural hazards.
  - b. 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, may be required for activities subject to flooding. This applies primarily for significant developments. The report shall identify the potential risk from flooding, any recommendations for floor levels, earthworks or engineering works.
15. The assessment criteria for development and activities that affect a Significant Geothermal Feature, as set out Natural Environmental Values.

#### **INZ-AC2 Activities on sites adjoining a Residential Zone or Transitional Zone**

[7.9(2)(1)]

1. The extent to which the location of the access way is located and designed to mitigate adverse effects on adjoining sites.
2. The extent to which the placement and orientation of the buildings and activities on site mitigates adverse effects on adjoining sites.
3. The extent to which boundary setbacks and landscaping reduce adverse effects on adjoining sites.
4. The extent to which the direction and level of security lighting avoids and reduces adverse effects on adjoining sites.

## ANTICIPATED ENVIRONMENTAL RESULTS

The efficiency and effectiveness of the policy framework of this part will be the focus of ongoing 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:

<b>INZ-AER1</b>	Improved amenity where industrial zones interface with other zones, particularly residential zones.
<b>INZ-AER2</b>	Avoidance of reverse sensitivity effects. No reverse sensitivity effects at the interface of industrial zones and other zones.
<b>INZ-AER3</b>	Industrial activities are the dominant land use in industrial zoned land.
<b>INZ-AER4</b>	Identified commercial activities and trade retail are the dominant land use on industrial zoned land facing the road front of city entranceways.



# Part 1: Introduction & General Provisions

## INTERPRETATION

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# DEFINITIONS

## NGĀ WHAKAMĀRAMA

Definitions is Operative and subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough~~.

### INTRODUCTION

This part sets out the definitions of terms and expressions used within this District Plan. If a term is not defined in the table then the meaning should be taken to be the same as that found in section 2 of the Resource Management Act 1991 (referred to as 'the Act'), or failing that to be taken to have the same meaning as the common dictionary definition.

### DEFINITIONS

Term	Definition
accessory (activity or building)	an activity, building or structure which is incidental to the principal activity on any site. Activity that is of a scale, character or intensity that can be considered to be independent of the principal activity is not considered to be accessory, for example a residential building that is occupied by an independent household is not an accessory building. A Rural Contractors Depot is considered to be accessory to an agricultural production activity if it is in the Rural 1 Zone and carried out by a maximum of those persons normally employed on the site, plus up to three additional persons for no more than a six month period from 1 July of each year to 30 June of the following year. A quarry is considered to be accessory if it is carried out on the site of an agricultural or forestry activity for the purpose of providing material for use solely on the site and is for a purpose that is reasonably required in connection with a permitted activity on site.
<u>access site</u>	<u>Any separate site used primarily for access to a site or to sites having no legal frontage.</u> <u>Excludes: sites 5m or more in width that are not legally encumbered to prevent the construction of buildings.</u>
<u>access way (or entrance strip)</u>	<u>all that part of a site extending from the road frontage to a point at which it becomes over 7.5m wide, measured at right angles to its course. "Course" is deemed to mean the bisection of the directions of the boundaries forming the side of the entrance strip. Refer to figure in 'rear site'</u>
access strip ( <u>pedestrian access way</u> )	a strip of land created by the registration of an easement for the purpose of allowing public access.
accident	In relation to contaminated land and hazardous substances: a sudden event causing harm to people, property or the natural environment.
acutely toxic	In relation to contaminated land and hazardous substances: adverse effects caused by a substance with toxic properties occurring within a short time following exposure to that substance.

Term	Definition
active frontage	building frontages designed to encourage pedestrian activity, interaction between the activities within the building and the public space in the road, or for the display of the goods and services for sale within the building.
AEP	<p>Annual Exceedance Probability</p> <p>A 1% AEP identifies a 1% (1 in 100) chance of there being a flood event of this size or larger in any given year. Also known as 100 year return period event or primary risk zone.</p> <p>A 2% AEP identifies a 2% (1 in 50) chance of there being a flood event of this size or larger in any given year. This is also known as a 50 year return period event or secondary risk zone.</p> <p>The 2% AEP is shown on Planning Maps 208 for Lake Rotorua and Lake Rotoiti.</p>
agrchemical	any substance, whether inorganic or organic, man-made or naturally occurring, modified or in its original state, that is used in any agriculture, horticulture or related activity to eradicate modify or control flora and fauna but excludes fertilisers, vertebrate pest control products and oral nutrition products.
agricultural production activities	<p>an agricultural or horticultural activity having as its primary purpose the production of goods for human or animal use and consumption and includes any livestock or crop using the in-situ soil, vegetation, water and air as the medium for production, and must include maintaining the ground cover. For the avoidance of doubt agricultural production activities includes:</p> <ol style="list-style-type: none"> <li>a. Packing sheds and accessory activities including the storage and initial processing of horticultural and agricultural products produced on site;</li> <li>b. The storage and disposal of solid and liquid animal waste;</li> <li>c. Greenhouses/glasshouses with a permeable floor and where the soil profile is maintained;</li> <li>d. Accessory activities.</li> </ol>
aircraft engine testing	for the purposes of engine maintenance and does not include normal operational aircraft engine run-ups (i.e. aircraft warming up prior to take off) or any noise generated by aircraft towed or being taxied to or from any engine testing location.
aircraft flight path	the actual path of an aircraft in flight, following take-off from or prior to landing at the Airport for so long as that aircraft remains subject to air traffic control at the Airport. For flight paths in relation to helicopters see definition 'Helicopter flight path'.
aircraft operations	the landing and taking off of any aircraft, aircraft taxiing, or aircraft flying along any Aircraft flight path within the Outer Control Area, the Inner Control Area or the Air Noise Area.

Term	Definition
air noise area	the area of land that has been assessed as being likely to have future aircraft noise levels above $L_{dn}$ 65dBA as is shown on Planning Map 207
allotment	<p>has the same meaning as in section 218 of the RMA (as set out in the box below)</p> <div style="border: 1px solid black; padding: 10px;"> <p>means—</p> <ol style="list-style-type: none"> <li>a. any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not—               <ol style="list-style-type: none"> <li>i. the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or</li> <li>ii. a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or</li> </ol> </li> <li>b. any parcel of land or building or part of a building that is shown or identified separately—               <ol style="list-style-type: none"> <li>i. on a survey plan; or</li> <li>ii. on a licence within the meaning of Part 7A of the Land Transfer Act 1952; or</li> </ol> </li> <li>c. any unit on a unit plan; or</li> <li>d. any parcel of land not subject to the Land Transfer Act 1952.</li> </ol> </div>
amenity values	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <div style="border: 1px solid black; padding: 10px;"> <p>means those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.</p> </div>
ancillary retail	any retail that is subsidiary to the production or distribution of the goods on site. The ancillary retail should be of secondary nature to the main purpose of the site.
animal housing	a building or structure for the enclosure and shelter of animals such as for homing of dairy cows through the winter months or raising of calves indoors from birth to weaning and which includes an integral and sustainable effluent treatment system that results in a reduction of nutrient losses.
antenna	any telecommunication, radio communication and broadcasting apparatus used for transmission or reception including the antenna mounting and shroud but not any supporting mast or similar.
aquifer	means a permeable geological formation, group of formations, or part of a formation, beneath the ground, capable of receiving, storing, transmitting and yielding water.
bar	a retail business that serves alcoholic drinks for consumption on the premises.
bed and breakfast	guest accommodation provided within a <del>household</del> <u>residential</u> unit and its accessory buildings for a maximum of 8 guests where the owner or manager is resident on the site.
benchmark	see ‘nutrient benchmark’.

Term	Definition
bio-accumulation	<p>has the same meaning as in section 2 of the HSNO Act (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>means accumulation within the tissue of living organisms.</p> </div>
biomass processing	processing biological material including plant or animal matter and converting this into an energy source, fibres or industrial chemicals, including bio-fuels.
bio-vegetation or biodiversity vegetation areas	those areas shown on the planning maps as 'Biodiversity Vegetation Areas' which have a potential value for maintaining and enhancing biodiversity and habitat and where specific rules in the relevant zone chapters manage the removal of indigenous vegetation.
BOD5	In relation to contaminated land and hazardous substances: a biochemical oxygen demand (measured over a five day period) which is the amount of dissolved oxygen in a body of water required for the breakdown of organic material in the water.
brunswick park	that part of the Rural 2 zone comprising Brunswick Drive and all roads off it and bounded by State Highway 30, the Waiohewa Stream and State Highway 33.
buffering	involves managing an area of indigenous vegetation surrounding a site in order to reduce adverse effects on the site. Buffer areas protect key areas and sites from possible disruptive external influences such as inappropriate land use. The effect of buffer zones is to maintain or improve the quality of the site.
building	<p>any permanent building, structure, or part of a building.</p> <p>In addition to its ordinary and usual meaning it shall include any vehicle, caravan or construction whether movable or immovable used as a place of residence or business or for assembly or storage purposes;</p> <p>However, the following are not considered to be buildings and shall be excluded from the definition (all measurements are measured externally):-</p> <ol style="list-style-type: none"> <li>a. any construction with a roof not exceeding 2 metres in height.</li> <li>b. any retaining wall or breastwork not exceeding 1.5 metres in height.</li> <li>c. any fence or wall not exceeding 2 metres in height.</li> <li>d. any structure not exceeding 2 metres in height.</li> <li>e. any pool or tank not more than 1.2 metres in height, (including a retention tank, swimming pool, spa pool, swirl pool, plunge pool and hot tub).</li> <li>f. any flagpole, mast, radio or television aerial or dipole antenna which does not exceed 7 metres in height above the point of attachment or its base support.</li> <li>g. any pole, mast or tower (including any transmission line support structure) erected by a network utility operator that is required for the purpose of providing its services.</li> <li>h. any pole supporting lighting which does not exceed 7 metres in height.</li> <li>i. any part of a deck or terrace which is not more than 1.5 metres above ground level and including any fence or wall (other than a retaining wall) not exceeding 2 metres in height.</li> <li>j. any satellite dishes not exceeding 1 metres in diameter.</li> <li>k. chimneys, ornamental towers, turrets, lift towers, machinery rooms, domestic water towers, and rural accessory structures such as silos and windmills, provided that such structures:</li> </ol>

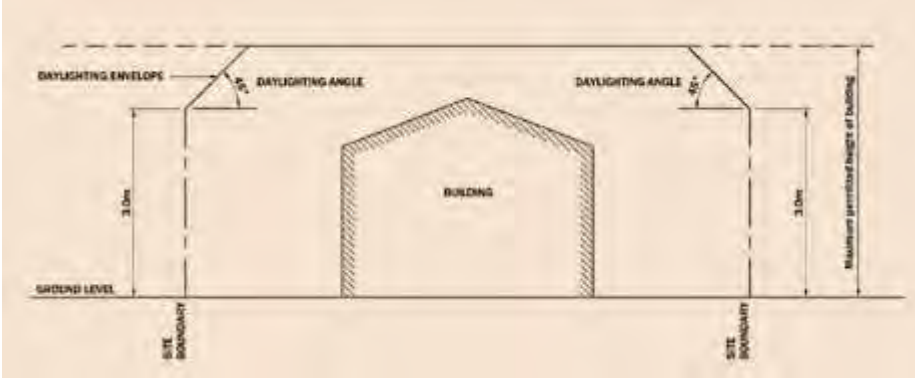
Term	Definition
	<p>l. do not exceed a height of 6 metres above the maximum height normally permitted by the performance standards requirements in the relevant zone;</p> <p>m. do not exceed a floor area equal to 10% of the area of the roof to the storey immediately below; and</p> <p>n. do not increase the area of shadow on any affected footpath by more than 10%.</p> <p>o. maimai, public recreation tracks and structures.</p> <p>p. geothermal pipelines.</p> <p>q. pipes for the purpose of water supply.</p> <p>r. lake structures.</p> <p><u>For the purpose of NHZ Natural Hazards means a temporary or permanent movable or immovable physical construction that is:</u></p> <p style="padding-left: 40px;"><u>a. partially or fully roofed; and</u></p> <p style="padding-left: 40px;"><u>b. fixed or located on or in land;</u></p> <p><u>but excludes any motorised vehicle or other mode of transport that could be moved under its own power</u></p>
building façade	The exterior face or frontage of the building facing the street, including the wall and windows. For a building on a corner site, each face of a building is a separate building façade.
building footprint	<u>means, in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.</u>
buildings of low importance	<del>in relation to buildings within fault avoidance areas NH Natural Hazards, non-habitable buildings and structures presenting a low degree of hazard to life and other property: examples are structures with a total floor area of less than 30m<sup>2</sup>, farm buildings, isolated structures, towers in rural situation, fences, masts, walls and in-ground swimming pools.</del> <u>means buildings posing low risk to human life or the environment, or a low economic cost, should the building fail. These are typically small (less than 30m<sup>2</sup>) non-habitable buildings, such as sheds, barns, and the like, that are not normally occupied, though they may have occupants from time to time.</u>
<u>building coverage (or site coverage for buildings)</u>	<u>means the percentage of the net site area covered by the building footprint.</u>
cafe	see 'restaurant.'
call centre	a centralised office used for transmitting a large volume of requests by telephone.
carrier	the use of any land or buildings which is primarily used for the receipt, dispatch or consolidation of goods in transit being transported by road, including a transport operator's depot where the goods are not processed on that land or building.
character	the quality of an area that arises from a combination of its appearance and land use.
chronic toxicity	In relation to contaminated land and hazardous substances: adverse effects caused by a substance with toxic properties which occur either after prolonged exposure or an extended period after initial exposure.

Term	Definition
city entranceways	the principal approaches through the urban area by road to the city centre, the character and appearance of which are important in creating a positive perception of the city by visitors.
cleanfill	natural materials such as clay, soil, rock and such other materials such as concrete, brick or demolition products that are free of: <ul style="list-style-type: none"> <li>a. components liable to combust or rot (including green waste) apart from up to 10% by volume untreated timber in each load.</li> <li>b. hazardous substances or materials (such as municipal waste) likely to create leachate by means of biological or chemical breakdown.</li> <li>c. any products or materials derived from hazardous waste treatment, stabilisation or disposal processes.</li> </ul>
clean production	In relation to contaminated land and hazardous substances: the use of techniques to reduce the need for raw materials and/or energy and the amount of wastes generated. These techniques may include the use of recyclable materials, the use of less hazardous substances or the reduction in their quantity and the use of renewable resources.
code of practice	In relation to contaminated land and hazardous substances: any document for the purpose of specifying procedures and practices, or equipment and facilities for the management of hazardous substances, including documents issues and approved in accordance with HSNO.
colonnade	a row of columns holding up a roof, either freestanding or attached to a building.
commercial vehicle	see 'vehicle'.
commercial entertainment	In relation to Lakefront East Mixed Use Precincts: a place providing an event or activity that aims to entertain, amuse and interest an audience of one or more people and includes theatre, cinema, dance, music and games.
commercial services	In relation to Lakefront East Mixed Use Precincts: any building or part of a building which provides a small scale service facility that is accessory to a larger commercial service located elsewhere and includes banking services such as currency exchange, travel and real estate agencies.
community facility	land or buildings which are used in whole or in part for the assembly of persons for such purposes as deliberation, or social entertainment or similar purposes and includes such buildings used for clubrooms, arts, museum and cultural community premises, community theatres, conference rooms, churches, and meeting rooms, not for profit social support and services but does not include a chartered club or building designed specifically for indoor recreation.
community housing	a place of residence for a maximum of eight persons (i.e. all residents including resident staff) where some element of care or support is provided for residents. The definition includes emergency housing (including temporary overnight accommodation) and rehabilitation centres, but excludes facilities where the movement of residents is legally restricted.



Term	Definition
community information signs	any sign used by a community-based or charitable organisation for non-commercial purposes to advertise, inform, campaign, drive or promote their activities, provide advice on a community facility or service, or to promote community health, welfare or social wellbeing.
comprehensive residential development excluding for the Wharenui road development area	development of a site such that it will be occupied by three or more <b>household residential</b> units.
comprehensive residential development for the Wharenui road development area	a residential development comprehensively designed in accordance with Rule 4.5.168 within a parent lot of at least 3000m <sup>2</sup> in size. The parent lot may be subdivided by way of fee simple title, strata title or leasehold title to any lot size provided the intensity of development of the parent lot complies with Appendix A5.3.
contaminant	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <div style="border: 1px solid black; padding: 10px;"> <p>includes any substance (including gases, odorous compounds, liquids, solids, and microorganisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat—</p> <ol style="list-style-type: none"> <li>a. when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or</li> <li>b. when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged.</li> </ol> </div>
contaminated land	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <div style="border: 1px solid black; padding: 10px;"> <p>means land that has a hazardous substance in or on it that—</p> <ol style="list-style-type: none"> <li>a. has significant adverse effects on the environment; or</li> <li>b. is reasonably likely to have significant adverse effects on the environment.</li> </ol> </div> <p>This includes land which has been confirmed as being contaminated, either by:</p> <ol style="list-style-type: none"> <li>a. a regional council, normally identified in a schedule of sites, often described as “Confirmed Contaminated” or “Contamination Confirmed” in the Selected Land Use Register; or</li> <li>b. soil testing undertaken in accordance with the Ministry for the Environment guideline series, Contaminated Land Management Guidelines, and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.</li> </ol> <p>the definition of potentially contaminated that is not included in this definition.</p>
controlled activities	activities as defined in section 87A(2) of the RMA that are listed as Controlled Activities by a rule in this Plan. Council must grant consent, and may impose conditions, but only on the matters over which the district plan has specifically reserved its control. The activity must also meet the performance standards for the zone.

Term	Definition
convenience retail	a retail shop in which everyday goods and/or services are provided, sold, displayed for sale or leased to the general public and includes such activities by way of example, but not limited to: dairies; postal; hairdressers; groceries; toiletries; alcoholic and soft drinks; tobacco products; newspapers; stationery and magazines; fresh meat, fish and poultry; fresh fruit and vegetables; pharmaceuticals; bakeries; alterations and/or repairs to clothing and footwear including key cutting; dry cleaning and laundry services.
corrosive	In relation to contaminated land and hazardous substances: capability to break down metal or human tissue on contact – see HSNO regulations.
CPTED	crime prevention through environmental design (CPTED) is a multi-disciplinary approach to deterring criminal behaviour through environmental design. Key features of CPTED are an increase in passive surveillance, natural access control, natural territorial reinforcement, maintenance and activity support.
cultivation	means the alteration or disturbance of land (or any matter constituting the land including soil, clay, sand and rock), for the purpose of sowing, growing or harvesting of pasture or crops.
cultural heritage	an expression or a tangible representation developed by value and belief systems of communities linked through whakapapa. The total of inherited ideas, beliefs, values and knowledge which constitute the shared basis of social action.
cumulative risk	In relation to contaminated land and hazardous substances: the risk posed by activities involving the use, storage, disposal or transportation of hazardous substances added to or multiplied by risks from other hazardous facilities.
dairy manufacturing and associated activities	<ul style="list-style-type: none"> <li>a. any activities relating to the processing of milk and production of milk related products, including:</li> <li>b. milk reception, processing and production facilities;</li> <li>c. access;</li> <li>d. parking;</li> <li>e. rail sidings;</li> <li>f. storage, processing and disposal of waste material;</li> <li>g. storage facilities;</li> <li>h. workshops;</li> <li>i. laboratories, Research establishments;</li> <li>j. rural based industries;</li> <li>k. accessory buildings to any permitted activity (not for habitation) and ancillary activities including offices associated with any permitted activity;</li> <li>l. demolition of buildings and structures except those listed in Part E 17.7 (Schedules);</li> <li>m. energy generation, steam production and water heating and boilers; and</li> <li>n. export of surplus electricity off site.</li> </ul>
day spa	spa services offered over a day or part of a day, but does not include accommodation.
daycare centre	any premises for the care of five or more children not residing on the site, by the day or for part of the day, whether for reward or not.

Term	Definition
daylight envelope	<p>the daylight envelope is taken from any point on the boundary at a height of 3 metres above natural ground level and rises at a 45 degree angle (i.e. rising 1 metre for every 1 metre from that boundary) until it crosses the maximum permitted height for the zone.</p> 
definitive land use change	a specified change identified in section 13.10.3.4.b that will achieve a reduction in nutrient losses. The reduction is considered 'significant' where it is in accordance with the scale of change shown in the table in that section.
designation	a provision in the district plan to authorise a project or work by a Minister of the Crown, a local authority, or a network utility operator to be carried out. A resource consent application is not required for work in accordance with the designation.
development	change involving new buildings, alteration of buildings, or a new or altered use of land or buildings.
development plan	<p>a plan of a proposed subdivision or development of land in order to illustrate the outline of the development of a site or area. Details required include all or some of the following:</p> <ol style="list-style-type: none"> <li>The number and location of <del>household residential</del> residential units or other buildings.</li> <li>Design and external appearance of the buildings.</li> <li>The means of access to a road.</li> <li>The means of providing services (potable water supply, stormwater and sewage disposal, electricity, gas and telecommunications).</li> <li>Landscaping of the site (including earthworks, existing planting to be retained, proposed planting, fencing or other means of enclosure, and any other hard landscaping features).</li> <li>Any proposal for the staging of the development.</li> </ol>
discharge	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> <p>includes emit, deposit, and allow to escape.</p> </div>
discretionary activities	activities as defined in section 87A(4) of the Act and identified as Discretionary Activities by a rule in this Plan. Council can exercise its full discretion in deciding to decline or grant consent with or without conditions.

Term	Definition
disposal	<p>In relation to contaminated land and hazardous substances: has the same meaning as in section 2 of the HSNO Act (as set out in the box below)</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>in relation to hazardous substance, -</p> <ul style="list-style-type: none"> <li>a. treating the substance in such a way that it is no longer a hazardous substance; or</li> <li>b. discharging the substance into the environment as waste; or</li> <li>c. exporting the substance as waste from New Zealand.</li> </ul> </div>
disturbance of vegetation	<p>the disturbance, removal, clearance, destruction, cutting, crushing, desiccation, burning or grazing of <i>exotic</i> or <i>indigenous vegetation</i> with the exception of:</p> <ul style="list-style-type: none"> <li>a. normal domestic-scale trimming and maintenance;</li> <li>b. the maintenance of walking and cycling tracks;</li> <li>c. the collection of plant material for scientific purposes;</li> <li>d. the collection of plant material by the Tangata Whenua for maintaining traditional practices of <i>rōngoā</i> (medicinal purposes), <i>rāranga</i> (weaving) and <i>mahi whakāiro</i> (carving);</li> <li>e. the clearance and control of pest plants (included in the Bay of Plenty weed index or national pest plant accord); and</li> <li>f. normal farming practices to maintain water supply, farm tracks, fences, culverts and pasture, including from invasive regrowth.</li> </ul>
drain	<p>means any artificial watercourse, designed, constructed, or used for the drainage of surface or subsurface water, but excludes artificial watercourses used for the conveyance of water for electricity generation, irrigation, or water supply purposes.</p>
drinking water	<p>means water intended to be used for human consumption; and includes water intended to be used for food preparation, utensil washing, and oral or other personal hygiene.</p>
drive through restaurant	<p>a restaurant or takeaway food premise which provides a facility for the ordering, payment and collection of food by persons driving vehicles through the site.</p>
earthworks	<p>the disturbance of land surfaces by excavation or filling.</p>
ecological sequence	<p>a series of two or more connected ecosystems or vegetation types that retain transition zones along an environmental gradient. Such sequences should be largely intact (e.g. perhaps bisected by roads but not by large tracts of non-native land cover), such that they can be traversed by the majority of indigenous species that are reliant on such sequences for the completion of part or all of their life-cycles (either by deliberate movement or dispersal of propagules such as seed or pollen). An exceptional representative sequence will be one of the best examples of its type, taking into account its intactness, composition and ecological processes.</p>
ecosystem	<p>In relation to contaminated land and hazardous substances: a biotic community and its abiotic environment, considered together as a unit. Ecosystems are characterised by a flow of energy that leads to trophic status and material recycling.</p>

Term	Definition
ecosystem services	<p>the benefits people obtain from ecosystems. These include:</p> <ul style="list-style-type: none"> <li>a. provisioning services (such as food and water);</li> <li>b. regulating services (such as flood and disease control);</li> <li>c. cultural services (such as spiritual, recreational and cultural benefits); and</li> <li>d. supporting services (such as nutrient cycling) that maintain the conditions of life on Earth.</li> </ul>
eco-toxic	<p>In relation to contaminated land and hazardous substances: has the same meaning as in section 2 of the HSNO Act (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>means capable of causing ill health, injury, or death to any living organism.</p> </div>
educational facilities	<p>includes learning activities such as pre-school, primary, secondary and tertiary institutions and institutions delivering educational services for groups such as unemployed people, youth, elderly or groups with special educational needs.</p>
effect	<p>In relation to contaminated land and hazardous substances: has the same meaning as in section 2 of the HSNO Act (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>includes -</p> <ul style="list-style-type: none"> <li>a. any potential or probable effect; and</li> <li>b. any positive or adverse effect; and</li> <li>c. any temporary or permanent effect; and</li> <li>d. any past, present or future effects; and</li> <li>e. any acute or chronic effect; and</li> <li>f. any cumulative effect which arises over time or in combination with other effects.</li> </ul> </div>
electricity generation core site	<p>site for electricity generation through the use of electricity generation infrastructure, network utilities, dams, spillways , powerhouses and associated generation equipment, switchyards, electricity transmission, distribution and their associated support structures and transformers as shown on the planning maps.</p>
emergency management plan	<p>In relation to contaminated land and hazardous substances: a regular updated document serving as an emergency response guide by identifying and cataloguing the elements required to respond to an emergency, and defining responsibilities and specific task in an emergency.</p>
enclosure of livestock	<p>activities involving the enclosure of livestock, animals and poultry, including kennels, catteries, intensive pig and poultry farming, and sale yards. For the avoidance of doubt the definition of 'Enclosure of livestock' does not include activities under the definition of 'Animal Housing'.</p>

Term	Definition
environment	<p>has the same meaning as in Section 2 of the RMA (as set out in the box below)</p> <div style="border: 1px solid black; padding: 10px;"> <p>includes:</p> <ul style="list-style-type: none"> <li>a. ecosystems and their constituent parts, including people and communities; and</li> <li>b. all natural and physical resources; and</li> <li>c. amenity values and</li> <li>d. the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraph (1) to (3) of this definition or which are affected by those matters.</li> </ul> </div>
environmental management system	<p>In relation to contaminated land and hazardous substances: part of the overall management system that includes organisation structure, planning activities, responsibilities, practices, procedures, processes and resources for developing, implementing, achieving, reviewing and maintain the environmental policy (IOS/IDS 14050).</p>
environmentally sensitive areas	<p>In relation to contaminated land and hazardous substances: areas that, in the judgement of the local community and/or regulatory authority should not be subject to more than a specified low risk, or where additional safeguards are required when undertaking activities exceeding the specified low risk. Environmentally sensitive areas may include aquifers, waterways, wetlands, coastal environments, special ecosystems or species habitat.</p>
ephemeral watercourse	<p>means a watercourse or valley that is normally dry but which has surface flowing water or ponding during rainfall. For the purposes of defining useable hectares, it carries or ponds water in a 10% AEP flood event.</p>
esplanade reserve	<p>a reserve vested in the Council for the purposes of conservation, public access, or public recreational use of a river or lake.</p>
esplanade strip	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <div style="border: 1px solid black; padding: 10px;"> <p>means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229.</p> </div>
exploration and prospecting	<p>means any activity undertaken for the purpose of identifying mineral deposits or geothermal resources or occurrences and evaluating the feasibility of extracting these particular deposits, resources or occurrences and includes any drilling, dredging or excavation (whether surface or sub-surface) that is reasonably necessary to determine the nature and size and characteristics of the deposit, resource or occurrence.</p>
explosive	<p>In relation to contaminated land and hazardous substances: capability of sudden expansion owing to release of internal energy.</p>
expressiveness	<p>legibility – natural features and landscapes clearly demonstrate the natural processes that formed them. Exceptional examples of natural process in landscape exemplify the particular</p>

Term	Definition
	processes that formed that landscape.
existing lake structures	lake structures that have been lawfully established, including those in or on the 12 Te Arawa lakebeds as outlined in section 33 of the Te Arawa Lakes Settlement Act 2006 and existing on or before 25 September 2006.
fertiliser	means a substance or biological compound or mix of substances or biological compounds in solid or liquid form, that is described as, or held out to be suitable for, sustaining or increasing the growth, productivity or quality of soils, plants or, indirectly, animals through the application to plants or soil of any of the following: <ul style="list-style-type: none"> <li>a. nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or</li> <li>b. manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or</li> <li>c. fertiliser additives to facilitate the uptake and use of nutrients; or</li> <li>d. non-nutrient attributes of the materials used in fertiliser. It does not include livestock effluent, human effluent, substances containing pathogens, or</li> <li>e. substances that are plant growth regulators that modify the physiological functions of plants.</li> </ul>
flammable	In relation to contaminated land and hazardous substances means a substance that meets 1 or more of the minimum degrees of hazard for a flammable gas, a flammable liquid, or a flammable solid, or any combination of them – see HSNO regulations.
floor area	see 'net floor area', 'gross floor area' and 'trading floor area'.
forestry	forestry means the land preparation, planting, management and harvesting of trees for the production of timber or other produce from those trees, or carbon sequestration purpose, or soil or water conservation, shelter, recreation, landscaping, cultural or scientific purposes.
frontage	that boundary of a site which abuts a public or private road.
front yard	see 'yard'
functional need	means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.
funeral home	premises used as a mortuary; a viewing room associated with a funeral business; a workshop, service area or garage associated with a funeral business; a facility for the purposes of directing or conducting funerals. Cremation facilities are excluded from the definition.
geothermal activity	geothermal and hydrothermal processes or discharges, actively altering or depositing rocks, minerals soils and waters (including steam) at or near to the ground surface. It includes geothermal gas, hot ground and acid ground.
geothermal feature	any natural landform, heated or chemically altered waters, rocks and soils created by a geothermal system. Features may be cold and inactive, extinct or dormant, or actively altering or depositing rocks, minerals soils and waters at or near to the ground surface. Features are created by hot water or steam and/or gases given off from an underlying geothermal system or tectonic fault zone.

Term	Definition
geothermal surface feature	geothermal surface features include active and dormant structures formed by surface manifestation of geothermal processes or discharges and includes any resulting earth forms, any geothermally activated geysers, fumaroles, sinter cones, tomos, mud pools, hot and cold water pools, springs, steam vents, pressure domes or fissures. A geothermal surface feature excludes geothermal gas, hot ground and acid ground, where it occurs in isolation from the surface feature.
geothermal system	a 'geothermal system' is an individual body of geothermal energy and water, not believed to be hydrologically connected to any other body. Such a system includes material containing heat or energy surrounding any geothermal water, and all plants, animals and other characteristics and geothermal features dependent on the body of geothermal energy and water.
geothermal vegetation	heat tolerant and highly tolerant indigenous vegetation associated with geothermal activity and geothermal surface features.
greywater	means liquid waste from domestic sources including sinks, basins, baths, showers and similar fixtures, but does not include sewage, or industrial and trade waste.
gross floor area (GFA)	the total floor area within a building of the actual room, rooms or spaces used for the particular activity or occupancy referred to, measured externally (i.e. from the outside face of exterior walls and the centre line of common walls and including those parts excluded from the calculation of NFA).
gully	land within a ravine formed by the action of water and that is not 'usable land'.
habitable room	a space used for activities normally associated with domestic living, including a bedroom, but excludes any conservatory, bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes-drying room, or other space of a specialised nature occupied neither frequently nor for an extended period.
hapū	a smaller collective, usually made up of related whānau, who may have one or several marae and other types of shared holdings, resources or interests, including sacred sites like urupā (grave sites).
hazard	In relation to contaminated land and hazardous substances: actual or potential source of harm or a situation with a potential to cause an adverse effect.
hazardous activity	In relation to contaminated land and hazardous substances: an activity which does not include the use, storage or otherwise handling of a hazardous substances but which may pose a risk to the environment or a community (for example earthworks).
hazardous facility	In relation to contaminated land and hazardous substances: activities involving hazardous substances being used, stored or disposed of on a site or part of a site, including vehicles for their transport. Hazardous facilities in the context of this chapter do not include: <ol style="list-style-type: none"> <li>1. the incidental use and storage of hazardous substances in minimal domestic-scale quantities for domestic use or retail sale.</li> <li>2. the vehicles or applicators being used to apply diluted agrichemical substances in a manner consistent with their intended land use.</li> <li>3. hazardous activities which do not involve hazardous substances but which may pose a risk to people or the natural environment due to the physical or biological hazard (for example, earthworks, electromagnetic radiation or genetically modified organisms).</li> </ol>



Term	Definition
	4. pipelines used for the transfer of hazardous substances such as gas, oil and sewage active substances, which are covered by other legislation.
hazardous substance	any substance with hazardous properties including those substances defined as hazardous for the purpose of the Hazardous Substances and New Organisms Act (HSNO Act).
Hazardous Substances and New Organism Act (HSNO)	In relation to contaminated land and hazardous substances: includes reference to both the Hazardous Substances and New Organisms Act 1996 and HSNO regulations in relation to hazard classification and life cycle requirements for hazardous substances.
hazardous waste	In relation to contaminated land and hazardous substances: is any waste that is listed in the New Zealand Hazardous Waste List in Attachment B in “towards a New Zealand Definition of Hazardous Waste” (October 1999) Ministry for the Environment, Technical Working Paper.
heavy vehicle	a vehicle with a gross vehicle mass exceeding 3500kg and includes a trailer, attached or detached.
height	the vertical distance between the highest point on the building at any point and natural ground level at that point. Refer also to the definition of natural ground level.
helicopter flight path	the clear path selected for helicopter flight extending upward and outward from the edge of the landing and the take-off area, and the alighting area of the pick up area. In relation to flight paths from the airport see definition of ‘Aircraft flight path’.
helicopter take-off and landing area	is a defined area of land either at ground level or elevated on a structure used or intended to be used for the take-off and landing of helicopters and includes land used or intended to be used for the movement and servicing of helicopters and also includes land used or intended to be used for the reception of passengers.
high risk flood zones (Waikato River catchment only)	land within the Waikato River catchment that is subject to river or surface flooding during an event with an annual exceedance probability of no more than 1% and during such an event: <ul style="list-style-type: none"> <li>a. The depth of flood waters exceeds one metre</li> <li>b. The speed of flood water exceeds two metres per second; or</li> <li>c. The flood depth multiplied by the flood speed exceeds one metre.</li> </ul>

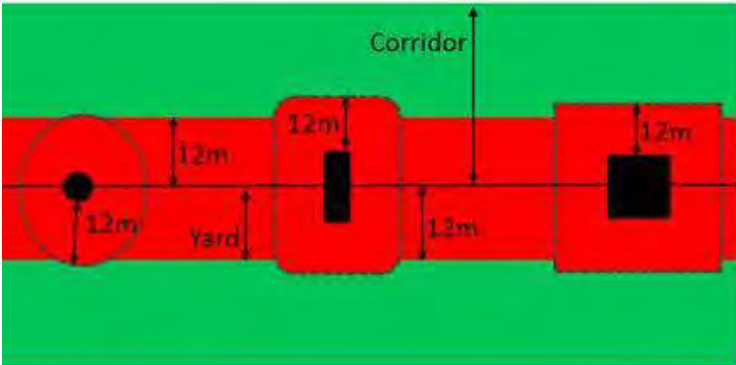
Term	Definition
historic heritage	<p>natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:</p> <ul style="list-style-type: none"> <li>a. archaeological</li> <li>b. architectural</li> <li>c. cultural</li> <li>d. historic</li> <li>e. scientific</li> <li>f. technological</li> </ul> <p>and includes—</p> <ul style="list-style-type: none"> <li>a. historic sites, structures, places, and areas; and</li> <li>b. archaeological sites; and</li> <li>c. sites of significance to Māori, including wāhi tapū; and</li> <li>d. surroundings associated with the natural and physical resources</li> </ul>
holiday park	an area of land used for rent, by holiday makers including cabins, tents, caravans or motor homes.
holiday rental accommodation	the use of a residential building, including temporary use of an established <del>household</del> <u>residential</u> unit, by paying guests, for short term holiday accommodation where the owner or manager is not resident on the site.
home based business	<p>any home arts and crafts, professional, trade or consultancy business, other than Prohibited Activities, which is carried out by a resident or residents incidentally to the primary use of the site and complies with the following in all respects:</p> <ul style="list-style-type: none"> <li>a. The performance standards for the Zone in which the business is located;</li> <li>b. No more than one person living away from the site can be employed on site at any one time;</li> <li>c. The business does not involve outdoor storage of goods, or waste materials;</li> <li>d. The business does not involve the parking of heavy vehicles on site; and</li> <li>e. No display or retail of goods for sale may take place from the site.</li> </ul> <p>Except that in the Residential 3 zone this definition shall be expanded to include the sale or display in the Whakarewarewa Village and in Ōhinemutu of traditional Māori food, traditional and contemporary Māori crafts, and souvenirs; where the area used for such purpose or purposes does not exceed 80m<sup>2</sup>.</p>
hospital	<ul style="list-style-type: none"> <li>a. any hospital or institution for the reception and treatment of persons requiring medical treatment or suffering from any disease; or</li> <li>b. any maternity hospital; or</li> <li>c. any hospice and includes all clinics, dispensaries, out-patient departments, helicopter take off and landing areas, medical research and workshops, services, offices and accessory activities maintained in connection with, or incidental to, the primary healthcare activity.</li> </ul>

Term	Definition
<del>household unit</del>	<del>any building, part of a building or vehicle, whether temporary or permanent, that is occupied as a residence, including any structure or outdoor living area that is accessory to and used wholly or principally for the purposes of the residence.</del>
<u>Impervious surface</u>	<p><u>an area with a surface which prevents the infiltration of rainfall into the ground. For the purposes of this definition impervious surfaces include:</u></p> <ul style="list-style-type: none"> <li><u>a. roofs;</u></li> <li><u>b. paved areas including driveways and sealed/compacted unsealed parking areas;</u></li> <li><u>c. swimming pools;</u></li> <li><u>d. sealed and compacted unsealed roads; and</u></li> <li><u>e. soil layers engineered to be impervious such as compacted clay.</u></li> </ul> <p><u>For the purposes of this definition impervious surfaces excludes:</u></p> <ul style="list-style-type: none"> <li><u>a. any natural surface;</u></li> <li><u>b. grass and bush areas;</u></li> <li><u>c. gardens and other vegetated areas;</u></li> <li><u>d. porous or permeable paving and living roofs;</u></li> <li><u>e. permeable artificial surfaces, fields or lawns;</u></li> <li><u>f. slatted decks; and</u></li> <li><u>g. stormwater management devices not located beneath sealed or compacted surfaces</u></li> </ul>
indigenous tree	a woody plant originating from New Zealand which ultimately forms part of the canopy or tallest stratum of a naturally occurring forest.
indigenous vegetation	any plant community containing species native to or occurring naturally in New Zealand as opposed to being introduced by humans (which may include a canopy, subcanopy, understory and ground cover as structural elements). It includes vegetation that has regenerated naturally or vegetation established with human assistance following disturbance or as mitigation for another activity, but excludes the clearance of indigenous vegetation consisting of the understorey beneath exotic or plantation forest areas or the clearance of indigenous vegetation from areas which plantation forestry has been harvested or cleared in the past 10 years where the modification or clearance of indigenous vegetation is necessary for the replanting of an existing plantation forest area or maintaining pasture.
indoor recreation	a recreation activity that is carried out within a building.
infill	subdivision for construction of additional <del>household</del> <u>residential</u> units on existing developed urban land.
inner control area	is the area that has been assessed as likely to have future aircraft noise levels between L <sub>dn</sub> 60dBA and L <sub>dn</sub> 65dBA as shown on the Planning Maps.
inundation	surface ponding caused by a 2% Annual Exceedance Probability (AEP) storm event (1 in 50 year return period flood event) or in the Waikato River catchment, caused by a 1% AEP storm event (1 in 100 year return period flood event).
issue	an existing or potential problem to be addressed, or a resource that is to be protected or enhanced.

Term	Definition
iwi	a tribe comprising a collective of hapū, whose people are interrelated through an eponymous ancestor. Iwi can be likened to a parent tribe.
kaitiaki/ kaitiakitanga	guardian/guardianship; intergenerational responsibility inherited through whakapapa and whanaungatanga at birth to care for the environment.
kaumātua housing	residential accommodation for Māori elders.
lake	has the same meaning as in section 2 of the RMA (as set out in the box below) <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">means a body of fresh water which is entirely or nearly surrounded by land.</div>
lake structure	any structure , whether temporary or permanent, moveable or immovable, where any part intrudes into, or is placed over a waterbody, the waters of a lake or river, or is on land that would be covered by water when the lake is at its 2% AEP flood level or in the Waikato River catchment, at a 1% AEP flood level (1 in 100 year return period flood event); and including: <ul style="list-style-type: none"> <li>a. Jetties, wharves, boatsheds, ramps and slipways, marinas; and</li> <li>b. Walls and retaining walls built of any material including rock riprap or spawls.</li> </ul> But excluding: <ul style="list-style-type: none"> <li>a. Boats, motor craft and vessels; and</li> <li>b. Moorings and ski lanes in the reserved area, as well as weed cordon, buoys, poles, lights and beacons for navigation, safety or regulatory purposes as regulated in the Bay of Plenty Regional Navigation Safety Bylaw 2010 and Waikato Regional Council Navigation Safety Bylaw 2013; and</li> <li>c. Hydro electricity generation structures; and</li> <li>d. Maimai.</li> </ul>
land	includes land covered by water and the airspace above land; and the surface of water in a lake or river.
<del>landscaping/landscaped area</del>	<del>the treatment of a site or part of a site with hard materials or planting, for the purpose of protecting the character or enhancing the amenity of the site. It includes the planting of trees, shrubs, grass, earthworks, and related drainage and the establishment of elements such as walls, fences, screens, hard surfacing and amenity features.</del>  <del>The area of a site covered in grass or plants, and can include the canopy of trees regardless of the ground treatment below them.</del>
light vehicle	see 'vehicle'
line (electricity and telecommunication)	structures to facilitate telecommunications (e.g. landline or mobile infrastructure), radio communications, broadcasting, internet access (e.g. broadband - fibre optic and copper cables) and electricity conduction (including distribution or transmission) and includes wires, cable, conductor of any kind, associated pole or support structures (excluding masts and towers), foundation, insulator, casing, fixture and tunnel, switch gear and fuse gear.
lot	the same meaning as 'Allotment' in section 2 of the Act.
maimai	game bird hunting structures, hides and viewing platforms with a floor area not exceeding 10 square metres located in, on, under or over the bed of a river, stream lake or wetland or within 25 metres on the landward side of the edge of any water

Term	Definition
	body as measured at its maximum annual water level.
maintenance and repair (historic heritage)	work that involves stabilisation, preservation, restoration and conservation as defined in the International Council for Monuments and Sites New Zealand Charter for the Conservation of Places of Cultural Heritage Value, Revised 2010 (the ICOMOS New Zealand Charter 2010); The work does not involve alterations and additions.
mamaku tor	volcanic ignimbrite ‘plugs’ that form distinct cone shaped hills that are geological features typical of the landscape of the Mamaku plateau.
mamaku tor feature	volcanic ignimbrite ‘plugs’ that form distinct cone shaped hills that are geological features typical of the landscape of the mamaku plateau. The mamaku tor features are identified on Planning Map 214.
mamaku tor ONFL	the mamaku tor is an Outstanding Natural Feature and Landscape, comprising of mamaku tor features within the pastoral landscape.
mana	customary authority, control, influence, prestige or power.
mana whenua	customary authority and title exercised by an iwi or hapū over an identified area.
marae	community meeting place or surrounds. Marae customarily means the open space in front of a meeting house upon which various ceremonial occasions are centred. For the purpose of this district plan, Marae also consists of a wharenuī (Māori meeting house) and/or a wharekai hall together with the surrounding area of open ground. It includes such buildings normally used in conjunction with the meeting house or hall, the whole being located on a defined parcel or parcels of land and administered by legally appointed trustees of a trust body for the common use or benefit of a defined group of Māori people.
marae protection area	the area surrounding Marae that are shown as such on the Planning Maps.
margin (of a stream, river, wetland or lake)	the ecological or physical boundary which contributes or may contribute to the maintenance and enhancement of the natural functioning, quality and character of the stream, river, lake or wetland. In a lake this is the strip of land up to the 2.33 metre AEP level.
mauri	life force or essence of living things.
medical centre	professional or consulting rooms for registered medical, dental, optical and other associated practitioners with or without paramedical facilities, operating in a group practice or as a single practitioner. (See also “Paramedical Care Facilities).
micro scale wind turbine	pole mounted structures with a three bladed horizontal axis (windmill) that turns in the wind to generate electricity. Alternatively these can have spinning vertical axes that have no blades. These usually have a rated power output of no more than 20kW.
<u>minimum floor level</u>	<u>the finished level of the underside of the slab or the underside of the floor joist (whichever is applicable).</u>
mining and quarrying	mineral excavation and ancillary earthworks involving stockpiling and re-contouring, deposition of overburden, soil, spoil or other materials, treatment of waste water, clean filling and rehabilitation works, and site offices and accessory buildings. This also includes the processing of the material by such means as screening, crushing, or chemical separation on the site, including the stockpiling of

Term	Definition
	the material, and includes the erection, maintenance, and use of plant and machinery, and associated buildings or structures.
minor <del>household residential</del> unit	a <del>household residential</del> unit that does not exceed 72m <sup>2</sup> excluding garaging.
motor vehicle repair garage	<p>any site where any one or more of the following activities may occur:</p> <ol style="list-style-type: none"> <li>a. the mechanical repair and servicing of motor vehicles (including motor cycles, caravans, boat motors, trailers) and domestic gardening equipment;</li> <li>b. the testing of motor vehicles for Warrant of Fitness or its equivalent; and</li> <li>c. the sale of motor vehicle fuels, kerosene, alcohol based fuels, lubrication oils, tyres, batteries, vehicle spare parts where the purchased items are fitted on the premises.</li> </ol> <p>In addition, in industrial zones the activity may also include:</p> <ol style="list-style-type: none"> <li>a. the reconditioning of motor vehicle engines;</li> <li>b. panelbeating, body repairs and the trimming or spray painting of motor vehicles;</li> <li>c. upholstering and steam cleaning of motor vehicles;</li> <li>d. the wrecking of motor vehicles; and</li> <li>e. towing services.</li> </ol>
motor sports	land or buildings used for competitive recreation directly involving motor vehicles.
national grid sensitive activities	activities sensitive to adverse effects of the National Grid infrastructure relating to amenity, noise, or perceived health risks. These activities are <del>household residential</del> units, schools, day care centres, hospitals and rest homes.
national grid subdivision corridor	<p>the setback distances (metres) around the National Grid network within which buildings and structures are managed and is the area measured either side of the centreline of an above ground electricity transmission line as follows (and indicated in green on the diagram for National grid yards):</p> <ol style="list-style-type: none"> <li>a. 14m for the 110kV transmission line on single poles</li> <li>b. 16m for the 110kV transmission lines on pi poles</li> <li>c. 32m for 110kV transmission lines on towers</li> <li>d. 37m for the 220kV transmission lines</li> </ol>

Term	Definition
<p>national grid yard</p>	<p>(shown in red)</p> <ul style="list-style-type: none"> <li>a. the area located 12 metres in any direction from the outer edge of an electricity transmission support structure;</li> <li>b. the area located 10 metres either side of the centreline of an overhead 110kV electricity transmission line on single poles;</li> <li>c. the area located 12 metres either side of the centreline of an overhead electricity transmission line on pi poles or towers;</li> </ul> <p>ADVICE NOTE:                      The National Grid Network Corridor and National Grid Yard do not apply to underground cables or any transmission lines (or sections of line) that are designated.</p>  <p>LEGEND</p> <p>— Centreline   ● Single Pole   ■ Pi Pole   ■ Tower</p> <p style="text-align: right;">Not to scale</p>
<p>natural and physical resources</p>	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>Includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.</p> </div>
<p>natural ground level</p>	<p>the natural level of ground before any earthworks have taken place, or the level of the ground after authorised earthworks have been carried out before a subdivision is completed.</p>

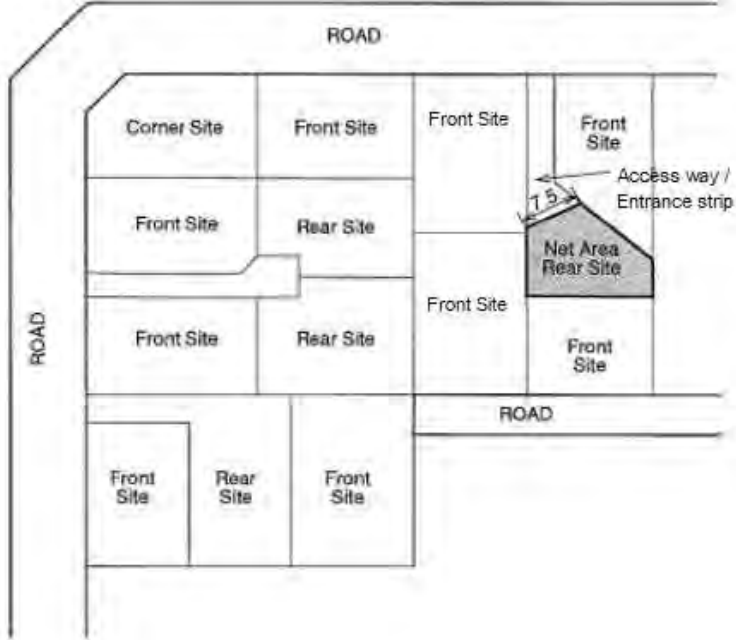
Term	Definition
natural hazard	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.</p> </div>
net floor area (NFA)	<p>the total area of all the floors of a building measured internally (i.e. measurements shall be taken between internal faces of external walls and where there are windows in the external walls between the internal faces of the glass and the centre line of common walls), but excluding common areas such as stairways, escalators, lift shafts and mechanical service equipment areas, staff and public toilets, parking areas, loading spaces, vehicle access and manoeuvring areas, accessways and pedestrian areas, and external balconies.</p>
net-site area	<p><del>the total site area less the area of any common area, or area owned in common with the owners of other sites, right of way or access way used for vehicle or pedestrian access.</del> <u>Means the total area of the site, but excludes: (a) any part of the site that provides legal access to another site; (b) any part of a rear site that provides legal access to that site; (c) any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981.</u></p> <p><u>Refer to figure and definition of rear site for net site area of a rear site.</u></p>
network utility operator	<p>see 'utility operator'</p>
Nitrogen Discharge Allocation	<p>The maximum annual amount of nitrogen loss that is allowed to occur from a property/farming enterprise after 1 July 2032 in accordance with the Bay of Plenty Regional Natural Resources Plan.</p>
noise	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>includes vibration.</p> </div>
noise level	<p>means a sound level measured in accordance with NZS6801:2008 <i>Acoustic – Measurement of Environmental Sound</i> and assessed, unless otherwise stipulated, with NZS6802:2008 <i>Acoustics – Environmental Noise</i>, but excludes the noise from the following sources:</p> <p>All zones:</p> <ol style="list-style-type: none"> <li>a. Construction: Sounds generated by construction, maintenance and demolition activities shall be assessed and controlled by reference to New Zealand Standard NZS 6803:1999 <i>Acoustics – Construction Noise</i>.</li> <li>b. Temporary Military training</li> <li>c. Emergency Services</li> <li>d. Noise from helicopter landing areas: shall be assessed and controlled by reference to the provisions of NZS6807:1994 – Noise management and land use planning for helicopter land areas</li> <li>e. Wind turbine generators with swept area greater than 80m<sup>2</sup>: shall be assessed and controlled by reference to NZS6808:2010 <i>Acoustics – Wind Farm Noise</i></li> <li>f. Emergency drilling in relation to geothermal bores</li> </ol>



Term	Definition
	<p>City Centre; Commercial; Industrial; Business and Innovation, Reserves, Rural, Community and Water zones:</p> <ul style="list-style-type: none"> <li>a. Emergency back-up generators</li> </ul> <p>Rural zones:</p> <ul style="list-style-type: none"> <li>a. Vehicles and mobile machinery associated with agricultural and forestry production that are of limited duration and not in a fixed location (note that ss16 and 17 of the RMA or any relevant provisions superseding them will need to be satisfied).</li> </ul>
<p>ADVICE NOTES:</p> <ol style="list-style-type: none"> <li>1. S. 326 RMA exempts noise from aircraft (including helicopters), vehicles being driven on a road, and trains.</li> <li>2. the control of noise from Rotorua Airport is contained within Appendix 6, Appendix 7 and the Noise chapter through land controls on noise sensitive activities in the Residential 1, Rural 1, Commercial 3 and Business and Innovation 3 zones, and has been prepared in reference to the NZ Standard for Airport Noise Management and Land Use Planning 6805:1992.</li> </ol>	
noise sensitive activities	<p>buildings or parts of buildings used for:</p> <ul style="list-style-type: none"> <li>a. residential activities, including <b>household residential</b> units, tourist accommodation, bed and breakfast and rest homes (except where the residential activity is accessory to another non-sensitive use), papakāinga;</li> <li>b. wharenuī;</li> <li>c. hospitals, including medical centres, paramedical care facilities;</li> <li>d. educational facilities, including kohanga reo;</li> <li>e. daycare centres;</li> <li>f. conference facilities and communal lounges operated as part of a holiday park;</li> <li>g. community facilities.</li> </ul>
<p>ADVICE NOTE: the terms “Noise Sensitive Activities” and “Activities sensitive to aircraft noise” are synonymous, except where stated in relation to acoustic treatment and state highways.</p>	
non-complying activities	<p>activities as defined in section 87A(5) of the Act and which are either identified as non-complying activities by a rule in this plan or are activities that are not specifically prohibited. Council may consider whether to grant consent if it is satisfied that the adverse effects of the activity proposed are no more than minor or the activity is not contrary to the objectives and policies of the plan. Consent may then be refused or granted subject to conditions and in accordance with the Act.</p>
notional boundary	<p>any point 20m from the exterior walls of a dwelling or the legal boundary, whichever is the lesser, for the purpose of assessing noise effects.</p>
nutrient benchmark	<p>average nitrogen and phosphorous losses to the environment over a defined period of time.</p>
objective	<p>the aims of the plan.</p>
obstacle limitation surface (OLS)	<p>the Airspace above the Rotorua Airport and part of the surrounding Rotorua district and includes the northern and southern approach and take-off surfaces,</p>

Term	Definition
	Transitional Side Surface, Inner Horizontal Surface and Conical surface as described in Appendix 6 – Designations and shown on Map 207
offensive trade	a trade listed in the Health Act 1956, Schedule 3, which includes blood or offal treating, fish cleaning and curing, flax pulping, refuse collection and disposal, slaughtering of animals for any purpose other than human consumption, storage, drying, or preserving of bones, hides, hoofs, or skins and wood pulping.
office activity	in addition to the ordinary and customary meaning includes activities carried out in laboratories, computer bureaux, data processing facilities, finance houses, insurance agencies.
off-site effects	In relation to contaminated land and hazardous substances: effects on people, property and/or the natural environment outside the boundary of the site of activities involving the use, storage, disposal or transpiration of hazardous substances.
outdoor recreation	recreation activities carried out in the open air, and where any buildings associated with these activities are accessory to such activities.
outdoor recreation outlet stores	large retail stores focussed on supplying outdoor recreation goods such as mountain bikes, fishing, hunting, camping. These stores have a ground retail floor area no less than 400m <sup>2</sup> .
outer control area	the area that has been assessed as likely to have future aircraft noise levels between L <sub>dn</sub> 55dBA and L <sub>dn</sub> 60dBA and which is shown on the Planning Maps.
outstanding natural features and landscapes	natural features and landscapes identified in Natural Environmental Values, the location and extent of which are shown on the Planning Maps.
<u>overland flowpath</u>	<u>The land overflowed by a concentrated flow of water in an intense rainfall event, as it flows towards the stormwater network, streams, rivers, or lakes. Overland flowpath includes a secondary flowpath which is activated when the primary (often piped) stormwater system gets blocked or when the capacity of the piped system is exceeded. For the purposes of this definition, an overland flowpath includes, but is not limited to, an artificially designed route using formed or hard surfaces.</u>
oxidising capacity	In relation to contaminated land and hazardous substances: capacity to contribute to fire or explosion due to the release of oxygen – see HSNO regulations.
papakāinga	a settlement developed by and for tangata whenua on land in their traditional rohe including but not limited to residential activities.
papakāinga housing	the provision of more than two <u>household residential</u> units on Māori land for tangata whenua who have 'mana whenua' status and includes kaumātua housing.
paramedical care facilities	facilities for care and welfare of people and includes physiotherapists, chiropractors and acupuncturists and osteopaths.
parking	the stopping or standing of a vehicle on any site and excludes the loading and unloading of vehicles in the course of trade.
passive recreation	recreation activities that do not involve the use of vehicles (including bicycles) or motorised equipment or any organised sport.

Term	Definition
passive surveillance	design for neighbouring occupiers or frequent users to overlook land so that there is a perception that the land could be under surveillance giving a consequent benefit to the safety and security of users of that land.
pedestrian focussed street	a road, identified in the planning maps, where there is a focus on creating a pleasant pedestrian environment. Elements in the streetscape to enhance the amenity of the street include architectural design and landscape elements such as lighting, trees, decorative paving, seating, water features, etc that promote the safe and comfortable use of streets and open spaces.
permitted activity	an activity as defined in section 87A(1) of the Act and that is identified as a permitted activity by a rule in this Plan as being permitted and therefore does not require resource consent, provided that also complies with the rules and performance standards. A Certificate of Compliance can be applied for to confirm that an activity can be done lawfully in a particular location without resource consent.
policy	a course of action to achieve an objective.
pooling hazardous substance	In relation to contaminated land and hazardous substances: hazardous substance that is a liquid or is likely to liquefy in a fire.
potentially contaminated land	In relation to contaminated land and hazardous substances: a piece of land where activities or industries are or have been undertaken, which are described in the Hazardous activities and Industries List (HAIL) which has been adopted by the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. This includes a piece of land where it is more likely than not that an activity or industry described in HAIL is being or has been undertaken on it.
PSA buildings (as provided for within the national grid yard)	buildings provided for the purpose of preventing contamination of kiwifruit vines by the <i>Pseudomonas Syringae</i> pv. <i>Actinidiae</i> (PSA) bacterium.
<u>principal living room</u>	<u>The main living and dining room in a residential unit. For studio apartments the principal living room is also the principal bedroom.</u>
private road	any roadway, place, or arcade laid out or formed on private land, but intended for the use of the public.
private way	any way or passage whatsoever over private land where the right to use it is limited to certain persons or classes of persons, and not for the use of the public generally.
prohibited activities	an activity defined in section 87A(6) and is identified as a prohibited activity by a rule in this plan, for which no application for consent can be made and the council must not grant consent.
pulp mills	a manufacturing operation which converts wood chips or other plant material to wood pulp or fibre board.
quarry	means a location or area used for the permanent removal and extraction of aggregates (clay, silt, rock or sand). It includes the area of aggregate resource and surrounding land associated with the operation of a quarry and which is used for quarrying activities.
quarrying activities	means the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock,

Term	Definition
	sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry.
radioactive substances	In relation to contaminated land and hazardous substances: means the ability of substance to spontaneously disintegrate atomic nuclei, usually with the emission of penetrating radiation or particles.
rear site	<p>a site which is situated generally to the rear of another site, but with an access way to the road or private road of not less than the minimum width to serve the potential number of household units allowed for as a permitted or controlled activity in the zone.</p> <p><u>A site with frontage of less than 7.5m to a legal road or private road.</u></p> 
rear yard	see 'yard'
refuse	any waste or discarded material, including rubbish, ashes, dust, debris, paper garbage, cardboard, rubble, ballast, stones, scrap material, glass, china, bones, waste food, cans, containers, clothing, metal, organic garden material, but does not include cleanfill.

Term	Definition
renewable electricity generation	the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network or the national grid and electricity storage technologies associated with renewable electricity.
<u>residential activity</u>	<u>means the use of land and building(s) for people's living accommodation.</u>
<u>residential unit</u>	<u>means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.</u>
resort spa	a spa service within a hotel or resort, as one of a range of activities which may also include golf, swimming, hiking, sailing, kayaking, motor boating, nature trails, and other similar activities.
restaurant	premises for the sale of prepared food and incidental sale of liquor and drinks, primarily for the consumption on the premises and includes cafes. It may include the accessory sale of takeaway food from the premises.
rest home	a multi-unit housing facility intended for the elderly where additional facilities are provided which may include provision of meals, gathering spaces, recreation, and some form of wellness or medical facilities.
restricted discretionary activities	an activity that is defined in section 87A(3) of the Act and is identified as a restricted discretionary activity by a rule in this plan. Council may use its discretion to grant or decline consent, or to place conditions on a consent, but is restricted to those matters specified in the District Plan.
retail shop	<p>any building or part of a building in which goods and/or services are provided or sold, displayed for sale, leased or auctioned to the general public and includes floor space accessory to that activity. A retail shop includes such activities by way of for example, but not limited to: dairies; TAB's; postal and real estate agencies; travel and tourist offices; hairdressers; beauty salons; photographers; dry cleaning and laundry services; other personal or goods-repair services; prepared foods; clothing; footwear; electrical and homeware; jeweller; art; banking and financial services; and gift and souvenirs.</p> <p>A retail shop also includes the business of any wholesaler who by means of signs or any other form of advertising solicits business from the general public.</p> <p>Retail shop does not include a supermarket, as defined, or restaurant or any building or part of a building used for the sale of the following items: motor vehicles, motor vehicle spare parts and accessories that are fitted on site, heavy industrial machinery, firewood and solid fuels, materials associated with the building trade, farm supplies and farm equipment, or demolition goods.</p>
retirement area	an area of land that has been retired from previous agricultural production activities and that has been secured for the purposes of conservation, recreation or public access as a permanent land use change with a maintenance and management requirement through a covenant registered on the title or through a similarly binding legal mechanism.
reverse sensitivity	the potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment of other activities which are sensitive to the adverse environmental effects being generated by the pre-existing activity.

Term	Definition
riparian margin	a strip of land of varying width adjacent to the bed of a stream, river, lake or wetland, which contributes or may contribute to the maintenance and enhancement of the natural functioning, quality and character of the stream, river, lake or wetland; and the natural character of the margins of streams, rivers, lakes and wetlands. It does not include land adjacent to artificial watercourses and ephemeral flowpaths.
risk	the chance of something happening that will have an impact upon objectives. It may be an event, action, or lack of action. It is measured in terms of consequences and likelihood.  In relation to contaminated land and hazardous substances: risk is the chance of something happening that will have an impact on the environment.
risk assessment	In relation to contaminated land and hazardous substances: overall process of risk identification, risk analysis and risk evaluation. (AS/NZS 3931:1998).
risk mitigation	In relation to contaminated land and hazardous substances: steps taken to reduce the probability of occurrence or the magnitude of the consequences.
river	has the same meaning as in section 2 of the RMA (as set out in the box below)  <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).</p> </div>
road	road has the same meaning as in section 315 of the Local Government Act 1974 and means the whole of any land which is within a district, and which is or is vested in the council as a road or street or public highway. It includes an access way or service lane and every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing associated with it.  Urban Road – encompasses the road reserve and contains the airspace above the road reserve.  Rural Road - encompasses the carriageway and the land 10 metres either side of the centre line of the formed road to accommodate any difference between the alignment of the formed road and the road reserve until such time as the alignment is confirmed and corrected.
road signs	all regulatory, traffic and official signs approved by either a road controlling authority or under any legislation, which are erected on a legal road or motorway.
rural contractor's depot	the land and buildings used for the purposes of storing or maintaining agricultural or forestry machinery, vehicles, implements and associated goods and supplies and includes a haulage contractor's depot.
rural industry	an industry that involves the direct handling or processing to the first stage of manufacture of raw produce harvested from forestry, agriculture, or other land related activity, including mining and quarrying activities.
sawmilling	the processing of trees, including stumps and or logs into timber.

Term	Definition
<del>semi-detached unit</del>	<del>a household unit joined by a common wall to one other household unit. This includes household units with an attached garage where the garage also shares a common wall with a separate household unit or its attached garage. It does not include dwelling units with detached accessory buildings that share a common wall with separate dwelling units or their accessory buildings. It does not include dwelling units on separate floor levels of the same building (that is, attached vertically). It also does not include units that are in a group of three or more attached units</del>
sensitive activities	activities with an expectation of human occupancy of buildings which would by reason of the period of occupancy or vulnerability would be sensitive to the risks from adverse effects on health, safety, amenity and peace of mind from existing activities. Such activity includes schools, residential buildings and hospitals.
separation distance	In relation to contaminated land and hazardous substances: the distance from the edge of the area where hazardous substances are used, stored or otherwise handled to the edge of the area exposed to define adverse effects.
service lane	land vested in the ownership of Council for which the dominant function is to provide access for parking loading and unloading of goods and services.
service station	an activity which sells fuels (including petrol, LPG, CNG and diesel) and may also include any one or more of the following : <ul style="list-style-type: none"> <li>a. the sale of kerosene, alcohol based fuels, lubrication oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motoring;</li> <li>b. ancillary retail premises for the display, sale or hire of retail goods (other than motor vehicle parts, accessories or goods associated with motoring); and</li> <li>c. car wash facilities.</li> </ul>
sewage	means human excrement and urine.
showhome	a <del>household</del> residential unit built to showcase workmanship, quality and available options and where no more than one person can be employed on site at any one time.
side yard	see 'yard'
sign or signage	any symbol, display or device intended to attract attention and which is visible from beyond the boundary of the site. The sign can be permanent or temporary, free standing or attached. Any board, hoarding, pole, flag, movable or immovable structure erected specifically for the purpose of supporting the sign is included in the definition. Free Standing Sign: A sign which is not attached or forming part of any other building or structure and which is fixed directly to the ground by poles or other supporting devices and also includes any sign which is movable. Attached Sign: Attached signs include those affixed to, placed or painted on any fence, structure or building and the painting of the building or structure in corporate colours.

Term	Definition
significant geothermal features	geothermal features assessed as being significant in accordance with the method, descriptions and criteria of the Bay of Plenty Regional Policy Statement; or within the Waikato Region: Significant Geothermal Features that are assessed in accordance with section 9B of the Waikato Regional Policy Statement, except that within Development or Limited Development geothermal systems, Significant Geothermal Features shall be those identified and mapped in the Waikato Regional Plan in accordance with method 9.2.2 of the Regional Policy Statement.
significant natural area (SNA)	'significant indigenous vegetation and significant habitats of indigenous fauna' SNA are listed in Appendix 2- Natural Heritage Inventory and their location and extent are shown on the Planning Maps.
significant nutrient reduction	nutrient reduction will be deemed to be significant where it is in accordance with 'Definitive Land Use Change'.
site	<ul style="list-style-type: none"> <li>a. an area of land which is the smaller land area of either: <ul style="list-style-type: none"> <li>i. land comprised in a single lot held in one Computer Freehold Register (as that term is defined in the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002); or</li> <li>ii. land comprised in a single lot or the balance area on an approved subdivision scheme plan for which a separate certificate of title can be issued without further Council involvement.</li> </ul> </li> <li>b. an area of land comprising two or more adjoining lots held in one certificate of title that cannot be treated separately without the Council granting its consent.</li> <li>c. an area of land comprising two or more adjoining lots held in two or more certificates of title where the titles are: <ul style="list-style-type: none"> <li>i. subject to Section 75 of the Building Act 2004: "Construction of building on 2 or more allotments" or Section 37 of the Building Act 1991: "Construction of building on 2 or more allotments"; or</li> <li>ii. held together in such a manner that they cannot be assessed individually without the consent of the Council.</li> </ul> </li> <li>d. an area of Māori freehold land that either: <ul style="list-style-type: none"> <li>i. is land created by way of partition under Sections 297 and 301 of Te Ture Whenua Māori Act 1993 (The Māori Land Act 1993) and held in one Māori Land Court Title, or</li> <li>ii. is land defined by survey and created by way of partition into one parcel to be held by an owner who is a member of the same hapū, or owners who are members of the same hapū, or</li> <li>iii. is land defined by survey and held in a Māori Land Court Title and for which ownership can be determined, or</li> <li>iv. is land defined by survey and created by way of partition for a site for a dwelling under Section 296 of Te Ture Whenua Māori Act 1993 (The Māori Land Act 1993).</li> </ul> </li> <li>e. an area of Māori Customary Land.</li> <li>f. is land defined by survey and reserved under the Reserves Act 1977 or Te Ture Whenua Māori Act 1993 (The Māori Land Act 1993).</li> <li>g. notwithstanding paragraphs 1– 6 above, where land has been subdivided under the cross lease or company lease systems (other than unit titles), a site</li> </ul>




Term	Definition
	<p>means an area of land containing:</p> <ul style="list-style-type: none"> <li>i. building(s) for residential, commercial and industrial activities with any accessory building(s) and land exclusively set aside for the occupants/users of the building(s); or</li> <li>ii. any share in the fee simple which creates a vacant part of the whole for future cross lease or company lease purposes; and</li> <li>h. notwithstanding paragraphs 1– 6 above, any land subdivided under the Unit Titles Act 1972 (other than unit titles) a site shall mean either: <ul style="list-style-type: none"> <li>i. The area of land containing the principal unit (or proposed unit) on the unit plan, and any identified accessories to that principal unit, or</li> <li>ii. The underlying certificate of title of the land containing the unit titles, immediately prior to subdivision.</li> </ul> </li> <li>i. in addition to the above, the following shall apply: <ul style="list-style-type: none"> <li>i. Where a site is divided by the district boundary, the area of the site remaining within the district shall be considered the site.</li> </ul> </li> </ul>
site area	the total area of any site.
site coverage	<p><del>that portion of the site over which buildings may be constructed.</del></p> <p><del>Any area provided for the purposes of access and including but not limited to roads, Māori roadways, rights of way, access lots, and access ways, and any eaves of a building that do not exceed 0.6m in width shall be excluded from the calculation of site coverage.</del></p> <p><u>Refer to building coverage</u></p>
site management systems	<p>In relation to contaminated land and hazardous substances:</p> <p>the means of ensuring the ongoing safety of a hazardous facility through sound management. A site management system should include a safety policy, provide a description of organisational structure and responsibilities, including operating, emergency and monitoring procedures and carry out regular performance auditing.</p>
solar access	the ability of a building to gain heat and light from the sun through orientation towards the north.
spa services	the provision of wellness, relaxation, medical and health education programmes. Spa services may include using a geothermal resource (water, heat, mud), beauty therapy and clinics, massage, hairdressing, weight loss clinics, medical services, and ancillary retail of associated product. Equipment used may include sun-beds, sauna, pools and associated electrical equipment.
speciality and fresh food stores	In relation to Lakeside East Mixed Use Precincts: a retail shop selling speciality grocery goods and fresh food goods.
speciality retail	<p>In relation to Lakeside East Mixed Use Precincts: retail stores that have a floor area no greater than 400m<sup>2</sup>. These establishments typically concentrate their efforts on selling a single type or very limited range of merchandise or particular brand. These stores locate within the city centre and are dependent on pedestrian activity rather than vehicular access. Specialty clothing stores, book stores jewellery stores and travel stores are examples of this category.</p>
spill containment system	In relation to contaminated land and hazardous substances:

Term	Definition
	structure which will contain liquid or solid hazardous substances in the event of a spill, and prevent them from entering the stormwater system or a natural water body.
storage	<p>In relation to contaminated land and hazardous substances: the containment of a substances, either above ground or underground, which is not being used for the manufacturing or being altered to another substance and includes the filling and emptying of containers, but does not include:</p> <ul style="list-style-type: none"> <li>a. use of a substances as a cooling or heating medium; or</li> <li>b. the temporary storage of substance in tanks for spray irrigation, storage of animal effluent, dairy factory wastewater or dairy by-products and sewage.</li> </ul>
stormwater	means run-off that has been intercepted, channelled, diverted, intensified or accelerated by human modification of a land surface, or run-off from the surface of any structure, as a result of precipitation and includes any contaminants contained within.
streetscape	the character and appearance of the natural and built elements in the street.
structure	see 'building'
subdivision	<p>has the same meaning as "subdivision of land" in section 218 of the RMA (as set out in the box below)</p> <div style="border: 1px solid black; padding: 10px;"> <p>means—</p> <ul style="list-style-type: none"> <li>a. the division of an allotment— <ul style="list-style-type: none"> <li>i. by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or</li> <li>ii. by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or</li> <li>iii. by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or</li> <li>iv. by the grant of a company lease or cross lease in respect of any part of the allotment; or</li> <li>v. by the deposit of a unit plan, or</li> <li>vi. an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or</li> </ul> </li> <li>b. an application to the Registrar-General of Land for the issue of a separate certificate</li> </ul> </div>
substance	<p>In relation to contaminated land and hazardous substances:</p> <ul style="list-style-type: none"> <li>a. any element, defined mixture of elements, compounds or defined mixtures of compounds, either naturally occurring or produced synthetically or any mixtures thereof;</li> </ul>

Term	Definition
	<ul style="list-style-type: none"> <li>b. any isotope, allotrope, isomer, congener, radical, or ion of an element or compound which has been officially declared by the Environment Risk Management Authority to be a different substance from that element or compound;</li> <li>c. any mixtures or combinations of any of the above; and</li> <li>d. any manufactured article containing, incorporating or including any hazardous substances with explosive properties – see HSNO regulations.</li> </ul>
substantial building	a lawfully established <u>household residential</u> unit in residential or rural zones where any contribution required has been received by Council.
substation	has the same meaning as in the Electricity Regulations 1997 which means those parts of works or electrical installations, being a building, structure, or enclosure, incorporating fittings that are used principally for the purposes of the control of the distribution of electricity, including transformers, switches, control boxes, cable and fuse cabinets.
supermarket	retail premises primarily selling a wide range of fresh produce, meat and other foodstuffs and a wide range of packaged food and non-food items for consumption or use off the premises and may include a Lotto shop and pharmacy as one enterprise in premises not smaller than 500m <sup>2</sup> of trading floorspace.
sustainable building design	<p>design to reduce the environmental impact of the construction and operation of buildings by:</p> <ul style="list-style-type: none"> <li>a. assessing the entire life cycle of the building to identify overall environmental footprint and impact</li> <li>b. minimising waste and toxins</li> <li>c. reusing and recycling materials wherever possible</li> <li>d. reducing stormwater runoff</li> <li>e. efficiently using energy, materials and water</li> <li>f. protecting occupant health and improving employee productivity</li> <li>g. optimising ongoing operation and maintenance</li> </ul>
sustainable management	<p>has the same meaning as in section 5 of the RMA (as set out in the box below)</p> <div style="border: 1px solid black; padding: 10px;"> <p>means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—</p> <ul style="list-style-type: none"> <li>a. sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and</li> <li>b. safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and</li> <li>c. avoiding, remedying, or mitigating any adverse effects of activities on the environment.</li> </ul> </div>
takeaway food premises	premises primarily for the sale of food for consumption off the premises.

Term	Definition
tangata whenua	a term used for recognising local people, whether at a collective level or as an individual. With regard to environmental matters, Tangata Whenua are described as “people of the land”, the iwi, or hapū that holds mana whenua over that area.
tāonga	treasures or property which is highly prized whether tangible or intangible. Tangible examples are all sorts of heirlooms and artefacts, land and fisheries. Intangible examples may include language, spiritual beliefs and riparian rights.
tapū	sacred or subject to restriction.
tavern	a building or buildings principally for the sale of liquor for guests on site. The activity may also include an accessory restaurant or off-licence facility.
telecommunication facilities	free standing telecommunication installations, including towers, masts, antennae, microwave dishes, telephone exchanges, equipment shelters and buildings, cabinets, telephone boxes and accessory equipment.
temporary activities and events	an activity or event carried out for a period of no longer than 28 days in any calendar year, including:  Individual carnivals, fairs, galas, public meetings, filming, concerts, sporting, cultural, community and other special events and associated temporary buildings and structures.
temporary military training activities	temporary military training activities undertaken for defence purposes (as defined in the Defence Act 1990).
temporary signs	any sign for temporary activities, events, or information, established for the purpose of: <ul style="list-style-type: none"> <li>a. Announcing a campaign, drive or sale of a sporting, religious, commercial, cultural, charitable, tourism or educational nature;</li> <li>b. Providing information in relation to a construction site or the sale or auction of real estate; or</li> </ul> Advertising a single forthcoming event (including concerts, markets or sales) including the advertising of cultural, religious and educational (and accessory activities such as school galas and reunions), community and sporting events.
temporary stockpiling	any short term storage of reusable or recyclable materials or cleanfill above the natural ground level and complies with the following in all respects: <ul style="list-style-type: none"> <li>a. Is not stored for more than three months in any 12 month period;</li> <li>b. The stockpile does not contain refuse or hazardous substances;</li> <li>c. The storage is not a nuisance under the Health Act 1956.</li> </ul>
territorial authority	has the same meaning as in section 5 of the Local Government Act 2002 (as set out in the box below) <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> means a city council or a district council named in Part 2 of Schedule 2. </div>
tikanga	Māori custom, rule or method, the right way of doing something.
topographical severance	a natural feature such as a river, steep ridge or gully, which physically separates part of a property from a residual part, such that the integrated management and full utilisation of activities across both parts is severely restricted.

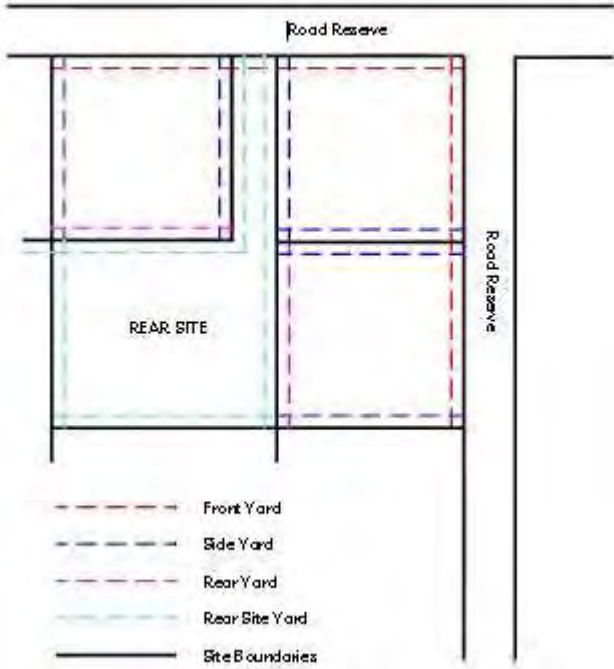
Term	Definition
tourist accommodation	land and buildings for use as temporary accommodation by paying guests, where the accommodation is not their normal place of residence and includes motels, hotels, boarding houses, private hotels, tourist house licensed premises, guest houses, backpacker lodges, youth hostels and similar accommodation, and includes accessory facilities such as visitor, service and recreation facilities, conference facilities and restaurants. Tourist Accommodation does not include Bed and Breakfast or Holiday Rental Accommodation.
tourist shop	a shop selling souvenirs, such as pottery, arts and crafts, animal skin or leather products.
trade retail	any building or part of a building where retail sale or rental of motor vehicles, motor vehicle spare parts and accessories that are fitted on site, heavy industrial machinery, materials associated with the building trade, farm supplies and farm equipment, garden centres, bulky DIY items and <del>household</del> residential goods.
trade waste	relating to contaminated and hazardous substances is defined as any wastewater or liquid, with or without matter in suspension or solution that is or may be discharged from a trade premise in the course of any trade or industrial process operation, or in the course of any activity or operation of a like nature, but does not include stormwater or domestic sewage.
trading floor space	the area of the premises to which the public have access for the purpose of shopping, together with any area: <ul style="list-style-type: none"> <li>a. taken up for the purpose of display of goods, and</li> <li>b. any counter and behind counter areas used by, or occupied exclusively by, staff members whilst actively engaged in serving the public.</li> </ul>
transient values	the consistent occurrence of transient features (for example the seasonal flowering of pohutukawa) contributes to the character, qualities and values of the landscape; landscapes are widely recognised for their transient features and the contribution these make to the landscape.
transport operators depot	see 'carrier'.
truck stop	a commercial facility that provides fuel and parking and mechanical services to heavy vehicles.
unit or unit of accommodation	with regard to parking requirements means a separate unit either self-contained as in households and motels, or a bedroom as in Tourist houses and hotels.
upgrade	maintenance, replacement, or addition provided that the effects are of the same or similar character, intensity and scale as the existing activity. In relation to electricity and telecommunications lines, it means the increase in the carrying capacity, efficiency or security of electricity and telecommunication lines, utilising the same or similar structure(s) and includes: <ul style="list-style-type: none"> <li>a. the addition of lines, circuits or conductors to the existing overhead network</li> <li>b. customer service connection lines from existing support structures</li> <li>c. replacement of conductors with conductors with higher capacity</li> <li>d. the adjustment of sagging of conductors</li> <li>e. the addition of longer or more efficient insulators</li> <li>f. the addition of earthwires (which may contain the telecommunication lines, earthpeaks and lightning rods)</li> </ul>

Term	Definition
	<ul style="list-style-type: none"> <li>g. the bonding of conductor</li> <li>h. the addition of electrical fitting</li> <li>i. support structure replacement within the same location as the support structure that is to be replace</li> <li>j. the replacement of existing cross-arms of an alternative design, and</li> <li>k. an increase in support structure height required to comply with the New Zealand Electrical Code of Practice 34:2001 by not more than 15% of the base height of the support structure and where the base height is defined as the height of the structure at the date of public notification of the plan.</li> </ul> <p>Upgrading shall not include an increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage.</p>
unformed track	<p>in relation to pedestrian and cycling tracks in SNAs, means a track that does not have any formal edging, all weather or permanent surfacing or structures such as bridges or timber walkways. An example is shown below:</p> 
unintentional release	<p>In relation to contaminated land and hazardous substances unplanned or unwanted release of a hazardous substance or substances that may or may not be detected immediately.</p>
urupā	grave or burial site.
usable land	<p>all land except:</p> <ul style="list-style-type: none"> <li>a. areas with a Land Use Capability of Class VII and VIII;</li> <li>b. ephemeral watercourses;</li> <li>c. wet areas;</li> <li>d. slopes over 35 degrees;</li> <li>e. Significant Natural Areas.</li> </ul>
use	<p>In relation to contaminated land and hazardous substances: the manufacturing, processing or handling of a substance for a particular activity without necessarily changing the physical state or chemical structure of a substance involved. This includes mixing, blending, and packaging operations, but does not include:</p> <ul style="list-style-type: none"> <li>a. the filling or drawing of substances from bulk storage tanks unless the processing is permanently connected to the bulk storage;</li> <li>b. loading out and dispensing of petroleum products; and</li> <li>c. the discharge of substances onto land, water or air, which is managed by the Regional Council. This includes the application of substances such as pesticides</li> </ul>

Term	Definition
	or fertilisers, for spray irrigation, disposal of animal effluent, dairy factory wastewater, dairy by-products and liquids.
utility operator	<ul style="list-style-type: none"> <li>a. a person who undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy; or</li> <li>b. operates or proposes to operate a network for the purpose of               <ul style="list-style-type: none"> <li>i. telecommunication as defined in <a href="#">section 5</a> of the Telecommunications Act 2001; or</li> <li>ii. radiocommunication as defined in <a href="#">section 2(1)</a> of the Radiocommunications Act 1989; or</li> </ul> </li> <li>c. is an electricity operator or electricity distributor as defined in <a href="#">section 2</a> of the Electricity Act 1992 for the purpose of line function services as defined in that section; or</li> <li>d. undertakes or proposes to undertake the distribution of water for supply (including irrigation); or</li> <li>e. undertakes or proposes to undertake a drainage or sewerage system; or</li> <li>f. constructs, operates, or proposes to construct or operate, a road or railway line; or</li> <li>g. is an airport authority as defined by the <a href="#">Airport Authorities Act 1966</a> for the purposes of operating an airport as defined by that Act; or</li> <li>h. is a provider of any approach control service within the meaning of the <a href="#">Civil Aviation Act 1990</a>; or</li> <li>i. undertakes or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under the Resource Management Act.</li> <li>j. The words network utility operation have a corresponding meaning.</li> </ul>
vehicle	cars and station wagons, vans, utilities and light trucks up to 3500kg gross vehicle mass and mini buses up to 12 seat capacity.
versatile land	land under the New Zealand Land Use Capability Classification System categorized as being in Classes 1, 2 and 3.
vessel	<p>a boat that is:</p> <ul style="list-style-type: none"> <li>a. a houseboat or other boat designed or adapted for the predominant purpose of providing temporary or permanent accommodation; or</li> <li>b. a boat with permanent fittings enabling the discharge of sewage or grey water unless it is fitted with holding tanks for sewage and/or grey water; or</li> <li>c. any boat with a hull length exceeding 20 metres.</li> </ul>
wāhi tapū	sacred place
warehouse	any building or part of a building, or land, where materials, articles or goods are stored pending sale or disposal to a retail shop, trader or manufacturer.
waterbody	In relation to contaminated land and hazardous substances any natural watercourse, including streams, rivers, lakes and aquifers. It does not include stormwater pipes or channels.

Term	Definition
wet area	an area of land that has ponded water during or after rainfall. For the purposes of defining usable land, the area carries or ponds water during or resulting from a 10% AEP rainfall or flood event.
wetland	includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions but does not include artificially created wetlands. For the purposes of controlling land use with regard to wetlands they are defined as those listed in Appendix 2 – Natural Heritage Inventory.
whānau	the extended family (grandparents, parents and children) sharing a mutual existence.
wharenuī	meeting house, large house - main building of a marae where guests are accommodated and key marae functions are held. Traditionally the wharenuī belonged to a hapū or whānau of the rohe (region).
wholesale outlet	land or buildings from which merchandise is sold or transferred to persons whose occupation it is to re-sell to the general public, or for the use by other businesses such as the building trade, distributors, farming and office equipment.
yard	<p>the space within and adjacent to the boundaries of a site which is required to be left unoccupied and unobstructed by buildings from the ground upwards having the dimension specified in the rules for the zone, except as otherwise provided by this District Plan. <u>In zones other than the Residential 1 and 2 Zones, t</u>The eaves of any building and any roof, gutter or downpipe may intrude into any yard by not more than 600mm.</p> <p>Where a road widening designation applies, the yard shall be measured as if any required road widening had been removed from the site.</p> <ol style="list-style-type: none"> <li>a. front yard means a yard between a road frontage of a site and a line parallel thereto, extending across the full width of the site.</li> <li>b. rear yard means a yard between the rear boundary of the site, and a line parallel thereto extending across the full width of the site.</li> <li>c. rear site yard in respect of any rear site, means rear yard a continuous rear yard bounded by all the boundaries of the site (except any boundary fronting a road).</li> <li>d. side yard means a yard which, except for any portion of the site comprised in a front or rear yard, lies between the full length of a side boundary and a line parallel thereto, provided that in respect of a site with more than one frontage every boundary not fronting a road shall be deemed to be a side boundary.</li> </ol>



Term	Definition
	 <p style="text-align: center;">Road Reserve</p> <p style="text-align: center;">REAR SITE</p> <p style="text-align: center;">Road Reserve</p> <ul style="list-style-type: none"> <li>--- Front Yard</li> <li>--- Side Yard</li> <li>--- Rear Yard</li> <li>--- Rear Site Yard</li> <li>— Site Boundaries</li> </ul>

# ABBREVIATIONS

## NGĀ WHAKAMĀRAMA

Abbreviations is Operative

Abbreviation	Explanation
HNZPT	Heritage New Zealand Pouhere Taonga
m.s.z.	More sensitive zone
NA or na	Not applicable
NES	National Environmental Standard
ONFL	Outstanding Natural Feature of Landscape
RMA	Resource Management Act 1991
SNA	Significant Natural Area

# Part 1: Introduction and General Provisions

## NATIONAL DIRECTION INSTRUMENTS

# NATIONAL POLICY STATEMENTS AND NEW ZEALAND COASTAL POLICY STATEMENT

## National policy statements and New Zealand Coastal Policy Statement

National policy statements (NPSs) and the New Zealand Coastal Policy Statement (NZCPS) form part of the Resource Management Act's policy framework and are prepared by central government. NPSs and the NZCPS contain objectives, policies and methods that must be given effect to by policy statements and plans. NPSs and the NZCPS must also be given regard to by consent authorities when making decisions on resource consent applications, alongside other considerations.

The following table provides an overview of whether any relevant review of the Rotorua District Plan has been undertaken in relation to NPSs and the NZCPS.

<a href="#">National Policy Statement on Freshwater Management 2014 (amended in August 2017)</a>	The Rotorua District Plan has not been reviewed with respect to this national policy statement.
<a href="#">National Policy Statement on Urban Development 2022<del>0</del></a>	The parking provisions (removal of minimum parking requirements) have been addressed. <del>The Rotorua District Plan has not been reviewed with respect to the remainder of this national policy statement.</del>
<a href="#">National Policy Statement on Renewable Electricity Generation 2011</a>	This formed part of the legislative background when the current Rotorua District Plan was reviewed. Relevant provisions include strategic objectives and policies for renewable electricity and special rules for the hydro dam electricity generation core sites.
<a href="#">New Zealand Coastal Policy Statement 2010</a>	This national policy statement does not apply to the Rotorua District Plan.
<a href="#">National Policy Statement on Electricity Transmission 2008</a>	This formed part of the legislative background when the current Rotorua District Plan was reviewed. Relevant provisions included with this review include the special rules for the national grid yard.

# NATIONAL ENVIRONMENTAL STANDARDS

## National environmental standards

National environmental standards (NESs) are prepared by central government and can prescribe technical standards, methods (including rules) and/or other requirements for environmental matters throughout the whole country or specific areas. If an activity doesn't comply with an NES, it is likely to require a resource consent. NESs must be observed and enforced by local authorities. The following NESs are currently in force:

- [Resource Management \(National Environmental Standards for Storing Tyres Outdoors\) Regulations 2021](#)
- [Resource Management \(National Environmental Standards for Freshwater\) Regulations 2020](#)
- [Resource Management \(National Environmental Standards for Marine Aquaculture\) Regulations 2020](#)
- [Resource Management \(National Environmental Standard for Plantation Forestry\) Regulations 2017](#)
- [Resource Management \(National Environmental Standards for Telecommunication Facilities\) Regulations 2016](#)
- [Resource Management \(National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health\) Regulations 2011](#)
- [Resource Management \(National Environmental Standards for Electricity Transmission Activities\) Regulations 2009](#)
- [Resource Management \(National Environmental Standard for Sources of Human Drinking Water\) Regulations 2007](#)
- [Resource Management \(National Environmental Standards for Air Quality\) Regulations 2004 \(amended 2011\)](#)

# REGULATIONS

## Regulations

The regulations included in this chapter come under the Resource Management Act 1991 (excluding the national environmental standards listed above). These regulations are:

- [Resource Management \(Discount on Administrative Charges\) Regulations 2010](#)
- [Resource Management \(Exemption\) Regulations 1996](#)
- [Resource Management \(Exemption\) Regulations 2017](#)
- [Resource Management \(Forms, Fees, and Procedure\) Regulations 2003](#)
- [Resource Management \(Infringement Offences\) Regulations 1999](#)
- [Resource Management \(Marine Pollution\) Regulations 1998](#)
- [Resource Management \(Measurement and Reporting of Water Takes\) Regulations 2010](#)
- [Resource Management \(Network Utility Operations\) Regulations 2016](#)
- [Resource Management \(Transitional, Fees, Rents, and Royalties\) Regulations 1991](#)

Part 2: District Wide  
Matters

NATURAL  
ENVIRONMENT  
VALUES

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## ECO

ECOSYSTEMS AND BIODIVERSITY –  
RAUWIRINGA KAIAO ME TE KOIORA

Status: ECO is Operative with the exception of the changes proposed by Plan Change 3: Significant Natural Areas (notified 27 July 2019), which are shown with striking and underlining. The proposed additions to the Significant Natural Areas schedule and associated map changes have immediate legal effect (refer to section 86B of the Act).

The provisions are subject Plan Change 9 amendments are shown in underline and ~~strikethrough~~.

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## INTRODUCTION

The District Plan is required to uphold the purpose of the Resource Management Act 1991, which is set out in Section 5 of the Act. As part of this Council must recognise and provide for the matters of national importance listed under Section 6, including:

*The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (section 6(c)).*

The purpose of this chapter is to recognise and provide for the characteristics identified under Section 6 that are located within the district, without unduly restricting the property rights of landowners. It is important that the District Plan balances the ability to make use of land and resources, whilst at the same time ensuring that those special qualities and characteristics of the feature are retained, or, if opportunities are presented, enhanced.

### Significant Indigenous Vegetation and Habitat (Significant Natural Areas)

Significant Natural Areas (SNAs) were identified, assessed and mapped in reports commissioned from ecological consultancies, which are available on the Council's website. The scope of these reports was to identify significant natural areas without formal protection. It is noted that the majority of significant indigenous vegetation and habitat is located on public land administered by the Department of Conservation.

Identified Significant Natural Areas are included in the planning maps and schedule. The provisions of this part of the plan focus on the management of the identified sites.

It is noted that a site can be both a Significant Natural Area and a Significant Geothermal Feature. Management of Significant Geothermal Features is addressed separately in NFL- Natural Features and Landscapes.

### Bio-Vegetation areas

This chapter also contains the rules for the Bio-Vegetation Area Overlay in the Waikato Region.

## ISSUES

### ECO-I14 Significant Indigenous Vegetation and Habitat (Significant Natural Areas)

The district has a wide range of indigenous biodiversity, some of which is unique to Rotorua. Section 6 of the RMA requires protection of significant indigenous vegetation and habitat. Areas of significant indigenous

vegetation, habitat and associated ecosystem viability have been reduced due to clearing of forests, draining of wetlands, clearing of geothermal systems and modification of ecosystems.

## OBJECTIVES

### Significant Indigenous Vegetation and Habitat (Significant Natural Areas)

<b>ECO-O1</b> [2.3(5)]	<p>A network of healthy functioning areas of significant indigenous vegetation and significant habitats of indigenous fauna with a high degree of ecological integrity, intactness, interconnectivity, and cohesiveness.</p> <p><i>Policies ECO-P1 to ECO-P3</i></p>
<b>ECO-O2</b> [2.3(6)]	<p>Manage the adverse effects of high voltage transmission lines on Significant Natural Areas and/or Outstanding Natural Features and Landscapes, whilst recognising the national benefits of a secure efficient electricity supply.</p> <p><i>Policies ECO-P4 to ECO-P5</i></p>

## POLICIES

### Significant Indigenous Vegetation and Habitat (Significant Natural Areas)

*Objective ECO-O1*

<b>ECO-P1</b> [2.3(5)(1)]	<p>Avoid, remedy or mitigate, the adverse effects of subdivision, use and development in areas of significant indigenous vegetation or habitat where the criteria in Section 11A of the Waikato Regional Policy Statement or Appendix F of the Bay of Plenty Regional Policy Statement are triggered by ensuring that:</p> <ol style="list-style-type: none"> <li>1. The clearance of indigenous vegetation or ground disturbance for any activity does not reduce the ecological sustainability or values and characteristics of the Significant Natural Area</li> <li>2. Any loss of indigenous vegetation or habitat that cannot be avoided is remedied or mitigated to achieve no net loss of biodiversity</li> <li>3. The health and functioning of Significant Natural Area is maintained through building and development setbacks where appropriate</li> <li>4. Activities that enhance or restore buffers around Significant Natural Areas and ecological connections and corridors between Significant Natural Areas are encouraged</li> <li>5. All practical options for locating the activity outside of the Significant Natural Areas have been considered</li> <li>6. The Māori, historical and community association with the Significant Natural Area is maintained.</li> </ol>
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<b>ECO-P2</b> [2.3(5)(2)]	Support the integrity of Significant Natural Areas and habitat of indigenous fauna by maintaining or enhancing indigenous vegetation and biodiversity where this enables the establishment and maintenance of ecological corridors and provision of buffers around Significant Natural Areas.
<b>ECO-P3</b> [2.3(5)(3)]	Provide for the reasonable use and enjoyment of land within Significant Natural Areas through: <ol style="list-style-type: none"> <li>1. The maintenance and operation of lawfully established infrastructure and utilities</li> <li>2. The continuation of existing lawfully established land uses of where the effects of such land use remain the same or similar in character, intensity and scale</li> <li>3. Activities undertaken for the purpose of maintenance or enhancement of indigenous biodiversity</li> <li>4. The collection of material for maintaining traditional Māori cultural practises</li> <li>5. Actions necessary to avoid loss of life, injury or serious damage to property.</li> </ol>

Objective ECO-02

<b>ECO-P4</b> [2.3(6)(1)]	New high voltage transmission lines shall only traverse Significant Natural Areas or Outstanding Natural Features and Landscapes where the infrastructure is subject to a significant functional constraint, or where there is no feasible practicable alternative route and/or when significant adverse effects are outweighed by the overall benefits of the proposal.
<b>ECO-P5</b> [2.3(6)(2)]	Enable the continued operation, maintenance and upgrade of existing high voltage transmission lines located within an identified Significant Natural Area or Outstanding Natural Feature and Landscape.

## RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District Wide Matters.

A key point to note is that the other chapters in Natural Environmental Values also contain rules addressing indigenous vegetation clearance in certain locations.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in [Part 1, How the Plan Works](#).

For plantation forestry in or adjacent to Significant Natural Areas refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules in this table will apply.

Activities in or near wetlands, including vegetation clearance, earthworks and land disturbance, may be controlled by rules under the National Environmental Standards (particularly the National Environmental Standards for Freshwater and the National Environmental Standards for Plantation Forestry) and/or rules in the regional plans. It is recommended that any person considering undertaking activities in or near wetlands should discuss their proposal with the relevant regional council.

**Field Code Changed**

Links to the rule categories are provided below:

[Rules for Significant Indigenous Vegetation and Habitat \(Significant Natural Areas\) ..... 8](#)  
[Buildings and Structures in Significant Natural Areas ..... 8](#)  
[Tracks ..... 9](#)  
[Vegetation ..... 10](#)  
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## Rules for Significant Indigenous Vegetation and Habitat (Significant Natural Areas)

Buildings and Structures in Significant Natural Areas		
<b>ECO-R1</b>	<b>Buildings or structures (including lake structures and infrastructure) in a Significant Natural Area</b>	
	<i>[4.5(76), 5.5(21), 7.56(77), 9.5(72), 10.5(53), 9.5(81), 10.5(61), 9.5(78), 4.5(76), 9.5(80), 10.5(62) 4.5(75), 5.5.2(21), 7.5(80), 9.5(77), 10.5(59)]</i>	
<b>Applicable Spatial Layers</b> Significant Natural Areas Overlay	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is upgrade, alterations, maintenance or replacement of any lawfully established building or structure; and</li> <li>b. The building or structure does not exceed the building envelope or footprint of the existing building or structure.</li> </ul> <p><b>Performance Standards</b></p> <ul style="list-style-type: none"> <li>a. Any external walls and roofs of any building, structure (excluding lake structures) or addition shall not exceed a reflectivity value of 37%; and</li> <li>b. Significant indigenous vegetation within the Significant Natural Area shall not be removed.</li> </ul>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for ECO-R1(1).</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment;</li> <li>b. The extent to which the finished building roofline or structure will be below the nearest ridgeline;</li> <li>c. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; and;</li> <li>d. Assessment criteria for the relevant zone.</li> </ul>
<b>Applicable Spatial Layers</b> Significant Natural Areas Overlay: All Rural Zones All Reserves Zones	<p><b>3. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The activity is a maimai.</p>	
<b>Applicable Spatial Layers</b> Significant Natural Areas Overlay: Rural 1 Zone	<p><b>4. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The activity is a water tank.</p> <p><b>Performance Standards</b></p> <ul style="list-style-type: none"> <li>a. The tank does not exceed 25,000l and 3m in height with associated pump and pipe installation work;</li> </ul>	<p><b>5. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for ECO-R1(4).</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their</li> </ul>

	<ul style="list-style-type: none"> <li>b. Indigenous vegetation disturbance will be limited to the removal of the understorey only in an area no wider than 2.5m as long as it is the minimum disturbance that is required during a temporary period for the purpose of construction;</li> <li>c. Earthworks are limited to the area used for the placement of the structure supporting the pipe network;</li> <li>d. The vegetation within the Significant Natural Area that is disturbed through the construction works will be reinstated; and</li> <li>e. The exterior surfaces of any water tank with a paint finish shall have a reflectance value of between 0 and 37% and, if plastic, shall not be white.</li> </ul>	<p>construction, integrate the building or structure into the surrounding natural environment;</p> <ul style="list-style-type: none"> <li>b. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; and</li> <li>c. Assessment criteria for the relevant zone.</li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>Significant Natural Areas Overlay:</p> <p>All Residential Zones</p> <p>All Rural Zones</p> <p>All Reserves Zones</p>	<p><b>6. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is a lake structure</li> <li>b. The activity is not permitted in rules <u>ECO-R1(1)</u> or <u>ECO-R1(3)</u>.</li> </ul> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the siting, orientation, design, and bulk of any building and materials used for their construction, integrate the building or structure into the surrounding natural environment;</li> <li>b. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; and</li> <li>c. Assessment criteria for the relevant zone.</li> </ul>	
<p><b>Applicable Spatial Layers</b></p> <p>Significant Natural Areas Overlay</p>	<p><b>7. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>The building or structure is not otherwise provided for in the rules for the Significant Natural Areas Overlay.</p>	
<b>Tracks</b>		
<b>ECO-R2</b>	<b>Maintenance of existing farm, forestry, skid sites and walking tracks in a Significant Natural Area</b>	[4.5(73), 5.5.2(19), 7.5(79), 9.5(75), 10.5(57)]
<p><b>Applicable Spatial Layers</b></p> <p>Significant Natural Areas Overlay</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. The track shall not exceed the existing width of the formed track; and</li> <li>b. Construction debris shall not be placed, or allowed to enter a water body.</li> </ul>	
<p>Advice Note:</p> <p>For plantation forestry in or adjacent to Significant Natural Areas refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are</p>		

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<p>more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules will apply.</p>		
<b>ECO-R3</b>	<b>Formed Walking Tracks (including for pest management) in a Significant Natural Area</b>	[4.5(74), 5.5.2(20), 9.5(76), 10.5(58)].
<b>Applicable Spatial Layers</b> Significant Natural Areas Overlay	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The prevention of access to or from a state highway.</li> <li>b. The walking track shall not disturb any endangered indigenous fauna or species or their habitat as listed in the ECO-SCHED1 Significant Natural Areas Schedule.</li> <li>c. Methods used to avoid construction debris from entering a water body.</li> <li>d. The extent to which the scale and location of earthworks associated with the tracks detract from the values and characteristics of the Significant Natural Area.</li> </ul>	
<b>Vegetation</b>		
<b>ECO-R4</b>	<b>Indigenous Vegetation Disturbance in a Significant Natural Area</b>	[4.5(70), 4.5(72), 4.5(77), 5.5.2(16), 5.5.2(18), 5.5.2(22), 7.5(76), 7.5(81), 7.5(78), 9.5(72), 9.5(74), 9.5(79), 10.5(53), 10.5(55), 10.5(60), 15.5(5), 15.5(6)]
<b>Applicable Spatial Layers</b> Significant Natural Areas Overlay	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. It is disturbance for:                             <ul style="list-style-type: none"> <li>i. unformed tracks for pedestrian or cycling use;</li> <li>ii. removal of trees that endanger human life, structures or utilities or obstruct existing access to utilities;</li> <li>iii. conservation fencing to exclude stock and/or pests;</li> <li>iv. gathering of plants in accordance with Māori custom and values;</li> <li>v. maimai and walking access to it;</li> <li>vi. walking tracks for the purpose of providing access for pest management purposes.</li> <li>vii. access for any of the above purposes and for pest management; or</li> <li>viii. the continuation of grazing in the rural zone where it does not increase the scale and intensity as stated in the report by an agricultural consultant submitted to Rotorua District Council within six months of the Plan being fully operative, provided that the grazing does not cease for more than 12 months.</li> </ul> </li> <li>b. It is clearance of indigenous vegetation that is:                             <ul style="list-style-type: none"> <li>i. an integral part of the maintenance of lawfully established roads, tracks, earth dams or fence lines as long as it is within the minimum of clearance that is required;</li> <li>ii. vegetation that is in an area which is Public Conservation land managed under the Conservation Act 1987 or the National Parks Act 1980 or subject to management by entities that have certification under:                                     <ul style="list-style-type: none"> <li>1. Forest Stewardship Council Certification;</li> </ul> </li> </ul> </li> </ul>	



	2. Programme for the Endorsement of Forest Certification; or 3. Sustainable Forestry Initiative; or iv. an integral part of any of the purposes listed in (a) above; or c. Trimming or pruning of vegetation where it: <ul style="list-style-type: none"> <li>i. affects the operations of existing high voltage transmission lines or network utility structures and will not result in the death or irreparable damage of the vegetation and will not result in the reduction in the identified values associated with the significant natural area;</li> <li>ii. affects the structural integrity of an existing fence;</li> <li>iii. will not result in the death or irreparable damage of the vegetation;</li> <li>iv. is directly adjoining existing pedestrian and cycle tracks for the purpose of maintaining the use of those tracks;</li> <li>v. will not result in a reduction in the identified values associated with the Significant Natural Area; or</li> <li>vi. affects the structural integrity of an existing building.</li> </ul>	
<p><b>Advice Note:</b> For plantation forestry in or adjacent to Significant Natural Areas refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules will apply.</p>		
<p><b>Applicable Spatial Layers</b> Significant Natural Areas Overlay</p>	<p><b>2. Activity Status:</b> Discretionary <b>Where:</b> The activity is not provided for in Rule ECO-R4(1) and is vegetation disturbance associated with infrastructure as described in EIT Energy, infrastructure and transport. <b>Matters of Discretion:</b> a. Infrastructure specific <a href="#">ECO-AC1</a>.</p>	
<p><b>Applicable Spatial Layers</b> Significant Natural Areas Overlay</p>	<p><b>3. Activity Status:</b> Non-Complying <b>Where:</b> The activity is not provided for in Rule ECO-R4(1) and is not vegetation disturbance associated with infrastructure in Rule ECO-R4(2).</p>	
<p><b>ECO-R5 Restoration, re-vegetation or enhancement of indigenous vegetation in a Significant Natural Area</b></p>		<p>[4.5(70), 5.5.2(16), 7.5(76), 9.5(72), 10.5(53)]</p>
<p><b>Applicable Spatial Layers</b> Significant Natural Areas Overlay</p>	<p><b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Planting shall be undertaken with locally sourced indigenous species the same as existing indigenous species already present or that would have been historically present onsite. b. The restoration of the Significant Natural Area shall not result in existing indigenous vegetation being removed.</p>	<p><b>2. Activity Status:</b> Discretionary <b>Where:</b> The activity does not meet the performance standards of Rule ECO-R5(1). <b>Assessment Criteria:</b> a. The extent to which the vegetation removal affects natural character of the water body and associated natural environment; b. The extent to which the vegetation removal affects habitat of fauna, water quality or the ecological values</p>

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		of the water body and riparian margin; and c. Assessment criteria for the relevant zone.
<b>Earthworks</b>		
<b>ECO-R6</b>	<b>Earthworks in a Significant Natural Area</b>	[4.5(96), 7.5(96), 9.5(121), 10.5(56)]
<b>Applicable Spatial Layers</b> Significant Natural Areas Overlay	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>a. The earthworks are:</p> <ul style="list-style-type: none"> <li>i. Earthworks incidental to either an approved subdivision, or construction of a building platform, or installation of utility services, or to provide access to an activity which is a permitted activity or authorised by a resource consent.</li> <li>ii. Excavations that do not exceed 2m in depth for the purpose of installing foundations for telecommunication masts.</li> <li>iii. Earthworks associated with the operation, maintenance, and upgrading of existing electricity generation infrastructure within Electricity Generation Core Sites, including any new boreholes, trenches, access tracks, fence lines and erosion protection works within:             <ul style="list-style-type: none"> <li>1. Electricity Generation Core Sites;</li> <li>2. Land zoned Industrial 2 at Ohaaki identified on Planning Maps 545 and 546.</li> </ul> </li> <li>iv. Earthworks associated with the construction of permitted network utilities and the maintenance, renewal and upgrade of existing network utilities.</li> <li>v. Earthworks associated with the replacement or removal of a fuel storage system as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.</li> <li>vi. Land preparation and earthworks accessory to and reasonably necessary for fencing and existing forestry activity.</li> <li>vii. Earthworks activity undertaken for the purpose of the maintenance of indigenous biodiversity.</li> <li>viii. Normal domestic gardening and other earthworks accessory to the use and occupation of a household residential unit.</li> <li>ix. Normal reserve gardening activities, turf and pasture preparation, maintenance and renovation practices.</li> <li>x. The maintenance of walking tracks, farm and forestry tracks, driveways and roads and tracks and drains associated with existing infrastructure and normal farming practices, provided that the track shall not exceed the existing width of the formed track.</li> <li>xi. Earthworks on land not under water that is accessory to lake structures.</li> <li>xii. Ploughing as part of normal farm practices, which result in recontouring the land.</li> <li>xiii. Troughs and their associated pipe network and realignment of fences associated with normal farming practices.</li> <li>xiv. Ploughing as part of normal farm practices within an Outstanding Natural Landscape.</li> </ul>	

	xv. New drains within pastoral landscape that forms part of an Outstanding Natural Feature and Landscape.
<b>Applicable Spatial Layers:</b> Significant Natural Areas Overlay	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b> An activity is not provided for in ECO-R6(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. Assessment criteria for the relevant zone.</p>

Rules for Bio-Vegetation Areas

Vegetation	
<b>ECO-R7</b>	<b>Removal of indigenous vegetation in a Bio-vegetation Area</b>
	<i>[9.5(122), 10.5(94)]</i>
<b>Applicable Spatial Layers</b> Bio-vegetation Area Overlay: All Rural Zones Reserve 1 Zone Water Zone	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Performance Standards:</b></p> <p>a. An ecological assessment by a suitably qualified expert is to be submitted with an application for resource consent.</p> <p><b>Matters of Discretion</b></p> <p>a. The extent to which the removal of vegetation will:</p> <ul style="list-style-type: none"> <li>i. Contribute to the cumulative loss or degradation of indigenous habitats and ecosystems;</li> <li>ii. Fragment or isolate indigenous habitats and ecosystems;</li> <li>iii. Adversely affect corridors or connections linking indigenous habitats and ecosystems, ecological sequences, migratory pathways, water quality, ecosystem services;</li> <li>iv. Adversely affect the extent and quality of indigenous habitats and ecosystems; or</li> <li>v. Result in an increased threat from plant or animal pests.</li> </ul> <p>b. The extent to which the proposal will promote positive indigenous biodiversity outcomes including through enhancement, restoration and pest control.</p> <p>c. The extent to which those areas/ecosystems that support (including through buffering and/or linking) habitats and areas identified as significant natural areas are maintained.</p> <p>d. The extent to which tangata whenua relationships with indigenous biodiversity including their holistic view of ecosystems and the environment will be maintained or enhanced.</p> <p>e. The extent to which the removal of vegetation can be mitigated through the application of the “no net loss” principle.</p> <p>f. The extent to which the removal of vegetation will adversely affect the restoration and protection of the health and wellbeing of the Waikato River and its catchment.</p> <p>g. The management of the density, range and viability of indigenous flora and fauna.</p> <p>h. The consideration and application of biodiversity offsets as a means to achieve no net loss where significant residual adverse effects are unable to be avoided, remedied or mitigated.</p> <p>i. The location, nature, scale, timing and duration of the activity.</p>

Advice Note:

For the removal of indigenous vegetation associated with plantation forestry refer instead to the National Environmental Standards.

Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

**ECO-AC1 Infrastructure Specific**

1. The benefits to be derived from the proposal, including its contribution to achieving central government initiatives (e.g. high speed broadband), national energy objectives and renewable energy targets.
2. The extent to which the proposal detracts from the values of the Significant Natural Area.
3. The extent to which technical and operational constraints impact the ability to avoid, remedy or mitigate adverse effects.
4. The extent to which the substantial upgrade of transmission infrastructure reduce the existing adverse effects of the transmission infrastructure.

**ANTICIPATED ENVIRONMENTAL RESULTS**

<b>ECO-AER1</b>	Retention and protection of the areas and values associated with Significant Natural Areas associated habitats and ecosystems.
<b>ECO-AER2</b>	Maintenance of existing access within Significant Natural Areas.
<b>ECO-AER3</b>	No loss of values or significance of significant indigenous vegetation due to inappropriate use and development of infrastructure.

## SCHEDULES

### ECO-SCHED1 – Significant Natural Areas

Unique ID #	Item	Planning map	Geothermal Vegetation
1	Mamakū	354, 514, 515, 518, 519, 520, 521, 532, 536	Yes
2	Ōhinenui Stream	536	No
3	South Road	536	No
4	Ōhinenui Side stream	536	No
5	Waitētahi Stream	532	No
6	Mt Ngongotahā Scenic Reserve Extension	515, 516, 517, 519	No
7	Mountain Road	319, 323	No
8	Waiowhiro Flat Wetland	317, 318	No
9	Ngongotahā Railway Kahikatea	315, 316, 317	No
11	Tapapakuraa Stream	532	Yes
12	Kōmutumutu Steam A	513, 532	Yes
13	State Highway 5	532	No
14	Kōmutumutu Stream B	532	No
15	Waiteti Stream	511, 513, 532	No
16	Ōturoa Road Junction	532	No
18	Upper Waiteti Stream	532	No
20	Hamurana Road Wetland	310	No
21	Te Waerenga Gorge Scenic Reserve Extension	508	No
22	Mission Bay Bush	306, 307	No
23	Hamurana Road	307, 357, 522	No
24	Ohau Channel Wetland	358, 522	No
26	Te Weta Bay	374	No

Unique ID #	Item	Planning map	Geothermal Vegetation
27	Te Tī Bay	372, 375	No
29	Te Ārero Bay	372, 534	No
31	Lake Te Hapua	534	No
<u>32</u>	<u>Tumoana Point</u>	<u>376</u>	<u>No</u>
33	Motuōha Point	377, 534	Yes
34	Te Ngae Junction Wetland	359, 362	No
35	Hell's Gate	361, 523	Yes
36	Tikitere Northwest	361	Yes
37	Maraeroa	376, 523	Yes
38	Ruahine Springs	534	Yes
39	Tītoki Farm Forest	534	No
42	Lake Rotokawau	523, 524, 534	Yes
43	Te Ngae Kahikatea Stand	362, 365	No
44	Te Ngae Bush	363, 366	No
45	Cookson Road	524, 525, 538	No
46	Hamurana Cliffs	305, 306, 307	No
47	Rotokawa Road	525	No
49	Lake Rotokawa	368, 369, 537	Yes
58	Lake Okataina Scenic Reserve Extension	377, 524, 525, 534, 538	No
61	Waikururu Stream Wetlands	537	No
73	Mt Tarawera	539, 543	No
78	Okataina Scenic Reserve Extension (Eastern)	379, 534, 538, 539	No
79	Lake Ōkātāina Scenic reserve Extension (Northern)	377, 378, 379, 380, 534	No
80	Horohoro	535, 538, 539	No

Unique ID #	Item	Planning map	Geothermal Vegetation
81	Maungawhakamana-Hinehopu Scenic Reserve Extension	381, 382, 383, 391, 392, 393, 534, 535, 539	Yes
82	Hinehopu Mire	535	No
83	Matawhāura	384, 385, 386, 388, 535	No
84	Lake Rotoehu Margins	385, 386, 387, 388, 535	No
85	Rotoiti Forest Wetlands	535, 538	No
87	Lake Rotomā Scenic Reserve Extension	388, 389, 390, 393, 397, 535	No
89	Rotoma Recreation Reserve Extension	386, 388	No
98	Edwards Road	539	Yes
100	Awahou Stream	506, 511, 512, 532	No
104	Ridgetop Road	538, 539	No
106	Whakarewarewa	345, 537	Yes
108	Ngāpuna	336, 337	Yes
109	Ōhinemutu	325	Yes
110	Cemetery Reserve	336, 337	Yes
111	Pūarenga Park	336, 337	Yes
112	Arikikapakapa (Golf Course)	344, 345	Yes
113	Tangatarua (Old Taupo Road Reserve)	344	Yes
114	Kuirau Park	325	Yes
115	Lake Rotoiti	357, 358, 370, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 522, 523, 534	No

Unique ID #	Item	Planning map	Geothermal Vegetation
116	Lake Rotorua	301, 302, 303, 304, 305, 306, 307, 309, 310, 312, 315, 317, 318, 321, 325, 326, 327, 328, 336, 337, 357, 359, 362, 364, 365, 367, 368, 522, 533, 537	No
117	Lake Rotoehu	384, 385, 386, 387, 535	No
118	Lake Rotomā	389, 390, 391, 392, 393, 397, 535	No
119	Lake Rerewhakaaitu	394, 543	No
120	Redwood Grove Pool	346	Yes
121	Pārengarenga Springs	376	Yes
122	Te Rei Bay	523	Yes
123	Wharetata Bay	523, 534	Yes
124	Ōtutata Springs	534, 523	Yes
125	Papakio Springs	534	Yes
<u>127</u>	<u>Ōtutata Road Lake</u>	<u>361, 523</u>	<u>No</u>
129	Arawa Park Racecourse	336	Yes
130	Marguerita Street (Wonderland; Leisureland)	336	Yes
133	Five Mile Gate Swamp	355, 537	No
134	Waipa Wetland	352	No
136	Ōhineuia Stream B	537	No
<u>139</u>	<u>Ngapuna Wetlands</u>	<u>327, 337</u>	<u>No</u>
142	Poplar Avenue Wetlands	356	No
144	Waitangi Soda Springs Hot Springs	388, 535	Yes
145	Waitangi Soda Springs Mire	388, 535	Yes



Unique ID #	Item	Planning map	Geothermal Vegetation
<u>147</u>	<u>Tikitere Kahikatea</u>	<u>363</u>	<u>No</u>
<u>154</u>	<u>Te Miri Road</u>	<u>518, 519</u>	<u>No</u>
<u>155</u>	<u>Horohoro Forest East</u>	<u>518, 536</u>	<u>No</u>
<u>156</u>	<u>Horohoro Forest Extension</u>	<u>515, 532, 536</u>	<u>No</u>
<u>157</u>	<u>Anderson Road</u>	<u>532</u>	<u>No</u>
<u>158</u>	<u>Hauraki Stream</u>	<u>506, 532</u>	<u>No</u>
162	Government Gardens (including Rachel Springs)	326	Yes
163	Old Government Gardens	326, 327	Yes
<u>167</u>	<u>Tikitere Hill Forest</u>	<u>534</u>	<u>No</u>
<u>172</u>	<u>Upper Wairau Bay</u>	<u>376, 523</u>	<u>No</u>
176	Te Weta Bay Geothermal Area	374	Yes
177	Pohaturua	345, 352	Yes
178	Sulphur Point	326, 327, 336	Yes
179	Mokoia Island	533	Yes
302	Makatiti Dome Extension	538, 539	No
304	Waterfall Road Wetland	539	No
305	Maungawhakamana	539	No
313	Mt Tarawera Northeast	539	No
315	Purutai Road Forest Blocks	539, 543	No
411	Mamakū South Road Bush	536	No
412	Mangakōtaha Stream	531, 536	No
413	Takapūhūrihuri Stream	531, 536	No
414	Ōraka Stream Riparian	531, 536	No
<u>415</u>	<u>Barker Road</u>	<u>531</u>	<u>No</u>
416	Off-Road New Zealand	531	No

Unique ID #	Item	Planning map	Geothermal Vegetation
<u>417</u>	<u>Arahiwi</u>	<u>531</u>	<u>No</u>
550	Turēpo Bush	521, 536, 537	No
551	Horohoro Bluff	536, 540	No
552	Horohoro Geothermal area	536	Yes
553	Tumunui Bush	541, 542	No
555	Waiōtapu South	542	Yes
556	Mangamingi Stream Bush	545	No
557	Te Kōpia Road Swamp	544, 545	No
558	Akatārewa Stream	544	Yes
559	Ōrākeikōrako	544	Yes
560	Whangairorohea Hot Pool	545	No
561	Will's Swamp	546	No
562	Torepatutahi Stream	546	No
563	Hardcastle Lagoon	546	No
564	Rāwhiti Lagoon	545	No
565	Waihunuhunu Geothermal area	544	Yes
<del>566</del>	<del>Red Hills Geothermal area</del>	<del>544</del>	<del>Yes</del>
567	Golden Springs	545, 546	Yes
568	Waikato River Springs	545	Yes
571	Wharepapa Road	546	Yes
572	Ngāpouri	542	Yes
573	Waiōtapū North	542	Yes
574	Waikite Valley	541, 542	Yes
575	Hamill's Wetland	537, 541	No
<u>577</u>	<u>Rahopakapaka Stream</u>	<u>540</u>	<u>No</u>

Unique ID #	Item	Planning map	Geothermal Vegetation
<u>579</u>	<u>Tahunaatara Stream Gorge</u>	<u>540</u>	<u>No</u>
581	Lake Ātiāmuri	540	No
<u>582</u>	<u>Lake Atiamuri North Faces</u>	<u>540</u>	<u>No</u>
<u>583</u>	<u>Lake Atiamuri South Faces</u>	<u>540</u>	<u>No</u>
584	Lake Ōhakuri	526, 540, 541, 544, 545, 546	No
<u>585</u>	<u>Lake Ohakuri Northwest Riparian Faces</u>	<u>540</u>	<u>No</u>
<u>589</u>	<u>Lake Ohakuri Northeast Riparian Faces</u>	<u>540, 544</u>	<u>No</u>
<u>590</u>	<u>Waihunuhunu Arm Riparian Faces and Wetland</u>	<u>544</u>	<u>No</u>
<u>592</u>	<u>Orakeikorako Extension (Excludes Geothermal Areas)</u>	<u>544, 545</u>	<u>No</u>
595	Te Kōpia Scenic Reserve Extension	541	No
<u>596</u>	<u>Pukemoremore</u>	<u>545</u>	<u>No</u>
599	Lake Ngāhewa	542	No
650	Capella Road Wetland	531, 532	No
652	Galaxy Road North Forest Remnant	532	No
653	Upper Mangorewa River	532	No
654	Mamakū Lagoon	532	No
655	Mangorewa Extension	532	No
656	Lagoon Road	532	No
657	Upper Mangapouri Gorge	532	No
658	Upper Pipikārihi Road	501, 502	No
659	Mervyn Street	501	No
660	Mid Mangorewa Gorge	532, 533, 501-503	No
661	Te Waerenga Road	508	No
662	Kapukapu Road	504	No

Unique ID #	Item	Planning map	Geothermal Vegetation
663	Lake Rotongata	504	No
664	Onaia Stream	504, 505, 533	No
665	Hururu Stream	533	No
666	Maungarangi Road A	533	No
667	Kaituna River	533, 534	No
668	Paretero	534	No
669	Tāheke Geothermal Area	371, 534	Yes
670	Tāheke Forest	534	No
671	Pokopoko Stream	534	No
672	Lichtenstein Road	534	No
673	Maniatutu Road B	534	No
674	Roydon Downs Scenic Reserve Extension	534	No
675	Tokerau	534	No
676	Maniatutu Road A	372, 534	No
677	Te Iringa	533, 534	No
678	Upper Kaituna	370, 533, 534	No
<u>679</u>	<u>Te Waerenga Road 2</u>	<u>507, 508, 509</u>	<u>No</u>
<u>680</u>	<u>Jackson Road</u>	<u>506, 507</u>	<u>No</u>
<u>681</u>	<u>Mangorewa Kaharoa</u>	<u>509, 510, 522</u>	<u>No</u>
<u>700</u>	<u>Mangaharakeke Waterfall</u>	<u>542</u>	<u>No</u>
<u>701</u>	<u>Mangaharakeke Wetland</u>	<u>543</u>	<u>No</u>
<u>703</u>	<u>Torepatutahi Stream Riparian</u>	<u>546, 547</u>	<u>No</u>
706	Handcock Bush	541	No
707	Te Pōhue - Te Māhorehore Wetlands	309, 310	No
<u>708</u>	<u>Tokerau Wetland A</u>	<u>534</u>	<u>No</u>

Unique ID #	Item	Planning map	Geothermal Vegetation
<u>709</u>	<u>Tokerau Wetland B</u>	<u>534</u>	<u>No</u>
<u>710</u>	<u>Akaterewa East</u>	<u>544</u>	<u>Yes</u>
<u>712</u>	<u>Te Kopia</u>	<u>545</u>	<u>Yes</u>
<u>713</u>	<u>Mangamingi Station</u>	<u>545</u>	<u>Yes</u>
<u>714</u>	<u>Matapan Road</u>	<u>540</u>	<u>Yes</u>
<u>715</u>	<u>Ohaaki Steamfield East</u>	<u>546</u>	<u>Yes</u>
<u>717</u>	<u>Upper Atiamuri West</u>	<u>540</u>	<u>Yes</u>
<u>718</u>	<u>Western Te Kopia</u>	<u>541</u>	<u>Yes</u>
<u>800</u>	<u>Northern Paeroa Range</u>	<u>542</u>	<u>Yes</u>
<u>801</u>	<u>Murphy's Springs</u>	<u>541</u>	<u>Yes</u>

## NATC

NATURAL CHARACTER– HURU  
MĀORI

Status: NATC is operative.

## INTRODUCTION

The District Plan is required to uphold the purpose of the Resource Management Act 1991, which is set out in Section 5 of the Act. As part of this Council must recognise and provide for the matters of national importance listed under Section 6, including:

*The preservation of the natural character of wetlands, and lakes and rivers and their margins and the protection of them from inappropriate subdivision, use, and development (section 6(1)).*

The purpose of this chapter is to recognise and provide for those characteristics identified under Section 6 that are located within the district, without unduly restricting the property rights of landowners. It is important that the District Plan balances the ability to make use of land and resources, whilst at the same time ensuring that those special qualities and characteristics of the feature are retained, or, if opportunities are presented, enhanced.

The chapter contains rules for earthworks adjacent to waterbodies, as well as rules for buildings and indigenous vegetation clearance located in the operating easement adjacent to the Waikato River.

## ISSUES

### NATC-I1 The natural character of lakes, rivers and streams

Rotorua has a diverse environment that contributes to the identity of the district. There are 16 natural lakes, and three major rivers in the district. These complement the volcanic landscape and provide not only spectacular views but an abundance of passive and active recreation opportunities, and support a number of commercial operations. Each has varying degrees of residential development, man-made structures and activities that can reduce the natural character of these areas.

The District Plan is required to preserve the natural character and ecosystems of these features by providing direction to the location and design of subdivision, use and development. Retiring lake, river and stream margins to protect the natural character, biodiversity and ecological functions will enhance the water quality of the lakes, rivers and streams within the district by providing a buffer area between the land and water edge and maintain ecological values of these ecosystems.

## OBJECTIVES

### Natural character of lakes, rivers and streams

#### NATC-O1

[2.3(1)]

The natural character of the district's lakes, rivers, streams, wetlands and their margins is protected from inappropriate subdivision, use and development

Policy NATC-P1

<b>NATC-O2</b> <i>[2.3(2)]</i>	Management of riparian margins and waterbodies to protect natural conservation values, aquatic habitats, and improve water quality  <i>Policy NATC-P2</i>
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## POLICIES

### Natural character of lakes, rivers and streams

*Objective NATC-O1*

<b>NATC-P1</b> <i>[2.3(1)(1)]</i>	Ensure the design, location and form of subdivision, use and development adjacent to waterbodies (outside of the Lakes A zone) is appropriate to the level of natural character of the area and avoids, remedies or mitigates potential adverse effects on the natural character of lakes, rivers and streams and their margins.
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*Objective NATC-O2*

<b>NATC-P2</b> <i>[2.3(1)(2)]</i>	Avoid, remedy or mitigate adverse effects of subdivision, use and development on riparian margins and water bodies to maintain or enhance natural character, ecological functions, biodiversity, water quality, and aquatic habitats.
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## RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District Wide Matters.

A key point to note is that PA - Public Access also contains rules specifically addressing activities adjacent to waterbodies.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in [Part 1, How the Plan Works](#).

These rules shall not apply to activities associated with plantation forestry. Refer instead to the National Environmental Standards for Plantation Forestry.

Activities in or near wetlands, including vegetation clearance, earthworks and land disturbance, may be controlled by rules under the National Environmental Standards (particularly the National Environmental Standards for Freshwater and the National Environmental Standards for Plantation Forestry) and/or rules in the regional plans. It is recommended that any person considering undertaking activities in or near wetlands should discuss their proposal with the relevant regional council.

**Links to the rule categories are provided below:**

[Waikato River ..... 26](#)  
[Earthworks Adjacent to Water Bodies ..... 26](#)

**Field Code Changed**

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Earthworks Adjacent to Water Bodies . 25¶

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## Rules relating to Natural Character

Waikato River		
<b>NATC-R1</b>	<b>Buildings and indigenous vegetation clearance and earthworks adjacent to the Waikato River Operating Easement Boundary</b>	<i>[9.2(120)]</i>
<b>Applicable spatial layer:</b> All Zones	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> The activity is:</p> <ol style="list-style-type: none"> <li>a. Buildings located within 25m of the Waikato River Operating Easement Boundary; or</li> <li>b. Clearance of indigenous vegetation and earthworks (excluding where associated with the reasonable and normal activity of forestry) located within 20m of the Waikato River Operating Easement boundary.</li> </ol> <p><b>Matters of Discretion:</b></p> <ol style="list-style-type: none"> <li>a. The potential adverse effects on the character, health and wellbeing of the Waikato River and its surroundings;</li> <li>b. How the activity complies with the objectives for the zone, Natural Environmental Values and Historical and Cultural Values; and</li> <li>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.</li> </ol>	
Earthworks Adjacent to Water Bodies		
<b>NATC-R2</b>	<b>Earthworks adjacent to water bodies</b>	<i>[A10.2.1, 6.5(86), 9.5(110), 10.5(86)]</i>
<b>Applicable spatial layer:</b> All Zones	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>a. The earthworks are carried out within 25m from the margin of a lake, wetland or from a river or stream; and</li> <li>b. The earthworks are:               <ol style="list-style-type: none"> <li>i. Incidental to either an approved subdivision, or construction of a building platform, or installation of utility services, or to provide access to an activity which is a permitted activity or authorised by a resource consent;</li> <li>ii. Excavations that do not exceed 2m in depth for the purpose of installing foundations for telecommunication masts;</li> <li>iii. Earthworks associated with the operation, maintenance, and upgrading of existing electricity generation infrastructure within Electricity Generation Core Sites, including any new boreholes, trenches, access tracks, fence lines and erosion protection works within:                   <ol style="list-style-type: none"> <li>1. Electricity Generation Core Sites; and</li> <li>2. Land zoned Industrial 2 at Ohaaki identified on Planning Maps 545 and 546.</li> </ol> </li> <li>iv. Earthworks associated with the construction of permitted network utilities and the maintenance, renewal and upgrade of existing network utilities.</li> </ol> </li> </ol>	



	<ul style="list-style-type: none"> <li>v. Earthworks associated with the replacement or removal of a fuel storage system as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011;</li> <li>vi. Land preparation and earthworks accessory to and reasonably necessary for fencing and existing forestry activity;</li> <li>vii. Earthworks activity undertaken for the purpose of the maintenance of indigenous biodiversity;</li> <li>viii. Normal domestic gardening and other earthworks accessory to the use and occupation of a <del>household</del> residential unit;</li> <li>ix. Normal reserve gardening activities, turf and pasture preparation, maintenance and renovation practices;</li> <li>x. The maintenance of walking tracks, farm and forestry tracks, driveways and roads and tracks and drains associated with existing infrastructure and normal farming practices;</li> <li>xi. Earthworks on land not under water that is accessory to lake structures;</li> <li>xii. Ploughing as part of normal farm practices;</li> <li>xiii. Troughs and their associated pipe network and realignment of fences associated with normal farming practices; or</li> <li>xiv. Earthworks in Commercial Zones, Rural Zones, Reserve Zones or the Water Zone and accessory to activities permitted in the rules for PA-Public Access.</li> </ul>
<p><b>Applicable spatial layer:</b> Residential Zones Industrial Zones Business and Industrial Zones</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The earthworks are carried out within 25m from the margin of a lake, wetland or from a river or stream; and</li> <li>b. The activity is not provided for in NATC-R2(1).</li> </ul> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. the extent to which the activity will avoid, remedy or mitigate the effects of the location within 25m from the margin of a lake, wetland or from a river or stream in achieving the objectives and.</li> </ul>
<p><b>Applicable spatial layer:</b> All Zones except: Residential Zones Industrial Zones Business and Industrial Zones</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>c. The earthworks are carried out within 25m from the margin of a lake, wetland or from a river or stream; and</li> <li>d. The activity is not provided for in NATC-R2(1).</li> </ul> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity affects the natural character of the water body and associated natural environment;</li> <li>b. The extent to which the vegetation removal earthworks affects habitat of fauna, water quality or the ecological values of the water body and riparian margin;</li> <li>c. How the location of the building, structure or earthworks continues to provide for the ability to obtain an esplanade reserve or strip in accordance with the esplanade requirements. This matter shall not apply to the Te Puia site (Section 1 SO390094 and Section 1 SO408975);</li> <li>d. Construction debris shall not be placed, or allowed to enter a water body;</li> <li>e. Where the earthworks are located within 25m of a river or stream identified in the Esplanade Acquisition Waterbody Overlay:</li> </ul>

	<ul style="list-style-type: none"><li>i. The extent to which the proposal affects the purposes of the esplanade reserves and strips in relation to being able to:<ul style="list-style-type: none"><li>1. contribute to the protection of conservation values,</li><li>2. enable public access, or</li><li>3. enable public recreational use.</li></ul></li><li>f. Assessment criteria for the relevant zone.</li></ul>
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## ANTICIPATED ENVIRONMENTAL RESULTS

<b>NATC-AER1</b>	Protection of natural character of wetlands, lakes, rivers and their margins.
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# NATURAL FEATURES AND LANDSCAPES- NGA AHUATANGA MAOI ME NGA WAAHI

Status: NFL is Operative

## INTRODUCTION

### Outstanding Natural Features and Landscapes

The District Plan is required to uphold the purpose of the Resource Management Act 1991, which is set out in Section 5 of the Act. As part of this Council must recognise and provide for the matters of national importance listed under Section 6, including:

*The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development (section 6(b));*

The purpose of this chapter is to recognise and provide for those features, landscapes, and characteristics identified under Section 6 that are located within the district, without unduly restricting the property rights of landowners. It is important that the District Plan balances the ability to make use of land and resources, whilst at the same time ensuring that those special qualities and characteristics of the feature are retained, or, if opportunities are presented, enhanced.

The landscapes and natural features of a district define what it is that make an area distinct and different. Rotorua has a diverse environment including 16 natural lakes over 8 hectares and several geothermal systems with internationally renowned geothermal features. These landscape features are highly valued by the residents of Rotorua due to their high aesthetic values, significant contribution to the tourism industry and their cultural significance to local Iwi and hapū because they have historically been a food source, or are linked to culturally significant sites and events.

Four landscape assessment reports have been completed covering the Rotorua district; Lake Rotorua Catchment Landscape Assessment, Northern Lakes Landscape Assessment, Eastern Lakes Landscape Assessment and Southern Area Landscape Assessment.

Those landscapes and features that are important, and that contribute to the Rotorua identity, have been identified and are included in the schedules. The provisions of this part of the plan focuses on the management of the features identified in the schedules, and provide guidance to ensure activities are mindful of the qualities and attributes that require special consideration.

The Significant Geothermal Features within the Bay of Plenty region are being identified by the Bay of Plenty Regional Council and will later be included on the planning maps and schedule by way of a plan change. Until such time as the identification is complete, Significant Geothermal Features will be identified using the method, definitions and criteria of the Bay of Plenty Regional Policy Statement.

Significant Geothermal Features within Development or Limited Development Geothermal Systems in the Waikato Region are those identified, listed and mapped in the Waikato Regional Plan in accordance with Method 9.2.2 of the Waikato Regional Policy Statement. Significant Geothermal Features in other geothermal systems within the Waikato region are those meeting the assessment Section 9B of the Waikato Regional Policy Statement.

#### **Rotorua Caldera**

There is an expectation that future rural living 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 provides a framework for assessing the potential impact of development on the landscape of the caldera rim.

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 for new development manages the intensity and scale of built structures while minimising bulk earthworks associated with subdivision and development, maintaining the important rural amenity values.

## **ISSUES**

### **NFL-I1 Outstanding Natural Features and Landscapes**

There are many outstanding natural features and landscapes within the district, with most located in the rural areas, but a small number are located in, or near, the Rotorua urban area, including for example Whakarewarewa, Mt Ngongotahā and Mokoia Island. Most of the Outstanding Natural Features and Landscapes are located on private land, and the challenge is to ensure that the features are managed in a way that protects them from inappropriate subdivision, use and development and reflects their significance but does not prejudice the landowner's ability to provide for their economic wellbeing.

Within a small and peripheral area of the Mt Ngongotahā Outstanding Natural Feature and Landscape, the Plan allows for a discretionary activity application to be made for extensions to an existing well-established quarry operation. This provision recognises the need of the community for quarry aggregate and other rock products to be efficiently met from an economic perspective, while seeking to minimise landscape and visual impacts from public viewpoints. Given that the provisions require a discretionary activity consent to be sought, they do not pre-suppose the outcome of any resource consent application to undertake quarrying activity within the identified area.

Many of the lakes or parts of these lakes are also important to the social, economic and cultural wellbeing of residents and holiday makers. A balance is needed between protecting the features of the lakes and providing for the people that use them.

### **NFL-I2 Significant Geothermal Features**

The Significant Geothermal Features present throughout the district are iconic to both New Zealand and Rotorua with Rotorua being identified as containing the last remaining significant geysers within New Zealand. These features do not exist in isolation and are commonly part of a landscape, group of features, or a unique vegetative habitat.

There is a need to balance development, both for tourism and energy purposes, to ensure the values of the Rotorua geothermal resource are maintained. Rotorua District's geothermal systems have been classified by the Regional Councils resulting in some systems being protected from development due to their outstanding features, intrinsic, cultural and ecological values. The remaining systems have been identified for sustainable

use and development subject to the provisions of Regional Policy Statements and the relevant parts of the Rotorua District Plan being met.

### **NFL-I3 The landscape of the Rotorua caldera**

The Rotorua caldera is an important natural feature that forms a largely unbuilt backdrop to the city and settlements around the lake. It is valued highly by the local community, although it is not identified as an outstanding landscape of wider significance. The land use is 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.

## **OBJECTIVES**

### **Outstanding Natural Features and Landscapes**

<b>NFL-O1</b> [2.3(4)]	Outstanding Natural Features and Landscapes that are managed and protected from the adverse effects, including cumulative effects of inappropriate subdivision, use and development.  <i>Policies NFL-P1 to NFL-P7</i>
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### **Significant Geothermal Features**

<b>NFL-O2</b> [2.3.(7)]	Significant Geothermal Features are protected from inappropriate subdivision, use, and development in accordance with the regional geothermal classification system, so that a unique element of Rotorua's environment and identity is available for future generations and tourism.  <i>Policies NFL-P8 to NFL-P13</i>
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### **The landscape of the Rotorua caldera**

<b>NFL-O3</b> [9.3.6(1)]	The rural character of the sensitive landscape area of the Rotorua caldera is maintained to provide a visual setting to the lake, its margins and the urban area of Rotorua.  <i>Policies NFL-P14 to NFL-P16</i>
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## **POLICIES**

### **Outstanding Natural Features and Landscapes**

*Objective NFL-O1*

<b>NFL-P1</b> [2.3(4)(1)]	Avoid, remedy or mitigate adverse effects, including cumulative effects of subdivision, use and development where the following landscape qualities and characteristics of Outstanding Natural Features and Landscapes may be impacted: <ol style="list-style-type: none"> <li>1. Natural science factors such as representativeness, diversity, resilience, vulnerability and rarity</li> <li>2. Aesthetic values</li> <li>3. Shared and recognised values such as historical, scientific or educational values</li> <li>4. Expressiveness, transient values and Māori values.</li> </ol>
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<p><b>NFL-P2</b> [2.3(4)(2)]</p>	<p>Enable the reasonable use and appropriate development of existing freehold land located within the identified boundaries of Mount Ngongotahā, Rainbow Mountain, Horohoro Bluffs, Lake Rotoiti, Lake Rotoehu and Lake Rotomā and within the Mamakū Tors Outstanding Natural Features or Landscapes where these:</p> <ol style="list-style-type: none"> <li>1. Do not result in significant earthworks or indigenous vegetation removal that detract from the associated values and characteristics that deem the site to be outstanding</li> <li>2. Do not result in physical alteration of a Mamaku Tor feature identified on the planning maps</li> <li>3. Do not result in the removal of indigenous vegetation cover on a Mamaku Tor feature identified on the planning maps as being vegetated or partially vegetated</li> <li>4. Continue an existing lawfully established use of land where the effects of such land use and development remain the same or in similar character, intensity and scale and do not detract from the values and characteristics that deem a site to be outstanding</li> <li>5. Maintain the operation of lawfully established infrastructure and utilities</li> <li>6. Maintain or enhance indigenous biodiversity or values of the Outstanding Natural Feature or Landscape</li> <li>7. Are necessary to avoid loss of life, injury or serious damage to property.</li> </ol>
<p><b>NFL-P3</b> [2.3(4)(3)]</p>	<p>Enable recreational opportunities within areas identified as Outstanding Natural Features and Landscapes where they:</p> <ol style="list-style-type: none"> <li>1. Maintain existing amenity values including ambient noise levels consistent with amenity values</li> <li>2. Are serviced by appropriate access and facilities to meet the needs of residents and visitors.</li> </ol>
<p><b>NFL-P4</b> [2.3(4)(4)]</p>	<p>To maintain and enhance the lake catchments as Outstanding Natural Features and Landscapes each with its unique character.</p>
<p><b>NFL-P5</b> [2.3(4)(5)]</p>	<p>Enable the reasonable use and appropriate development of Henderson Quarry within Mt Ngongotahā Outstanding Natural Feature and Landscape where it minimises effects on the identified values and characteristics of the Kauae spur and its flanks identified as areas A, B, C and D in Figure NFL-1.</p>
<p><b>NFL-P6</b> [2.3(4)(6)]</p>	<p>Recognise the benefit to be produced by continued extraction of the regionally significant mineral resource surrounding Henderson Quarry.</p>
<p><b>NFL-P7</b> [2.3(4)(7)]</p>	<p>Enable appropriate development of the Whakarewarewa Geothermal Outstanding Natural Landscape where it minimises effects on the identified values and characteristics and it's consistent with section 14 of the New Zealand Māori Arts and Craft Institute Act 1963.</p>



NFL-FIGURE1 - Henderson Quarry Expansion Area

**Significant Geothermal Features***Objective NFL-O2*

<b>NFL-P8</b> [2.3(8)(1)]	Protect Significant Geothermal Features located within Protected Geothermal Systems as shown on the planning maps from inappropriate subdivision use and development.
<b>NFL-P9</b> [2.3(7)(2)]	Avoid, remedy or mitigate in accordance with the regional classification system, the adverse effects of subdivision, use and development on the qualities and characteristics that contribute to the uniqueness and importance of Significant Geothermal Features within the Rotorua and Limited/Conditional Development Geothermal on the planning maps.
<b>NFL-P10</b> [2.3(7)(3)]	In the Waikato Region, avoid adverse effects from uses of non-geothermal water and land uses on Significant Geothermal Features located within Development Geothermal Systems as shown on the planning maps.
<b>NFL-P11</b> [2.3(7)(4)]	In The Bay of Plenty Region, remedy or mitigate significant adverse effects on Significant Geothermal Features located within Development Geothermal Systems as shown on the planning maps.
<b>NFL-P12</b> [2.3(7)(5)]	Protect the special cultural connection with geothermal features in the Ōhinemutu, Ngāpuna and Whakarewarewa villages in the management of the features and associated land use activities in these villages.
<b>NFL-P13</b> [2.3(7)(6)]	Recognise and provide for tangata whenua as Kaitiaki when assessing land use and subdivision proposals that may impact Significant Geothermal Features.

## Advice Note:

1. The Significant Geothermal Features within the Bay of Plenty region are in the process of being identified by the Bay of Plenty Regional Council. As these are identified these will be included in the Planning Maps of the District Plan by a plan change.
2. The direction to avoid, remedy or mitigate in Policy NFL-P9, NFL-P10 and NFL-P11 must be applied in the context of the relevant Regional Geothermal Classification System and the provisions of the Waikato Regional Policy Statement or Bay of Plenty Regional Policy Statement.

**The landscape of the Rotorua caldera (Rural Zones)***Objective NFL-O3*

<b>NFL-P14</b> [9.3(6)(1)]	Maintain the distinctive natural landscape feature of the sensitive rural area in the Rotorua caldera through: <ol style="list-style-type: none"> <li>1. Confining buildings predominately to lake terraces</li> <li>2. Minimising the visual effects associated with new subdivision, use and development</li> <li>3. Limiting earthworks associated with new subdivision</li> <li>4. Integrating buildings into the landscape by making use of indigenous vegetation and existing topographical features.</li> </ol>
<b>NFL-P15</b> [9.3(6)(2)]	Ensure subdivision, use and development within the sensitive landscape area is consistent with the design guidance of the Boffa Miskell Ltd report 'Rotorua Caldera Rim – Caldera Rim Rural Character Design Guideline, September 2012' 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.
<b>NFL-P16</b> [9.3(6)(3)]	Manage the effects of activities within the sensitive landscape area in the Rotorua caldera to ensure that its character and amenity is maintained by:



	<ol style="list-style-type: none"> <li>1. Avoiding subdivision, use and development that may lead to significant landscape and visual adverse effects through the design and location of buildings, roads and infrastructure</li> <li>2. Providing for limited subdivision use and development within the sensitive landscape area</li> <li>3. Promoting subdivision use and development in areas that are screened from public view by existing development, landscape features or natural topography</li> <li>4. Ensuring that the intensity and scale of proposed subdivision or land use in the sensitive landscape area does not create adverse cumulative effects.</li> </ol>
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## RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District Wide Matters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in [Part 1, How the Plan Works](#).

For plantation forestry in the Outstanding Natural Features and Landscapes Overlay refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules in this table will apply.

Links to the rule categories are provided below:

<a href="#">Rules for Activities in Outstanding Natural Features and Landscapes</a> .....	<a href="#">36</a>
<a href="#">Buildings and Structures</a> .....	<a href="#">36</a>
<a href="#">Tracks</a> .....	<a href="#">38</a>
<a href="#">Mining and Quarrying</a> .....	<a href="#">40</a>
<a href="#">Earthworks</a> .....	<a href="#">41</a>
<a href="#">Vegetation</a> .....	<a href="#">43</a>
<a href="#">Te Puia Site (Section 1 SO390094 and Section 1 SO408975)</a> .....	<a href="#">44</a>
<a href="#">Rules for Activities in or Adjacent to Significant Geothermal Features</a> .....	<a href="#">54</a>
<a href="#">General</a> .....	<a href="#">54</a>
<a href="#">Rules for Activities in the Rotorua Caldera Rim</a> .....	<a href="#">57</a>

Field Code Changed

**Deleted:** Rules for Activities in Outstanding Natural Features and Landscapes . 35¶  
Buildings and Structures . 35¶  
Tracks . 37¶  
Mining and Quarrying . 39¶  
Earthworks . 40¶  
Vegetation . 42¶  
Te Puia Site (Section 1 SO390094 and Section 1 SO408975) . 43¶  
Rules for Activities in or Adjacent to Significant Geothermal Features . 53¶  
General . 53¶  
Rules for Activities in the Rotorua Caldera Rim . 56¶

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Rules for Activities in Outstanding Natural Features and Landscapes

Buildings and Structures		
<b>NFL-R1</b>	<b>Buildings and structures (including lake structures and infrastructure) in an Outstanding Natural Feature or Landscape</b>	[4.5(78), 9.5(84), 10.5(74), 4.5(83), 4.5(87), 4.5(84), 6.5(66), 8.5(16), 9.5(83), 10.5(68), 10.5(80), [4.5(88), 6.5(72), 8.5(19), 9.5(90), 9.5(91), 9.5(100), 10.5(72), 15.5(5), 9.5(104), 10.5(78)]
<b>Applicable Spatial Layers</b>  Outstanding Natural Features and Landscape Overlay except Mamakū Tors Outstanding Natural Landscape	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is maintenance, replacement or upgrade of an existing lawfully established building or structure; and</li> <li>b. Any upgrade, or replacement of existing buildings or structures shall not exceed the existing building envelope or footprint.</li> <li>c. In Rural 1 and 2 Zones and Reserve Zones, the activity is not a building that protrudes into the skyline when viewed from outside the site.</li> </ul> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Any external walls and roofs of any building, structure (excluding lake structures) or addition shall not exceed a reflectivity value of 37%.</li> </ul>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for NFL-R1(1).</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which any additional buildings or structures may cause cumulative adverse effects used for their construction, integrate the building or structure into the surrounding natural environment.</li> <li>b. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment;</li> <li>c. The extent to which the finished building roofline or structure will be below the nearest ridgeline;</li> <li>d. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; and</li> <li>e. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and</li> <li>f. Assessment criteria for the relevant zone.</li> </ul>
<p>Advice Note:</p> <p>For the avoidance of doubt maintenance, replacement and upgrade of buildings located within private freehold lots within Mount Ngongotahā and Whakarewarewa Outstanding Natural Features and Landscapes are addressed in Rule NFL-R1(1).</p>		
<b>Applicable Spatial Layers</b>	<p><b>3. Activity Status:</b> Permitted</p> <p><b>Where:</b></p>	

<p>Mamakū Tors Outstanding Natural Landscape</p>	<p>a. The activity is a building, accessory residential building or rural production activity and; b. The activity does not physically alter a Mamakū Tor feature.</p>	
<p><b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay: All Rural Zones except Mamakū Tors Outstanding Natural Landscape</p>	<p><b>4. Activity Status:</b> Restricted Discretionary <b>Where:</b> The activity is a new building accessory to agricultural production activities within pastoral landscapes. <b>Performance Standards:</b> a. If the new building is visible from a road or other public place it does not extend above any ridgeline and does not have a backdrop of a lake or sky; and b. The building does not exceed 7m in height or 350m<sup>2</sup> gross floor area. <b>Matters of Discretion:</b> a. The functional and locational requirements for the building to be located within the Outstanding Natural Feature and Landscape; b. The extent to which any additional buildings may cause cumulative adverse effects on the identified values or characteristics of the Outstanding Natural Feature and Landscape; c. The extent to which the siting, orientation, design and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment; and d. The extent to which external walls and roof of any building or addition exceeds a reflectivity of 37%.</p>	<p><b>5. Activity Status:</b> Discretionary <b>Where:</b> The activity does not comply with the performance standards for NFL-R1(4). <b>Assessment Criteria:</b> a. The extent to which any additional buildings or structures may cause cumulative adverse effects on the identified values or characteristics of the Outstanding Natural Feature or Landscape. b. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment; c. The extent to which the finished building roofline or structure will be below the nearest ridgeline; d. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; e. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and f. Assessment criteria for the relevant zone.</p>
<p><b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay</p>	<p><b>6. Activity Status:</b> Discretionary <b>Where:</b> The building or structure is not otherwise provided for in this rule. <b>Assessment Criteria:</b> a. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment; b. The extent to which the finished building roofline or structure will be below the nearest ridgeline; c. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks;</p>	

	<p>d. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape;</p> <p>e. Where the activity is a building that protrudes into the skyline when viewed from outside the site in the Rural 1 or 2 Zones (excluding Mamaku Tors): The extent to which any additional buildings or structures may cause cumulative adverse effects on the identified values or characteristics of the Outstanding Natural Feature or Landscape;</p> <p>f. Assessment criteria for the relevant zone; and</p> <p>g. Infrastructure Specific <a href="#">NFL-AC1</a></p>	
<p><b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay: All Reserves Zones</p>	<p><b>7. Activity Status:</b> Non-Complying <b>Where:</b> The activity is a building that protrudes into the skyline when viewed from outside the site.</p>	
<b>Tracks</b>		
<b>NFL-R2</b>	<p><b>The maintenance of existing farm, forestry skid sites, walking and cycling tracks in an Outstanding Natural Feature or Landscape</b></p>	
	<p><i>[4.5(79), 6.5(67), 8.5(17), 9.5(85), 10.5(69)]</i></p>	
<p><b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay</p>	<p><b>1. Activity Status:</b> Permitted <b>Where:</b> The track shall not exceed the existing width of the formed track. <b>Performance Standards:</b> a. Construction debris shall not be placed, or allowed to enter a water body.</p>	<p><b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for NFL-R2(1). <b>Assessment Criteria:</b> a. Assessment criteria for the relevant zone.</p>
<p><b>Advice Note:</b> For plantation forestry in the Outstanding Natural Features and Landscapes Overlay refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules will apply.</p>		
<b>NFL-R3</b>	<p><b>Construction of new farm, forestry or walking tracks in an Outstanding Natural Feature or Landscape</b></p>	
	<p><i>[4.5(82), 6.5(69), 8.5(18), 9.5(89), 9.5(87), 9.5(88), 10.5(71)]</i></p>	
<p><b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay:</p>	<p><b>1. Activity Status:</b> Permitted</p>	

Field Code Changed

Commercial 5 Zone	
<p>Advice Note: Refer instead to the National Environmental Standards for Plantation Forestry for the status of new plantation forestry tracks in the Outstanding Natural Features and Landscapes Overlay in Commercial Zones.</p>	
<p><b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay: Rural 1 Zone</p>	<p><b>2. Activity Status:</b> Controlled <b>Where:</b> The activity is a farm track. <b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. The prevention of access to or from a state highway;</li> <li>b. The protection of recorded features listed in the schedules for Historical or Cultural Values or Natural Environmental Values and wāhi tapu shall not be disturbed;</li> <li>c. The walking track shall not disturb any endangered indigenous fauna or species or their habitat as listed in the schedule of significant natural areas;</li> <li>d. Methods used to avoid construction debris from entering a water body;</li> <li>e. The extent to which the scale and location of earthworks associated with roads, tracks, building sites detract from the values and characteristics of the Outstanding Natural Feature and Landscape or Significant Natural Area;</li> <li>f. The extent to which the location and/or design avoids or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system; and</li> <li>g. The functional and locational requirements for tracks to be located within the Outstanding Natural Feature and Landscape.</li> </ul>
<p><b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay: All Zones except Commercial Zones</p>	<p><b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> In Rural 1 Zone it is not a farm track. <b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The prevention of access to or from a state highway;</li> <li>b. The protection of recorded historic heritage features listed in NFL-Sched1 – Outstanding Natural Features and Landscapes, ECO-Sched1 – Significant Natural Areas, and wāhi tapu shall not be disturbed;</li> <li>c. The walking track shall not disturb any endangered indigenous fauna or species or their habitat as listed in ECO-Sched1 – Significant Natural Areas;</li> <li>d. Methods used to avoid construction debris from entering a water body;</li> <li>e. The extent to which the scale and location of earthworks associated with roads, tracks, building sites detract from the values and characteristics of the Outstanding Natural Feature and Landscape or Significant Natural Area;</li> <li>f. The extent to which the location and/or design avoids or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system;</li> <li>g. The functional and locational requirements for tracks to be located within the Outstanding Natural Feature and Landscape; and</li> <li>h. Assessment criteria for the relevant zone.</li> </ul>
<p>Advice Note:</p>	

For plantation forestry tracks in the Outstanding Natural Features and Landscapes Overlay refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules will apply.

**Mining and Quarrying**

**NFL-R4 Mining and quarrying inside or adjoining the Outstanding Natural Feature or Landscape Overlay** [9.5(93)]

<b>Applicable Spatial Layers</b> Rural 1 Zone	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Where:</b> The land to be mined or quarried adjoins the boundary of an Outstanding Natural Feature or Landscape.</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which any additional buildings or structures may cause cumulative adverse effects on the identified values or characteristics of the Outstanding Natural Feature or Landscape;</li> <li>b. The extent to which the finished building roofline or structure will be below the nearest ridgeline;</li> <li>c. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks;</li> <li>d. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and</li> <li>e. Assessment criteria for the relevant zone.</li> </ul>
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<b>Applicable Spatial Layers</b> Rural 2 Zone	<p><b>2. Activity Status:</b> Non-Complying</p> <p><b>Where:</b> The land to be mined or quarried adjoins the boundary of an Outstanding Natural Feature or Landscape.</p>
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**NFL-R5 Mining and quarrying associated with Henderson Quarry including any planting associated with vegetation screening or rehabilitation in an Outstanding Natural Feature or Landscape** [9.5(94)]

<b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay: Rural 1 Zone- Henderson Quarry Expansion Area	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is within the Mount Ngongotahā Henderson Quarry Expansion Area; and</li> <li>b. The activity is within the Mount Ngongotahā Outstanding Natural Feature and Landscape.</li> </ul> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which any additional buildings or structures may cause cumulative adverse effects on the identified values or characteristics of the Outstanding Natural Feature or Landscape;</li> <li>b. The extent to which the siting, orientation, design and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment;</li> </ul>
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	<ul style="list-style-type: none"> <li>c. The extent to which the finished building roofline or structure will be below the nearest ridgeline;</li> <li>d. The extent to which re-vegetation and planting/ landscaping is proposed in order to mitigate adverse effects of building, structures and earthworks;</li> <li>e. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and</li> <li>f. Assessment criteria for the relevant zone.</li> </ul>	
<b>NFL-R6</b>	<b>Mining and quarrying associated with Henderson Quarry in an Outstanding Natural Feature or Landscape</b>	[9.5(95)]
<b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay: Rural 1 Zone- Henderson Quarry Expansion Area	<b>1. Activity Status:</b> Non-Complying <b>Where:</b> <ul style="list-style-type: none"> <li>a. The activity is outside the Mount Ngongotahā Henderson Quarry Expansion Area; and</li> <li>b. The activity is within the Mount Ngongotahā Outstanding Natural Feature and Landscape.</li> </ul>	
<b>Earthworks</b>		
<b>NFL-R7</b>	<b>Earthworks in an Outstanding Natural Feature or Landscape</b>	[4.5(80), 4.5(81), 6.5(67), 6.5(70), 8.5(20), 8.5(21), 9.5(86), 9.5(92)], 10.5(70), 10.5(73)]
<b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay	<b>1. Activity Status:</b> Permitted <b>Where:</b> <ul style="list-style-type: none"> <li>a. The earthworks are:                         <ul style="list-style-type: none"> <li>i. Earthworks incidental to either an approved subdivision, or construction of a building platform, or installation of utility services, or to provide access to an activity which is a permitted activity or authorised by a resource consent;</li> <li>ii. Excavations that do not exceed 2m in depth for the purpose of installing foundations for telecommunication masts;</li> <li>iii. Earthworks associated with the operation, maintenance, and upgrading of existing electricity generation infrastructure within Electricity Generation Core Sites, including any new boreholes, trenches, access tracks, fence lines and erosion protection works within:                                 <ul style="list-style-type: none"> <li>1. Electricity Generation Core Sites;</li> <li>2. Land zoned Industrial 2 at Ohaaki identified on Planning Maps 545 and 546;</li> </ul> </li> <li>iv. Earthworks associated with the construction of permitted network utilities and the maintenance, renewal and upgrade of existing network utilities;</li> <li>v. Earthworks associated with the replacement or removal of a fuel storage system as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011;</li> <li>vi. Land preparation and earthworks accessory to and reasonably necessary for fencing and existing forestry activity;</li> </ul> </li> </ul>	

	<ul style="list-style-type: none"> <li>vii. Earthworks activity undertaken for the purpose of the maintenance of indigenous biodiversity;</li> <li>viii. Normal domestic gardening and other earthworks accessory to the use and occupation of a household residential unit;</li> <li>ix. Normal reserve gardening activities, turf and pasture preparation, maintenance and renovation practices;</li> <li>x. The maintenance of walking tracks, farm and forestry tracks, driveways and roads and tracks and drains associated with existing infrastructure and normal farming practices;</li> <li>xi. Earthworks on land not under water that is accessory to lake structures;</li> <li>xii. Troughs and their associated pipe network and realignment of fences associated with normal farming practices;</li> <li>xiii. Ploughing as part of normal farm practices within an Outstanding Natural Landscape but which does not alter a Mamakū Tor feature; or</li> <li>xiv. New drains within pastoral landscape that forms part of an Outstanding Natural Feature and Landscape.</li> </ul>
<p>Outstanding Natural Features and Landscapes Overlay</p>	<p><b>2. Activity Status: Discretionary</b></p> <p><b>Where:</b> An activity is not provided for in NFL-R7(1) or (3).</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the scale and location of earthworks or removal of vegetation detracts from the values and characteristics of the Outstanding Natural Feature or Landscape;</li> <li>b. The extent to which earthworks maintain the existing landform profile and align to the contour of the Outstanding Natural Feature or Landscape;</li> <li>c. The extent to which any cut and fill can be minimised and the final contours can be re-vegetated;</li> <li>d. The extent to which the activity provides opportunities to enhance or restore the values of the Outstanding Natural Feature or Landscape;</li> <li>e. The extent to which the location of earthworks avoids areas of significance to tangata whenua, and areas of indigenous vegetation including Significant Natural Areas; and</li> <li>f. Assessment criteria for the relevant zone.</li> </ul>
<p><b>Applicable Spatial Layers</b> Mamakū Tors Outstanding Natural Landscape</p>	<p><b>3. Activity Status: Non-Complying</b></p> <p><b>Where:</b> The activity is earthworks or recontouring of land associated with normal farming practices that results in the modification of a Mamakū Tor feature.</p>
<p>Advice Note:</p> <ul style="list-style-type: none"> <li>1. For the avoidance of doubt, the rules in EW-Earthworks also apply to earthworks in the Outstanding Natural Landscape Overlay.</li> <li>2. For earthworks associated with plantation forestry in the Outstanding Natural Features and Landscapes Overlay refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules will apply.</li> </ul>	



Vegetation		
<b>NFL-R8</b>	<b>Removal of indigenous vegetation in an Outstanding Natural Feature or Landscape</b>	
	[4.5(85), 6.5(71), 6.5(83), 8.5(22), 9.5(97), 10.5(76), 10.5(77)]	
<b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay: All Residential Zones All Rural Zones All Reserves Zones Water Zone	<b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b> a. Except within residential zoned lots in the Mount Ngongotahā Outstanding Natural Feature and Landscape, the removal does not exceed 200m <sup>2</sup> .	<b>2. Activity Status:</b> Non-Complying  <b>Where:</b> Compliance is not achieved with the performance standards for NFL-R8(1).
<b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay: All Commercial Zones Business and Innovation 1 Zone	<b>3. Activity Status:</b> Non-Complying  <b>Where:</b> a. The vegetation removal is not otherwise provided for or associated with the rules for the Te Puia Site NFL-R11 to NFL-R16 or PA-R1(4). b. The activity is not otherwise provided.	
<b>Applicable Spatial Layers</b> Mamakū Tors Outstanding Landscape	<b>4. Activity Status:</b> Non-complying  <b>Where:</b> The vegetation is on a Mamakū Tor feature identified on the planning maps.	
Advice Note: For the removal of indigenous vegetation associated with plantation forestry in the Outstanding Natural Features and Landscapes Overlay refer also to the National Environmental Standards for Plantation Forestry. Where the regulations for the National Environmental Standards are more stringent than these rules the National Environmental Standard will apply. Where the rules in this table are more stringent than the National Environmental Standard then the rules will apply.		
<b>NFL-R9</b>	<b>Removal of pest plants on a Mamakū Tor feature</b>	
	[9.5(103)]	
<b>Applicable Spatial Layers</b> Mamakū Tors Outstanding Landscape	<b>1. Activity Status:</b> Permitted	

<b>NFL-R10</b>		<b>Forestry in an Outstanding Natural Feature or Landscape</b>	[9.5(99), 10.5(79), [9.5(96), 10.5(75)]]
<b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay:	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is existing forestry;</li> <li>b. The activity is not plantation forestry; and</li> <li>c. The activity is in the Horohoro Bluffs, Mamakū Tors or Rainbow Mountain Outstanding Landscapes.</li> </ul>		
<p>Advice Note:</p> <p>For plantation forestry in these parts of the Outstanding Natural Features and Landscapes Overlay refer instead to the National Environmental Standards for Plantation Forestry.</p>			
<b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes: All Rural Zones All Reserves Zones	<p><b>2. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is plantation forestry; and</li> <li>b. The activity is not provided for in NFL-R10(1).</li> </ul>		
<p><b>Te Puia Site (Section 1 SO390094 and Section 1 SO408975)</b></p>			
<p>Advice Note:</p> <p>In the event of conflict between the general NFL rules above and the rules for the Te Puia site below, the rules below take precedence in respect of the activities and locations addressed.</p>			
<b>NFL-R11</b>		<b>Buildings in an ONFL at the Te Puia Site</b>	[6.5(73), 6.7(75), 6.7(78), 6.7(79)]
<b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay: Commercial 5 Zone - Te Puia Site	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is located within Area A of the Whakarewarewa Geothermal Area Outstanding Natural Feature and Landscape (as shown in Figure NFL-2); and</li> <li>b. The maximum net floor area is 30m<sup>2</sup>.</li> </ul> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. The combined maximum net floor area of all buildings constructed under this rule shall be no more than 100m<sup>2</sup>;</li> <li>b. Be a maximum of 5m above natural ground level;</li> </ul>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for NFL-R11(1) or NFL-R11(2).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which any buildings or activities may cause cumulative adverse effects on the identified values or characteristics that make the Whakarewarewa Geothermal Area outstanding including naturalness, visual and amenity values;</li> <li>b. The extent to which the activity avoids adverse effects on the identified values and characteristics</li> </ul>	

	<ul style="list-style-type: none"> <li>c. Not be seen from a public road or reserve;</li> <li>d. Building shall not protrude above the indigenous vegetation canopy. This standard would not apply to structures that are not defined as a building;</li> <li>e. Have exterior surfaces, including any roof which is finished in reflectivity values of between 0% and 37%;</li> <li>f. Information shall be provided to council prior to construction, demonstrating the above. Information shall include a site plan showing all buildings and structures constructed from the operative date and net floor areas of each.</li> <li>g. The indigenous vegetation disturbance for buildings must result in less than a 2m width clearance of indigenous vegetation from the external footprint; and</li> <li>h. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction will be reinstated. This requirement does not apply to the area cleared for the permanent placement of the structure, track or the area required for safe operation of the activity. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous species already present or that would have been historically present on site.</li> </ul>	<ul style="list-style-type: none"> <li>of the Whakarewarewa Geothermal Area;</li> <li>c. The extent to which the siting, orientation, design and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment;</li> <li>d. The extent to which the finished building roofline or structure will be below the nearest ridgeline;</li> <li>e. The extent to which re-vegetation and screen planting/landscaping is proposed in order to mitigate or remedy adverse visual effects of buildings, structures and earthworks;</li> <li>f. The extent to which any external wall and roofs of any building or structure has a reflectively value at or below 37%. Where reflectivity is exceeded, modulated and surface design, building design, location and buffering with vegetation will be considered; and</li> <li>g. The extent to which the adverse effects of earthworks and the disturbance and removal of indigenous vegetation on the values and characteristics of the Outstanding Natural feature and Landscape or water bodies is avoided, remedied or mitigated.</li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>Outstanding Natural Features and Landscapes Overlay:</p> <p>Commercial 5 Zone - Te Puia Site</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is within Area A of the Whakarewarewa Geothermal Area Outstanding Natural Feature and Landscape (as shown in Figure NFL-2); and</li> <li>b. The maximum net floor area is between 31m<sup>2</sup> and 80m<sup>2</sup>.</li> </ul> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Be a maximum of 5m above natural ground level;</li> <li>b. Not be seen from a public road or reserve;</li> </ul>	

	<ul style="list-style-type: none"> <li>c. Building shall not protrude above the indigenous vegetation canopy. This standard does not apply to structures that are not defined as a building;</li> <li>d. Have exterior surfaces, including any roof which is finished in reflectivity values of between 0% and 37%;</li> <li>e. The combined maximum net floor area of all buildings constructed shall be no more than 240m<sup>2</sup>;</li> <li>f. Information shall be provided to council prior to construction, demonstrating the above. Information shall include a site plan showing all buildings and structures constructed from the operative date and net floor areas of each;</li> <li>g. The indigenous vegetation disturbance for buildings must result in less than a 2m width clearance of indigenous vegetation from the external footprint; and</li> <li>h. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction will be reinstated. This requirement does not apply to the area cleared for the permanent placement of the structure, track or the area required for safe operation of the activity. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous species already present or that would have been historically present on site.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Mitigation of cumulative effects on the identified values or characteristics that make Whakarewarewa Geothermal Area outstanding including its naturalness, visual and amenity values;</li> <li>b. The extent to which built elements have been architecturally designed to be sympathetic to the landscape values of the Whakarewarewa Geothermal Area Outstanding Natural Feature and Landscape;</li> <li>c. Siting, orientation, design and bulk of any buildings, impervious</li> </ul>	
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	<p>surfaces and materials used for construction to integrate into the surrounding natural environment;</p> <p>d. Appropriateness of location of buildings and activities in relation to other built structures or outstanding features;</p> <p>e. The extent to which re-vegetation and screen planting/landscaping is proposed in order to mitigate or remedy adverse visual effects of buildings, structures and earthworks; and</p> <p>f. The extent to which the adverse effects of earthworks and the disturbance and removal of indigenous vegetation on the values and characteristics of the Outstanding Natural Feature and landscape or water bodies are avoided, remedied or mitigated.</p>	
<p>Advice Note:</p> <p>For the avoidance of doubt the 240m<sup>2</sup> combined maximum net floor area in NFL-R11(2) is in addition to the 100m<sup>2</sup> combined maximum net floor area allowed under NFL-R11(1) above and any additional net floor area consented to will be assessed as a restricted discretionary activity.</p>		
<p><b>Applicable Spatial Layers</b></p> <p>Outstanding Natural Features and Landscapes Overlay:</p> <p>Commercial 5 Zone - Te Puia Site</p>	<p><b>4. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Buildings and activities are located within Area B of the Whakarewarewa Geothermal Area Outstanding Natural Features and Landscapes (as shown in Figure NFL-2).</p> <p><b>Matters of Discretion:</b></p> <p>a. The extent to which any buildings or activities may cause cumulative adverse effects on the identified values or characteristics that make the Whakarewarewa Geothermal Area outstanding including naturalness, visual and amenity values;</p> <p>b. The extent to which the activity avoids adverse effects on the identified values and characteristics of the Whakarewarewa Geothermal Area;</p> <p>c. The extent to which the siting, orientation, design and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment;</p> <p>d. The extent to which the finished building roofline or structure will be below the nearest ridgeline;</p> <p>e. The extent to which re-vegetation and screen planting/landscaping is proposed in order to mitigate or remedy adverse visual effects of buildings, structures and earthworks;</p> <p>f. The extent to which any external wall and roofs of any building or structure has a reflectively value at or below 37%. Where reflectivity is exceeded, modulated and surface design, building design, location and buffering with vegetation will be considered; and</p> <p>g. The extent to which the adverse effects of earthworks and the disturbance and removal of indigenous vegetation on the values and characteristics of the</p>	

	Outstanding Natural feature and Landscape or water bodies is avoided, remedied or mitigated.	
<b>NFL-R12</b>	<b>Construction of new walking and cycling tracks (including boardwalks) in an ONFL at Te Puia</b>	
	[6.5(82)]	
<b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay: Commercial 5 Zone - Te Puia Site	<p><b>1. Activity Status: Permitted</b></p> <p><b>Where:</b></p> <p>a. The activity is not provided for in NFL-R13, NFL-R14 or NFL-R15.</p> <p><b>Performance Standards:</b></p> <p>a. Any indigenous vegetation disturbance for structures and activities will be limited to the removal of vegetation under 3m in height and must be limited to the minimum disturbance required for the placement of the structure or safe operation of the activity; and</p> <p>b. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction work will be reinstated. This requirement does not apply to the area cleared for the permanent placement of the structure, track or the area required for safe operation of the activity. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous vegetation already present or that would have been historically present on site.</p>	<p><b>2. Activity Status: Discretionary</b></p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for NFL-R12(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. The extent to which the scale and location of earthworks or removal of vegetation detracts from the values and characteristics of the Outstanding Natural Feature or Landscape;</p> <p>b. The extent to which earthworks maintain the existing landform profile and align to the contour of the Outstanding Natural Feature or Landscape;</p> <p>c. The extent to which any cut and fill can be minimised and the final contours can be re-vegetated;</p> <p>d. The extent to which the activity provides opportunities to enhance or restore the values of the Outstanding Natural Feature or Landscape;</p> <p>e. The extent to which to which the location of earthworks avoids areas of significance to tangata whenua, and areas of indigenous vegetation including Significant Natural Areas;</p> <p>f. The extent to which the earthworks avoid or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system; and</p> <p>g. Assessment criteria for the relevant zone.</p>
<b>NFL-R13</b>	<b>Viewing and observation platforms or rock climbing structures in an ONFL at Te Puia</b>	
	[6.5(74)]	
<b>Applicable Spatial Layers</b> Outstanding Natural Features and Landscapes Overlay:	<p><b>1. Activity Status: Permitted</b></p> <p><b>Where:</b></p> <p>a. The activity is located within Area A of the Whakarewarewa Geothermal Area Outstanding Natural Feature</p>	<p><b>2. Activity Status: Discretionary</b></p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for NFL-R13(1).</p> <p><b>Assessment Criteria:</b></p>

<p>Commercial 5 Zone - Te Puia Site</p>	<p>and Landscape (as shown in Figure NFL-2); and</p> <p>b. The activity has a maximum net floor area of 16m<sup>2</sup>.</p> <p><b>Performance Standards:</b></p> <p>a. Be a maximum of 5m above natural ground level;</p> <p>b. Not be seen from a public road or reserve;</p> <p>c. Buildings shall not protrude above the indigenous vegetation canopy;</p> <p>d. Have exterior surfaces, including any roof which is finished in reflectivity values of between 0% and 37%;</p> <p>e. Information shall be provided to council prior to construction, demonstrating the above. Information shall include a site plan showing all buildings and structures constructed from the operative date and net floor areas of each;</p> <p>f. The indigenous vegetation disturbance for buildings structures and activities will be limited to the removal of vegetation under 3m in height and must be limited to the minimum disturbance required for the placement of the structure or safe operation of the activity; and</p> <p>g. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction work will be reinstated. This requirement does not apply to the area cleared for the permanent placement of the structure, track or the area required for the safe operation of the activity. Planting shall also be undertaken with locally sourced indigenous species, the same as existing indigenous species already present or they would have been historically present on the site.</p>	<p>a. The extent to which the scale and location of earthworks or removal of vegetation detracts from the values and characteristics of the Outstanding Natural Feature or Landscape;</p> <p>b. The extent to which earthworks maintain the existing landform profile and align to the contour of the Outstanding Natural Feature or Landscape;</p> <p>c. The extent to which any cut and fill can be minimised and the final contours can be re-vegetated;</p> <p>d. The extent to which the activity provides opportunities to enhance or restore the values of the Outstanding Natural Feature or Landscape;</p> <p>e. The extent to which to which the location of earthworks avoids areas of significance to tangata whenua, and areas of indigenous vegetation including Significant Natural Areas;</p> <p>f. The extent to which the earthworks avoid or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system;</p> <p>g. The extent to which any additional buildings or structures may cause cumulative adverse effects used for their construction, integrate the building or structure into the surrounding natural environment;</p> <p>h. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment;</p> <p>i. The extent to which the finished building roofline or structure will be below the nearest ridgeline;</p> <p>j. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks;</p> <p>k. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and</p> <p>l. Assessment criteria for the relevant zone.</p>
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NFL-R14	Non-motorised aerial tourism activities, zip lines, suspended bridges and boardwalks in an ONFL at Te Puia		[6.5(76)]
<p><b>Applicable Spatial Layers</b></p> <p>Outstanding Natural Features and Landscapes Overlay: Commercial 5 Zone- Te Puia Site</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is located within Area A of the Whakarewarewa Geothermal Area Outstanding Natural Features and Landscapes; and</li> <li>b. Has a height greater than 2m.</li> </ul> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Be a maximum of 5m above natural ground level;</li> <li>b. Not be seen from a public road or reserve;</li> <li>c. Buildings shall not protrude above the indigenous vegetation canopy;</li> <li>d. Have exterior surfaces, including any roof which is finished in reflectivity values of between 0% and 37%;</li> <li>e. Information shall be provided to council prior to construction, demonstrating the above. Information shall include a site plan showing all buildings and structures constructed from the operative date and net floor areas of each</li> <li>f. The indigenous vegetation disturbance for buildings, structures and activities will be limited to the removal of vegetation under 2m in height and must be limited to the minimum disturbance required for the placement of the structure or safe operation of the activity; and</li> <li>g. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction work will be reinstated. This requirement does not apply to the area cleared for the permanent placement of the structure, track or the area required for the safe operation of the activity. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous species already</li> </ul>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for NFL-R14(1).</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the scale and location of earthworks or removal of vegetation detracts from the values and characteristics of the Outstanding Natural Feature or Landscape;</li> <li>b. The extent to which earthworks maintain the existing landform profile and align to the contour of the Outstanding Natural Feature or Landscape;</li> <li>c. The extent to which any cut and fill can be minimised and the final contours can be re-vegetated;</li> <li>d. The extent to which the activity provides opportunities to enhance or restore the values of the Outstanding Natural Feature or Landscape;</li> <li>e. The extent to which the location of earthworks avoids areas of significance to tangata whenua, and areas of indigenous vegetation including Significant Natural Areas;</li> <li>f. The extent to which the earthworks avoid or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system; and</li> <li>g. The extent to which any additional buildings or structures may cause cumulative adverse effects used for their construction, integrate the building or structure into the surrounding natural environment.</li> <li>h. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment;</li> <li>i. The extent to which the finished building roofline or structure will be below the nearest ridgeline;</li> </ul>	



	<p>present or that would have been historically present on the site.</p> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Mitigation of cumulative effects on the identified values or characteristics that make Whakarewarewa Geothermal Area outstanding including its naturalness, visual and amenity values;</li> <li>b. The extent to which built elements have been architecturally designed to be sympathetic to the landscape values of the Whakarewarewa Geothermal Area Outstanding Natural Feature and Landscape;</li> <li>c. Siting, orientation, design and bulk of any buildings, impervious surfaces and materials used for their construction to integrate the building or structure into the surrounding natural environment;</li> <li>d. Appropriateness of location of buildings and activities in relation to other built structures or outstanding features;</li> <li>e. The extent to which re-vegetation and screen planting/landscaping is proposed in order to mitigate or remedy adverse visual effects of buildings, structures and earthworks; and</li> <li>f. The extent to which the adverse effects of earthworks and the disturbance and removal of indigenous vegetation on the values and characteristics of the Outstanding Natural Feature and Landscape or water bodies are avoided, remedied or mitigated.</li> </ul>	<ul style="list-style-type: none"> <li>j. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; and</li> <li>k. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and</li> <li>l. Assessment criteria for the relevant zone.</li> </ul>
<p><b>NFL-R15      Concreted or sealed tracks in ONFL at Te Puia</b></p>		<p>[6.5(77)]</p>
<p><b>Applicable Spatial Layers</b></p> <p>Outstanding Natural Features and Landscapes Overlay:</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The activity is located within Area A or B of the Whakarewarewa Geothermal Area Outstanding Natural Features and Landscapes (as shown in Figure NFL-2).</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Not be seen from a public road or reserve;</li> </ul>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for NFL-R15(1).</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the scale and location of earthworks or removal of vegetation detracts from the values and characteristics of the</li> </ul>

<p>Commercial 5 Zone- Te Puia Site</p>	<ul style="list-style-type: none"> <li>b. Information shall be provided to council prior to construction, demonstrating the above. Information shall include a site plan;</li> <li>c. The indigenous vegetation disturbance for concreted or sealed tracks will be limited to the removal of vegetation under 3m in height in an area no wider than 3m for the formed track; and</li> <li>d. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction work will be reinstated. This requirement does not apply to the area cleared for the permanent placement of the structure, track or the area required for the safe operation of the activity. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous species already present or that would have been historically present on site.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Mitigation of cumulative effects on the identified values or characteristics that make Whakarewarewa Geothermal Area outstanding including its naturalness, visual and amenity values;</li> <li>b. The extent to which built elements have been architecturally designed to be sympathetic to the landscape values of the Whakarewarewa Geothermal Area Outstanding Natural Feature and Landscape;</li> <li>c. Siting, orientation, design and bulk of any buildings, impervious surfaces and materials used for their construction to integrate the building or structure into the surrounding natural environment;</li> <li>d. Appropriateness of location of buildings and activities in relation to other built structures or outstanding features;</li> <li>e. The extent to which re-vegetation and screen planting/landscaping is proposed in order to mitigate or remedy adverse visual effects of</li> </ul>	<p>Outstanding Natural Feature or Landscape;</p> <ul style="list-style-type: none"> <li>b. The extent to which earthworks maintain the existing landform profile and align to the contour of the Outstanding Natural Feature or Landscape;</li> <li>c. The extent to which any cut and fill can be minimized and the final contours can be re-vegetated;</li> <li>d. The extent to which the activity provides opportunities to enhance or restore the values of the Outstanding Natural Feature or Landscape;</li> <li>e. The extent to which to which the location of earthworks avoids areas of significance to tangata whenua, and areas of indigenous vegetation including Significant Natural Areas;</li> <li>f. The extent to which the earthworks avoid or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system; and</li> <li>g. Assessment criteria for the relevant zone.</li> </ul>
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	<p>buildings, structures and earthworks; and</p> <p>f. The extent to which the adverse effects of earthworks and the disturbance and removal of indigenous vegetation on the values and characteristics of the Outstanding Natural Feature and Landscape or water bodies are avoided, remedied or mitigated.</p>	
<p><b>NFL-R16 Construction of new pou waharoa, poumaumahara or pūhara in an ONFL at Te Puia</b></p>		[6.5(83)]
<p><b>Applicable Spatial Layers</b></p> <p>Outstanding Natural Features and Landscapes Overlay:</p> <p>Commercial 5 Zone - Te Puia Site</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Be a maximum of 5m above natural ground level;</p> <p>b. Buildings shall not protrude above the indigenous vegetation canopy;</p> <p>c. Shall be limited to a maximum of four structures in total;</p> <p>d. Be no greater than 8m in height; and</p> <p>e. Be made of natural materials.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for NFL-R16(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. The extent to which the scale and location of earthworks or removal of vegetation detracts from the values and characteristics of the Outstanding Natural Feature or Landscape;</p> <p>b. The extent to which earthworks maintain the existing landform profile and align to the contour of the Outstanding Natural Feature or Landscape;</p> <p>c. The extent to which any cut and fill can be minimised and the final contours can be re-vegetated;</p> <p>d. The extent to which the activity provides opportunities to enhance or restore the values of the Outstanding Natural Feature or Landscape;</p> <p>e. The extent to which to which the location of earthworks avoids areas of significance to tangata whenua, and areas of indigenous vegetation including Significant Natural Areas;</p> <p>f. The extent to which the earthworks avoid or mitigate adverse effects on any Significant Geothermal Feature in accordance with the classification of the associated geothermal system; and</p> <p>g. The extent to which any additional buildings or structures may cause cumulative adverse effects used for their construction, integrate the</p>

		<p>building or structure into the surrounding natural environment.</p> <p>h. The extent to which the siting, orientation, design, and bulk of any buildings and materials used for their construction, integrate the building or structure into the surrounding natural environment;</p> <p>i. The extent to which the finished building roofline or structure will be below the nearest ridgeline;</p> <p>j. The extent to which re-vegetation and planting/landscaping is proposed in order to mitigate adverse effects of buildings, structures and earthworks; and</p> <p>k. The extent to which the activity reduces the identified values and characteristics of the Outstanding Natural Feature or Landscape; and</p> <p>l. Assessment criteria for the relevant zone.</p>
<b>NFL-R17 Earthworks at Te Puia</b>		[A10.2.1]
<p><b>Applicable Spatial Layers</b></p> <p>Outstanding Natural Features and Landscapes Overlay:</p> <p>Commercial 5 Zone - Te Puia Site</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The earthworks are accessory to permitted structure or activity or assessed and authorised as part of a resource consent for buildings, structures and activities.</p>	

**Rules for Activities in or Adjacent to Significant Geothermal Features**

**General**

Advice Note:

The Significant Geothermal Features within the Bay of Plenty region are being identified by the Bay of Plenty Regional Council. Once Significant Geothermal Features are identified these will be included on the planning maps and in the schedules of the District Plan, by way of a plan change.

Until such time as the identification is complete, Significant Geothermal Features will be identified using the method, definitions and criteria of the Bay of Plenty Regional Policy Statement.

To identify a Significant Geothermal Features within the Waikato region, Significant Geothermal Features are assessed in accordance with Section 9B of the Waikato Regional Policy Statement, except that within Development or Limited Development Geothermal Systems, Significant Geothermal Features are those identified, listed and mapped in the Waikato Regional Plan in accordance with Method 9.2.2 of the Waikato Regional Policy Statement.

<b>NFL-R18 Restoration, re-vegetation or enhancement of indigenous vegetation associated with Significant Geothermal Features</b>			<i>[4.5(65),4.5(69), 6.5(93),6.5(97),8.5.1(11) 6.5(71), 6.5(75), 9.5(67), 9.5(71),10.5(63),10.5(67)</i>
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b> a. Planting shall be undertaken with locally sourced indigenous species the same as existing indigenous species already present or that would have been historically present on site; b. The restoration of the geothermal vegetation area within a Significant Geothermal Feature shall not result in existing indigenous vegetation being removed.	<b>2. Activity Status:</b> Discretionary  <b>Where:</b> Compliance is not achieved with the performance standards for NFL-R18(1).  <b>Assessment Criteria:</b> a. The adverse impacts on any geothermal vegetation viability and its ecosystem present onsite; and b. The extent to which adverse effects on any Significant Geothermal Feature can be avoided, remedied or mitigated, as determined by a suitably qualified and experienced expert, in accordance with the regional geothermal classification system. c. Assessment criteria for the relevant zone.	
<b>NFL-R19 Development and earthworks adjacent to a Significant Geothermal Features</b>			<i>[4.5(66), 4.5(67), 4.5(69), 6.5(94), 6.5(95), 6.5(97), 7.5(72),7.5(73), 7.5(75),8.5(1)(12), 8.5(1)(13),8.5(1)(15), 9.5(68), 9.5(69), 9.5(71), 10.5(64), 10.5(65), 10.5(67), 15.5(5)]</i>
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b> a. Any building, structure (including infrastructure) or activity shall be set back at least 5m from the edge of any Significant Geothermal Feature unless a resource consent has been granted by a Regional Council for the existence of that building, structure or activity; b. Any earthworks shall be at least 5m from the edge of any Significant Geothermal Feature; c. Earthworks shall not divert water into or out of a Significant Geothermal Feature.  <b>Exemptions:</b> a. Walkways at Te Puia (that site being subject to the New Zealand Māori Arts and Crafts	<b>2. Activity Status:</b> Discretionary  <b>Where:</b> Compliance is not achieved with the performance standards for NFL-R19(1).  <b>Assessment Criteria:</b> a. The adverse impacts on any geothermal vegetation viability and its ecosystem present onsite; and b. The extent to which adverse effects on any Significant Geothermal Feature can be avoided, remedied or mitigated, as determined by a suitably qualified and experienced expert, in accordance with the regional geothermal classification system. c. Assessment criteria for the relevant zone.	

	<p>Institute Act 1963 including the general functions set out in section 14) are exempt from the above and can be constructed up to the edge of the feature; or</p> <p>b. The activity is electricity generation and accessory activities</p> <p>c. The activity is operation, upgrade and maintenance of existing infrastructure described in EIT – Energy Infrastructure and Transport.</p>	
<b>NFL-R20</b>	<b>Development and earthworks that will affect a Significant Geothermal Feature</b>	<p>[4.5(66), 4.5(67), 4.5(69), 6.5(94), 6.5(95), 6.5(97), 7.5(72), 7.5(73), 7.5(75), 8.5(1)(12), 8.5(1)(13), 8.5(1)(15), 9.5(68), 9.5(69), 9.5(71), 10.5(64), 10.5(65), 10.5(67), 15.5(5)]</p>
<p><b>Applicable Spatial Layers</b></p> <p>Significant Geothermal Features</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Exemptions</b></p> <p>a. The development or earthworks has a granted resource consent under a Regional Rule which has required an assessment of the effects on the Significant Geothermal Feature;</p> <p>b. The development or earthworks are permitted by a Regional rule relating to the Significant Geothermal Feature; or</p> <p>c. The activity is geothermal electricity generation and accessory activities.</p> <p>d. The activity is operation, upgrade and maintenance of existing infrastructure described in EIT- Energy Infrastructure and Transport.</p> <p><b>Assessment Criteria:</b></p> <p>a. The adverse impacts on any geothermal vegetation viability and its ecosystem present onsite; and</p> <p>b. The extent to which adverse effects on any Significant Geothermal Feature can be avoided, remedied or mitigated, as determined by a suitably qualified and experienced expert, in accordance with the regional geothermal classification system.</p> <p>c. Assessment criteria for the zone.</p>	
<b>NFL-R21</b>	<b>Maintenance of existing tracks including realignment and reinstatement due to geothermal damages within a Significant Geothermal Feature</b>	<p>[4.5(68), 4.5(69), 6.5(96), 6.5(97), 7.5(74), 7.5(75), 8.5(1)(14), 8.5(1)(15), 9.5(70), 9.5(71), 10.5(66), 10.5(67)]</p>
<p><b>Applicable Spatial Layers</b></p> <p>Significant Geothermal Features</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Tracks shall not exceed the existing width of the formed track;</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for NFL-R21(1).</p> <p><b>Assessment Criteria:</b></p>

	<ul style="list-style-type: none"> <li>b. Construction debris shall not be placed, or allowed to enter a water body; and</li> <li>c. The maintenance of the track shall not cause the water to be diverted into or out of the Significant Geothermal Feature.</li> </ul>	<ul style="list-style-type: none"> <li>a. The adverse impacts on any geothermal vegetation viability and its ecosystem present onsite; and</li> <li>b. The extent to which adverse effects on any Significant Geothermal Feature can be avoided, remedied or mitigated, as determined by a suitably qualified and experienced expert, in accordance with the regional geothermal classification system.</li> <li>c. Assessment criteria for the relevant zone.</li> </ul>
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**Rules for Activities in the Rotorua Caldera Rim**

<b>NFL-R22</b>	<b>Buildings in the Rotorua Caldera Rim (Sensitive or Less Sensitive Area Overlays)</b>	<i>[9.36(1), 9.6(12), 9.6(15), 9.5(15)]</i>
<p><b>Applicable Spatial Layers</b></p> <p>Rotorua Caldera Rim Sensitive Landscape Area Overlay or Less Sensitive Landscape Area Overlay:</p> <p>All Rural Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The activity is not an additional <del>household residential</del> or minor <del>household residential</del> unit in the Sensitive Landscape Area provided for in Rule NFL-22(3).</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. The reflectivity value of external walls and roof shall not exceed 37%; and</li> <li>b. The maximum height of a building shall not exceed 6m above the natural ground level for sites within the Sensitive Landscape Area Overlay on the Rotorua caldera rim;</li> <li>c. No new building shall be erected within 20m of the top of an escarpment with a slope of 15 degrees or more; and</li> <li>d. Within Lot 68 DP 418749 no buildings shall be located between the 340m and 370m contour.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for NFL-R22(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which 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.</li> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone.</li> </ul>
<p><b>Applicable Spatial Layers</b></p> <p>Rotorua Caldera Rim Sensitive Landscape Area Overlay:</p> <p>All Rural Zones</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>The activity is a <del>household residential</del> or minor <del>household residential</del> unit and there will be more than one <del>household residential</del> unit on the site.</p> <p><b>Assessment Criteria:</b></p>	

	<ul style="list-style-type: none"> <li>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;</li> <li>b. The ability to cluster development to minimise adverse effects on landscape and rural character;</li> <li>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;</li> <li>d. The extent of compliance with the reflectivity performance standards relating to the colour and finish of buildings;</li> <li>e. The effectiveness of building design to avoid adverse visual effects by using modulation to minimise the dominance of buildings;</li> <li>f. The extent to which natural materials are used on buildings to integrate into the rural environment;</li> <li>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;</li> <li>h. The extent to which proposed roads and access ways cut across a hillside or into a prominent slope;</li> <li>i. The extent to which new infrastructure is located to avoid the caldera rim ridgeline and prominent upper slopes of the caldera;</li> <li>j. The extent to which buildings and development exceeds the permitted activity standards; and</li> <li>k. Assessment criteria for the relevant zone.</li> </ul>	
<p><b>NFL-R23</b></p>	<p><b>New infrastructure buildings, structures or activities in the Rotorua Caldera Sensitive Area Overlay</b></p>	<p>[15.5(7)]</p>
<p><b>Applicable Spatial Layers</b></p> <p>Rotorua Caldera Rim Sensitive Landscape Area Overlay</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>The infrastructure is of the type described in EIT- Energy, Infrastructure and Transport.</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. Assessment criteria for EIT- Energy, Infrastructure and Transport.</li> </ul>	





NFL-FIGURE2 Te Puia Site (Whakarewarewa Geothermal Area) Area A and B

## Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

### NFL-AC1 Infrastructure Specific

1. The benefits to be derived from the proposal, including its contribution to achieving central government initiatives (e.g. high speed broadband), national energy objectives and renewable energy targets.
2. The extent to which the proposal detracts from the physical, natural and cultural values as listed in the Outstanding Natural Features and Landscapes Schedule.
3. The extent to which technical and operational constraints impact the ability to avoid, remedy or mitigate adverse effects.
4. The extent to which the substantial upgrade of transmission infrastructure reduce the existing adverse effects of the transmission infrastructure.

## ANTICIPATED ENVIRONMENTAL RESULTS

<b>NFL-AER1</b>	Management of Significant Geothermal Features in accordance with the classification system set by the relevant Regional Policy Statements and/or Regional Plans.
<b>NFL-AER2</b>	Protection of amenity and identified values associated with Outstanding Natural Features and Landscapes.
<b>NFL-AER3</b>	Maintenance of existing access within Outstanding Natural Features and Landscapes
<b>NFL-AER4</b>	No loss of values or significance of outstanding natural features and landscapes due to inappropriate use and development of infrastructure.

## SCHEDULES

### NFL-SCHED1 - Outstanding Natural Features and Landscapes Schedule

Item	Planning map
Hamurana Caldera Rim	533, 508, 509
Hamurana Springs	303, 304, 533
Horohoro Dome and escarpments	536, 540
Lake Rerewhakaaitu and margins	394, 543
Lake Rotoehu and margins	384, 385, 386, 387, 535
Lake Rotoiti and margins	357, 358, 370, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 533, 534, 535, 522, 523
Lake Rotokawa	534, 523, 524
Lake Rotomā and caldera	388, 389, 390, 391, 392, 393, 535

Item	Planning map
Lake Rotorua and margins	301- 307, 309, 310, 312, 315, 317, 318, 321, 325-328, 336, 337, 357, 359, 362, 364-368, 533, 537
Makatiti Dome: North Eastern Slopes	538, 539
Mamakū Tors	531, 532, 514
Mangorewa Forest	532, 501
Mokoia Island	533
Mount Ngongotahā	532, 533, 537, 515, 516, 517, 519
Mount Tarawera: Tarawera Ridge	538, 539, 543
Paeroa Range western scarps	541, 545
Rainbow Mountain/ Maungakākamea	542
Rotomā Forest	392, 393, 535, 539
Tikitere Geothermal area	523, 534
Tumunui Hill	541, 542
Waiōtapu Geothermal area	542
Whakarewarewa Geothermal area	344, 345, 351, 352, 537

## PA

## PUBLIC ACCESS- URUNGA A TE IWĪ

Status: PA is Operative

## INTRODUCTION

The District Plan is required to uphold the purpose of the Resource Management Act 1991, which is set out in Section 5 of the Act. As part of this Council must recognise and provide for the matters of national importance listed under Section 6, including:

*The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers (section 6(4));*

This plan seeks to improve and enhance public access to waterbodies within the district. The creation of esplanade reserves and strips is the most secure and effective mechanism to provide this access. The consent process provides opportunity to consult with land owners to secure the creation of appropriate reserves and strips.

The District Plan maps identify those priority lakes, rivers, and streams where esplanade provisions will be implemented, with the exception of multiple owned Māori Land (refer to the Esplanade Priority Acquisition Waterbody Overlay). This will achieve a focussed direction to esplanade acquisition, and a strategic, connected esplanade network. The esplanade provisions that apply to subdivision to give effect to the objectives and policies in this chapter are contained in SUB- Subdivision.

This chapter contains additional provisions that apply to landuse to protect existing or potential public access and natural character values of the priority esplanade acquisition areas.

This chapter should also be read alongside NATC- Natural Character, which contains rules for earthworks adjacent to water bodies.

## ISSUES

### PA-I1 Provision of public access to lakes, rivers and streams

The Rotorua District contains water bodies, and indigenous flora and fauna that support the variety of recreational opportunities that the district is known for. Currently the connectivity of esplanade reserves is poor. The District Plan has a role in the maintenance and enhancement of public access to and along the margins of waterbodies which also maintain and enhance natural character. Therefore, where appropriate, a proactive approach to maintaining and enhancing public access to these waterbodies is required.

## OBJECTIVES

### Provision of public access to lakes, rivers and streams

#### PA-O1

[2.3(3)]

A network of healthy functioning areas of significant indigenous vegetation and significant habitats of indigenous fauna with a high degree of ecological integrity, intactness, interconnectivity, and cohesiveness. A strategic esplanade network adjoining Lake Rotorua

and other lakes, rivers and streams for the purpose of public access, recreation and conservation.  
*Policies PA-P1*

## POLICIES

### Provision of public access to lakes, rivers and streams

*Objective PA-O1*

**PA-P1**  
*[2.3(3)(1)]*  
Require esplanade reserves or esplanade strips where appropriate on sites that adjoin lakes, rivers, or streams of the district including those on Planning Map 203 to provide a connected esplanade network.

## RULES

The rules in the table below apply in addition to:

- the rules in Part 3 – Area Specific Matters (zone chapters and development area chapters); and
- the rules in the other chapters of Part 2 – District Wide Matters.

A key point to note is that NATC- Natural Character also contains rules specifically addressing activities adjacent to waterbodies.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, How the Plan Works.

These rules shall not apply to activities associated with plantation forestry. Refer instead to the National Environmental Standards for Plantation Forestry

Activities in or near wetlands, including vegetation clearance, earthworks and land disturbance, may be controlled by rules under the National Environmental Standards (particularly the National Environmental Standards for Freshwater and the National Environmental Standards for Plantation Forestry) and/or rules in the regional plans. It is recommended that any person considering undertaking activities in or near wetlands should discuss their proposal with the relevant regional council.

Links to the rule categories are provided below:

[Rules for Activities in Relating to Public Access..... 64](#)

[Buildings, Structures and Infrastructure ..... 64](#)

[Tracks ..... 66](#)

[Vegetation ..... 67](#)

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Vegetation . 66

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## Rules for Activities in Relating to Public Access

Buildings, Structures and Infrastructure		
<b>PA-R1</b>	<b>Buildings and structures (including lake structures and infrastructure) located within</b>	[4.5(89), 9.5(108), 10.5(84), [7.5(92), 9.5(112), 10.5(88) 4.5(90), 6.5(80), 6.5(81), 6.5(88), 7.5(92), 9.5(109), 10.5(85)]]
<b>PA-R1</b>	<ul style="list-style-type: none"> <li>i. 25m of the edge of a lake;</li> <li>ii. 25m of a river or stream identified in the Esplanade Priority Acquisition Waterbody Overlay; or</li> <li>iii. 5m of an esplanade reserve or strip</li> </ul>	
<b>Applicable spatial layer:</b> Industrial 1E Zone	<b>1. Activity Status:</b> Permitted	
<b>Applicable spatial layer:</b> All Zones except Industrial 1E Zone	<b>1. Activity Status:</b> Permitted <b>Where:</b> The activity is maintenance and replacement of existing lawfully established buildings and structures. <b>Performance Standards</b> <ul style="list-style-type: none"> <li>a. Any upgrade, or replacement of existing buildings or structures shall not exceed the existing building envelope or footprint.</li> <li>b. Any external walls and roofs of any building, structure (excluding lake structures) or addition shall not exceed a reflectivity value of 37%</li> <li>c. Exception: the above performance standards shall not apply to the Electricity Generation Core Site.</li> </ul>	<b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for PA-R1(1). <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. Assessment criteria for the relevant zone.</li> </ul>
<b>Applicable spatial layer:</b> All Zones except Industrial 1E Zone	<b>3. Activity Status:</b> Permitted <b>Where:</b> <ul style="list-style-type: none"> <li>a. The activity is either:               <ul style="list-style-type: none"> <li>i. A maimai structure located in the Rural 1 Zone, Reserve 1 Zone, Reserve 2 Zone, Water Zone, Industrial 1 Zone or Industrial T Zone;</li> <li>ii. A bridge located in Business and Innovation Zones;</li> <li>iii. Commercial Zones: not a building;</li> <li>iv. Residential Zone, Rural Zone or Reserve Zones: not a building or lake structure; or</li> <li>v. A building or structure associated with infrastructure as described in EIT Energy, infrastructure and transport and not requiring earthworks or the removal of indigenous vegetation.</li> </ul> </li> </ul>	
<b>Applicable Spatial Layers</b>	<b>4. Activity Status:</b> Permitted <b>Where:</b> <ul style="list-style-type: none"> <li>a. The activity is a building located more than 10m from the bank of</li> </ul>	<b>5. Activity Status:</b> Discretionary <b>Where:</b>

<p>Te Puia Site Reduced Setback Area</p>	<p>the Puarenga Stream in the reduced setback area shown in Figure <a href="#">PA-1</a>.</p> <p><b>Performance Standards:</b></p> <p>a. Where the building is located within 15m of the bank of the Puarenga Stream the following standards apply:</p> <ul style="list-style-type: none"> <li>i. Maximum height: 10m</li> <li>ii. Have exterior surfaces, including any roof, finished in reflectivity values of between 0% and 37%;</li> <li>iii. The indigenous vegetation disturbance for building must result in less than a 2m width clearance of indigenous vegetation from the external footprint.</li> <li>iv. The indigenous vegetation within the Outstanding Natural Feature or Landscape that is disturbed through construction will be reinstated. This requirement does not apply the area cleared for the permanent placement of the structure, track of the area required for safe operation of the activity. Planting shall be undertaken with locally sourced indigenous species, the same as existing indigenous species already present or that would have been historically present on the site.</li> </ul>	<p>Compliance is not achieved with the performance standards for PA-R1(4).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. Assessment criteria for the relevant zone.</li> </ul>
<p><b>Applicable spatial layer:</b> All Zones except: Te Puia Site Industrial 1, 1E and T Zones</p>	<p><b>6. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The building or structure is not otherwise provided for in this table.</li> </ul> <p><b>Matters of Discretion</b></p> <ul style="list-style-type: none"> <li>a. How the location of the building or structure continues to provide for the ability to obtain an esplanade reserve or strip in accordance with the esplanade requirements</li> <li>b. How the design and location avoids, remedies or mitigates any effects on the natural character of the water body and associated natural environment;</li> <li>c. How the building or structure avoids, remedies or mitigates adverse effects on habitat of fauna, or the ecological values of the water body;</li> <li>d. Construction debris shall not be placed, or allowed to enter a water body;</li> <li>e. The extent to which the disturbance and removal of indigenous vegetation is avoided, remedied or mitigated.</li> </ul>	

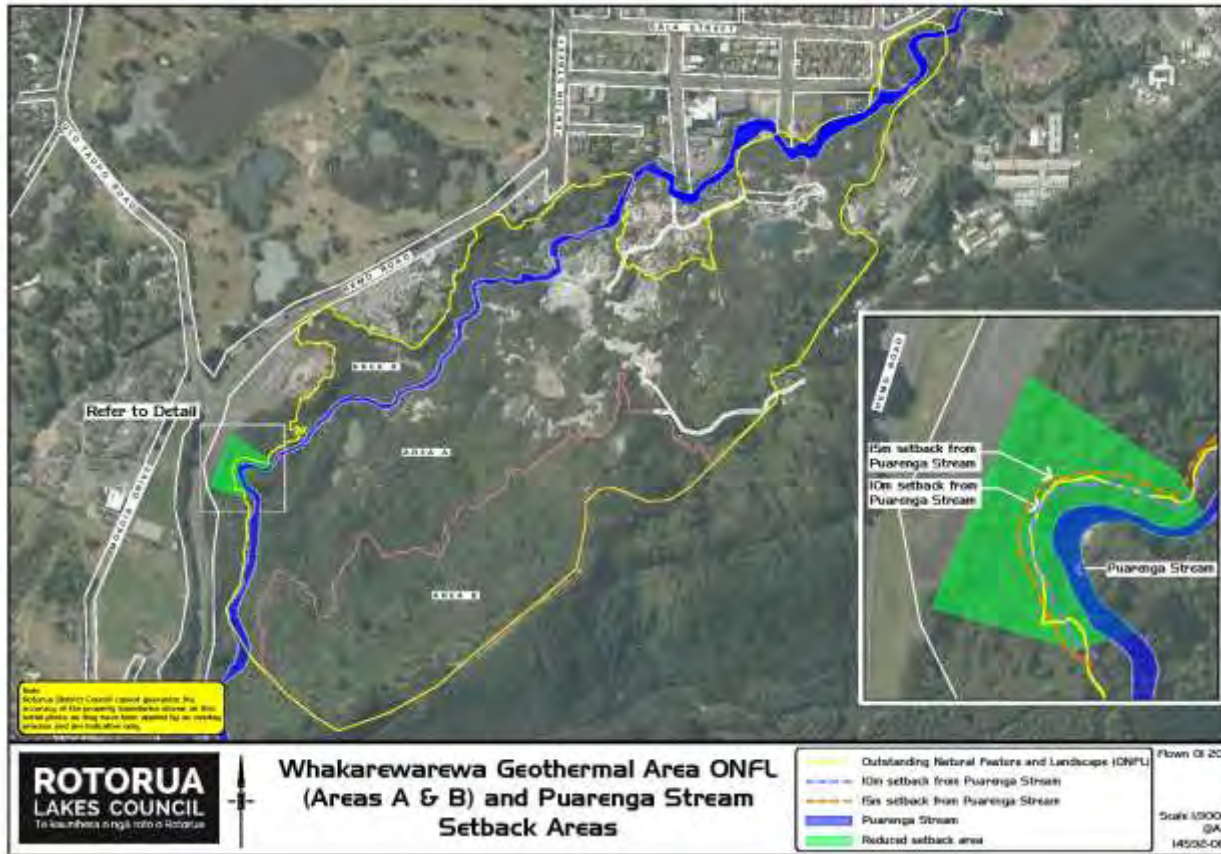
Field Code Changed

<p>Te Puia Site</p>	<p><b>7. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The building or structure is located:                             <ul style="list-style-type: none"> <li>i. within 10m of the bank of the Puarenga Stream in the Te Puia Site Reduced Setback Area; or</li> <li>ii. within 15m of the bank of the Puarenga Stream in the remainder of the Te Puia Site.</li> </ul> </li> </ul> <p><b>Matters of Discretion</b></p> <ul style="list-style-type: none"> <li>a. How the design and location avoids, remedies or mitigates any effects on the natural character of the water body and associated natural environment;</li> <li>b. How the building or structure avoids, remedies or mitigates adverse effects on habitat of fauna, or the ecological values of the water body;</li> <li>c. Construction debris shall not be placed, or allowed to enter a water body;</li> <li>d. The extent to which the scale and location of earthworks associated with roads, tracks, building sites detract from the values and characteristics of the Outstanding Natural Feature and Landscape and Significant Natural Area; and</li> <li>e. The extent to which the disturbance and removal of indigenous vegetation is avoided, remedied or mitigated.</li> </ul>	
<p><b>Applicable spatial layer:</b> Industrial 1 Zone</p>	<p><b>8. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is not otherwise provided for in this table.</li> </ul> <p><b>Matters of Discretion</b></p> <ul style="list-style-type: none"> <li>a. Assessment criteria for the relevant zone.</li> </ul>	
<p><b>Applicable spatial layer:</b> Industrial T Zone</p>	<p><b>9. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>The activity is not otherwise provided for in this table.</p>	
<p><b>Tracks</b></p>		
<p><b>PA-R2</b></p>	<p><b>Construction of public walking tracks within esplanade reserves or strips</b></p> <p style="text-align: right;"><i>[4.5(91), 6.5(87), 9.5(111), 10.5(87)]</i></p>	
<p><b>Applicable spatial layer:</b> All Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. The track formation shall be no more than 2.5m wide after restoration of the site.</li> <li>b. Recorded heritage features including historic places, archaeological sites, and wāhi tapu shall not be disturbed.</li> <li>c. The walking track shall not disturb threatened indigenous species or their habitats.</li> <li>d. Construction debris shall not be placed, or allowed to enter a water body.</li> </ul>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for PA-R2(1).</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. Assessment criteria for the relevant zone.</li> </ul>



	e. The track shall not require access to or from a state highway.	
<b>Vegetation</b>		
<b>PA-R3</b>	<b>Removal of indigenous vegetation adjacent to priority esplanade waterbodies</b>	[6.5(86), 9.5(110), 10.5(86)]
<b>Applicable spatial layer:</b> Adjacent to the Esplanade Priority Acquisition Waterbody Overlay: All Commercial Zones All Rural Zones All Reserve Zones Water Zone.	<b>1. Activity Status:</b> Permitted <b>Where:</b> a. The activity is located within 25m of the bank of a river or stream identified in the Esplanade Priority Acquisition Waterbody Overlay; and b. The activity is associated with activities permitted under the rules in this table.	
<b>Applicable spatial layer:</b> Adjacent to the Esplanade Priority Acquisition Waterbody Overlay: All Commercial Zones All Rural Zones All Reserve Zones Water Zone	<b>2. Activity Status:</b> Discretionary <b>Where:</b> a. The activity is carried out within 25m from the margin of a lake, wetland or from a river or stream; and b. The activity is not provided for in PA-R5(1). <b>Assessment Criteria:</b> a. The extent to which the vegetation removal affects natural character of the water body and associated natural environment; b. The extent to which the vegetation removal affects habitat of fauna, water quality or the ecological values of the water body and riparian margin; c. Adjacent to the main stem of the Waikato River in Rural Zones: i. The potential adverse effects on the character, health and wellbeing of the Waikato River and its surroundings; ii. How the activity complies with the objectives for the zone, Natural Environmental Values and Historical and Cultural Values; and iii. 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; d. Assessment criteria for the relevant zone; and e. Infrastructure specific <a href="#">PA-AC1</a> .	

Field Code Changed



PA-FIGURE1 - Te Puia Site Reduced Setback Area

## Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

### PA-AC1 Infrastructure specific

1. The benefits to be derived from the proposal, including its contribution to achieving central government initiatives (e.g. high speed broadband), national energy objectives and renewable energy targets.
- ~~2.~~ The extent to which the proposal detracts from the physical, natural and cultural values.
3. The extent to which technical and operational constraints impact the ability to avoid, remedy or mitigate adverse effects.
4. The extent to which the substantial upgrade of transmission infrastructure reduce the existing adverse effects of the transmission infrastructure.

## ANTICIPATED ENVIRONMENTAL RESULTS

PA-AER1	Maintenance and where appropriate increased public access along water bodies.
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# Part 3: Area-Specific Matters

## ZONES

**RESZ**

RESIDENTIAL ZONES – WĀHI NOHO


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## RESIDENTIAL ZONES – WĀHI NOHO

Status: RESZ is Operative and subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough~~.

Provisions in this chapter incorporate the density standards in Part 2 of Schedule 3A of the RMA and the objectives and policies in Clause 6 of Schedule 3A of the RMA. In accordance with Section 80H of the RMA these provisions are shown in green.

Provisions in this chapter have immediate legal effect under Section 86BA of the RMA if no qualifying matter applies to the site. Applicable qualifying matters are set out in the table below. Provisions that have legal effect are marked in this chapter with a gavel (  ).

Qualifying Matters	
A matter of national importance under s6 of the RMA (Section 77I(a))	<ul style="list-style-type: none"> <li>• Natural hazards – fault lines (NH-R1, NHR-3)</li> <li>• Natural hazards – geothermal (NH-R6, SUB-R42)</li> <li>• Historic heritage (HH-R2, HH-R3, SUB-R41)</li> <li>• Archaeological sites (HH-R5, HH-R6, SUB-R41, PHDA-R7)</li> <li>• Sites of significance to Māori (SASM-R3 to SASM-R6)</li> <li>• Significant indigenous vegetation (ECO-R1)</li> <li>• Outstanding natural features and landscapes (NFL-R1, NFL-R19, NFL-R20)</li> <li>• Public access (RA-R1)</li> <li>• Marae Protection Overlay (RESZ-S2(4))</li> <li>• The Residential 3 zone – relationship of Maori with ancestral land</li> <li>• Natural hazards – flooding (NH-R4)</li> <li>• Historic heritage (HH-R2A)</li> </ul>
A matter required for the safe and efficient operation of nationally significant infrastructure (Section 77I(e))	<ul style="list-style-type: none"> <li>• Airport Obstruction Limitation Surface (EIT-R17 where the height limit is less than the MDRS)</li> <li>• National Grid Corridor (EIT-R18, SUB-R38)</li> <li>• Airport Noise Contour Controls (NOISE-R7-R8, SUB-R39-R40 ) )</li> </ul>
Other matters (Section 77I(j))	<ul style="list-style-type: none"> <li>• Notable trees (TREE-R2, TREE-R3)</li> <li>• Wharenui Development Area (WHDA – S1, WHDA-S3)</li> <li>• Pukehangi Heights Development Area (PHDA-R5, -PHDA-SL1, PHDA-SL2, PHDA-SL7)</li> </ul>

## INTRODUCTION

The purpose of the residential zone is to ~~provide a high level of amenity for residents and an attractive residential environment where people want to live. ensure a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.~~

Across the district there are residential areas that have different amenity values and character. Residents of these areas have different expectations of the environment and experience different issues. This is reflected by defining five residential zones with objectives, policies and rules that address the issues affecting each zone.

The visual appearance of the Residential 1 and 2 zones will change over time as they experience an increase in the density and diversity of housing choices. This will promote more walkable neighbourhoods, support a sense of community and increase the viability of centres.

Up to three residential units on a site is a permitted activity in the Residential 1 and 2 zones subject to compliance with standards. Resource consent is required for four or more residential units to enable a qualitative assessment of development proposals and ensure that good design outcomes are achieved. This will ensure quality living outcomes for people in the context of increasingly medium to high density residential neighbourhoods.

The character of each zone is briefly described in the following table:

Zone	Code	Description
<b>Residential 1</b> <u>Low Density living</u> <u>Medium density residential zone</u>	RESZ1	<p><u>Low density residential areas, such as Ngongotahā, Kāwaha Point, Western Heights, Hillcrest, Springfield and Lynmore. There is a mix of single storey and two storey houses of various styles and materials. There is a balance between the built and natural elements of the environment in this zone. There is a sense of space around buildings, which is enhanced by the landscaping on site and trees within the road reserve. Other characteristics include generally low levels of noise and low traffic levels.</u></p> <p><u>Areas used predominantly for residential activities with moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments, and other compatible activities.</u></p> <p><u>A medium density residential built character is expected, comprising residential buildings generally up to three storeys, surrounded by open space.</u></p>
<b>Residential 2</b> <u>Medium density living</u> <u>High density residential zone</u>	RESZ2	<p><u>Medium density residential areas located close to the city centre. There is a mix of single storey and two storey apartment style living, with limited outdoor space. The built environment is dominant and much of the space around buildings is taken up by hard surfacing for car parking and turning. There are few trees and shrubs that make an impact on the wider area and the zone is more reliant on the street trees to soften the built environment.</u></p> <p><u>Areas with good accessibility to commercial activities, public open space and community services, used predominantly for high density residential activities such as apartments, and other compatible activities.</u></p> <p><u>A high density residential built character is expected, comprising residential buildings generally up to six storeys.</u></p>
<b>Residential 3</b> Ōhinemutu, Whakarewarewa, Ngāpuna	RESZ3	<p>The cultural and historic villages of Ōhinemutu, Whakarewarewa and Ngāpuna. Dwellings within these areas are typically single storey wooden buildings interspersed with geothermal activity and geothermal features. Ōhinemutu and Whakarewarewa villages are accessed through narrow roads and have the sense of being close-knit communities. Marae and associated communal buildings are dominant focal points. Each village contributes to the cultural historic heritage and identity of Rotorua.</p>
<b>Residential 4</b>	RESZ4	<p>Residential lakeside settlements including, for example Hamurana, Rotoiti, Ōkere Falls, Rotoehu and Rotomā. These areas consist of sites with low</p>

Zone	Code	Description
Lakeside settlements		density development and high levels of outdoor open living space. Dwellings are often oriented to capitalise on lake views. A mix of freehold and leasehold land is present that supports a variety of building design and a range of residential activity such as baches, holiday homes and permanent living. The settlements themselves vary in size and character.
<b>Residential 5</b> Residential lifestyle (Wharenui Road area)	RESZ5	Rural-residential lifestyle specifically located within the area of the Wharenui Road Area Development Plan. The intended character of the zone is one of relatively large lot sizes and space around and between buildings to be established by the imposition of performance standards for overall density.

## ISSUES

There are three key issues influencing the policy framework in the residential zones:

### RESZ-I1 Activities in a Residential Zone

A high level of amenity is anticipated in residential areas where an environment is provided that is primarily residential in character, peaceful and safe. Traffic generated is generally low and of light vehicles. Non-residential uses have the potential to have an adverse effect on that amenity by introducing noise, traffic, fumes and odours, or light glare, for example.

The cumulative effect of new building, whether infill housing, or accessory garages and sleep-outs can also alter the character of residential areas by increasing density and reducing the proportion of open space available for landscaping. Building within yards reduces space around buildings and can have an adverse effect on outlook and privacy. Building within, and enclosure of, the front yard has an effect on the street scene and is a significant influence on the character of the area. Examples of such effects can be seen in the existing residential areas. In some cases the cumulative effect of several changes from residential to office use has altered the character of the area, or a cluster of garages in the front yards has reduced the sense of openness within a streetscape.

The Plan sets out a framework to enable residential activity without imposing excessive controls.

### Residential 1 Medium Density Residential Zone

~~The character of the Residential 1 Zone can be adversely affected by the gradual erosion of the open space around and between buildings as a result of extensions and accessory buildings within the boundary yards. In particular building within, or enclosure of, the front yards has an impact on the street scene in that the sense of space is reduced, obscuring passive surveillance of the neighbourhood reduces security and individual sites do not relate visually to the street. These effects can be made worse by the loss of established garden areas, particularly taller trees and shrubs that have an impact on the amenity of the surrounding area beyond the boundary of an individual site.~~

The Residential 1 zone is the most widespread zone in Rotorua. Over time, a transition from low density to medium density residential is expected. This will provide greater housing diversity and choice within existing neighbourhoods that have reasonable access to commercial activities, public open space and community services. This enables future demand for housing in Rotorua to be met in a way that promotes the efficient use of land and resources. This requires greater focus on enabling the planned future character for the zone rather than maintaining the existing character.

### Residential 2 Zone High Density Residential Zone



~~The Residential 2 Zone—helps to provide diversity in residential living; however the higher density, site coverage, and area of hard surfacing that is used for on-site parking all contribute to an environment that is dominated by buildings and man-made features. The consequent lower levels of planting on site accentuate the harder environment of the Residential 2 Zone. The potential adverse effects of such an environment can be reduced by higher quality of urban design in both the buildings and open space around them. High quality urban design, providing passive surveillance over the streetscape and public reserves, ensuring suitable private, outdoor living space is provided on the site and that onsite parking does not dominate the streetscape are examples of measures that enhance residential amenity in such an environment. Whilst there may be an expectation that the scale and form of new development will be in keeping with the surroundings, some variety in design is desirable to add interest and vibrancy to the streetscape.~~

The Residential 2 zone is located in the most accessible parts of Rotorua where there is good accessibility by existing or planned active or public transport to a range of commercial activities, public open space and community services. The zone enables the efficient use of land in these locations by allowing high density residential uses, which will result in a high degree of visual change in these areas over time.

### **Residential 3 Zone Ohinemutu, Whakarewarewa and Ngapuna Villages**

The villages of Ōhinemutu and Whakarewarewa are exceptional and unique places within the district. New development or activities within the villages that are out of keeping with the existing environment, has the potential to have an adverse effect on their special character. Similarly activities on the land adjacent to the villages may cause disturbance through noise, smoke, dust, vibration or traffic, or may be visually intrusive such that they have an adverse impact on the cultural and historic heritage of the villages and consequently of the district.

The residential amenity, character and cultural significance of Ngāpuna village are adversely affected by the non-residential activities that are carried out in the surrounding area. Further development and expansion of such activities within the vicinity of this village has the potential to make the situation worse. In most places the boundary between the residential and non-residential activities is not softened by landscaping or screened by fencing. Consequently the potential for there to be an adverse effect on amenity from noise, smoke, dust, vibration or traffic, or visual intrusion is significant.

### **Residential 4 Lakeside Settlements Zone**

Lakeside settlements are a key attribute of the Rotorua district. Some lakeside settlements are connected to public water and waste water reticulation thereby making further development feasible. It is planned to connect further lakeside settlements in the future where possible, which will help to enhance lake water quality. Residential activity affects the character of lakeside margins. Buildings that nestle into the landscape at a density that is in keeping with the surrounding environment maintain an element of the natural character and reduce the impact on the wider landscape of the lake edge.

### **Residential 5 Residential Lifestyle (Wharenui Road Area)**

The Residential Lifestyle (Wharenui Road Area) Zone is a major greenfield site that will significantly increase the amount of low density residential land. Its location anticipates that there will be connections to existing residential areas, schools, the strategic road network, and to reserves and public spaces. The area will be expected to conform to performance standards and design criteria to ensure that development of the land provides a high standard of amenity.

## **RESZ-12 The design, layout and appearance of residential sites**

Well-designed development provides several benefits for the community, including safe and attractive streets, and living environments that provide for people's day to day needs. Design is particularly important in medium to high density environments where there will be a greater number of people on site and living spaces are generally more compact.

Ensuring development provides a quality frontage to the street, through the use of windows, low or permeable fencing, visible pedestrian entries, and landscaping on the front boundary, promotes a pleasant and safe street environment for pedestrians. Residents also need to have their day-to-day needs met on site including through access to private open space, landscaped areas, and sufficiently sized living spaces, that optimise sunlight access. For more intensive development, this requires consideration of the site's context and how buildings are orientated and placed on the site.

Transitioning to medium density and high density living will change the appearance of neighbourhoods over time, particularly in the Residential 2 Zone. This will change the amenity values experienced by neighbouring sites, including the potential loss of existing views and sunlight. While this consequence is anticipated, development should seek to mitigate these effects through building placement and design features, where it would not limit the ability to achieve medium to high density residential development.

The design response to the above matters is likely to vary from site to site depending on the particular features and characteristics, such as site size, orientation and topography. These factors, together with a site-specific assessment for more intensive development, will inform how many residential units can be achieved on a site.

~~The appearance of buildings on residential land, the space around them and the treatment of the space and boundaries can have a positive or negative effect on an area. Layouts that reduce the space around the buildings and high front boundary fences that are unrelieved by planting, or intrusive car parking reduce amenity value, whilst sensitive landscaping and boundary treatments can enhance it.~~

~~Environmental quality and amenity values are influenced by lot sizes and shapes and can be enhanced by ensuring that buildings can be located on each site in accordance with performance standards. However the degree of control that Council seeks to achieve through these standards is a sensitive issue.~~

The promotion of well-designed and safe pedestrian and cycling linkages between neighbourhoods to and from schools and local amenities is also very important to ensure connectivity within local communities. It will also allow for easy access and promotion of non-vehicular modes of transport. This is even more important where these activities are separated by strategic roading corridors.

~~The environmental qualities that the community wish to provide should guide the framework of objectives, policies and rules. The residential areas have developed with rules and performance standards that have controlled matters such as building height, yard distances, site coverage, on-site parking and turning, fence height and signage. These controls can be adjusted, or extended depending on the desired outcome. For example reducing yards may allow for a more efficient use of a site, but at the same time there may be an adverse impact on the amenity and privacy of an adjoining site.~~

The importance that government and the community place on the sustainability of new development is reflected in changes to the Building Act, promotion of improvements to insulation and interest in domestic scale renewable energy, for example. Whilst the inclusion of rules imposing control over the detailed design and construction of new buildings is beyond the scope of this plan, provision can be made to encourage that building be carried out using sustainability principles such as orienting toward the sun to obtain maximum solar gain, including good insulation, use of domestic scale energy generation, recycling grey water and use of renewable or recycled materials. Assessment criteria are included to encourage this to be considered.

~~High quality urban design is a desirable outcome to promote amenity and security and address the potential adverse cumulative effects of infill housing. The plan seeks to be permissive and enable new development, providing useable, private outdoor living space that is separate from access and parking provision, and enable the maximisation of daylight and solar access.~~

~~Infill housing is provided for in the plan as a way to facilitate a compact, sustainable urban form. Infill housing reduces the demand to develop greenfield sites in rural zones and makes best use of the existing urban infrastructure. There is potential for such development to have an adverse impact on the surroundings. The~~

~~construction of additional houses intensifies activity on land that may historically have been used as a relatively quiet rear yard and garden area. This is likely to have an impact both on the neighbouring properties and the character of the wider area. Potential disturbance from vehicles entering and leaving the site, noise from the normal occupation of houses, effects on privacy and outlook for example, can all adversely affect the environment and cumulatively alter the amenity of the residential zones.~~

~~There are particular challenges in different areas of the district. In areas of high density such as the Residential 2 zone, site layout and design are important where open space is limited.~~ The design of development in the lakeside settlements in the Residential 4 zone needs to have regard to the natural character of the lakes and lake margins in order to maintain and enhance the existing amenity values.

### RESZ-13 Reverse sensitivity

The establishment of new activities within incompatible zones or in close proximity to existing activities that have a different level of amenity can create adverse reverse sensitive effects. This has the ability to reduce the efficient operation of the existing activities or undermine the intended amenity of the zone.

## OBJECTIVES

### Activities in the Residential 1 Zone - Medium Density Residential Zone

<b><u>RESZ-01</u></b>	<u>Land is used efficiently for medium density residential living that increases housing supply and choice.</u> <i>Policy RESZ-P1</i>
<b><u>RESZ-02</u></b>	<u>Development contributes to the creation of neighbourhoods with a medium density residential built character comprising residential buildings generally up to three storeys, surrounded by open space.</u> <i>Policy RESZ-P2</i>
<b><u>RESZ-03</u></b>	<u>Development contributes to attractive and safe streets and open spaces.</u> <i>Policy RESZ-P3</i>
<b><u>RESZ-04</u></b>	<u>Development provides healthy, safe and quality living environments for residents, within the context of a medium density residential environment.</u> <i>Policies RESZ-P4 to RESZ-P6</i>
<b><u>RESZ-05</u></b>	<u>Development is supported by adequate infrastructure and services.</u> <i>Policy RESZ-P7</i>
<b><u>RESZ-06</u></b>	<u>Development supports the use of public and active transport.</u> <i>Policy RESZ-P8</i>
<b>RESZ-07<sup>1</sup></b>	Non-residential activities in residential zones that are domestic in scale and character and do not have an adverse impact on the amenity values and character of the residential zones, or the vitality and viability of the City Centre or Commercial zones. <i>Policy RESZ-P9</i>

### Activities in the Residential 2 Zone - High Density Residential Zone

<b><u>RESZ-08</u></b>	<u>Land that has good accessibility by existing or planned active or public transport to a range of commercial activities, public open space and community services, is efficiently used for high density urban living that increases housing supply and</u>
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<sup>1</sup> Existing objective repeated under each zone.

	<u>choice.</u> <u>Policy RESZ-P10</u>
<b>RESZ-O9</b>	<u>Development contributes to the creation of neighbourhoods with a high density residential built character, comprising residential buildings generally up to six storeys, integrated with on-site landscaped areas.</u> <u>Policy RESZ-P11</u>
<b>RESZ-O10</b>	<u>Development contributes to attractive and safe streets and open spaces.</u> <u>Policy RESZ-P12</u>
<b>RESZ-O11</b>	<u>Development provides healthy, safe, and quality living environments for residents, within the context of a high density residential environment.</u> <u>Policies RESZ-P13 to RESZ-P15</u>
<b>RESZ-O12</b>	<u>Development is supported by adequate infrastructure and services.</u> <u>Policy RESZ-P16</u>
<b>RESZ-O13</b>	<u>Development supports the use of public and active transport.</u> <u>Policy RESZ-P17</u>
<b>RESZ-14<sup>2</sup></b>	Non-residential activities in residential zones that are domestic in scale and character and do not have an adverse impact on the amenity values and character of the residential zones, or the vitality and viability of the City Centre or Commercial zones. <u>Policy RESZ-P18</u>

### Activities in the Residential 3, 4 and 5 Zones

#### Activities in a Residential Zone

<b>RESZ-<del>O15</del></b> [4.3(1)]	A level of amenity that provides residents with: <ol style="list-style-type: none"> <li>1. A northerly outlook</li> <li>2. Side and rear yards that provide aural and visual amenity</li> <li>3. Residential levels of noise</li> <li>4. Safe parking and turning areas where required</li> <li>5. Street surveillance</li> <li>6. Orientation to maximise energy efficiency.</li> </ol> <u>Policies RESZ-P<del>19</del> to RESZ-P<del>24</del></u>
<b>RESZ-<del>O216</del></b> [4.3(2)]	The character and amenity values of the residential zones are maintained and enhanced. <u>Policies RESZ-P<del>725</del> to RESZ-P<del>1127</del></u>
<b>RESZ-<del>O317</del></b> [4.3(3)]	Non-residential activities in residential zones that are domestic in scale and character and do not have an adverse impact on the amenity values and character of the residential zones, or the vitality and viability of the City Centre or Commercial zones. <u>Policies RESZ-P<del>1228</del> to RESZ-P<del>1632</del></u>
<b>RESZ-<del>O418</del></b> [4.3(4)]	Maintain the following qualities and characteristics that contribute to the cultural significance of the Te Arawa villages of Ōhinemutu and Whakarewarewa: <ol style="list-style-type: none"> <li>1. Single storey housing grouped in clusters</li> </ol>

<sup>2</sup> Existing objective repeated under each zone.

	<ol style="list-style-type: none"> <li>2. Narrow lanes and limited space around buildings</li> <li>3. Pedestrian focussed</li> <li>4. Geothermal features</li> <li>5. Home based businesses</li> <li>6. Community established around Marae.</li> </ol> <p><i>Policies RESZ-P<del>1733</del></i></p>
<b>RESZ-<del>0519</del></b> [4.3(5)]	<p>Avoid adverse effects of non-residential activities within the Residential 3 zone on the amenity of Ngāpuna.</p> <p><i>Policies RESZ-P<del>1834</del> to RESZ-P<del>1935</del></i></p>

### ~~The design, layout and appearance of residential sites~~

<b>RESZ-<del>0620</del></b> [4.3(6)]	<p>Residential site design and development in a sustainable manner that promotes and maintains the character of the zone, residential amenity and community safety.</p> <p><i>Policies RESZ-P<del>2036</del> to RESZ-P<del>2339</del></i></p>
<b>RESZ-<del>08<sup>3</sup>21</del></b> [4.3(8)]	<p>Infill housing that maintains the environmental quality, character and amenity values of the zone for existing and future residents.</p> <p><i>Policies RESZ-P<del>2540</del></i></p>

### Reverse sensitivity

<b>RESZ-<del>07<sup>4</sup>22</del></b> [4.3(7)]	<p>Residential property design and development that ensures reverse sensitivity effects on network utilities and other infrastructure do not occur.</p> <p><i>Policies RESZ-P<del>2441</del></i></p>
<b>RESZ-<del>0923</del></b> [1.3(10)]	<p>Subdivision, use and development that enables the continued efficient operation of existing development and activities.</p> <p><i>Policies RESZ-P<del>2642</del></i></p>

## POLICIES

### Activities in the Residential 1 Zone - Medium Density Residential Zone

#### Objective RESZ-O1

<b>RESZ-P1</b>	<u>Enable a variety of housing typologies with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments.</u>
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#### Objective RESZ-O2

<b>RESZ-P2</b>	<p><u>Achieve the planned medium density residential built character by:</u></p> <ol style="list-style-type: none"> <li>1. <u>Enabling buildings of generally up to three storeys; and</u></li> <li>2. <u>Encouraging development to provide a quality edge to the street through building orientation, setbacks, low or visually permeable fencing, and landscaping; and</u></li> <li>3. <u>Providing opportunities for space around buildings and on-site landscaping.</u></li> </ol>
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#### Objective RESZ-O3

<sup>3</sup> Order of objectives changed to clarify that this objective now limited to Residential Zones 3,4 and 5

<sup>4</sup> Moved but not amended – originally under general heading for activities in residential zones.

<b><u>RESZ-P3</u></b>	<u>Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.</u>
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*Objective RESZ-O4*

<b><u>RESZ-P4</u></b>	<u>Enable housing to be designed to meet the day-to-day needs of residents.</u>
<b><u>RESZ P5</u></b>	<u>Require development to achieve quality living environments for residents on site by providing:</u> <ol style="list-style-type: none"> <li>1. <u>private open space that has access to sunlight;</u></li> <li>2. <u>a reasonable level of visual privacy and outlook;</u></li> <li>3. <u>opportunities for on-site landscaping; and</u></li> <li>4. <u>safe and convenient pedestrian access to residential units from the street.</u></li> </ol>
<b><u>RESZ-P6</u></b>	<u>Mitigate the potential adverse effects of development on adjoining sites, without limiting the ability to achieve the planned medium density residential built character, including by:</u> <ol style="list-style-type: none"> <li>1. <u>Setting buildings back from side and rear boundaries;</u></li> <li>2. <u>Limiting the length of buildings along side and rear boundaries;</u></li> <li>3. <u>Providing opportunities for sunlight access to adjoining sites;</u></li> <li>4. <u>For 4+ residential unit developments, encouraging the use of other design techniques such as building recesses, varied architectural treatment and landscaping along side and rear boundaries.</u></li> </ol>

*Objective RESZ-O5*

<b><u>RESZ-P7</u></b>	<u>Require proposals for four or more residential units to demonstrate that there is adequate capacity in the infrastructure networks to support the development</u>
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*Objective RESZ-O6*

<b><u>RESZ-P8</u></b>	<u>Require proposals for four or more residential units to provide adequate storage for cycle parking on site.</u>
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*Objective RESZ-O7*

<b><u>RESZ-P12P9<sup>5</sup></u></b>	Manage the location and design of buildings for non-residential activities to ensure that the activity is in keeping with the appearance and character of the residential zone sought in RESZ-O2 and Policies RESZ-P7 <del>2</del> <del>to RESZ-P.</del>
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**Activities in the Residential 2 Zone - High Density Residential Zone***Objective RESZ-O8*

<b><u>RESZ-P10</u></b>	<u>Enable a variety of housing typologies with a mix of densities within the zone, including attached and detached dwellings and apartments.</u>
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*Objective RESZ-O9*

<b><u>RESZ-P11</u></b>	<u>Achieve the planned high density residential built character by:</u>
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<sup>5</sup> Existing policy now repeated under each zone heading

	<ol style="list-style-type: none"> <li>1. <u>Enabling buildings of generally up to six storeys;</u></li> <li>2. <u>Encouraging development to provide a quality edge to the street through building orientation, setbacks, low or visually permeable fencing, and landscaping; and</u></li> <li>3. <u>Providing opportunities for space around buildings and on-site landscaping.</u></li> </ol>
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*Objective RESZ-O10*

<b><u>RESZ-P12</u></b>	<u>Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.</u>
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*Objective RESZ-O11*

<b><u>RESZ-P13</u></b>	<u>Enable housing to be designed to meet the day-to-day needs of residents.</u>
<b><u>RESZ-P14</u></b>	<p><u>Require development to achieve quality living environments for residents by providing:</u></p> <ol style="list-style-type: none"> <li>1. <u>private open space that has access to sunlight;</u></li> <li>2. <u>a reasonable level of visual privacy and outlook;</u></li> <li>3. <u>opportunities for on-site landscaping;</u></li> <li>4. <u>safe and convenient pedestrian access to residential units from the street.</u></li> </ol>
<b><u>RESZ-P15</u></b>	<p><u>Mitigate the potential adverse effects of development on adjoining sites, without limiting the ability to achieve the planned high density residential built character, including by:</u></p> <ol style="list-style-type: none"> <li>1. <u>Setting buildings back from site and rear boundaries;</u></li> <li>2. <u>Limiting the length of buildings along side and rear boundaries;</u></li> <li>3. <u>Providing opportunities for sunlight access to neighbouring sites.</u></li> <li>4. <u>For 4+ residential unit development, encouraging the use of other design techniques such as building recesses, varied architectural treatment and landscaping along side and rear boundaries.</u></li> </ol> <p><i>Objective RESZ-O11</i></p>

*Objective RESZ-O12*

<b><u>RESZ-P16</u></b>	<u>Require proposals for four or more residential units to demonstrate that there is adequate capacity in the infrastructure networks to support the development.</u>
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*Objective RESZ-O13*

<b><u>RESZ-P17</u></b>	<u>Require proposal for four or more residential units to provide adequate storage for cycle parking on site.</u>
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*Objective RESZ-O14*

<b><u>RESZ-P12-18<sup>6</sup></u></b>	Manage the location and design of buildings for non-residential activities to ensure that the activity is in keeping with the appearance and character of the residential zone sought in RESZ-O <del>29</del> and Policies RESZ-P <del>711</del> to RESZ-P.
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<sup>6</sup> Existing objective repeated under each zone

**Activities in the Residential 3, 4 and 5 Zones****Activities in a Residential Zone**Objective RESZ ~~015~~

<b>RESZ-P<del>1</del>19</b> [4.3(1)(1)]	Require yards and protection of daylight planes to provide for privacy and outlook to reduce the adverse effects of noise between <b>household residential</b> units and the character of the streetscape.
<b>RESZ-P<del>2</del>20</b> [4.3(1)(2)]	Manage the siting of <b>household residential</b> units on adjoining land to protect the privacy, outlook and amenity of residents.
<b>RESZ-P<del>3</del>21</b> [4.3(1)(3)]	Require on-site outdoor space for each <b>household residential</b> unit.
<b>RESZ-P<del>4</del>22</b> [4.3(1)(4)]	Ensure the design and location of access, on-site parking and turning areas do not detract from the safe and efficient functioning of the transport network or dominate the streetscape.
<b>RESZ-P<del>5</del>23</b> [4.3(1)(5)]	When considering a resource consent application, require the landscaping to mitigate the adverse effects of activities and to enhance the character and amenity of the zone.
<b>RESZ-P<del>6</del>24</b> [4.3(1)(7)]	Encourage implementation of principles of sustainable building practice through provision of advice and information.

Objective RESZ ~~0216~~

<b>RESZ-P<del>7</del></b> [4.3(2)(1)]	<p><b>Maintain the following qualities and characteristics of the Residential 1 zone:</b></p> <ol style="list-style-type: none"> <li><del>1. Low density residential areas</del></li> <li><del>2. A mix of single two-storey buildings</del></li> <li><del>3. A variety of building design and materials</del></li> <li><del>4. Balance between the built and natural elements of the environment</del></li> <li><del>5. A sense of space around buildings</del></li> <li><del>6. Space enhanced by on-site landscaping and trees within the road reserve</del></li> <li><del>7. Low levels of noise</del></li> <li><del>8. Low traffic levels.</del></li> </ol>
<b>RESZ-P<del>8</del></b> [4.3(2)(2)]	<p><b>Maintain the following qualities and characteristics of the Residential 2 zone:</b></p> <ol style="list-style-type: none"> <li><del>1. Medium density residential areas</del></li> <li><del>2. A mix of single storey and two-storey buildings</del></li> <li><del>3. Smaller household units and apartment style living</del></li> <li><del>4. Limited outdoor space</del></li> <li><del>5. Built elements dominate the environment</del></li> <li><del>6. Much of the space around buildings is taken up by hard surfacing for car parking and turning</del></li> <li><del>7. Reliance on street trees to soften the built environment.</del></li> </ol>



<p><b>RESZ-P<del>9</del>25</b> [4.3(2)(3)]</p>	<p>Maintain the following qualities and characteristics of the Residential 3 zone</p> <ol style="list-style-type: none"> <li>1. Medium to high density residential areas</li> <li>2. Close development and narrow roads</li> <li>3. Historic and geothermal features integrated into the environment of the villages</li> <li>4. A mix of single and two storey buildings</li> <li>5. A variety of building design and materials</li> <li>6. Low levels of noise</li> <li>7. Low traffic levels.</li> </ol>
<p><b>RESZ-P1<del>0</del>26</b> [4.3(2)(4)]</p>	<p>Maintain the following qualities and characteristics of the Residential 4 zone:</p> <ol style="list-style-type: none"> <li>1. Low density residential areas</li> <li>2. A mix of single and two storey buildings</li> <li>3. A high proportion of outdoor open living space</li> <li>4. A variety of building design and materials</li> <li>5. Building that does not dominate the natural character of the lake and its margin</li> <li>6. A sense of space around buildings</li> <li>7. Low levels of noise</li> <li>8. Low traffic levels.</li> </ol>
<p><b>RESZ-P<del>11</del>27</b> [4.3(2)(5)]</p>	<p>Maintain the following qualities and characteristics of the Residential 5 zone:</p> <ol style="list-style-type: none"> <li>1. Low density residential areas on larger lots</li> <li>2. A mix of single and two storey buildings</li> <li>3. A variety of building design and materials</li> <li>4. Balance between the built and natural elements of the environment such that the building does not over-dominate</li> <li>5. A sense of space around buildings</li> <li>6. Space enhanced by on-site landscaping and trees within the road reserve;</li> <li>7. Low levels of noise</li> <li>8. Low traffic levels.</li> </ol>

Objective RESZ-~~03~~17

<p><b>RESZ-P<del>12</del>28</b> [4.3(3)(1)]</p>	<p>Manage the location and design of buildings for non-residential activities to ensure that the activity is in keeping with the appearance and character of the residential zone sought in RESZ-O<del>2</del>16 and Policies RESZ-P<del>7</del>25 to RESZ-P<del>2</del>7.</p>
<p><b>RESZ-P<del>13</del>29</b> [4.3(3)(2)]</p>	<p>Prevent the establishment of non-residential activities where they would be more appropriately located in a commercial, industrial or city centre zone and would have an adverse effect on the vitality and viability of those zones.</p>
<p><b>RESZ-P<del>14</del>30</b> [4.3(3)(3)]</p>	<p>Avoid adverse effects of noise, vibration, light, smoke, fumes, odours, or other sources of disturbance that are detrimental to the amenity of the residential zones.</p>
<p><b>RESZ-P<del>15</del>31</b> [4.3(3)(4)]</p>	<p>Ensure the location of community activities avoids, remedies, or mitigates adverse effects on the quality of residential amenity in the residential zones.</p>

<p><b>RESZ-P<del>16</del>32</b> [4.3(3)(5)]</p>	<p>Avoid, remedy or mitigate the potential adverse effects of non-residential activities, including community activities, through the provision of:</p> <ol style="list-style-type: none"> <li>1. Sufficient on-site parking, loading and turning</li> <li>2. Landscaping to maintain and enhance the quality of residential amenity, primarily the streetscape</li> <li>3. Noise mitigation measures.</li> </ol>
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Objective RESZ-~~04~~18

<p><b>RESZ-P<del>17</del>33</b> [4.3(4)(2)]</p>	<p>Activities within Ōhinemutu and Whakarewarewa are in keeping with the unique character of the villages and include:</p> <ol style="list-style-type: none"> <li>1. Sufficient on-site parking and safe access that does not adversely affect the transport network</li> <li>2. Buildings and structures located in a manner that respects the tikanga of the Marae</li> <li>3. Traditional, home-based cultural activities.</li> </ol>
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Objective RESZ-~~05~~19

<p><b>RESZ-P<del>18</del>34</b> [4.3.5.1]</p>	<p>Manage the effects of non-residential activities so that adverse effects on the residential amenity of Ngāpuna village are not increased.</p>
<p><b>RESZ-P<del>19</del>35</b> [4.3(5)(1)]</p>	<p>Manage the location of activities that generate unacceptable levels of noise and have the potential to adversely impact Ngāpuna residents.</p>

Objective RESZ-~~06~~20

<p><b>RESZ-P<del>20</del>36</b> [4.3(6)(1)]</p>	<p>Encourage and promote buildings on residential sites that:</p> <ol style="list-style-type: none"> <li>1. Have sufficient space to provide private, useable outdoor open areas for garden and amenity space</li> <li>2. Do not intrude into side, rear, or front yards</li> <li>3. Maximise access to sunlight and daylight to north facing living rooms</li> <li>4. Provide car parking and turning areas that are separate from outdoor garden and amenity space and do not dominate in the streetscape.</li> </ol>
<p><b>RESZ-P<del>21</del>37</b> [4.3(6)(2)]</p>	<p>Encourage site and building design that provides:</p> <ol style="list-style-type: none"> <li>1. Passive surveillance of public space</li> <li>2. Front yards that are free of buildings and not screened by high fencing.</li> </ol>
<p><b>RESZ-P<del>22</del>38</b> [4.3(6)(4)]</p>	<p>Provide for residential development to occur in a manner that:</p> <ol style="list-style-type: none"> <li>1. Does not detract from the surrounding residential amenity</li> <li>2. Provides for a range of residential opportunities</li> <li>3. Provides for access by a range of modes of transport</li> <li>4. Provides recreation and amenity areas.</li> </ol>
<p><b>RESZ-P<del>23</del>39</b> [4.3(6)(5)]</p>	<p>Ensure the development of the Residential 1 zoned portion of land within Lot 1 DPS 70760 (Owhatiura South) provides for a continuous, safe and efficient pedestrian and cycle accessway between Vaughan Road and Te Ngae Road which is designed to meet the principles of CPTED.</p>

Objective RESZ ~~0821~~**RESZ-P~~2540~~<sup>7</sup>**  
[4.3(8)(1)]

Infill housing development is designed to maintain the privacy, outlook and amenity values for residents.

**Reverse Sensitivity**Objective RESZ ~~0722~~**RESZ-P~~2441~~**  
[4.3(7)(1)]

Ensure that the operation, maintenance and upgrading of network utility operations and other infrastructure is not constrained by reverse sensitivity effects resulting from residential development.

**Reverse sensitivity**Objective RESZ ~~0923~~**RESZ-P~~2642~~**  
[1.3(10)(1)]

Manage the location and design of new subdivision, use and development within each zone to avoid adverse reverse sensitivity effects on existing activities.

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<sup>7</sup> Order of objectives changed to clarify that objective now limited to Residential zones 1,2 and 3

## RULES

The rules in this chapter apply in addition to the rules in other chapters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1 – How the Plan Works.


Key relationships to note include:

1. The District Wide Matters chapters must also be considered. Examples of matters managed under these rules that are commonly associated with activities in Residential Zones include (but are not limited to) earthworks, noise and light emissions, management of noise sensitive activities near state highways and signs.
2. The following Development Areas also apply in Residential Zones and contain additional rules. In some cases, these override the rules in this chapter (refer to the development chapters for further detail):
  - a. PHDA – Pukehāngi Development Area
  - b. THDA – Taheke 8C Development Area
  - c. OMDA – Ōtaramarae Development Area
  - d. WHDA – Wharenui Development Area.
3. For subdivision in the Residential Zone refer to the separate chapter SUB – Subdivision. Some development areas also contain additional subdivision rules.

**Links to the rule categories are provided below:**

General .....	18
<del>Households</del> Residential Activities.....	18
Community Activities.....	25
Tourism and Recreation .....	27
Retail and Commercial.....	29
Other Activities .....	30

## Rules for Activities in Residential Zones

General		
<b>RESZ-R1</b>	<b>An activity accessory to a permitted activity</b>	[4.5(1)]
<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">RESZ-S1</a>;</li> <li>Yards <a href="#">RESZ-S2</a>;</li> <li>Site coverage <a href="#">RESZ-S3</a>;</li> <li><del>Household unit density <a href="#">RESZ-S4</a>; and</del></li> <li>Parking, access and turning <a href="#">RESZ-S5</a>; and</li> <li><del>Design and Landscaping <a href="#">RESZ-6A</a></del></li> <li>Reflectivity (Residential 4 Zone) <a href="#">RESZ-S6</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for RESZ-R1(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>The reason for the non-compliance with performance standards and 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;</li> <li>The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>Natural hazards <a href="#">RESZ-MD4</a>; and</li> <li>Financial contributions <a href="#">RESZ-MD5</a>.</li> </ol>
<b>RESZ-R2</b>	<b>Where an activity is not expressly stated in this table</b>	[4.5(3)]
<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status:</b> Non-Complying	
<del>Households</del> Residential Activities		
<b>RESZ-R3<sup>8</sup></b>	<del>Household units (including comprehensive residential development)</del> Residential units	<del>4.5(4) 4.5(9) 4.5(10)]</del>
<b>Applicable Spatial Layers</b> <a href="#">Residential 1 and 2 Zones</a>	<b>1. Activity Status:</b> Permitted  <b>Where:</b> <a href="#">There are no more than 3 residential units per site.</a> <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">RESZ-S1</a>;<sup>9</sup></li> <li>Yards <a href="#">RESZ-S2</a>;</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> <a href="#">Compliance not achieved with the performance standards in RESZ-R3(1).</a> <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li><a href="#">The reason for the non-compliance with performance standards and the extent to which the activity will</a></li> </ol>

<sup>8</sup> Formatting has been changed by separating of rows for Zones 1 and 2 from Zones 3, 4 and 5 – this has not changed intent but allowed the actual changes to rules, standards and matters of discretion for each zone to be more clearly shown.

<sup>9</sup> Some parts of this standard are MDRS and other parts are not – refer to standard in full below.

	<ul style="list-style-type: none"> <li>c. <u>Site coverage RESZ-S3;<sup>10</sup></u></li> <li>d. <u>Parking, access and turning RESZ-S5;</u></li> <li>e. <u>Design and Landscaping RESZ-S6<sup>11</sup> and</u></li> <li>f. <u>Lot 1 DPS 70760: Pedestrian and cycle accessway RESZ-S7.</u></li> </ul>	<p><u>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.</u></p> <ul style="list-style-type: none"> <li>b. <u>Residential units – Non-compliance matters RESZ-MDA</u></li> <li>c. <u>Natural hazards RESZ-MD1; and</u></li> <li>d. <u>Financial contributions RESZ-MD2.</u></li> </ul> <p><b><u>Notification</u></b></p> <p><u>An application for resource consent under this rule (for the construction and use of no more than 3 residential units per site that does not comply with one or more of the performance standards) will be considered without public notification (unless the Council decides that special circumstances exist under the Resource Management Act 1991).</u></p>
<p><b><u>Applicable Spatial Layers</u></b></p> <p><u>Residential 1 and 2 Zones</u></p>	<p><b><u>3 Activity Status:</u></b> Restricted Discretionary</p> <p><b><u>Where:</u></b></p> <p><u>There are four or more residential units per site</u></p> <p><b><u>Performance Standards</u></b></p> <ul style="list-style-type: none"> <li>a. <u>Height RESZ-S1;<sup>12</sup></u></li> <li>b. <u>Yards RESZ-S2;</u></li> <li>c. <u>Site coverage RESZ-S3;<sup>13</sup></u></li> <li>d. <u>Parking, access and turning RESZ-S5;</u></li> <li>e. <u>Design and Landscaping RESZ-S6<sup>14</sup> and</u></li> <li>f. <u>Lot 1 DPS 70760: Pedestrian and cycle accessway RESZ-S7.</u></li> </ul> <p><b><u>Matters of discretion</u></b></p> <ul style="list-style-type: none"> <li>a. <u>4+ Residential unit developments RESZ-MDB;</u></li> <li>b. <u>Natural hazards RESZ-MD1; and</u></li> </ul>	<p><b><u>4 Activity Status:</u></b> Restricted Discretionary</p> <p><b><u>Where:</u></b></p> <ul style="list-style-type: none"> <li>a. <u>Compliance is not achieved with the performance standards for RESZ-R3(3)</u></li> </ul> <p><b><u>Matters of discretion</u></b></p> <ul style="list-style-type: none"> <li>a. <u>The reason for the non-compliance with performance standards and 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</u></li> <li>b. <u>Residential units – non-compliance matters RESZ-MDA;</u></li> </ul>

<sup>10</sup> Some parts of this standard are MDRS and other parts are not – refer to standard in full below.

<sup>11</sup> Some parts of this standard are MDRS and other parts are not – refer to standard in full below.

<sup>12</sup> Some parts of this standard are MDRS and other parts are not – refer to standard in full below.

<sup>13</sup> Some parts of this standard are MDRS and other parts are not – refer to standard in full below.

<sup>14</sup> Some parts of this standard are MDRS and other parts are not – refer to standard in full below.

	<p><b>c. <u>Financial contributions RESZ-MD2.</u></b></p> <p><b><u>Notification</u></b></p> <p><u>An application for resource consent under this rule (for the construction and use of four or more residential units per site that complies with the performance standards) will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991).</u></p>	<p><b>c. <u>4+ Residential unit developments RESZ-MDB;</u></b></p> <p><b>d. <u>Natural hazards RESZ-MD1; and</u></b></p> <p><b>e. <u>Financial contributions RESZ-MD2.</u></b></p> <p><b><u>Notification</u></b></p> <p><u>An application for resource consent under this rule (for the construction and use of four or more residential units per site that does not comply with one or more of the performance standards) will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991), provided that the activity complies with all the following performance standards:</u></p> <p><b>a. <u>Height RESZ-S1: (1) or (1A)</u></b></p> <p><b>b. <u>Yards RESZ-S2: (1)</u></b></p> <p><b>c. <u>Site Coverage RESZ-S3: (1)(a) or (2)(a)</u></b></p> <p><b>d. <u>Design and Landscaping RESZ-S6: (2)(a)(i) to (ii); (3); (4)(a); and (6)(a) to (b).</u></b></p>
<p><b>Applicable Spatial Layers</b></p> <p>Residential 3, 4 and 5 Zones</p>	<p><b>4. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The performance standards for the number of residential units per site for a permitted activity are met, that is, there will be one residential unit per site.</p> <p><b>Performance Standards:</b></p> <p>a. Height RESZ-S1;</p> <p>b. Yards RESZ-S2;</p> <p>c. Site coverage RESZ-S3;</p> <p>d. <del>household</del> <b>Residential</b> unit density RESZ-S4;</p> <p>e. Parking, access and turning RESZ-S5; and</p> <p>f. Design and Landscaping - Outdoor living space RESZ-6A<sup>15</sup></p> <p>g. Reflectivity (Residential 4 Zone) RESZ-S6.</p>	<p><b>5. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in RESZ-R3(1) or(4), excluding the number of residential units per site.</p> <p><b>Matters of Discretion:</b></p> <p>a. The reason for the non-compliance with performance standards and 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;</p> <p>b. The extent to which the activity adversely affects the character and amenity values of the zone;</p>

<sup>15</sup> The standard on outdoor living space was originally included in site coverage and has been shifted into this heading for clarity

<p><b>Applicable Spatial Layers</b></p> <p>Residential 3 and 4 Zone</p>	<p><b>4. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The performance standards for the number of residential units per site for a controlled activity are met, that is, there will be two residential units per site including any minor dwellings.</p> <p><b>Performance Standards:</b></p> <ol style="list-style-type: none"> <li>Height RESZ-S1;</li> <li>Yards RESZ-S2;</li> <li>Site coverage RESZ-S3;</li> <li><del>Household Residential</del> unit density RESZ-S4;</li> <li>Parking, access and turning RESZ-S5; and</li> <li>Design and Landscaping – Outdoor living space RESZ-6A<sup>16</sup></li> <li>Reflectivity (Residential 4 Zone) RESZ-S6.</li> </ol> <p><b>Matters of Control:</b></p> <ol style="list-style-type: none"> <li>Design <u>RESZ-MC1</u>;</li> <li>Zone character <u>RESZ-MC2</u>;</li> <li>Amenity RESZ-MC3;</li> <li>Parking, access and turning <u>RESZ-MC4</u>;</li> <li>Natural hazards <u>RESZ-MC5</u>; and</li> <li>Financial contributions <u>RESZ-MC6</u>.</li> </ol>	<ol style="list-style-type: none"> <li>Natural hazards RESZ-MD1; and</li> <li>Financial contributions RESZ-MD2.</li> </ol>
<p><b>Applicable Spatial Layers</b></p> <p>Residential 3 and 4 and Zones</p>	<p><b>6. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>The activity is a comprehensive residential development for three or more <del>household residential</del> units (including any minor dwellings) on a site.</p> <p><b>Assessment Criteria:</b></p> <ol style="list-style-type: none"> <li>Encouraging innovative design for a particular site where the proposal does not comply with the performance standards for the zone;</li> <li>Potential adverse effects on the environment; and</li> <li>General RESZ-AC1.</li> </ol>	
<p><b>Applicable Spatial Layers</b></p> <p>Residential 5 Zone</p>	<p><b>7. Activity status:</b> Discretionary</p> <p>The activity is for two or more <del>household residential</del> units (including any minor dwellings) on a site.</p>	

<sup>16</sup> The standard on outdoor living space was originally in site coverage but has been shifted to this heading for clarity



<p><b>Applicable Spatial Layers</b> Residential 1 and 2 Zones</p>	<p><b>1. Activity Status:</b> Permitted  <b>Where:</b>                  There will be one household unit per site.  <b>Performance Standards:</b>                  h. Height <u>RESZ-S1</u>;                  i. Yards <u>RESZ-S2</u>;                  j. Site coverage <u>RESZ-S3</u>;                  k. Household unit density <u>RESZ-S4</u>; and                  l. Parking, access and turning <u>RESZ-S5</u>;                  m. Reflectivity <u>RESZ-S6</u> and                  n. Lot 1 DPS 70760: Pedestrian and cycle accessway <u>RESZ-S7</u>.</p>	<p><b>3. Activity Status:</b> Restricted-Discretionary  <b>Where:</b>                  Compliance not achieved with the performance standards in RESZ-R3(1) or(2).  <b>Matters of Discretion:</b>                  a. The reason for the non-compliance with performance standards and 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;                  b. The extent to which the activity adversely affects the character and amenity values of the zone;                  c. Natural hazards <u>RESZ-MD1</u>; and                  d. Financial contributions <u>RESZ-MD2</u>.</p>
<p><b>Applicable Spatial Layers</b> Residential 1 and 2 Zones</p>	<p><b>2. Activity Status:</b> Controlled  <b>Where:</b>                  There will be two household units on a site (including any minor household unit).  <b>Performance Standards:</b>                  a. Height <u>RESZ-S1</u>;                  b. Yards <u>RESZ-S2</u>;                  c. Site coverage <u>RESZ-S3</u>;                  a. Household unit density <u>RESZ-S4</u>; and                  b. Parking, access and turning <u>RESZ-S5</u>;                  c. Reflectivity <u>RESZ-S6</u>; and                  d. Lot 1 DPS 70760: Pedestrian and cycle accessway <u>RESZ-S7</u>.  <b>Matters of Control:</b>                  g. Design <u>RESZ-MC1</u>;                  h. Zone character <u>RESZ-MC2</u>;                  i. Amenity <u>RESZ-MC3</u>;                  j. Parking, access and turning <u>RESZ-MC4</u>;                  k. Natural hazards <u>RESZ-MC5</u>; and                  l. Financial contributions <u>RESZ-MC6</u>.</p>	
<p><b>Applicable Spatial Layers</b> Residential 2 Zone</p>	<p><b>4. Activity Status:</b> Restricted-Discretionary  <b>Where:</b>                  The activity is a comprehensive residential development for three or more household units (including any minor dwellings) on a site.  <b>Matters of Discretion:</b>                  a. In instances where one or more performance standards are not met, 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;                  b. The design and layout and any innovative components;                  c. Potential adverse effects on the environment;</p>	

	<p><del>d. The extent to which the activity adversely affects the character and amenity values of the zone;</del></p> <p><del>e. Natural hazards <a href="#">RESZ-MD1</a>; and</del></p> <p><del>f. Financial contributions <a href="#">RESZ-MD2</a>.</del></p>
<p><b>Applicable Spatial Layers</b></p> <p>Residential 1 Zone</p>	<p><del>5. <b>Activity Status:</b> Discretionary</del></p> <p><del><b>Where:</b></del></p> <p><del>The activity is a comprehensive residential development for three or more household units (including any minor dwellings) on a site.</del></p> <p><del><b>Assessment Criteria:</b></del></p> <p><del>d. Encouraging innovative design for a particular site where the proposal does not comply with the performance standards for the zone.</del></p> <p><del>e. Potential adverse effects on the environment; and</del></p> <p><del>f. General <a href="#">RESZ-AC1</a>.</del></p>
<p>Advice Note – Comprehensive Residential Development Plan:</p> <p>The intention of the plan is to encourage innovative design for a particular site even where the proposal does not comply with the performance standards for the zone. <del>It is particularly aimed at the Residential 2 zone where high density development will be in keeping with the character of the zone.</del> An application for resource consent that has been designed specifically for the site can be submitted as a comprehensive development plan to demonstrate how the site as a whole can be developed without adverse effects on the environment that are more than minor.</p>	
<p><b>RESZ-R4</b>      <b>Buildings and alterations accessory to a <del>household residential</del> unit</b>      [4.5(6)]</p>	
<p><b>Applicable Spatial Layers</b></p> <p>All Residential Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">RESZ-S1</a>;</p> <p>b. Yards <a href="#">RESZ-S2</a>;</p> <p>c. Site coverage <a href="#">RESZ-S3</a>;</p> <p><del>d. <a href="#">Household unit density RESZ-S4</a>;</del></p> <p>a. Parking, access and turning <a href="#">RESZ-S5</a>; <del>and</del></p> <p>b. <a href="#">Design and landscaping RESZ-6A</a>; and</p> <p>c. Reflectivity (Residential 4 Zone) <a href="#">RESZ-S6</a> .</p>
	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in RESZ-R4(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. The reason for the non-compliance with performance standards and 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;</p> <p>b. The extent to which the activity adversely affects the character and amenity values of the zone;</p> <p>c. Natural hazards <a href="#">RESZ-MD1</a>; and</p> <p>d. Financial contributions <a href="#">RESZ-MD2</a>.</p>
<p><b>RESZ-R5</b>      <b>The demolition or removal of a <del>household residential</del> unit from a site</b>      [4.5(7)]</p>	
<p><b>Applicable Spatial Layers</b></p>	<p><b>1. Activity Status:</b> Permitted</p>

All Residential Zones		
<b>RESZ-R6</b>	<b>The preparation, assembly or finishing and thereafter sale or display of traditional Māori food, traditional and contemporary Māori crafts, and souvenirs accessory to a <del>household residential</del> unit</b>	[4.5(12)]
<b>Applicable Spatial Layers</b> Residential 3 Zone	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">RESZ-S1</a>;</li> <li>b. Yards <a href="#">RESZ-S2</a>;</li> <li>c. Site coverage <a href="#">RESZ-S3</a></li> <li>d. <del>Household Residential</del> unit density <a href="#">RESZ-S4</a>; and</li> <li>a. Parking, access and turning <a href="#">RESZ-S5</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for RESZ-R6(1).</p> <p><b>Matters of Restricted Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The reason for the non-compliance with performance standards and 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;</li> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>c. Natural hazards <a href="#">RESZ-MD1</a>; and</li> <li>d. Financial contributions <a href="#">RESZ-MD2</a>.</li> </ul>
<b>RESZ-R7</b>	<b>Micro scale wind turbines</b>	[4.5(8)]
<b>Applicable Spatial Layers</b> All Residential Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">RESZ-S1</a>;</li> <li>b. Yards <a href="#">RESZ-S2</a>;</li> <li>c. Site coverage <a href="#">RESZ-S3</a>; and</li> <li>d. Reflectivity (Residential 4 Zone) <a href="#">RESZ-S6</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Design <a href="#">RESZ-MC1</a>;</li> <li>b. Zone character <a href="#">RESZ-MC2</a>;</li> <li>c. Amenity <a href="#">RESZ-MC3</a>;</li> <li>d. Parking, access and turning <a href="#">RESZ-MC4</a>;</li> <li>e. Natural hazards <a href="#">RESZ-MC5</a>; and</li> <li>f. Financial contributions <a href="#">RESZ-MC6</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for RESZ-R7(1).</p> <p><b>Matters of Restricted Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The reason for the non-compliance with performance standards and 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;</li> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>c. Natural hazards <a href="#">RESZ-MD1</a>; and</li> <li>d. Financial contributions <a href="#">RESZ-MD2</a>.</li> </ul>

RESZ-R8		Conversion of tourist accommodation to <b>household residential</b> units	[4.5(11)]
<p><b>Applicable Spatial Layers</b></p> <p>Residential 1, 2, 3 and 4 Zones</p>	<p><b>1. Activity Status:</b> <del>Controlled</del> <b>Restricted Discretionary</b></p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">RESZ-S1</a>;</li> <li>b. Yards <a href="#">RESZ-S2</a>;</li> <li>c. Site coverage <a href="#">RESZ-S3</a>;</li> <li>d. <del>Household unit density</del> <a href="#">RESZ-S4</a>;</li> <li>e. Parking, access and turning <a href="#">RESZ-S5</a>; and</li> <li>f. <a href="#">Design and landscaping RESZ-6A</a>; and</li> <li>g. Reflectivity (Residential 4 Zone) <a href="#">RESZ-S6</a>.</li> </ul> <p><b>Matters of <del>Control</del>Discretion:</b></p> <ul style="list-style-type: none"> <li>a. <del>Design</del> <a href="#">RESZ-MC1</a>;</li> <li>b. <del>Zone character</del> <a href="#">RESZ-MC2</a>;</li> <li>c. <del>Amenity</del> <a href="#">RESZ-MC3</a>;</li> <li>d. <del>Parking, access and turning</del> <a href="#">RESZ-MC4</a>;</li> <li>a. <a href="#">As for 4+ residential unit developments RESZ-MDB</a></li> <li>b. Natural hazards <a href="#">RESZ-MC5</a>; and</li> <li>c. Financial contributions <a href="#">RESZ-MC6</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for RESZ-R8(1).</p> <p><b>Matters of Restricted Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The reason for the non-compliance with performance standards and 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;</li> <li>b. <a href="#">Residential units – specific non-compliance matters RESZ-MDA</a>.</li> <li>c. <a href="#">As for 4+ residential unit developments RESZ-MDB</a></li> <li>d. <del>The extent to which the activity adversely affects the character and amenity values of the zone;</del></li> <li>e. Natural hazards RESZ-MD1; and</li> <li>f. Financial contributions <a href="#">RESZ-MD2</a>.</li> </ul>	
<b>Community Activities</b>			
RESZ-R9		Community housing	[4.5(28)]
<p><b>Applicable Spatial Layers</b></p> <p>All Residential Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">RESZ-S1</a>;</li> <li>b. Yards <a href="#">RESZ-S2</a>;</li> <li>c. Site coverage <a href="#">RESZ-S3</a>;</li> <li>d. <del>Household Residential</del> unit density <a href="#">RESZ-S4</a>;</li> <li>a. Parking, access and turning <a href="#">RESZ-S5</a>; and</li> <li>b. <a href="#">Design and Landscaping RESZ-6A</a></li> <li>c. Reflectivity (Residential 4 Zone) <a href="#">RESZ-S6</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for RESZ-9(1).</p> <p><b>Matters of Restricted Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The reason for the non-compliance with performance standards and 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;</li> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>c. <a href="#">4+ Residential unit development RESZ-MDB</a>;</li> </ul>	

		<p>d. Natural hazards RESZ-MD3; and</p> <p>e. Financial contributions <a href="#">RESZ-MD4</a>.</p>
<b>RESZ-R10</b>	<b>Hospitals and medical centres</b>	[4.5(21), 4.5(22)]
<p><b>Applicable Spatial Layers</b></p> <p>Residential 2 Zone</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The activity is an alteration or extension of an existing hospital or medical centre.</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">RESZ-S1</a>;</p> <p>b. Yards <a href="#">RESZ-S2</a>;</p> <p>c. Site coverage <a href="#">RESZ-S3</a>; and</p> <p>d. Parking, access and turning <a href="#">RESZ-S5</a>.</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for RESZ-R10(1).</p> <p><b>Matters of Restricted Discretion:</b></p> <p>a. The reason for the non-compliance with performance standards and 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;</p> <p>b. The extent to which the activity adversely affects the character and amenity values of the zone;</p> <p>c. Natural hazards <a href="#">RESZ-MD1</a>; and</p> <p>d. Financial contributions <a href="#">RESZ-MD2</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>All Residential Zones</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Where:+</b></p> <p>a. The activity is a new hospital or medical centre in the Residential 2 Zone; or</p> <p>b. The activity is in the Residential 1, 3, 4 or 5 Zones.</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">RESZ-AC1</a>.</p>	
<b>RESZ-R11</b>	<b>Rest homes</b>	[4.5(23)]
<p><b>Applicable Spatial Layers</b></p> <p>All Residential Zones</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">RESZ-AC1</a>.</p>	
<b>RESZ-R12</b>	<b>Daycare centres</b>	[4.5(24)]
<p><b>Applicable Spatial Layers</b></p> <p>All Residential Zones</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">RESZ-AC1</a>.</p>	
<b>RESZ-R13</b>	<b>Educational facilities</b>	[4.5(25)]
<p><b>Applicable Spatial Layers</b></p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">RESZ-AC1</a>.</p>	

All Residential Zones		
<b>RESZ-R14</b>	<b>Community facilities</b>	[4.5(26)]
<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">RESZ-AC1</a> .	
<b>RESZ-R15</b>	<b>Funeral homes</b>	[4.5(27)]
<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">RESZ-AC1</a> .	
<b>Tourism and Recreation</b>		
<b>RESZ-R16</b>	<b>Bed and breakfast</b>	[4.5(31)]
<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">RESZ-S1</a> ; b. Yards <a href="#">RESZ-S2</a> ; c. Site coverage <a href="#">RESZ-S3</a> ; d. <del>Household</del> residential unit density <a href="#">RESZ-S4</a> ; e. Parking, access and turning <a href="#">RESZ-S5</a> ; and f. <a href="#">Design and Landscaping RESZ-6A</a> g. Reflectivity (Residential 4 Zone) <a href="#">RESZ-S6</a> .	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for RESZ-R16(1). <b>Matters of Restricted Discretion:</b> a. The reason for the non-compliance with performance standards and 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; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural hazards <a href="#">RESZ-MD1</a> ; and d. Financial contributions RESZ-MD2.
<b>RESZ-R17</b>	<b>Holiday rental accommodation</b>	[4.5(32)(a)] [4.5(32)(b)]
<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Holiday rental accommodation existing at 7 July 2018 or commencing on or after 7 July 2018 shall accommodate no more than 12 people on site at any one time; b. Height <a href="#">RESZ-S1</a> ; c. Yards <a href="#">RESZ-S2</a> ;	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for RESZ-R17(1)(b) to (h). <b>Matters of Discretion:</b> a. The reason for the non-compliance with performance standards and the extent to which the activity will avoid, remedy or mitigate the effects

	<p>d. Site coverage <a href="#">RESZ-S3</a>;</p> <p>e. <del>Household-Residential</del> unit density <a href="#">RESZ-S4</a>;</p> <p>f. Parking, access and turning <a href="#">RESZ-S5</a>; and</p> <p>g. Reflectivity (Residential 4 Zone)-<a href="#">RESZ-S6</a> .</p>	<p>of the non-compliance in achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matter of discretion;</p> <p>b. The extent to which the activity adversely affects the character and amenity values of the zone;</p> <p>c. Natural hazards <a href="#">RESZ-MD1</a>; and</p> <p>d. Financial contributions <a href="#">RESZ-MD2</a></p>
<p><b>Applicable Spatial Layers</b></p> <p>All Residential Zones</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for <a href="#">RESZ-R17(1)(a)</a>.</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">RESZ-AC1</a>; and</p> <p>b. Holiday rental accommodation <a href="#">RESZ-AC2</a>.</p>	
<p>Advice Notes:</p> <p>a. The use of the site for events (such as weddings and other celebrations) that is not within the definition of temporary activities and events will require resource consent.</p> <p>b. Where a site is not connected to the Council sewer, compliance with the relevant Regional On-Site Effluent Treatment Plan will be required.</p> <p>c. Car parks must not be located on or over the on-site effluent treatment system or disposal field</p>		
<b>RESZ-R18</b>	<b>Holiday parks</b>	[4.5(29), 4.5(30)]
<p><b>Applicable Spatial Layers</b></p> <p>Residential 1, 2, 3 and 4 Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>The activity is an addition or upgrade to an existing holiday park.</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">RESZ-S1</a>;</p> <p>b. Yards <a href="#">RESZ-S2</a>;</p> <p>c. Site coverage <a href="#">RESZ-S3</a>;</p> <p>d. Parking, access and turning <a href="#">RESZ-S5</a>; and</p> <p>e. Reflectivity (Residential 4 Zone) <a href="#">RESZ-S6</a></p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards for <a href="#">RESZ-R18(1)</a>.</p> <p><b>Matters of Restricted Discretion:</b></p> <p>a. The reason for the non-compliance with performance standards and 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;</p> <p>b. The extent to which the activity adversely affects the character and amenity values of the zone;</p> <p>c. Natural hazards <a href="#">RESZ-MD1</a>; and</p> <p>d. Financial contributions <a href="#">RESZ-MD2</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Residential 1, 2, 3 and 4 Zones</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">RESZ-AC1</a>.</p>	

<b>Applicable Spatial Layers</b> Residential 5 Zone	<b>4. Activity Status:</b> Non-Complying	
<b>RESZ-R19</b>	<b>Tourist accommodation (other than bed and breakfast)</b>	[4.5(32)]
<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">RESZ-AC1</a> .	
<b>Retail and Commercial</b>		
<b>RESZ-R20</b>	<b>Home based business</b>	[4.5(33)]
<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">RESZ-S1</a> ; b. Yards <a href="#">RESZ-S2</a> ; c. Site coverage <a href="#">RESZ-S3</a> ; d. <del>Household</del> <u>Residential</u> unit density <a href="#">RESZ-S4</a> ; a. Parking, access and turning <a href="#">RESZ-S5</a> ; and b. <del>Design and Landscaping</del> <a href="#">RESZ-6A</a> c. Reflectivity (Residential 4 Zone) <a href="#">RESZ-S6</a> .	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for RESZ-R20(1). <b>Matters of Restricted Discretion</b> a. The reason for the non-compliance with performance standards and 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; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural hazards <a href="#">RESZ-MD1</a> ; and d. Financial contributions <a href="#">RESZ-MD2</a> .
<b>RESZ-R21</b>	<b>Show homes</b>	[4.5(34)]
<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> a. Height <a href="#">RESZ-S1</a> ; b. Yards <a href="#">RESZ-S2</a> ; c. Site coverage <a href="#">RESZ-S3</a> ; d. <del>Household</del> <u>residential</u> unit density <a href="#">RESZ-S4</a> ; and e. Parking, access and turning <a href="#">RESZ-S5</a> ; and f. <del>Design and Landscaping</del> <a href="#">RESZ-S6A</a> g. Reflectivity (Residential 4 Zone)- <a href="#">RESZ-S6</a> .	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance is not achieved with the performance standards for RESZ-R21(1). <b>Matters of Restricted Discretion:</b> a. The reason for the non-compliance with performance standards and 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;



	<p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Design <a href="#">RESZ-MC1</a>;</li> <li>b. Zone character <a href="#">RESZ-MC2</a>;</li> <li>c. Amenity <a href="#">RESZ-MC3</a>;</li> <li>d. Parking, access and turning <a href="#">RESZ-MC4</a>;</li> <li>e. Natural hazards <a href="#">RESZ-MC5</a>; and</li> <li>f. Financial contributions <a href="#">RESZ-MC6</a>.</li> </ul>	<ul style="list-style-type: none"> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>c. Natural hazards <a href="#">RESZ-MD1</a>; and</li> <li>d. Financial contributions <a href="#">RESZ-MD2</a>.</li> </ul>
<b>RESZ-R22</b>	<b>Retail shop</b>	[4.5(35)]
<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status: Non-Complying</b>	
<b>RESZ-R23</b>	<b>Office activities, other than home based business</b>	[4.5(36), 4.5(37)]
<b>Applicable Spatial Layers</b> Residential 2 Zone	<p><b>1. Activity Status: Permitted</b></p> <p><b>Where:</b></p> <p>The activity is an alteration or extension to an existing office activity</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">RESZ-S1</a>;</li> <li>b. Yards <a href="#">RESZ-S2</a>;</li> <li>c. Site coverage <a href="#">RESZ-S3</a>; and</li> <li>d. Parking, access and turning <a href="#">RESZ-S5</a>;</li> </ul>	<p><b>2. Activity Status: Restricted Discretionary</b></p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for RESZ-R23(1).</p> <p><b>Matters of Restricted Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The reason for the non-compliance with performance standards and 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;</li> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>c. Natural hazards <a href="#">RESZ-MD1</a>; and</li> <li>d. Financial contributions <a href="#">RESZ-MD2</a>.</li> </ul>
<b>Applicable Spatial Layers</b> All Residential Zones	<b>3. Activity Status: Non-Complying</b>	
	<p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is a new office activity in Residential 2 Zone; or</li> <li>b. The activity is in the Residential 1, 3, 4 or 5 Zones.</li> </ul>	
<b>Other Activities</b>		
<b>RESZ-R24</b>	<b>Lake Structures</b>	[9.5(139), (140), (141)]
<b>Applicable Spatial Layers</b> Residential 1, 3 and 4 Zones	<b>1. Activity Status: Permitted</b>	
	<p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is operation, maintenance, demolition and replacement of existing lake structures; and</li> </ul>	

	<p>b. Where upgrading or replacement occurs, it does not result in any increase in the base area and/or height of the lake structure and is located within the existing lake structure's footprint.</p> <p>c. Except, the height of a jetty may be increased, but in such an event it shall not exceed 1.2m above the mean lake water level.</p> <p><b>Performance standards:</b></p> <p>a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed;</p> <p>b. It is not painted with any anti-fouling coating designed to emit any toxic substance;</p> <p>c. It has design components and surface colours that are the same or similar in character to those existing;</p> <p>d. The use is limited to the purpose for which it was established;</p> <p>e. It 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;</p> <p>f. Height <a href="#">RESZ-S1</a>;</p> <p>g. Yards <a href="#">RESZ-S2</a>;</p> <p>h. Site coverage <a href="#">RESZ-S3</a>;</p> <p>i. Parking, access and turning <a href="#">RESZ-S5</a>; and</p> <p>j. Reflectivity (Residential 4 Zone) <a href="#">RESZ-S6</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Residential 1, 3 and 4 Zones</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The activity is replacement of an existing lake structure outside the existing footprint where the scale is the same or reduced and the number of structures is reduced.</p> <p><b>Performance Standards:</b></p> <p>a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed;</p> <p>b. It is not painted with any anti-fouling coating designed to emit any toxic substance;</p> <p>c. It has design components and surface colours that are the same or similar in character to those existing;</p> <p>d. The use is limited to the purpose for which it was established;</p> <p>e. It 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;</p> <p>f. Height <a href="#">RESZ-S1</a>;</p> <p>g. Yards <a href="#">RESZ-S2</a>;</p> <p>h. Site coverage <a href="#">RESZ-S3</a>;</p> <p>i. Parking, access and turning <a href="#">RESZ-S5</a>; and</p> <p>j. Reflectivity (Residential 4 Zone) <a href="#">RESZ-S6</a></p> <p><b>Matters of Control:</b></p> <p>a. Building design, site layout and amenity <a href="#">RESZ-MC1</a>;</p> <p>b. Character of the zone <a href="#">RESZ-MC2</a>;</p> <p>c. Amenity values of the zone <a href="#">RESZ-MC3</a>;</p> <p>d. Parking, access and turning <a href="#">RESZ-MC4</a>;</p>

	<ul style="list-style-type: none"> <li>e. Natural hazards <a href="#">RESZ-MC5</a>;</li> <li>f. Financial contributions <a href="#">RESZ-MC6</a>; and</li> <li>g. Lake structures <a href="#">RESZ-MC7</a>.</li> </ul>
<b>Applicable Spatial Layers</b> Residential 1, 3 and 4 Zones	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>The lake structure is not otherwise provided for as permitted or controlled activities.</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. For activities that do not meet the performance standards: The reason for the non-compliance with performance standards and 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;</li> <li>b. Natural hazards <a href="#">RESZ-MD3</a>;</li> <li>c. Financial contributions <a href="#">RESZ-MD4</a>; and</li> <li>d. Lake Structures <a href="#">RESZ-MD6</a>.</li> </ul>
<p>Advice Note:</p> <p>The lake structure must be securely connected into the bank or bed of the lake to meet the standards set under the Building Code.</p>	
<b>RESZ-R25</b>	<b>Felling of exotic vegetation</b> <span style="float: right;">[4.5(97)]</span>
<b>Applicable Spatial Layers</b> All Residential Zones	<p><b>1. Activity Status:</b> Permitted</p>
<b>RESZ-R26</b>	<b>Industrial or trade process, vehicle transport or storage facility</b> <span style="float: right;">[4.5(38)]</span>
<b>Applicable Spatial Layers</b> All Residential Zones	<p><b>1. Activity Status:</b> Non-Complying</p>
<b>RESZ-R27</b>	<b>Concert involving amplified music</b> <span style="float: right;">[4.5(42)]</span>
<b>Applicable Spatial Layers</b> All Residential Zones	<p><b>1. Activity Status:</b> Non-Complying</p>
<b>RESZ-R28</b>	<b>Parking of heavy vehicles (including emergency service vehicles) on a residential site other than within the road reserve</b> <span style="float: right;">[4.5(98)]</span>
<b>Applicable Spatial Layers</b> All Residential Zones	<p><b>1. Activity Status:</b> Non-Complying</p>
<b>RESZ-R29</b>	<b>Helicopter take-off and landing areas</b> <span style="float: right;">[4.5(99)]</span>

<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status:</b> Non-Complying	
<b>RESZ-R30</b>	<b>Offensive trades</b>	[4.5(39)]
<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status:</b> Prohibited	

Advice Note – Rotorua District Council Traffic Bylaw:

This bylaw sets the requirements for parking and associated control of vehicular or other traffic on any road in the District, including state highways located within any urban boundaries that are otherwise controlled by the New Zealand Transport Agency.

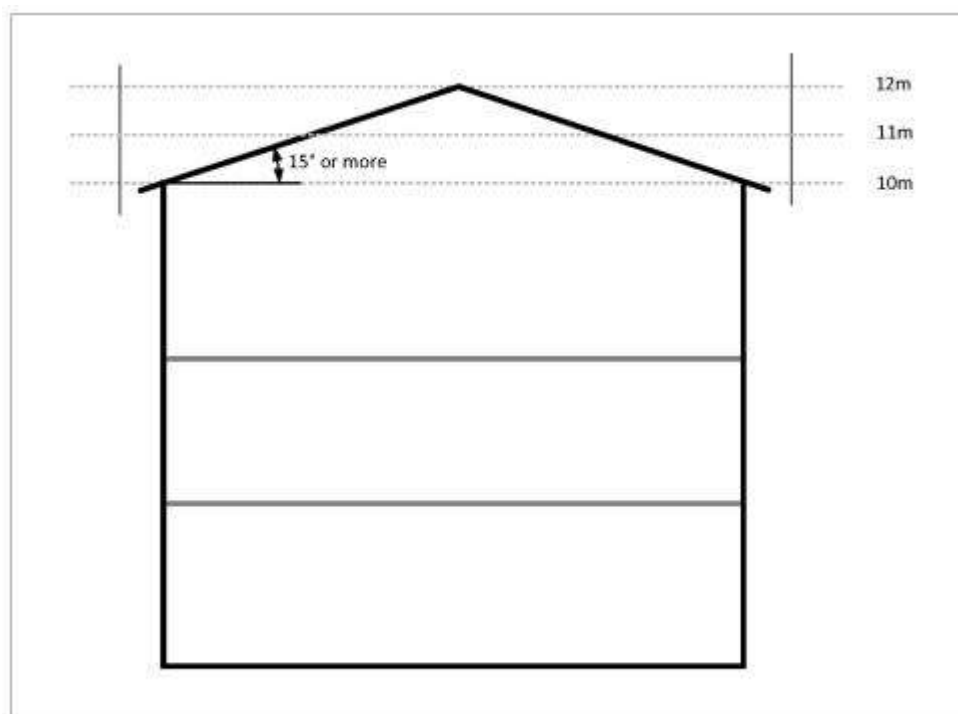
### Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

#### RESZ-S1 Maximum height and daylight envelope

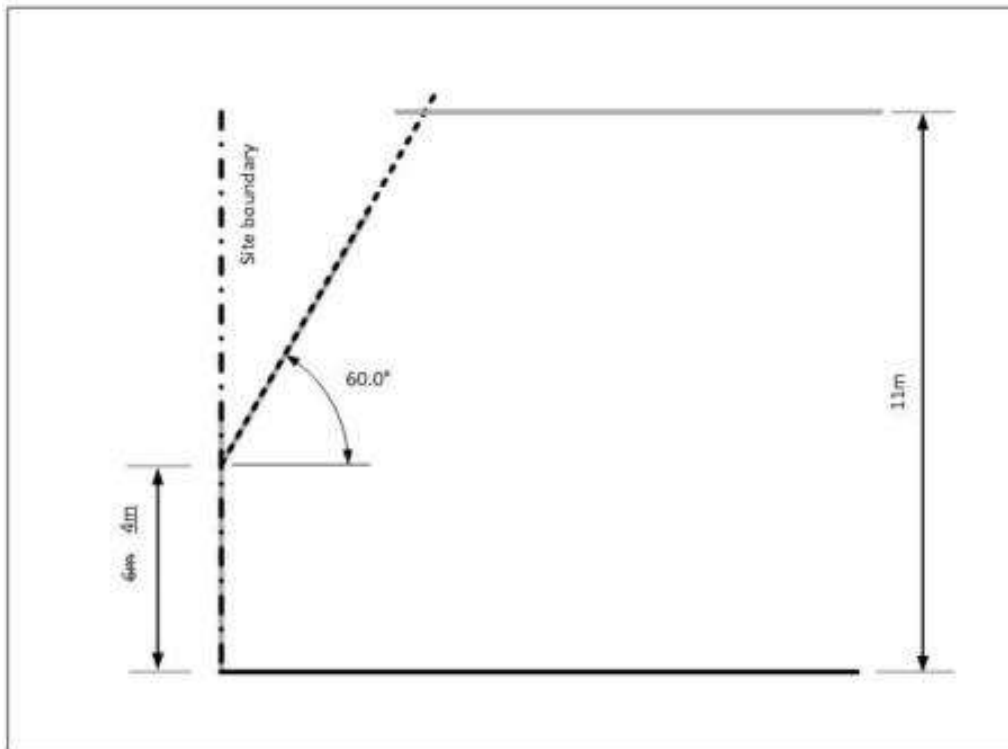
1. **Residential 1 Zone:** 

- a. Buildings must not exceed 11m in height, except that 50% of a building’s roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15° or more, as shown on the following diagram:



- b. Buildings must not project beyond a 60° recession plane measured from a point 4m vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height

in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.



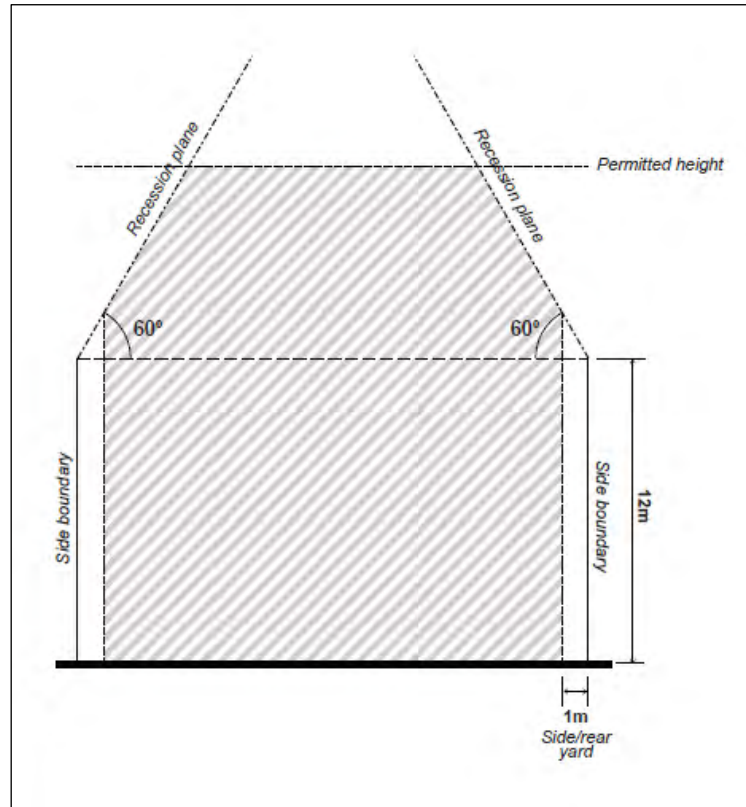
- c. This standard does not apply to—
- i. A boundary with a road:
  - ii. existing or proposed internal boundaries within a site:
  - iii. site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

#### 1A Residential 2 Zone – Interim standard

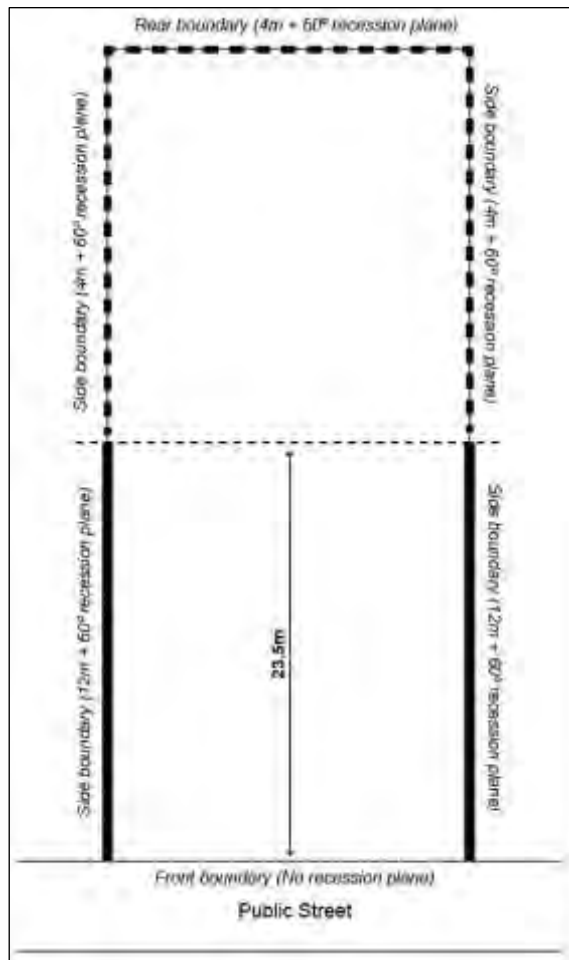
- a. Until Plan Change 9 is operative the standard set out for Residential 1 Zone in RESZ-S1(1) shall apply to the Residential 2 Zone.

#### **2. Residential 2 Zone**

- a. Buildings must not exceed 19.5m in height
- b. Buildings must not project beyond a 60° recession plane measured from a point:
  - i. 12m vertically above ground level along all boundaries within 23.5m from the road frontage.



- ii. 4m vertically above ground level along all other boundaries,



- c. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.
  - d. This standard does not apply to—
    - i. A boundary with a road:
    - ii. existing or proposed internal boundaries within a site:
    - iii. site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.
- a. The maximum height of a building or structure shall not exceed 7.5m above natural ground except that in the Residential 4 zone the height shall not exceed 8m and in the Residential 3 zone the height shall not exceed 5m.
- b. The maximum height is also subject to complying with the following;
- a. No part of a building or structure shall extend outside the daylight envelope;
  - b. The daylight envelope is taken from any point on the boundary at a height of 3m above natural ground level and rises at a 45-degree angle (i.e. rising 1m for every 1m from that boundary) until it crosses the maximum permitted height for the zone;

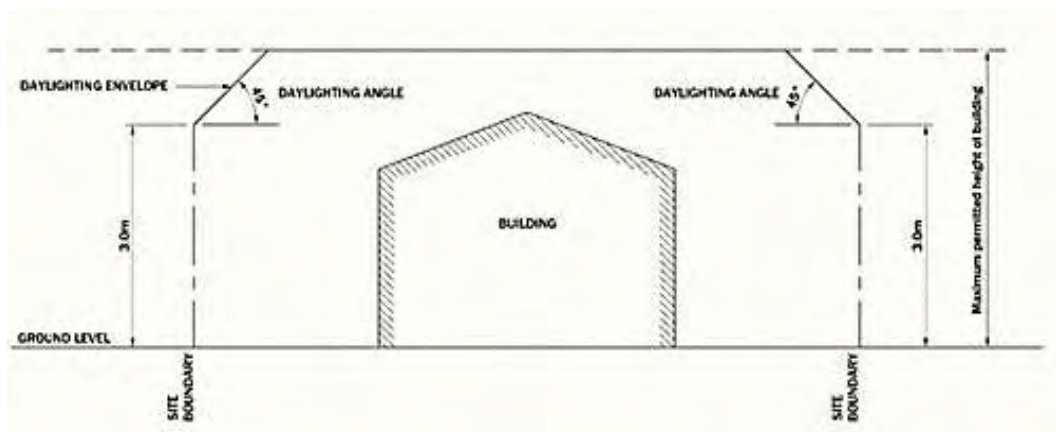


Figure RESZ 1—Daylighting Envelope

### 3. Residential 3, 4 and 5 Zones<sup>17</sup>

- c. The maximum height of a building or structure shall not exceed:
  - Residential 3 Zone: 5m
  - Residential 4 Zone: 8m
  - Residential 5 Zone: 7.5m
- d. The maximum height is also subject to complying with the following;
  - c. No part of a building or structure shall extend outside the daylight envelope;

<sup>17</sup> Formatting changed for consistency with formatting in Residential 1 and 2 Zone

- d. The daylight envelope is taken from any point on the boundary at a height of 3m above natural ground level and rises at a 45 degree angle (i.e. rising 1m for every 1m from that boundary) until it crosses the maximum permitted height for the zone;

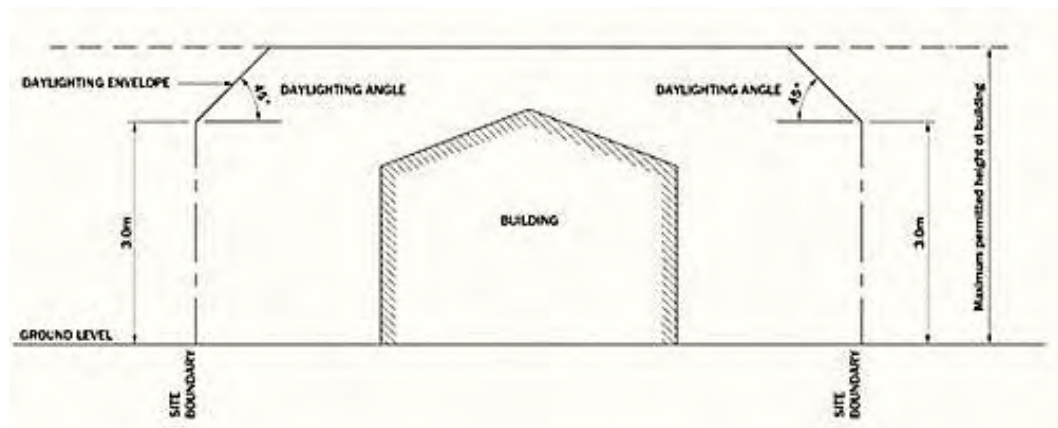


Figure RESZ-1 – Daylighting Envelope

- e. For sites where the building platform has to be raised to be above the stated maximum lake level, the roof structure may exceed the maximum height limit by up to 1m, providing the building does not extend outside the daylight envelope.

**4. All Zones**

- a. For sites within the Marae Protection Area Overlay the height of a building or structure shall not exceed 5m.
- b. Telecommunication structures for domestic purposes (e.g. aerials and television antenna) attached to a building shall not exceed 2m above the relevant height standard set out above;
- c. Wind turbines shall not exceed 3m above the relevant height standard set out above. Any wind turbines attached to a building shall not exceed 3m above the building height. The rotor blades shall not exceed 1m in diameter.

**RESZ-S2 Yard requirements**

[4.6(2)]

**1. Residential 1 and 2 Zones:**

- a. Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:

<u>Yard</u>	<u>Minimum depth</u>
<u>Front</u>	<u>1.5m</u>
<u>Side</u>	<u>1m</u>
<u>Rear</u>	<u>1m (excluded on corner sites)</u>

- b. Standard (a) does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

1.- Front yards:

- a. The minimum front yard for buildings shall be 5.0m except in the following circumstances:



~~i. In the Residential 2 and Residential 3 zones: 3m;~~

~~2. Side and rear yards:~~

~~a. Minimum side and rear yard for buildings (except as provided for in (4)): 2.5m;~~

~~3. Setbacks for Rear Sites:~~

~~a. Minimum yards for rear sites for buildings (except as provided for in (4)): 2.5m.~~

~~4. Single storey accessory buildings may be constructed in the side or rear yards up to 1m from the side or rear boundary subject to complying with following standards;~~

~~a. The maximum length of the accessory building adjacent to a side or rear boundary shall be 7.2m, except in the Residential 4 zone where the maximum length shall be 10m.~~

~~b. No part of a building shall extend outside the daylight envelope.~~

~~c. All parts of the building, including eaves shall be a minimum of 1m from any side or rear boundary;~~

~~d. No door, window or other opening shall be located in any exterior wall of the building that is less than 2.5m from the boundary and which faces that boundary (i.e. at an angle to that boundary of less than 90 degrees).~~

## **2. Residential 3, 4 and 5 Zones<sup>18</sup>:**

a. Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:

<b><u>Yard</u></b>	<b><u>Minimum depth</u></b>
Front	3m (Residential 3 Zones) 5m (other locations) Except that in the Residential 5 Zone, on sites adjoining local roads and where any garage, bedroom, living room, or other habitable room has clear glazing facing the street, the front yard may be reduced to 3m. <sup>19</sup>
Side and Rear	2.5m (except as provided for in (b))
Rear Sites	1m (except as provided for in (b))

b. Single storey accessory buildings may be constructed in the side or rear yards up to 1m from the side or rear boundary subject to complying with following standards;

i. The maximum length of the accessory building adjacent to a side or rear boundary shall be 7.2m, except in the Residential 4 zone where the maximum length shall be 10m.

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

<sup>18</sup> Reformatted but intent not changed

<sup>19</sup> Reformatted – moved from development area chapter but intent not changed

- iii. All parts of the building, including eaves shall be a minimum of 1m from any side or rear boundary;
- iv. No door, window or other opening shall be located in any exterior wall of the building that is less than 2.5m from the boundary and which faces that boundary (i.e. at an angle to that boundary of less than 90 degrees).

### 3. Road widening

- a. 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.

### RESZ-S3 Site coverage

[4.6(3)]

- 1. **Residential 1:**
  - a. Maximum site coverage for buildings: ~~40%~~50% of the net site area. 
  - b. Maximum site coverage for impermeable surfaces: ~~80%~~70% of the site area.
- 2. **Residential 2:**
  - a. Maximum site coverage for buildings: 50% of the net site area. ~~There is no maximum site coverage.~~ 
  - b. Maximum site coverage for impermeable surfaces: ~~80%~~100% of the site area.
- 3. **Residential 3:**
  - a. Maximum site coverage for buildings: 50% of the site area.
  - b. Maximum site coverage for impermeable surfaces: 80% of the site area.
- 4. **Residential 4:**
  - a. Maximum site coverage for buildings: 40% of the site area.
  - b. Maximum site coverage for impermeable surfaces: 80% of the site area.
- 5. **Residential 5:**
  - a. Maximum site coverage for buildings: 25% of the site area.
  - b. Maximum site coverage for impermeable surfaces: 40% of the site area.

### ~~6. All Zones~~

- ~~a. A minimum of 10% of the net site area shall be provided as outdoor recreation and amenity space divided between each dwelling (including decks), but shall not include the required yard areas or any area used for parking and turning of vehicles.~~

### RESZ-S4 Residential unit density

[4.6.4]

- ~~1. Residential 1 Zone~~
  - ~~a. The minimum permitted net site area for any one household unit shall be 350m<sup>2</sup>, provided that the average net site area for all household units on a site is at least 450m<sup>2</sup>.~~
  - ~~b. For sites that exceed a net site area of 600m<sup>2</sup>, there may be one minor household unit with a net floor area not exceeding 72m<sup>2</sup> (excluding garaging).~~

~~2. Residential 2 Zone:~~

- a. ~~The minimum permitted net site area for any one household unit shall be 350m<sup>2</sup> without an approved comprehensive residential development plan.~~

2. Residential 3 Zone:

- a. The minimum net site area for any one household residential unit shall be 250m<sup>2</sup>.
- b. There must be no more than 1 household residential unit per site for a permitted activity.<sup>20</sup>
- c. There must be no more than 2 household residential units per site for a controlled activity.

3. Residential 4 Zone:

- a. One household residential unit may be constructed on site per 2,000m<sup>2</sup> of net site area provided that the site is able to meet the relevant regional council requirements for on-site effluent or sewage disposal, including any associated disposal field.
- b. One household residential unit may be constructed per 1,000m<sup>2</sup> of net site area in an area where a public sanitary sewer reticulation system is operational.
- c. There must be no more than 1 household residential unit per site for a permitted activity.<sup>21</sup>
- d. There must be no more than 2 household residential units per site for a controlled activity.

4. Residential 5 Zone:

- a. One household residential unit per 1,500m<sup>2</sup> net site area provided that the average net site area for all household residential units onsite shall be 2,000m<sup>2</sup>.
- b. There must be no more than 1 household residential unit per site for a permitted activity.<sup>22</sup>

**RESZ-S5 Parking, access and turning**

[4.6(5)]

1. Parking, turning and access shall be provided in accordance with the provisions of Appendix APP1 – Parking and Turning Standards.
2. Parking and on-site turning areas shall be separate to those areas provided on-site for outdoor recreation and amenity space.
3. Any garage shall be located such that there is a practicable parking space in front of the garage door to enable vehicles to stop and open the garage door clear of the road.
4. Shared access driveways shall comply with the following table:

	Width
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<sup>20</sup> Number of sites per unit reformatted from inside rule table to performance standard but the intent is the same.

<sup>21</sup> Number of sites per unit reformatted from inside rule table to performance standard but the intent is the same.

<sup>22</sup> Number of sites per unit reformatted from inside rule table to performance standard but the intent is the same.

Number of <del>household</del> residential units Served by the Access	Overall	Formed
1-2 <del>household</del> residential units	3m	2.7m
3-4 <del>household</del> residential units	4m	3m
5-8 <del>household</del> residential units	6.5m	5m
<u>9-20 residential units</u>	<u>8m</u>	<u>5.5m (plus separate 1.5m wide pedestrian path and 1m wide services berm)</u>

5. Shared access driveways shall not serve more than ~~eight~~ 20 household residential units.
6. All vehicle crossings onto local roads shall be provided and constructed to the standards of Rotorua District Council. Where new vehicle crossings are proposed onto a State Highway, written consent from the New Zealand Transport Agency shall be provided.

### RESZ-S6A Design and Landscaping

#### 1. Minimum size of residential units (Residential 1 and 2 Zones):

- a. The minimum net floor area of a studio unit shall be 35m<sup>2</sup>
- b. The minimum net floor area of unit with one or more bedrooms shall be 45m<sup>2</sup>

#### 2. Outdoor living space (per unit)

##### a. Residential 1 and 2 Zones:

- i. A residential unit at ground floor level must have an outdoor living space that is at least 20m<sup>2</sup> and that comprises ground floor, or balcony, patio, or roof terrace space that,—

1. where located at ground level, has no dimension less than 3m; and
2. where provided in the form of a balcony, patio, or roof terrace:

##### a. is at least:

- i. Residential 1 Zone: 8m<sup>2</sup>
- ii. Residential 2 Zone – interim standard until Plan Change 9 is operative: 8m<sup>2</sup>
- iii. Residential 2 Zone: 6m<sup>2</sup>

##### b. has a minimum dimension of:

- i. Residential 1: 1.8m; and
- ii. Residential 2 Zone – interim standard until Plan Change 9 is operative: 1.8m

iii. Residential 2 Zone: 1.5m

3. is accessible from the residential unit; and
4. may be—
  - a. grouped cumulatively by area in 1 communally accessible location; or
  - b. located directly adjacent to the unit; and
  - c. is free of buildings, parking spaces, and servicing and manoeuvring areas.

ii. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—

1. is at least
  - a. Residential 1 Zone: 8m<sup>2</sup>
  - b. Residential 2 Zone – interim standard until Plan Change 9 operative: 8m<sup>2</sup>
  - c. Residential 2 Zone: 6m<sup>2</sup>

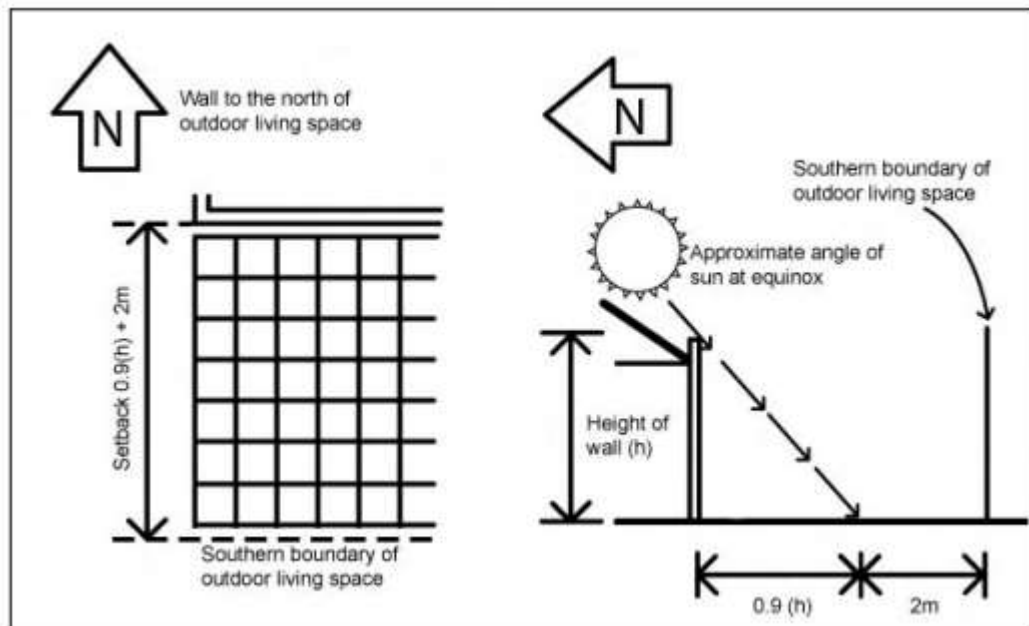
2. has a minimum dimension of:

- a. Residential 1 Zone: 1.8m
- b. Residential 2 Zone – interim standard until Plan Change 9 is operative: 1.8m
- c. Residential 2 Zone: 1.5m

3. is accessible from the residential unit; and

4. may be—
  - a. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
  - b. located directly adjacent to the unit.

iii. Where an outdoor living space at ground floor is located south of any building located on the same site, the southern boundary of that space must be separated from any wall or building by at least  $2m + 0.9(h)$ , where (h) is the height of the wall or building as shown in the figure below. For the purpose of this standard south is defined as between 135 and 225 degrees.

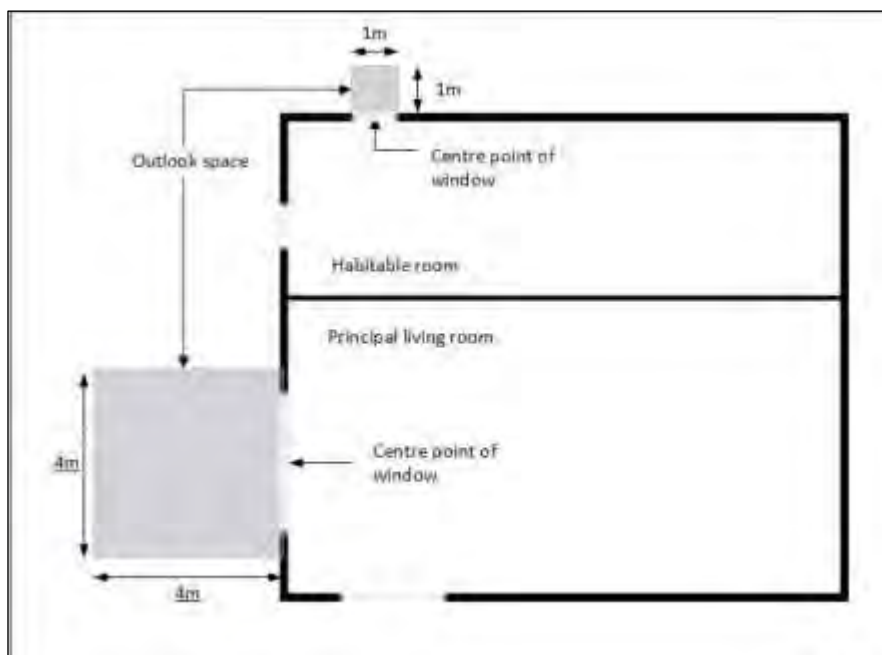


7. **Residential 3, 4 and 5 Zones:**<sup>23</sup>

- a. A minimum of 10% of the net site area shall be provided as outdoor recreation and amenity space divided between each dwelling (including decks), but shall not include the required yard areas or any area used for parking and turning of vehicles.

3. **Outlook Space (per unit) (Residential 1 and 2 Zones)** ↗


- a. An outlook space must be provided from habitable room of a residential unit windows as shown in the diagram below:

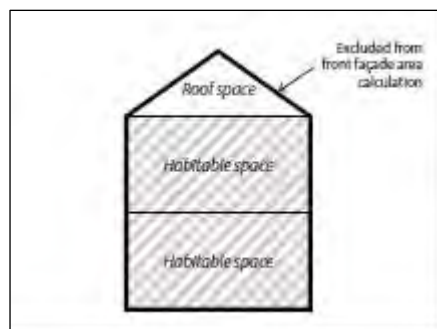


<sup>23</sup> This standard has been moved from inside site coverage but the intent remains the same for the Residential 3, 4 and 5 Zones.

- b. The minimum dimensions for a required outlook space are as follows:
  - i. a principal living room must have an outlook space with a minimum dimension of 4m in depth and 4m in width; and
  - ii. all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width;
- c. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies;
- d. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space;
- e. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building;
- f. Outlook spaces may be under or over a balcony;
- g. Outlook spaces required from different rooms within the same building may overlap;
- h. Outlook spaces must—
  - i. be clear and unobstructed by buildings; and
  - ii. not extend over an outlook space or outdoor living space required by another dwelling.

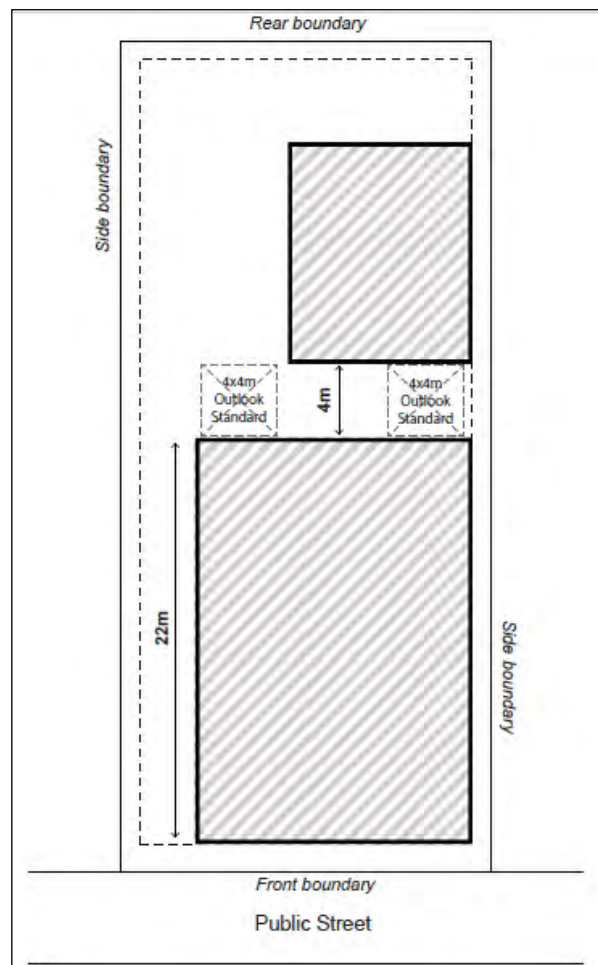
#### 4. Windows to street (Residential 1 and 2 Zones)

- a. Any residential unit facing the street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors. 
- b. Front doors may be solid. Garage doors do not contribute towards the 20% glazing.
- c. For the purpose of this rule, any area of roof space that is fully enclosed by a gable shall not be included in the area of the front façade.



#### 5. Maximum Building length (Residential 1 and 2 Zones)

- a. The maximum length of a building above ground floor level shall be 22m, measured parallel to side and rear boundaries, after which there shall be a minimum separation of 4m between any other building on the same site.



## 6. **Landscaped area (Residential 1 and 2 Zones)**

- a. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them;
- b. The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.
- c. At least 50% of the area of the front yard must comprise landscaped area.

## 7. **Fencing (Residential 1 and 2 Zones)**

- a. Maximum height within front yard or adjacent to a boundary with a public open space:
  - i. 1.2m; or
  - ii. 1.8m for no more than 50% of the site frontage and 1.2m for the remainder; or
  - iii. 1.8m if the fence is at least 50% visually open.

## RESZ-S6 Reflectivity (Residential 4 Zone)

[4.6(11)]

1. For buildings visible from a lake the finished exterior surfaces, including the roof, shall have reflectivity values of between 0-37%. In this case, visible shall be taken to mean as assessed from any point on a lake using no more than sight correcting lenses and shall be considered irrespective of vegetative cover.



**RESZ-S7 Pedestrian and cycle accessway***[4.6(15)]*

## 1. Lot 1 DPS 70760 (Owhatiura South)

Before any residential occupation of the Residential 1 zoned portion of Lot 1 DPS 70760, a pedestrian and cycle accessway shall be provided from Vaughan Road through to Te Ngae Road. The accessway shall be designed to ensure a continuous, safe and efficient access taking into account CPTED principles.

**Matters of Control**

The following matters of control apply if listed in the rule table for the relevant activity.

**RESZ-MC1 Building design, site layout and amenity**

## 1. The extent to which -

- a. The privacy and outlook for adjacent sites is maintained.
- b. The principles of CPTED are implemented, including provision for the passive surveillance of any adjoining road or reserve.
- c. The principles of sustainable building design are implemented to make use of solar gain.
- d. Building design and site layout does not compromise future subdivision on the site by demonstrating that subdivision can be undertaken in a complying manner.

**RESZ-MC2 Character of the zone**

1. The extent to which the character and environmental quality of the adjoining properties, the street scene and the properties within the zone is maintained and enhanced.

**RESZ-MC3- Amenity values of the zone**

1. The extent to which the amenity of the adjoining properties and of the properties within the zone is maintained and enhanced.

**RESZ-MC4 Parking, access and turning**

## 1. The extent to which -

- a. On-site design, location and surfacing of access, parking and turning areas to provide for practical use of the site and maintain the amenity of adjacent sites.
- b. Adequate sight distances are provided to prevent adverse effects on traffic flow and safety.
- c. The requirements of an integrated transport assessment carried out in accordance with Appendix APP1 can be implemented.
- d. The activities to avoid, remedy or mitigate any adverse effects on the function and safe and efficient operation of the transport network.

**RESZ-MC5 Natural hazards**

2. Adverse effects from natural hazards or the worsening of any hazard identified on the on the planning maps.
3. 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, may be required for activities subject to flooding. This applies primarily for significant developments.

**RESZ-MC6 Financial contributions**

2. Whether the proposal requires a financial contribution under the provisions of FC – Financial Contributions.

**RESZ-MC7 Lake structures**

1. 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.
2. The availability of the jetty for public use from public places at reasonable times and periods, without preventing the reasonable use of the lake structure by the owner of the structure.
3. The extent to which public access along public areas adjoining the lake are adversely affected.
4. The extent to which design components and surface colours are in harmony with the landscape character and amenity of the surrounding area.
5. Re-instatement of vegetation to integrate the lake structure with the existing landscape character and amenity of the surrounding area.

**Matters of Discretion**

The following matters of discretion apply where listed in the rule table for the relevant activity.

**RESZ-MDA Residential units – specific non-compliance matters**

<b><u>Standard not achieved</u></b>	<b><u>Matter of Discretion</u></b>
<u>Height and daylight envelope</u>	<ol style="list-style-type: none"> <li>1. <u>Effects on the planned residential built character.</u></li> <li>2. <u>Effects on the safety and attractiveness of the street.</u></li> <li>3. <u>Visual dominance, privacy and shading effects on neighbouring sites.</u></li> <li>4. <u>Effects on the quality of on-site living environments.</u></li> <li>5. <u>Whether contextual site factors mean increased building height may be appropriate. This may include situations where:</u> <ol style="list-style-type: none"> <li>a. <u>The site is of a sufficient size that infringing height elements can be placed centrally within a site away from neighbouring properties and/ or partially screened by other buildings proposed on site.</u></li> <li>b. <u>The site is located to the south of neighbouring properties or there are topographical changes that reduce the potential for additional shading.</u></li> <li>c. <u>The site is located on the corner of public open spaces (including streets) providing an opportunity to position increased height towards these spaces and away from neighbouring properties.</u></li> </ol> </li> <li>6. <u>Whether the upper floor(s) of proposed buildings are set back from lower floors or utilise recessive building elements to reduce visual dominance.</u></li> <li>7. <u>Whether additional height is necessary to provide a higher ground floor level to address flood hazards on the site.</u></li> </ol>
<u>Yards – front yards</u>	<ol style="list-style-type: none"> <li>1. <u>Effects on the attractiveness of the street.</u></li> </ol>

	2. <u>Effects on the quality of on-site living environments.</u>
<u>Yards – side and rear yards</u>	<ol style="list-style-type: none"> <li>1. <u>Effects on the planned residential built character.</u></li> <li>2. <u>Visual dominance, privacy and shading effects on neighbouring sites.</u></li> <li>3. <u>Whether architectural design measures such as setbacks, modulation, or articulation have been incorporated into the design of the building to mitigate visual dominance effects on neighbouring sites.</u></li> </ol>
<u>Site coverage – building coverage</u>	<ol style="list-style-type: none"> <li>1. <u>Effects on the planned residential built character.</u></li> <li>2. <u>Effects on the safety and attractiveness of the street.</u></li> <li>3. <u>Visual dominance and shading effects on neighbouring sites.</u></li> <li>4. <u>Effects on the quality of on-site living environments, including whether adequate landscaped and open space areas are provided on site.</u></li> <li>5. <u>Whether architectural design measures such as setbacks, modulation, or articulation have been incorporated into the design of the building to mitigate visual dominance effects on neighbouring sites.</u></li> </ol>
<u>Site coverage – impervious surfaces</u>	<ol style="list-style-type: none"> <li>1. <u>Effects, including cumulative effects, on the capacity of infrastructure networks and flooding.</u></li> <li>2. <u>Whether sufficient space is provided on site for landscaped and open space areas that contribute to quality on-site living environments.</u></li> </ol>
<u>Minimum size of residential unit</u>	<ol style="list-style-type: none"> <li>1. <u>Effects on the quality of on-site living environments.</u></li> <li>2. <u>Whether the layout of residential units provides sufficient room for the day to day needs of residents, including space for both furniture and internal circulation.</u></li> <li>3. <u>Whether each unit has access to communal facilities (e.g. shared laundry) and/or storage facilities within the building.</u></li> </ol>
<u>Outdoor living space</u>	<ol style="list-style-type: none"> <li>1. <u>Effects on the quality of on-site living environments.</u></li> <li>2. <u>Whether the outdoor living space is conveniently located and is of a functional size, grade and dimension for the intended number of residents.</u></li> <li>3. <u>Considering the context of the site, whether the outdoor living space is orientated to optimise views and outlook, in favour of sunlight access.</u></li> </ol>
<u>Outlook space</u>	<ol style="list-style-type: none"> <li>1. <u>Privacy effects on adjacent sites.</u></li> <li>2. <u>Effects on the quality of on-site living environments.</u></li> <li>3. <u>The extent to which direct overlooking of another residential unit’s habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.</u></li> </ol>

	4. <u>Whether any secondary outlook spaces of a reasonable size and orientation have been provided from habitable rooms associated with an outlook space infringement.</u>
<u>Windows to street</u>	<ol style="list-style-type: none"> <li>1. <u>Effects on the safety and attractiveness of the street.</u></li> <li>2. <u>Whether there are opportunities for passive surveillance, through the use of windows to habitable rooms that directly overlook the street.</u></li> </ol>
<u>Building length</u>	<ol style="list-style-type: none"> <li>1. <u>Visual dominance, privacy and shading effects on neighbouring sites</u></li> <li>2. <u>Whether architectural design measures such as setbacks, modulation, or articulation have been incorporated into the design of the building to mitigate visual dominance effects on neighbouring sites.</u></li> <li>3. <u>The extent to which the total number of dwellings which directly overlook a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.</u></li> </ol>
<u>Landscaped area</u>	<ol style="list-style-type: none"> <li>1. <u>Effects on the planned residential built character.</u></li> <li>2. <u>Effects on the safety and attractiveness of the street.</u></li> <li>3. <u>Effects on the quality of on-site living environments.</u></li> <li>4. <u>Whether landscaped areas can be consolidated to allow opportunities for large scale trees on site, and contribute to the overall quality of outlook space and allow some privacy between residential units.</u></li> </ol>
<u>Fencing</u>	<ol style="list-style-type: none"> <li>1. <u>Effects on the safety and attractiveness of the street</u></li> <li>2. <u>Effects on the quality of on-site living environments</u></li> <li>3. <u>Whether the development has been designed to enable passive surveillance of the street/public open space at ground and first floor levels.</u></li> <li>4. <u>Whether clear and direct pedestrian access to buildings from the street is provided.</u></li> </ol>
<u>Shared access driveways</u>	<ol style="list-style-type: none"> <li>1. <u>Whether safe and convenient access is provided for pedestrians and cyclists. Where there may be a low number of parking spaces provided on-site, whether safe and easy access can also be provided for vehicles, taking into account the type of vehicles required to visit the site and the likely number of vehicle movements generated.</u></li> <li>2. <u>One-lane vehicle access may be considered where it connects two public roads (i.e. operates as a one-way access), or where passing bays can be provided to enable two-way traffic. Any passing bays should be designed so that opposing vehicles can wait within two-lane sections of the access and have clear visibility to the next two-way section of access (in order to safely determine when they can proceed into the one lane section).</u></li> <li>3. <u>Shared access driveways for more than 20 dwellings may be appropriate where they are designed to meet the needs of people on</u></li> </ol>

	<p><u>the site, and where they provide safe and convenient access for pedestrians, cyclists and vehicles (to the extent relevant).</u></p> <p>4. <u>The vesting of roads is encouraged where they are designed to a public road standard and would provide wider connectivity and accessibility benefits.</u></p>
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## **RESZ-MDB 4+ residential unit developments**

### **1. Attractive and safe streets and open spaces:**

- a. Whether development provides a quality and attractive frontage to the street or public open space. This includes orientating residential units to front the street with clear and direct pedestrian access, and minimising long expanses of blank walls and at grade carparking/garage doors.
- b. Whether the orientation of development and the placement of doors, windows, balconies and habitable rooms maximises visibility over the street and public open space to enhance safety and security.
- c. Whether development optimises landscaping within the front yard to provide privacy for residential units at ground level and visual interest and safety along the street.

### **2. Quality on-site living environments:**

- a. Whether principal living rooms and outdoor living spaces are orientated and designed to provide privacy between residential units and optimise sunlight access.
- b. The extent to which outdoor living spaces are directly accessible from the principal living room.
- c. Whether landscaped areas can be consolidated to allow opportunities for large scale trees on site, and contribute to the overall quality of outlook space and allow some privacy between residential units.
- d. Where communal open space is provided on site, whether it is located to provide convenient access for all residents and maximise sunlight access, amenity and use.
- e. Whether storage areas for rubbish are sufficiently sized, conveniently located and appropriately screened.

### **3. Effects on adjoining sites:**

- a. Without limiting the ability to achieve the planned future character for the zone, whether:
  - i. The development is designed to be visually attractive when viewed from neighbouring sites and mitigate privacy effects on adjoining sites, through the orientation and design of habitable rooms and outdoor living spaces relative to adjoining sites, and the use of architectural treatments and landscaping;
  - ii. The development provides opportunities for sunlight access to adjoining sites through building placement or breaks in building form along side or rear boundaries, acknowledging that there will be reduced opportunities to achieve this in the High Density Residential zone given the greater building heights enabled.

### **4. Parking, access and servicing**

- a. Whether safe and direct pedestrian access that is easily identifiable is provided from the street to residential units on the site.
- b. Whether a good level of connectivity is provided within the site to the existing transport network and to local services and facilities.

- c. Whether vehicle access and carparking areas are designed as low speed environments that prioritise pedestrian movement.
  - d. Whether storage areas for rubbish are sufficiently sized, conveniently located and appropriately screened and can be safely serviced by appropriate collection vehicles (if on-site collection is proposed).
  - e. Whether access for emergency service vehicles is appropriately designed so that staff can access the site safely and efficiently.
  - f. Whether each residential unit has sufficient space within the site for the secure storage of at least one bicycle.
  - g. For 20 or more residential units, whether a transport assessment is provided in accordance with APP1 (4)(b) demonstrating that the adjacent road network can operate safely and efficiently.
- 5. Infrastructure capacity and stormwater management**
- a. Whether the development can be adequately serviced by water, wastewater and stormwater infrastructure.
  - b. Encourage development to apply low impact stormwater design.

#### **RESZ-MD1 Natural hazards**

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. 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, may be required for activities subject to flooding. This applies primarily for significant developments.

#### **RESZ-MD2 Financial contributions**

1. Whether the proposal requires a financial contribution under the provisions of FC Financial Contributions.

#### **RESZ-MD3 Lake structures**

1. The existing provision, availability and suitability of existing lake structures in the vicinity of the site that would otherwise enable reasonable lake access.
2. 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.
3. The effects of the lake structure on the public access and use of the lake and adjoining public areas.
4. The extent to which the structure contributes to the recreational and social benefits and environmental wellbeing.
5. 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.
6. 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.
7. 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.
8. The extent to which re-instatement of vegetation will integrate the lake structure with the existing landscape character and amenity of the surrounding area.

9. 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.

### Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

#### **RESZ-AC1 General assessment criteria**

1. The degree to which the proposal complies with the performance standards of the zone.
2. The extent to which the proposal will avoid, remedy, or mitigate effects on the character and amenity of the zone.
3. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of neighbouring residents, including protection of privacy and outlook and protection from adverse effects from any source of disturbance.
4. The extent to which the proposal will avoid, remedy, or mitigate the effects on the streetscape and on-site landscaping, in particular where buildings intrude into the front yards.
5. The degree to which the proposal implements sustainable building design and promotes energy efficiency.
6. The degree to which the proposal promotes the principles of CPTED.
7. The extent to which the proposal will avoid, remedy, or mitigate effects on water quality.
8. The ability for the activity to be connected to existing transport networks and utility services.
9. The extent to which the proposal will avoid, remedy, or mitigate effects on the function and safe and efficient operation of the transport network.
10. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.
11. The degree to which the proposal has access to or increases the demand on public open space and reserves.
12. The extent to which the proposal will avoid, remedy, or mitigate effects on the qualities and characteristics of a landscape or feature identified the schedules for Natural Environmental Values, or the natural character of the environment.
13. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in the schedules for Historical or cultural Values or Natural Environmental Values.
14. Whether the proposal requires a financial contribution under the provisions of FC – Financial Contributions.
15. The extent to which the requirements of an integrated transport assessment carried out in accordance with Appendix APP1 - Parking and Turning Standards can be implemented.
16. Natural hazards

- a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps. The likelihood and consequences of a natural hazard event will be assessed to determine the level of risk associated with natural hazards.
  - b. 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, may be required for activities subject to flooding. This applies primarily for significant developments. The report shall identify the potential risk from flooding, any recommendations for floor levels, earthworks, or engineering works.
17. The assessment criteria for development and activities that affect a Significant Geothermal Feature, as set out in Natural Environmental Values – Natural Features and Landscapes.

### **RESZ-AC2 Holiday rental accommodation assessment criteria**

1. The maximum number of people to be accommodated within the site.
2. Consistency of the proposed scale of use on residential character and amenity.
3. The way in which the site layout and design mitigates potential adverse effects on privacy and outlook on and from adjacent sites.
4. The ability of the site to provide for the use of outdoor space in a location which will minimise adverse effects of noise and light on nearby residential properties and the privacy of adjoining sites.
5. Proposed management of the accommodation and associated activities, including:
6. Limits on the use of outdoor space at night;
7. Mechanisms in place to address noise issues should they occur, including process for neighbours to follow should there be issues.
8. The location in relation to other holiday rental accommodation activities and potential cumulative effects of more than one holiday rental accommodation activity in close proximity to each other.
9. The ability of the site to provide for parking without adversely affecting nearby residential properties and the road network.
10. Location and screening of parking to provide safe access and turning for vehicles and minimise visual impact of activities undertaken on the site.
11. The location of on-site parking in relation to the on-site effluent treatment system, and associated disposal field.



## ANTICIPATED ENVIRONMENTAL RESULTS

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:

### Residential 3, 4 and 5 zones

<b>RESZ-AER1</b>	An increase in passive street surveillance and therefore safety.
<b>RESZ-AER2</b>	An improved perception of Rotorua as a safe and attractive place to live.
<b>RESZ-AER3</b>	An increase in new activity that provides private space on site.
<b>RESZ-AER4</b>	Retained character of each of the <del>five</del> <u>three</u> residential zones according to their attributes.
<b>RESZ-AER5</b>	An increase in or at least no loss of vegetation in low density residential areas for amenity purposes.
<b>RESZ-AER6</b>	An increased sense of privacy in residential zones.
<b>RESZ-AER7</b>	A reduction of the adverse effects on noise sensitive activities located in proximity to strategic roads
<b>RESZ-AER8</b>	An increase in new activities or development that results in the implementation of a landscaping scheme.
<b>RESZ-AER9</b>	A low number of applications for activities that seek changes to the performance standards.
<b>RESZ-AER10</b>	Avoidance of reverse sensitivity effects.

### Residential 1 and 2 zones

<b><u>RESZ-AER11</u></b>	<u>An increase in the density and diversity of housing at medium densities in the Residential 1 zone and higher densities in the Residential 2 zone.</u>
<b><u>RESZ-AER12</u></b>	<u>An improved perception of neighbourhoods as safe and attractive with convenient access by walking and cycling to amenities and services that provide daily needs.</u>

# Part 3: Area-Specific Matters

## ZONES

**RURZ**

RURAL ZONES – TAIWHENUA

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# RURAL ZONES – TAIWHENUA

Status: RURZ is Operative and subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough~~.

## 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 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 electricity generation and network utility infrastructure as well as the primary industries of forestry and farming and rural industries such as quarrying and mining.

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 near to residential areas - for example, the southern end of Clayton Road in Rotorua, and the western and northern edges of Ngōngōtahā. 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 Mamakū and Reporoa. Smaller villages include Ngākuru, 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 outstanding natural features and landscapes and vegetation that contribute to the district's unique character are in the rural area. Although there is a concentration of historic heritage 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.

Within the Rotorua District, particularly the Lake Rotorua catchment, a pre-eminent goal is to reduce the loss of nutrients to the water environment and thereby improve water quality. For the Rotorua District provision is made to support the rural economy as it is the major part of the Rotorua economy.

How land is used in the rural areas is a major factor in the 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. 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 addresses.

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 objective.

Whilst the goal to reduce nutrient loss to waterways is district wide, an incentive programme in this chapter is proposed in a targeted area within the Lake Rotorua catchment where it is hoped that significant change will be achieved. The incentives recognise proposals that will result in reductions in nutrient losses by allowing for land use activities that would not generally be acceptable in the wider rural area.

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.

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

Provisions to improve water quality 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 manage land use change, whereas the regional council 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 what is relevant to assessing and implementing resource consents.

The characteristics of the three rural zones are set out in the following table:

Zone	Code	Description
<b>Rural 1 Zone</b> Working Rural Zone	RURZ1	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, 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 electricity generation activities are an expected element of the working rural environment.
<b>Rural 2 Zone</b> Rural Lifestyle Zone	RURZ2	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.
<b>Rural 3 Zone</b> Rural Village Zone	RURZ3	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. Each village contributes to the cultural historic heritage and identity of Rotorua.

### Parklands Estate Precinct

The Parklands Estate Precinct is located along the western slopes of the Rotorua caldera above Pukehāngi Road. This area was subject to a plan change undertaken in 2005 to rezone 26.6 hectares of land to provide for low density rural-residential living in close proximity to town. Significant residential development and re-vegetation of the caldera slopes has occurred within this area since the plan change was completed.

Integrated building design concepts that incorporate landscape protection and enhancement consisting of indigenous re-vegetation of prominent areas of land, including areas around house sites are applicable to the site and provide the character of a rural area. In addition, buildings are subject to specific design performance standards which include specific reflectivity standards.

The rules for land use in the precinct are incorporated within the rule table for the Rural Zones. However, development within this location is subject to the additional performance standards as set out in the table. These supersede the other relevant performance standards listed for the Rural 2 Zone where in conflict.

The precinct is divided into two separate areas. Each area is subject to different design standards.

The lots subject to each are identified below:

Area A: Consists of 24 Lots; Lots 1-8, 10-14, 16-21, 26-30

Area B: Consists of 10 Lots; Lots 9, 15, 22-25, 31-34



Figure RURZ-1 Parklands Estate - Lots that make up Area A and Area B and Building Platforms

## ISSUES

There are five key issues influencing the policy framework in the rural zones:

### **RURZ-I1 Water quality**

Origins of nutrients in the rural zones are from diverse sources such as animal waste, sewage, water fowl fertiliser application. The soils present within the district do not bind well with the nutrients 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. In particular Lake Rotorua has been affected by nutrients associated with land use within the catchment entering the water environment. Incentives to encourage land use change from high nutrient output activities to lower nutrient output activities are encouraged by Objectives and Policies in this plan.

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 requirement for restoring and protecting the health and wellbeing of the Waikato River and its catchment. 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.

### **RURZ-I2 Maintenance of productive rural land**

Productive rural land is important to the economic future of Rotorua. Changes of 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 lots can provide for sustainable rural land use and maintain a range of options for land use by future generations. Unsustainable land use practices have the potential to damage the natural balance of the soils and render them unproductive in the long term.

### **RURZ-I3 Character and amenity values**

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. 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, although some may not immediately be thought of as typical activities in a rural environment, for example mining and quarrying, timber processing plants and 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 of parts of the rural zone. 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.



**RURZ-14 Reverse sensitivity**

The establishment of new activities within incompatible zones or in close proximity to existing activities that have a different level of amenity can create adverse reverse sensitive effects. This has the ability to reduce the efficient operation of the existing activities or undermine the intended amenity of the zone. Examples include residential activities locating in rural working environments.

The rural area is a working environment, a place for primary production, associated industries and network utilities' infrastructure. 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.

**RURZ-15 The character of rural settlements**

Within the district there is a number of small rural settlements ranging in size from larger areas such as Mamakū and Reporoa, to Ngākuru and Golden Springs. These settlements comprise higher residential density, similar to the urban area, with some commercial activity serving the surrounding area. Extension of urban 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.

**OBJECTIVES****Water quality****RURZ-O1**

[9.3(1)]

A reduction in nutrient losses from rural land uses to improve the water quality of lakes, rivers, streams and wetlands, indigenous biodiversity and ecosystem functions.

*Policies RURZ-P1 to RURZ-P7*

**Maintenance of productive rural land****RURZ-O2**

[9.3(2)]

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

*Policies RURZ-P8 to RURZ-P10*

**Character and amenity values****RURZ-O3**

[9.3(3)]

The character and amenity values of the rural environment are maintained and enhanced.

*Policies RURZ-P11 to RURZ-P16*

**Reverse sensitivity****RURZ-O4**

[1.3(10)]

Subdivision, use and development that enables the continued efficient operation of existing development and activities.

*Policies RURZ-P17*

**RURZ-O5**

[9.3(4)]

New sensitive activities are located and managed to avoid potential reverse sensitivity effects on lawfully established activities in the rural environment.

*Policies RURZ-P18 to RURZ-P19*

**The character of rural settlements**

<b>RURZ-O6</b> [9.3(5)]	Maintain or where appropriate, enhance the character of the villages of Mamakū, Reporoa, Ngākuru, Rerewhakaaitu, Kāingaroa Broadlands and Golden Springs. <i>Policy RURZ-P20</i>
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**POLICIES****Water quality***Objective RURZ-O1*

<b>RURZ-P1</b> [9.3(1)(1)]	Manage the adverse effects of new rural land use activities within the lake and river catchments that have the potential to increase nutrient losses into streams, rivers, wetlands and lakes.
<b>RURZ-P2</b> [9.3(1)(2)]	Encourage land use and land management changes that achieve a reduction in nutrient losses and provide for restoration and enhancement of indigenous biodiversity and ecological functioning.
<b>RURZ-P3</b> [9.3(1)(3)]	Promote indigenous re-vegetation, including the legal protection of land and riparian areas that contribute to improving water quality, in particular on land that is: <ol style="list-style-type: none"> <li>1. Susceptible to erosion</li> <li>2. Along lakeshore and other riparian margins</li> <li>3. Adjoining already protected features</li> <li>4. In an area of existing indigenous vegetation or biodiversity, or where indigenous vegetation fragments can be reconnected as an ecological corridor.</li> </ol>
<b>RURZ-P4</b> [9.3(1)(4)]	Require the re-vegetation of gullies and wetland areas to assist both in filtering runoff and in reducing the nutrient level in stormwater before it enters water bodies.
<b>RURZ-P5</b> [9.3(1)(5)]	Require the on-going management of retirement areas so that vegetation is established, well maintained, and pest plants and pest animals are managed through conditions of resource consent.
<b>RURZ-P6</b> [9.3(1)(6)]	Promote the change from high nutrient producing activities to other rural activities to offset the adverse effects on water quality.
<b>RURZ-P7</b> [9.3(1)(7)]	Ensure that land use change intended to improve water quality remedies or mitigates adverse effects on indigenous biodiversity and rural amenity, particularly for changes within the sensitive rural area in the Rotorua caldera.

**Maintenance of productive rural land***Objective RURZ-O2*

<b>RURZ-P8</b> [9.3(2)(2)]	Manage intensive land use practices to ensure that land is capable of sustainable economic rural use that does not harm the health and productivity of the underlying soil profile.
<b>RURZ-P9</b> [9.3(2)(3)]	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.
<b>RURZ-P10</b> [9.3(2)(4)]	Industries that contribute to the rural economy are enabled providing there are no significant adverse effects.

**Character and amenity values***Objective RURZ-O3*

<b>RURZ-P11</b> <i>[9.3(3)(1)]</i>	Ensure land use change does not create adverse effects on rural character and amenity values.
<b>RURZ-P12</b> <i>[9.3(3)(2)]</i>	Enable activities that enhance the rural character and amenity in the rural zone, including: <ol style="list-style-type: none"> <li>1. Diverse land uses</li> <li>2. Maintaining the diverse landscape types</li> <li>3. A low density of buildings and generous separation distances between dwellings and other buildings</li> <li>4. Buildings that are subordinate to the surrounding landscape</li> <li>5. An open vegetated landscape</li> <li>6. No continuous ribbons of residential development along roads</li> <li>7. Low levels of artificial light</li> <li>8. Unobtrusive and limited signage</li> <li>9. Minimal earthworks or changes to landform associated with new subdivision, use or development.</li> </ol>
<b>RURZ-P13</b> <i>[9.3(3)(3)]</i>	Manage the establishment of commercial and industrial activities that are unconnected with the rural economy that may adversely affect the vitality and viability of urban, commercial and industrial zones.
<b>RURZ-P14</b> <i>[9.3(3)(4)]</i>	Manage the adverse effects of rural lifestyle living on the working rural area by: <ol style="list-style-type: none"> <li>1. Requiring separation between dwellings and other buildings on adjacent rural sites</li> <li>2. Requiring connection to existing available water and sewer service reticulation</li> <li>3. Providing landscaping to ensure rural character is maintained</li> <li>4. Managing the visual impact of new buildings on the landscape</li> <li>5. Acknowledging the nature of productive activities and their effects in the working rural environment.</li> </ol>
<b>RURZ-P15</b> <i>[9.3(3)(5)]</i>	Restrict rural lifestyle RURZ2 zoning to where there is connection available to public utility services and infrastructure.
<b>RURZ-P16</b> <i>[9.3(3)(6)]</i>	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: <ol style="list-style-type: none"> <li>1. Providing on-site vehicle parking, loading and turning, and safe vehicle and pedestrian access to a road</li> <li>2. Considering the impact of increased traffic movements on the transport network, including the wider network intersections.</li> </ol>

**Reverse sensitivity***Objective RURZ-04*

<b>RURZ-P17</b> [1.3(10)(1)]	Manage the location and design of new subdivision, use and development within each zone to avoid adverse reverse sensitivity effects on existing activities.
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*Objective RURZ-05*

<b>RURZ-P18</b> [9.3(4)(1)]	Avoid reverse sensitivity effects on lawfully established rural industries, recreation, farming activities, infrastructure and network utilities by managing the location of new activities and buildings.
<b>RURZ-P19</b> [9.3(4)(2)]	Require new rural industrial activities to 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***Objective RURZ-06*

<b>RURZ-P20</b> [9.3(5)(1)]	Manage the effects of activities in and adjacent to the rural settlements so that the character is maintained and enhanced.
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**RULES**

The rules in this chapter apply in addition to the rules in other chapters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1 - How the Plan Works.

Key relationships to note include:

1. The District Wide Matters chapters must also be considered. Examples of matters managed under these rules that are commonly associated with activities Rural Zones include (but are not limited to) earthworks, noise and light emissions, signs, management of activities in sensitive landscapes and significant natural areas, management of items of historical or cultural value and management of natural hazards.
2. The following Development Areas also apply in Rural Zones and contain additional rules. In some cases, these override the rules in this chapter (refer to the development chapters for further detail):
  - a. PHDA – Pukehāngi Development Area
  - b. THDA – Taheke 8C Development Area
  - c. KRDA – Kaingaroa Papakainga Development Area
  - d. OMDA – Ōtamarae Development Area
  - e. WHDA – Wharenui Development Area.
3. For subdivision in Rural Zones refer to the separate chapter SUB – Subdivision. Some development area chapters also contain additional rules for subdivision.

4. Parklands Estate Precinct is inside the Rural 2 Zone and the rules for this precinct are included in this chapter. Standards specified for the Parklands Estate shall prevail over the general standards for the Rural 2 Zone where there is conflict.
5. Activities in or near wetlands, including vegetation clearance, earthworks and land disturbance, may be controlled by rules under the National Environmental Standards (particularly the National Environmental Standards for Freshwater and the National Environmental Standards for Plantation Forestry) and/or rules in the regional plans. It is recommended that any person considering undertaking activities in or near wetlands should discuss their proposal with the relevant regional council.

**Links to the rule categories are provided below:**

General .....	12
Primary Rural Industry.....	13
Households Residential activities .....	16
Retail and Commercial.....	19
Community Facilities .....	23
Tourism.....	25
Industrial Activities .....	29
Other Activities.....	31

Rules for Activities in Rural Zones

General		
RURZ-R1	Activities accessory to a permitted activity, other than those accessory activities otherwise listed in this table	[9.5(2)]
<p><b>Applicable Spatial Layers</b> All Rural Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">RURZ-S1</a>;</li> <li>b. Yards <a href="#">RURZ-S2</a>;</li> <li>c. Site coverage <a href="#">RURZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>e. Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>f. Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in RURZ-R1(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. 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;</li> <li>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;</li> </ul>

		<p>c. The extent to which the activity adversely affects the character and amenity values of the zone.</p> <p>d. Natural hazards <a href="#">RURZ-MD1</a>;</p> <p>e. Parklands Estate Landscaping <a href="#">RURZ-MD2</a>; and</p> <p>f. Financial contributions <a href="#">RURZ-MD3</a>.</p> <p><b>Exception</b></p> <p>For activities that exceed permitted site coverage standards for building platforms in Area A of Parklands Estate refer to controlled activity rule RURZ-R49 below.</p>
<b>RURZ-R2</b>		<b>An activity not expressly stated in this table</b>
		[9.5(3)]
<b>Applicable Spatial Layers</b> All Rural Zones	1. <b>Activity Status:</b> Non-Complying	
<b>Primary Rural Industry</b>		
<b>RURZ-R3</b>		<b>Agricultural production activities</b>
		[9.5(5)]
<b>Applicable Spatial Layers</b> All Rural Zones	<p>1. <b>Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">RURZ-S1</a>;</p> <p>b. Yards <a href="#">RURZ-S2</a>;</p> <p>c. Site coverage <a href="#">RURZ-S3</a>;</p> <p>d. Parking, access and turning <a href="#">RURZ-S5</a>;</p> <p>e. Reverse sensitivity <a href="#">RURZ-S6</a>; and</p> <p>f. Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a>.</p>	<p>2. <b>Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in RURZ-R3(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. 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;</p> <p>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;</p> <p>c. The extent to which the activity adversely affects the character and amenity values of the zone.</p> <p>d. Natural hazards <a href="#">RURZ-MD1</a>;</p> <p>e. Parklands Estate landscaping <a href="#">RURZ-MD2</a>; and</p> <p>f. Financial contributions <a href="#">RURZ-MD3</a>.</p>

<b>RURZ-R4</b>	<b>Buildings accessory to agricultural production activities</b>		[9.5(6)]
<b>Applicable Spatial Layers</b> Rural 1 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">RURZ-S1</a>;</li> <li>Yards <a href="#">RURZ-S2</a>;</li> <li>Site coverage <a href="#">RURZ-S3</a>;</li> <li>Parking, access and turning <a href="#">RURZ-S5</a>; and</li> <li>Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a>.</li> </ol>	<b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in RURZ-R4(1) or (2). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>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;</li> </ol>	
<b>Applicable Spatial Layers</b> Rural 2 and 3 Zones	<b>2. Activity Status:</b> Controlled <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">RURZ-S1</a>;</li> <li>Yards <a href="#">RURZ-S2</a>;</li> <li>Site coverage <a href="#">RURZ-S3</a>;</li> <li>Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a>.</li> </ol> <b>Matters of Control:</b> <ol style="list-style-type: none"> <li>Design <a href="#">RURZ-MC1</a>;</li> <li>Parking, access and turning <a href="#">RURZ-MC2</a>;</li> <li>Water quality <a href="#">RURZ-MC3</a>;</li> <li>Natural hazards <a href="#">RURZ-MC4</a>;</li> <li>Water tables and flood events <a href="#">RURZ-MC5</a>;</li> <li>Parklands Estate Landscaping <a href="#">RURZ-MC6</a>; and</li> <li>Financial contributions <a href="#">RURZ-MC7</a>.</li> </ol>	<ol style="list-style-type: none"> <li>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;</li> <li>The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>Parklands Estate Landscaping <a href="#">RURZ-MD2</a>; and</li> <li>Financial contributions <a href="#">RURZ-MD3</a>.</li> </ol> <b>Exception</b> For activities that exceed permitted site coverage standards for building platforms in Area A of Parklands Estate refer to controlled activity rule RURZ-R49 below.	
<b>RURZ-R5</b>	<b>Replacement of existing dairy sheds</b>		[9.5(7)]
<b>Applicable Spatial Layers</b> Rural 1 Zone	<b>1. Activity Status:</b> Permitted <b>Where:</b> The shed is not within 20m of a lake, river, or stream. <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">RURZ-S1</a>;</li> <li>Yards <a href="#">RURZ-S2</a>;</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in RURZ-R5(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>The extent to which the activity will avoid, remedy or mitigate the effects of</li> </ol>	

	<ul style="list-style-type: none"> <li>c. Site coverage <a href="#">RURZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">RURZ-S5</a></li> <li>e. Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>f. Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a>.</li> </ul>	<ul style="list-style-type: none"> <li>the non-compliance in achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matter of discretion;</li> <li>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;</li> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>d. Natural hazards <a href="#">RURZ-MD1</a>; and</li> <li>e. Financial contributions <a href="#">RURZ-MD3</a>.</li> </ul>
<b>RURZ-R6 Forestry</b>		<i>[9.5(10)]</i>
<p><b>Applicable Spatial Layers</b> All Rural Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Parking, access and turning <a href="#">RURZ-S5</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> Compliance not achieved with the performance standards in RURZ-R6(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. 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;</li> <li>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;</li> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>d. Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>e. Parklands Estate Landscaping <a href="#">RURZ-MD2</a>; and</li> <li>f. Financial contributions <a href="#">RURZ-MD3</a>.</li> </ul>
<p><b>Advice Note:</b></p> <p>For plantation forestry refer to the National Environmental Standards for Plantation Forestry instead of this rule. The National Environmental Standards apply to plantation forestry instead of the rules in this plan, except where the regulations allow the District Plan to have more stringent rules; such as in respect of matters of national importance (significant natural areas and outstanding natural features and landscapes) and geothermal areas.</p>		



<b>RURZ-R7 Enclosure of livestock</b>		[9.5(8)]
<b>Applicable Spatial Layers</b> Rural 1 Zone	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one or more of the performance standards of the zone are not met, 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 relevant objectives and policies.</li> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>c. Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>d. Financial contribution <a href="#">RURZ-MD3</a>; and</li> <li>e. An activity involving the enclosure of livestock shall be assessed by consideration of the extent to which the activity: <ul style="list-style-type: none"> <li>i. Avoids, manages or mitigates the adverse effects of traffic, noise, odor and dust; and</li> <li>ii. Avoids, manages or mitigates the adverse visual effects.</li> </ul> </li> </ul>	
<b>Applicable Spatial Layers</b> Rural 2 and 3 Zones	<p><b>2. Activity Status:</b> Non-Complying</p>	
<b>RURZ-R8 Glasshouses</b>		[9.5(9)]
<b>Applicable Spatial Layers</b> Rural 1 Zone	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a></li> </ul>	
<b>Applicable Spatial Layers</b> Rural 2 and 3 Zones	<p><b>2. Activity Status:</b> Non-Complying</p>	
<b><u>Household Residential activities</u></b>		
<b>RURZ-R9 <del>Household</del>Residential units</b>		[9.5(11), 9.5 (12), 9.5(14) 9.5(15)]
<b>Applicable Spatial Layers</b> All Rural Zones	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <p>There is only one <del>household residential</del> unit per site, excluding any permitted minor dwelling.</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">RURZ-S1</a>;</li> <li>b. Yards <a href="#">RURZ-S2</a>;</li> <li>c. Site coverage <a href="#">RURZ-S3</a>;</li> </ul>	<p><b>4. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in RURZ-R9(1), (2) or (3).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the</li> </ul>

	<ul style="list-style-type: none"> <li>d. Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>e. Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>f. Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a>.</li> </ul>	<p>purpose of the relevant performance standard and the objectives and policies relevant to the matter of discretion;</p> <ul style="list-style-type: none"> <li>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;</li> </ul>
<p><b>Applicable Spatial Layers</b>                  All Rural Zones</p>	<p><b>2. Activity Status:</b> Permitted</p> <p><b>Where:</b>                  The activity is a minor <del>household residential</del> unit and there is only one minor <del>household residential</del> unit per site.</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">RURZ-S1</a>;</li> <li>b. Yards <a href="#">RURZ-S2</a>;</li> <li>c. Site coverage <a href="#">RURZ-S3</a>;</li> <li>d. <del>Household Residential</del> unit density <a href="#">RURZ-S4</a>;</li> <li>e. Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>f. Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>g. Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a>.</li> </ul>	<ul style="list-style-type: none"> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>d. Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>e. Parklands Estate Landscaping <a href="#">RURZ-MD2</a>; and</li> <li>f. Financial contributions <a href="#">RURZ-MD3</a>.</li> </ul> <p><b>Exception</b>                  For activities that exceed permitted site coverage standards for building platforms in Area A of Parklands Estate refer to controlled activity rule RURZ-R49 below.</p>
<p><b>Applicable Spatial Layers</b>                  All Rural Zones</p>	<p><b>3. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. There will be more than one <del>household residential</del> unit per site, excluding any permitted minor dwelling; and</li> </ul> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>b. Height <a href="#">RURZ-S1</a>;</li> <li>c. Yards <a href="#">RURZ-S2</a>;</li> <li>d. Site coverage <a href="#">RURZ-S3</a>;</li> <li>e. <del>Household Residential</del> unit density <a href="#">RURZ-S4</a>;</li> <li>f. Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>g. Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>h. Parklands Estate <a href="#">RURZ-S9</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Design <a href="#">RURZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">RURZ-MC2</a>;</li> <li>c. Water quality <a href="#">RURZ-MC3</a>;</li> </ul>	

	<ul style="list-style-type: none"> <li>d. Natural hazards <a href="#">RURZ-MC4</a>;</li> <li>e. Water tables and flood events <a href="#">RURZ-MC5</a>;</li> <li>f. Parklands Estate Landscaping <a href="#">RURZ-MC6</a>; and</li> <li>g. Financial contributions <a href="#">RURZ-MC7</a>.</li> </ul>	
<p><b>Applicable Spatial Layers</b>                  All Rural Zones:                  Rotorua Caldera Rim Sensitive Landscape Area Overlay</p>	<p>Advice Note                  For <b>household residential</b> units in the Rotorua Caldera Rim refer also to NFL – Natural Features and Landscapes.</p>	
<p><b>RURZ-R10 Buildings accessory to a household residential unit</b></p>		<p>[9.5(13)]</p>
<p><b>Applicable Spatial Layers</b>                  All Rural Zones</p>	<p><b>1. Activity Status:</b> Permitted  <b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">RURZ-S1</a>;</li> <li>b. Yards <a href="#">RURZ-S2</a>;</li> <li>c. Site coverage <a href="#">RURZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>e. Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>f. Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a>.</li> </ul>	<p><b>2. Activity status:</b> Restricted Discretionary  <b>Where:</b>                  Compliance not achieved with the performance standards in RURZ-R10(1).  <b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. 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;</li> <li>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;</li> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>d. Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>e. Parklands Estate Landscaping <a href="#">RURZ-MD2</a>; and</li> <li>f. Financial contributions <a href="#">RURZ-MD3</a>.</li> </ul>
<p>Exception:                  For activities that exceed permitted site coverage standards for building platforms in Area A of Parklands Estate refer to controlled activity rule RURZ-R49 below.</p>		

<b>RURZ-R11 Home based business</b>		[9.5(18)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">RURZ-S1</a>;</li> <li>Yards <a href="#">RURZ-S2</a>;</li> <li>Site coverage <a href="#">RURZ-S3</a>;</li> <li><del>Household Residential</del> unit density <a href="#">RURZ-S4</a>;</li> <li>Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in RURZ-R11(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>Parklands Estate Landscaping <a href="#">RURZ-MD2</a>; and</li> <li>Financial contributions <a href="#">RURZ-MD3</a>.</li> </ol>
<b>Retail and Commercial</b>		
<b>RURZ-R12 Veterinary clinic</b>		[9.5(19)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">RURZ-S1</a>;</li> <li>Yards <a href="#">RURZ-S2</a>;</li> <li>Site coverage <a href="#">RURZ-S3</a>;</li> <li>Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in RURZ-R12(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>Parklands Estate <a href="#">RURZ-MD2</a>; and</li> </ol>

		f. Financial contributions <a href="#">RURZ-MD3</a> .
<b>RURZ-R13</b>	<b>Retail shop</b>	[9.5(20), 9.5(22)]
<b>Applicable Spatial Layers</b> Rural 3 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">RURZ-S1</a>;</li> <li>Yards <a href="#">RURZ-S2</a>;</li> <li>Site coverage <a href="#">RURZ-S3</a>;</li> <li>Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>Reverse sensitivity <a href="#">RURZ-S6</a>.</li> </ol>	<b>3. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in RURZ-R13(1) or (2). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>Parklands Estate <a href="#">RURZ-MD2</a>; and</li> <li>Financial contributions <a href="#">RURZ-MD3</a>.</li> </ol>
<b>Applicable Spatial Layers</b> Rural 1 and 2 Zones	<b>2. Activity Status:</b> Controlled <b>Where:</b> The activity is an addition or extension to an existing retail shop. <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">RURZ-S1</a>;</li> <li>Yards <a href="#">RURZ-S2</a>;</li> <li>Site coverage <a href="#">RURZ-S3</a>;</li> <li>Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>Reverse sensitivity <a href="#">RURZ-S6</a>.</li> </ol> <b>Matters of Control:</b> <ol style="list-style-type: none"> <li>Design <a href="#">RURZ-MC1</a>;</li> <li>Parking, access and turning <a href="#">RURZ-MC2</a>;</li> <li>Water quality <a href="#">RURZ-MC3</a>;</li> <li>Natural hazards <a href="#">RURZ-MC4</a>;</li> </ol>	

	<ul style="list-style-type: none"> <li>e. Water tables and flood events <a href="#">RURZ-MC5</a>; and</li> <li>f. Financial contributions <a href="#">RURZ-MC7</a>.</li> </ul>	
<b>Applicable Spatial Layers</b> Rural 1 and 2 Zones	<b>4. Activity Status: Non-Complying</b> <b>Where:</b> <ul style="list-style-type: none"> <li>a. The activity is not an addition or extension to an existing retail shop.</li> </ul>	
<b>RURZ-R14</b>	<b>Show homes</b>	[9.5(21)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status: Controlled</b> <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Height <a href="#">RURZ-S1</a>;</li> <li>b. Yards <a href="#">RURZ-S2</a>;</li> <li>c. Site coverage <a href="#">RURZ-S3</a>;</li> <li>d. <del>Household</del> <b>Residential</b> unit density <a href="#">RURZ-S4</a>;</li> <li>e. Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>f. Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>g. Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a></li> </ul> <b>Matters of Control:</b> <ul style="list-style-type: none"> <li>a. Design <a href="#">RURZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">RURZ-MC2</a>;</li> <li>c. Water quality <a href="#">RURZ-MC3</a>;</li> <li>d. Natural hazards <a href="#">RURZ-MC4</a>;</li> <li>e. Water tables and flood events <a href="#">RURZ-MC5</a>;</li> <li>f. Parklands Estate Landscaping <a href="#">RURZ-MC6</a>; and</li> <li>g. Financial contributions <a href="#">RURZ-MC7</a>.</li> </ul>	<b>2. Activity Status: Restricted Discretionary</b> <b>Where:</b> Compliance not achieved with the performance standards in RURZ-R14(1). <b>Matters of Discretion:</b> <ul style="list-style-type: none"> <li>a. 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;</li> <li>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;</li> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>d. Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>e. Parklands Estate Landscaping <a href="#">RURZ-MD2</a>; and</li> <li>f. Financial contributions <a href="#">RURZ-MD3</a>.</li> </ul>
Exception For activities that exceed permitted site coverage standards for building platforms in Area A of Parklands Estate refer to controlled activity rule RURZ-R49 below.		

<b>RURZ-R15 Office activities</b>		[9.5(23)]
<b>Applicable Spatial Layers</b> Rural 3 Zone	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The activity is other than for home based business.</p> <p><b>Performance Standards:</b></p> <ol style="list-style-type: none"> <li>Height <a href="#">RURZ-S1</a>;</li> <li>Yards <a href="#">RURZ-S2</a>;</li> <li>Site coverage <a href="#">RURZ-S3</a>;</li> <li>Parking, access and turning <a href="#">RURZ-S5</a>; and</li> <li>Reverse sensitivity <a href="#">RURZ-S6</a>.</li> </ol> <p><b>Matters of Control:</b></p> <ol style="list-style-type: none"> <li>Design <a href="#">RURZ-MC1</a>;</li> <li>Parking, access and turning <a href="#">RURZ-MC2</a>;</li> <li>Water quality <a href="#">RURZ-MC3</a>;</li> <li>Natural hazards <a href="#">RURZ-MC4</a>;</li> <li>Water tables and flood events <a href="#">RURZ-MC5</a>; and</li> <li>Financial contributions <a href="#">RURZ-MC7</a>.</li> </ol>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in RURZ-R15(1).</p> <p><b>Matters of Discretion:</b></p> <ol style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>Parklands Estate Landscaping <a href="#">RURZ-MD2</a>; and</li> <li>Financial contributions <a href="#">RURZ-MD3</a>.</li> </ol>
<b>Applicable Spatial Layers</b> Rural 1 and 2 Zones	<p><b>3. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>The activity is other than for home based business</p>	
<b>RURZ-R16 Service stations, motor vehicle and machinery repair garages</b>		[9.5(24)]
<b>Applicable Spatial Layers</b> Rural 3 Zone	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Matters of Assessment:</b></p> <ol style="list-style-type: none"> <li>General <a href="#">RURZ-AC1</a>.</li> </ol>	
<b>Applicable Spatial Layers</b> Rural 1 and 2 Zones	<p><b>2. Activity Status:</b> Non-Complying</p>	

Community Facilities		
<b>RURZ-R17</b>	<b>Community housing</b>	[9.5(33)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Height <a href="#">RURZ-S1</a>;</li> <li>b. Yards <a href="#">RURZ-S2</a>;</li> <li>c. Site coverage <a href="#">RURZ-S3</a>;</li> <li>d. <del>Household Residential</del> unit density <a href="#">RURZ-S4</a>;</li> <li>e. Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>f. Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>g. Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in RURZ-R17(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. 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;</li> <li>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;</li> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>d. Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>e. Parklands Estate <a href="#">RURZ-MD2</a>; and</li> <li>f. Financial contributions <a href="#">RURZ-MD3</a>.</li> </ol>
<b>RURZ-R18</b>	<b>Any community facility (Rules RURZ-R19 to RURZ-R24) that would otherwise be Discretionary or Non-Complying and that contributes to a reduction of Nutrient Losses.</b>	[9.5(4)]
<b>Applicable Spatial Layers</b> Rural 1 and 2 Zones	<b>1. Activity Status:</b> Restricted Discretionary <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>a. In instances where one or more of the performance standards of the zone are not met, 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 relevant objectives and policies.</li> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>c. Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>d. Parklands Estate landscaping <a href="#">RURZ-MD2</a>;</li> <li>e. Financial contributions <a href="#">RURZ-MD3</a>.</li> <li>f. The positive effects on water quality;</li> <li>g. How the activity complies with the objectives and policies of the zone and Development of Māori Land, Natural Environmental Values and Sites and Areas of Significance to Māori;</li> <li>h. The extent to which the land-use change will result in a reduction of nutrient losses on the site;</li> </ol>	



	<ul style="list-style-type: none"> <li>i. Information requirements include providing evidence of commensurate reduction of nitrogen discharge allowance under relevant regional rules; and</li> <li>j. The impact of the proposal on the function and safe and efficient operation of the transport network.</li> </ul>	
<b>RURZ-R19</b>	<b>Daycare centres</b>	[9.5(26)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a>.</li> </ul>	
<b>RURZ-R20</b>	<b>Educational facilities</b>	[9.5(27)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a>.</li> </ul>	
<b>RURZ-R21</b>	<b>Community facilities</b>	[9.5(28)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a>.</li> </ul>	
<b>RURZ-R22</b>	<b>Funeral homes</b>	[9.5(29)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a>.</li> </ul>	
<b>RURZ-R23</b>	<b>Retirement homes and villages unless otherwise specified</b>	[9.5(31)]
<b>Applicable Spatial Layers</b> Rural 3 Zone	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a>.</li> </ul>	
<b>Applicable Spatial Layers</b> Rural 1 and 2 Zones	<b>2. Activity Status:</b> Non-Complying	
<b>RURZ-R24</b>	<b>Hospitals and medical centres unless otherwise specified</b>	[9.5(32)]
<b>Applicable Spatial Layers</b> Rural 3 Zone	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a>.</li> </ul>	

<b>Applicable Spatial Layers</b> Rural 1 and 2 Zones	<b>2. Activity Status:</b> Non-Complying	
<b>Tourism</b>		
<b>RURZ-R25</b> <b>Holiday parks</b>		[9.5(25), 9.5(39)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Permitted <b>Where:</b> It is an addition or upgrade to an existing holiday park. <b>Performance Standards:</b> a. Height <a href="#">RURZ-S1</a> ; b. Yards <a href="#">RURZ-S2</a> ; c. Site coverage <a href="#">RURZ-S3</a> ; d. Parking, access and turning <a href="#">RURZ-S5</a> ; e. Reverse sensitivity <a href="#">RURZ-S6</a> ; and f. Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a> .	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in RURZ-R25(1). <b>Matters of Discretion:</b> a. 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; 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. The extent to which the activity adversely affects the character and amenity values of the zone. d. Natural hazards <a href="#">RURZ-MD1</a> ; e. Parklands Estate <a href="#">RURZ-MD2</a> ; and f. Financial contributions <a href="#">RURZ-MD3</a> .
<b>Applicable Spatial Layers</b> All Rural Zones	<b>3. Activity Status:</b> Discretionary <b>Where:</b> It is not an addition or upgrade to an existing holiday park. <b>Assessment Criteria:</b> a. General <a href="#">RURZ-AC1</a>	
<b>RURZ-R26</b> <b>Outdoor recreation activities</b>		[9.5(40)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> a. Height <a href="#">RURZ-S1</a> ; b. Yards <a href="#">RURZ-S2</a> ; c. Site coverage <a href="#">RURZ-S3</a> ; and d. Parking, access and turning <a href="#">RURZ-S5</a> ;	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in RURZ-R26(1). <b>Matters of Discretion:</b> a. 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

		<p>standard and the objectives and policies relevant to the matter of discretion;</p> <p>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;</p> <p>c. The extent to which the activity adversely affects the character and amenity values of the zone.</p> <p>d. Natural hazards <a href="#">RURZ-MD1</a>;</p> <p>e. Parklands Estate landscaping <a href="#">RURZ-MD2</a>; and</p> <p>f. Financial contributions <a href="#">RURZ-MD3</a>.</p>
<b>RURZ-R27</b>	<b>Bed and breakfast</b>	[9.5(35)]
<p><b>Applicable Spatial Layers</b> All Rural Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Height <a href="#">RURZ-S1</a>;</p> <p>b. Yards <a href="#">RURZ-S2</a>;</p> <p>c. Site coverage <a href="#">RURZ-S3</a>;</p> <p>d. <del>Household</del> Residential unit density <a href="#">RURZ-S4</a>;</p> <p>e. Parking, access and turning <a href="#">RURZ-S5</a>;</p> <p>f. Reverse sensitivity <a href="#">RURZ-S6</a>; and</p> <p>g. Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a></p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in RURZ-R27(1).</p> <p><b>Matters of Discretion:</b></p> <p>a. 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;</p> <p>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;</p> <p>c. The extent to which the activity adversely affects the character and amenity values of the zone.</p> <p>d. Natural hazards <a href="#">RURZ-MD1</a>;</p> <p>e. Parklands Estate landscaping <a href="#">RURZ-MD2</a>; and</p> <p>f. Financial contributions <a href="#">RURZ-MD3</a>.</p>
<b>RURZ-R28</b>	<b>Holiday rental accommodation</b>	[9.5(36)(a) 9.5(36)(b)]
<p><b>Applicable Spatial Layers</b> All Rural Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <p>a. Holiday rental accommodation existing at 7 July 2018 or commencing on or after 7 July 2018 shall accommodate no more than 12 people on site at any one time;</p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance is not achieved with the performance standards for RURZ-R28(1)(b), (c), (d), (e), (g) or (h) .</p> <p><b>Matters of Discretion</b></p> <p>a. The extent to which the activity will avoid, remedy or mitigate the effects of</p>

	<ul style="list-style-type: none"> <li>b. Height <a href="#">RURZ-S1</a>;</li> <li>c. Yards <a href="#">RURZ-S2</a>;</li> <li>d. Site coverage <a href="#">RURZ-S3</a>;</li> <li>e. <del>Household</del> Residential unit density <a href="#">RURZ-S4</a>;</li> <li>f. Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>g. Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>h. Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a>.</li> </ul>	<p>the non-compliance in achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matter of discretion;</p> <ul style="list-style-type: none"> <li>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;</li> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>d. Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>e. Parklands estate landscaping <a href="#">RURZ-MD2</a>; and</li> <li>f. Financial contributions <a href="#">RURZ-MD3</a>.</li> </ul> <p><b>Exception</b></p> <p>For activities that exceed permitted site coverage standards for building platforms in Area A of Parklands Estate refer to controlled activity rule RURZ-R49 below.</p>
<p>Advice Notes:</p> <ul style="list-style-type: none"> <li>a. The use of the site for events (such as weddings and other celebrations) that is not within the definition of temporary activities and events will require resource consent.</li> <li>b. Where a site is not connected to the Council sewer, compliance with the relevant Regional On-Site Effluent Treatment Plan will be required.</li> <li>c. Car parks must not be located on or over the on-site effluent treatment system or disposal field</li> </ul>		
<p><b>Applicable Spatial Layers</b> All Rural Zones</p>	<p><b>3. Activity Status:</b> Discretionary</p> <p><b>Where:</b> Compliance is not achieved with the performance standards for RURZ-R28(1)(a) or (f).</p> <p><b>Assessment Criteria</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">RESZ-AC1</a>; and</li> <li>b. Holiday rental accommodation <a href="#">RURZ-AC3</a>.</li> </ul>	
<p><b>RURZ-R29</b></p>	<p><b>Any tourism and recreation facility (Rules RURZ-R25 to RURZ-R28 and RURZ-R30 to RURZ-R34) that would otherwise be Discretionary or Non-Complying and that contributes to a reduction of Nutrient Losses</b></p>	<p>[9.5(4)]</p>
<p><b>Applicable Spatial Layers</b> Rural 1 and 2 Zones</p>	<p><b>1. Activity Status:</b> Restricted Discretionary</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. In instances where one or more of the performance standards of the zone are not met, 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 relevant objectives and policies.</li> <li>b. The extent to which the activity adversely affects the character and amenity values of the zone;</li> <li>c. Natural hazards <a href="#">RURZ-MD1</a>;</li> </ul>	

	<ul style="list-style-type: none"> <li>d. Parklands Estate landscaping <a href="#">RURZ-MD2</a>;</li> <li>e. Financial contribution <a href="#">RURZ-MD3</a>;</li> <li>f. The positive effects on water quality;</li> <li>g. How the activity complies with the objectives and policies of the zone and Development of Māori Land, Natural Environmental Values and Sites and Areas of Significance to Māori;</li> <li>h. The extent to which the land-use change will result in a reduction of nutrient losses on the site;</li> <li>i. Information requirements include providing evidence of commensurate reduction of nitrogen discharge allowance under relevant regional rules; and</li> <li>j. The impact of the proposal on the function and safe and efficient operation of the transport network.</li> </ul>	
<b>RURZ-R30</b>	<b>Tourist accommodation</b>	[9.5(36)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Discretionary <b>Where:</b> The activity is other than Bed and Breakfast. <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a>.</li> </ul>	
<b>RURZ-R31</b>	<b>Destination and resort spas</b>	[9.5(37)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a></li> </ul>	
<b>RURZ-R32</b>	<b>Backpackers and hostels</b>	[9.5(38)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a></li> </ul>	
<b>RURZ-R33</b>	<b>Commercial outdoor recreation</b>	[9.5(41)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a></li> </ul>	

<b>RURZ-R34 Buildings accessory to outdoor recreation activities</b>		[9.5(42)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General <a href="#">RURZ-AC1</a></li> </ol>	
<b>Industrial Activities</b>		
<b>RURZ-R35 Prospecting, exploration and drilling</b>		[9.5(44)]
<b>Applicable Spatial Layers</b> Rural 1 Zone	<b>1. Activity Status:</b> Permitted <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">RURZ-S1</a>;</li> <li>Yards <a href="#">RURZ-S2</a>;</li> <li>Site coverage <a href="#">RURZ-S3</a>;</li> <li>Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> <li>Prospecting, exploration and drilling <a href="#">RURZ-S8</a>.</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> Compliance not achieved with the performance standards in RURZ-R35(1). <b>Matters of Discretion:</b> <ol style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>Natural hazards <a href="#">RURZ-MD1</a>; and</li> <li>Financial contributions <a href="#">RURZ-MD3</a>.</li> </ol>
<b>Applicable Spatial Layers</b> Rural 2 and 3 Zones	<b>3. Activity Status:</b> Non-Complying	
<b>RURZ-R36 Rural contractors depots</b>		[9.5(45)]
<b>Applicable Spatial Layers</b> Rural 1 Zone	<b>1. Activity Status:</b> Controlled <b>Where:</b> The activity is not permitted as accessory to an agricultural production activity under RURZ-R1 and the definition for “accessory (activity or building)” <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Height <a href="#">RURZ-S1</a>;</li> <li>Yards <a href="#">RURZ-S2</a>;</li> </ol>	<b>2. Activity Status:</b> Restricted Discretionary <b>Where:</b> <ol style="list-style-type: none"> <li>The activity is not permitted as accessory to an agricultural production activity under RURZ-R1 and the definition for “accessory (activity or building)”</li> <li>Compliance not achieved with the performance standards in RURZ-R36(1).</li> </ol> <b>Matters of Discretion:</b>

	<ul style="list-style-type: none"> <li>c. Site coverage <a href="#">RURZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">RURZ-S5</a>;</li> <li>e. Reverse sensitivity <a href="#">RURZ-S6</a>; and</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. Design <a href="#">RURZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">RURZ-MC2</a>;</li> <li>c. Water quality <a href="#">RURZ-MC3</a>;</li> <li>d. Natural hazards <a href="#">RURZ-MC4</a>; and</li> <li>e. Water tables and flood events <a href="#">RURZ-MC5</a>.</li> </ul>	<ul style="list-style-type: none"> <li>a. 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;</li> <li>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;</li> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>d. Natural hazards <a href="#">RURZ-MD1</a>; and</li> <li>e. Financial contributions <a href="#">RURZ-MD3</a>.</li> </ul>
<b>Applicable Spatial Layers</b> Rural 2 and 3 Zone	<p><b>3. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>The activity is not permitted as accessory to an agricultural production activity under RURZ-R1 and the definition for “accessory (activity or building)”</p>	
<b>RURZ-R37</b>	<b>Mining and quarrying</b>	[9.5(43)]
<b>Applicable Spatial Layers</b> Rural 1 Zone	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a>.</li> <li>b. Mining and quarrying <a href="#">RURZ-AC2</a>.</li> </ul>	
<b>Applicable Spatial Layers</b> Rural 2 and 3 Zone	<p><b>2. Activity Status:</b> Non-Complying</p>	
<b>RURZ-R38</b>	<b>Industrial or trade processes</b>	[9.5(46)]
<b>Applicable Spatial Layers</b> All Rural Zones	<p><b>1. Activity Status:</b> Non-Complying</p>	
<b>RURZ-R39</b>	<b>Offensive trades</b>	[9.5(47)]
<b>Applicable Spatial Layers</b> Rural 1 Zone	<p><b>1. Activity Status:</b> Non-Complying</p>	
<b>Applicable Spatial Layers</b> Rural 2 and 3 Zone	<p><b>2. Activity Status:</b> Prohibited</p>	

<b>Other Activities</b>		
<b>RURZ-R40</b>	<b>Lake Structures</b>	<i>[9.5(139), (140), (141)]</i>
<p><b>Applicable Spatial Layers</b> All Rural Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>a. The activity is operation, maintenance, demolition and replacement of existing lake structures.</li> <li>b. Where upgrading or replacement occurs, it does not result in any increase in the base area and/or height of the lake structure and is located within the existing lake structure's footprint.</li> <li>c. Except, the height of a jetty may be increased, but in such an event it shall not exceed 1.2m above the mean lake water level.</li> </ul> <p><b>Performance standards:</b></p> <ul style="list-style-type: none"> <li>a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed;</li> <li>b. It is not painted with any anti-fouling coating designed to emit any toxic substance;</li> <li>c. It has design components and surface colours that are the same or similar in character to those existing;</li> <li>d. The use is limited to the purpose for which it was established; and</li> <li>e. It 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.</li> </ul>	
<p><b>Applicable Spatial Layers</b> All Rural Zones</p>	<p><b>2. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The activity is replacement of an existing lake structure outside the existing footprint where the scale is the same or reduced and the number of structures is reduced.</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed;</li> <li>b. It is not painted with any anti-fouling coating designed to emit any toxic substance;</li> <li>c. It has design components and surface colours that are the same or similar in character to those existing;</li> <li>d. The use is limited to the purpose for which it was established;</li> <li>e. It 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;</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the character and environmental quality of the adjoining properties, the street scape and the properties within the zone is maintained and enhanced.</li> <li>b. Building Design, Site Layout and Amenity <a href="#">RURZ-MC1</a></li> <li>c. Natural hazards <a href="#">RURZ-MC4</a>; and</li> <li>d. Lake structures <a href="#">RURZ-MC8</a>.</li> </ul>	



<p><b>Applicable Spatial Layers</b> All Rural Zones</p>	<p><b>3. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> The lake structure is not otherwise provided for as permitted or controlled activities</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. The character and amenity values of the zone</li> <li>b. For activities that do not meet the performance standards:                             <ul style="list-style-type: none"> <li>i. 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;</li> <li>ii. 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;</li> </ul> </li> <li>c. Natural hazards <a href="#">RURZ-MD1</a>; and</li> <li>d. Lake Structures <a href="#">RURZ-MD4</a>.</li> </ul>	
<p>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.</p>		
<p><b>RURZ-R41 Stockpiling associated with general farming practices</b></p>		<p>[9.5(142)]</p>
<p><b>Applicable Spatial Layers</b> All Rural Zones</p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Height <a href="#">RURZ-S1</a>;</li> <li>b. Yards <a href="#">RURZ-S2</a>;</li> <li>c. Site coverage <a href="#">RURZ-S3</a>;</li> <li>d. Parking, access and turning <a href="#">RURZ-S5</a>; and</li> <li>e. Reverse sensitivity <a href="#">RURZ-S6</a>.</li> </ul>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b> Compliance not achieved with the performance standards in RURZ-R41(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. 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;</li> <li>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;</li> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>d. Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>e. Parklands estate landscaping <a href="#">RURZ-MD2</a>; and</li> <li>f. Financial contributions <a href="#">RURZ-MD3</a>.</li> </ul>
<p><b>RURZ-R42 Micro scale wind turbines</b></p>		<p>[9.5(48)]</p>
<p><b>Applicable Spatial Layers</b></p>	<p><b>1. Activity Status:</b> Permitted</p> <p><b>Performance Standards:</b></p>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p>

All Rural Zones	<ul style="list-style-type: none"> <li>a. Yards <a href="#">RURZ-S2</a>;</li> <li>b. Micro wind turbines <a href="#">RURZ-S7</a>; and</li> <li>c. Parklands Estate and Ōtaramarae <a href="#">RURZ-S9</a>.</li> </ul>	<p>Compliance not achieved with the performance standards in RURZ-R42(1).</p> <p><b>Matters of Discretion:</b></p> <ul style="list-style-type: none"> <li>a. 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;</li> <li>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;</li> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>d. Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>e. Parklands Estate landscaping <a href="#">RURZ-MD2</a>; and</li> <li>f. Financial contributions <a href="#">RURZ-MD3</a>.</li> </ul>
<b>RURZ-R43</b>	<b>Felling of exotic vegetation</b>	[9.5(123)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status: Permitted</b>	
Advice Note: For plantation forestry refer instead to the National Environmental Standards for Plantation Forestry.		
<b>RURZ-R44</b>	<b>Planting for the purposes of amenity improvement, erosion control and riparian management</b>	[9.5(124)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status: Permitted</b>	
<b>RURZ-R45</b>	<b>Demolition of buildings</b>	[9.5(131)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status: Permitted</b>	
<b>RURZ-R46</b>	<b>Parking heavy vehicles</b>	[9.5(125)]
<b>Applicable Spatial Layers</b> Rural 1 Zone	<b>1. Activity Status: Permitted</b> <b>Performance Standards:</b> <ul style="list-style-type: none"> <li>a. Parking, access and turning <a href="#">RURZ-S5</a>.</li> </ul>	<b>2. Activity Status: Restricted Discretionary</b> <b>Where:</b> Compliance not achieved with the performance standards in RURZ-R46(1). <b>Matters of Discretion:</b>

		<ul style="list-style-type: none"> <li>a. 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;</li> <li>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;</li> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>d. Natural hazards <a href="#">RURZ-MD1</a>; and</li> <li>e. Financial contributions <a href="#">RURZ-MD2</a>.</li> </ul>
<b>Applicable Spatial Layers</b> Rural 2 and 3 Zone	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a>.</li> </ul>	
<b>RURZ-R47</b>	<b>Stockpiling of fill or other materials not otherwise associated with on-site general farming and forestry practices</b>	[9.5(127)]
<b>Applicable Spatial Layers</b> Rural 1 Zone	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a>.</li> </ul>	
<b>Applicable Spatial Layers</b> Rural 2 and 3 Zone	<b>2. Activity Status:</b> Non-Complying	
<b>RURZ-R48</b>	<b>Helicopter take-off and landing areas</b>	[9.5(128)]
<b>Applicable Spatial Layers</b> Rural 1 Zone	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> <ul style="list-style-type: none"> <li>a. General <a href="#">RURZ-AC1</a>;</li> <li>b. Topographical features and existing buildings and the likely effect on visual and noise impacts of the proposal;</li> <li>c. Proposals for the monitoring and regular audit of noise and other environmental impacts; and</li> <li>d. How the activity complies with NZS6807:1994 Noise Management and Land use planning for Helicopter Landing Areas.</li> </ul>	
<b>Applicable Spatial Layers</b> Rural 2 and 3 Zone	<b>2. Activity Status:</b> Non-Complying	

Exception - Site Coverage in Area A Parklands Estate Precinct		
RURZ-R49	Construction of buildings in Parklands	[A5.5(2)(3)]
<p><b>Applicable Spatial Layers</b></p> <p>Rural 2 Zone: Parklands Estate Precinct, Area A</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The total ground floor area of buildings within a building platform of Area A exceeds 400m<sup>2</sup> but does not exceed 450m<sup>2</sup>.</p> <p><b>Matters of Control:</b></p> <ol style="list-style-type: none"> <li>a. Design <a href="#">RURZ-MC1</a>;</li> <li>b. Parking, access and turning <a href="#">RURZ-MC2</a>;</li> <li>c. Water quality <a href="#">RURZ-MC3</a>;</li> <li>d. Natural hazards <a href="#">RURZ-MC4</a>;</li> <li>e. Water tables and flood events <a href="#">RURZ-MC5</a>;</li> <li>f. Parklands Estate landscaping <a href="#">RURZ-MC6</a>; and</li> <li>g. Financial contributions <a href="#">RURZ-MC7</a>.</li> </ol>	<p><b>2. Activity Status:</b> Restricted Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in RURZ-R49(1).</p> <p><b>Matters of Discretion:</b></p> <ol style="list-style-type: none"> <li>a. 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;</li> <li>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;</li> <li>c. The extent to which the activity adversely affects the character and amenity values of the zone.</li> <li>d. Natural hazards <a href="#">RURZ-MD1</a>;</li> <li>e. Parklands Estate Landscaping <a href="#">RURZ-MD2</a>; and</li> <li>f. Financial contributions <a href="#">RURZ-MD2</a>.</li> </ol>
<p>This rule clarifies that buildings in building platforms in Area A of the precinct that result in a building area in excess of the site coverage performance standard for a permitted activity may qualify as a controlled activity, rather than a restricted discretionary activity, provided the site coverage does not exceed 450m<sup>2</sup>.</p>		

## Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

### RURZ-S1 Maximum height and daylight envelope

[9.6(1)]

1. Except as provided for by any other performance standard the maximum height of a building shall not exceed;
  - a. 7.5m above the natural ground level within any rural zone unless otherwise specified.
  - b. 10m above the natural ground level for non-habitable buildings in the Rural 1 zone.
  - c. 5.0m above the finished ground level of the building platform within area A of the Parklands Estate Precinct.
  - d. 7.5m above the finished ground level of the building platform within area B of the Parklands Estate Precinct.
  - e. Wind turbines shall not exceed 20m in height from natural ground level.

- f. Telecommunication structures for domestic purposes (e.g. aerials, television antennae) attached to a building shall not exceed 5m above the relevant height standard set out above.
  - g. For sites where the building platform has to be raised to be above the stated maximum lake level, the roof structure may exceed the maximum height limit by up to 1.0m, providing the building does not extend outside the daylight envelope.
2. The maximum height specified under (1) is subject to complying with the following:
- a. No part of a building shall extend outside the daylight envelope.

## **RURZ-S2 Yard requirements**

[9.6(2)]

### **1. Rural 1 Zone:**

- a. All buildings must meet the following minimum yard requirements
  - i. Front yards: 10m
  - ii. Side yards: 10m
  - iii. Rear and rear site yards: 10m

### **2. Rural 2 Zone:**

- a. All buildings must meet the following minimum yard requirements
  - i. Front yards: 7.5m
  - ii. Side yards: 7.5m
  - iii. Rear and rear site yards: 7.5m
- b. Except that, in the Parklands Estate Precinct, all buildings must be located within the building platform denoted on each allotment in Figure RURZ-1. No yards are required as buildings are located within a specific building platform on each allotment.

### **3. Rural 3 Zone:**

- a. All buildings must meet the following minimum yard requirements
  - i. Front yards: 5m
  - ii. Side yards: 2.5m
  - iii. Rear and rear site yards: 2.5m
- b. Except that single storey accessory buildings (e.g. garages, carports and sheds) in the side or rear yards may be constructed no less than 1m from the side or rear yard boundary provided that 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 6m
  - iii. The maximum height of the accessory building is no more than 3.2m.
  - iv. Any external wall shall be a minimum of 1m 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 2.5m of the boundary and faces that boundary (i.e. at an angle to the boundary of less than 90 degrees).

#### 4. All Rural Zones:

- a. Waikato River Operating Easement boundary
  - i. No building shall be erected within 25m of the edge of the Waikato River (including Lake Ōhakuri and Lake Ātiamuri) Operating Easement boundary.
- b. Road widening
  - i. 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.
- c. Service infrastructure and geothermal pipelines
  - i. Notwithstanding other provisions in RURZ-S2, yard requirements shall not apply to service infrastructure and geothermal pipelines that cross a property boundary.

### RURZ-S3 Site coverage

[9.6(3)]

#### 1. Rural 1 Zone:

- a. Site coverage for sites under 4 hectares in area shall not exceed 1,000m<sup>2</sup>.
- b. Site coverage for sites above 4 hectares in area shall not exceed 25% of the land area.
- c. Impermeable surfaces shall not exceed 40% of the site.
- d. Any individual accessory farm building shall not exceed 1,400m<sup>2</sup>.

#### 2. Rural 2 Zone:

- a. Site coverage shall not exceed 1,000m<sup>2</sup> or 25% of the site area, whichever is the less.
- b. Except that, in the Parklands Estate Precinct, the total ground floor area of buildings within the building platform of Area A shall not exceed 400m<sup>2</sup> for a permitted activity and 450m<sup>2</sup> for a controlled activity. Buildings in Area B shall not exceed a total ground floor area of 400m<sup>2</sup>.

#### 3. Rural 3 Zone:

- a. Site coverage shall not exceed 40% of the site.
- b. 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.

### RURZ-S4 ~~Household Residential~~ unit density

[9.6(4)]

#### 1. Rural 1 Zone:

- a. One ~~household residential~~ unit per site, except:
  - i. For sites that exceed an area of 30 hectares, one ~~household residential~~ unit per 15 useable hectares.

- ii. For sites outside the Lake Rotorua catchment with versatile soils, one additional household residential unit per 40 useable hectares.
- iii. One minor household residential unit per site not exceeding 72m<sup>2</sup> gross floor area (excluding garaging) and that is subsidiary to an existing household residential unit.

## 2. Rural 2 Zone:

- a. One household residential unit per site, except:
  - i. No more than one household residential unit per 8,000m<sup>2</sup> of the site area shall be constructed onsite within areas not serviced by public reticulation for wastewater provided that the requirements of the relevant regional council for the treatment and management of wastewater, including any associated disposal field is met.
  - ii. No more than one household residential unit per 4,000m<sup>2</sup> of the site area shall be constructed onsite within areas serviced and connected to public reticulation for sanitary sewer.
  - iii. One minor household residential unit per site not exceeding 72m<sup>2</sup> gross floor area (excluding garaging) and that is subsidiary to an existing household residential unit.
  - iv. (i),(ii) and (iii) above shall not apply to the Brunswick Park area, where no more than one household residential unit per 8000m<sup>2</sup> of the site area shall be constructed onsite. In addition to an existing household residential unit in the Brunswick Park area, one minor household residential unit not exceeding 72m<sup>2</sup> gross floor area (excluding garaging) may be constructed as a subsidiary part of the principal unit, but not as a separate building.

## 3. Rural 3 Zone:

- a. One household residential unit per site, except:
  - i. No more than one household residential unit per 1,500m<sup>2</sup> of the site area shall be constructed onsite within areas not serviced by public reticulation for wastewater provided that the requirements of the relevant regional council for the treatment and management of wastewater, including any associated disposal field is met.
  - ii. No more than one household residential unit per 1,000m<sup>2</sup> of the site area shall be constructed onsite within areas serviced and connected to public reticulation for sanitary sewer.
  - iii. One minor household residential unit per site not exceeding 72m<sup>2</sup> gross floor area (excluding garaging) and that is subsidiary to an existing household residential unit.

## RURZ-S5 Parking, access and turning

[9.6(5)]

1. Shall be provided in accordance with the provisions of Appendix APP1 – Parking, Turning and Access.
2. All vehicle crossings onto local roads shall be provided and constructed to the standards of Rotorua District Council. Where new vehicle crossings are proposed onto a State Highway, written consent from the New Zealand Transport Agency shall be provided.
3. There is no requirement for on-site parking and turning for forestry activities.

**RURZ-S6 Reverse sensitivity***[9.6(18)]*

1. A 150m separation distance shall be maintained between a sensitive activity and the following activities on a site under separate ownership:
  - a. Rural contractor's depot
  - b. An enclosure for livestock
  - c. A dairy shed
  - d. Land use for storage and disposal of animal waste
  - e. Land use for storage and disposal of dairy factory waste water and dairy liquids
  - f. A silage pit
2. A separation distance of 300m shall be maintained between a sensitive activity and an existing quarry or existing mining activity.
3. No proposed dwelling or building shall be located within 30m from the edge of any established plantation forest.

**RURZ-S7 Micro wind turbines***[9.6(14)]*

1. Any wind turbines shall not exceed 3m above the building height. The rotor blades shall not exceed 1m in diameter.

**RURZ-S8 Prospecting, exploration and drilling***[9.6(17)]*

1. Prospecting, exploration and drilling activities shall comply with the following standards:
  - a. The maximum area for a drill pad shall be 7,500m<sup>2</sup>. In the case of geothermal steamfield exploration and drilling activities, the maximum area for a drilling pad shall be 15,000m<sup>2</sup>.
  - b. Bulk sampling shall not exceed a maximum of 500m<sup>2</sup>.
  - c. Excavated material shall not cover more than 500m<sup>2</sup>, or exceed a maximum height of 2m.
  - d. There shall be no height restriction for cranes or drilling rigs.
  - f. 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.
  - g. No prospecting, exploration and drilling shall be carried out within an area of Outstanding Natural Features or Landscape or a Significant Natural Area.
  - h. The prospecting and exploration activities shall not involve the use of explosives.

**RURZ-S9 Additional building and structure standards – Parklands and Whangamoia Trust Ōtaramarae Development Area***[A5.2.2]*



**1. Parklands Estate Precinct:**

- a. Design:
  - i. Where buildings located in Area A or Area B have a total ground floor area of 250m<sup>2</sup> or more, the building form shall be broken into smaller (yet connected) blocks or wings.
  - ii. Where buildings in Area B have both a ground and first floor:
    1. the first floor shall be no greater than 65% of the total ground floor area, and
    2. the first floor shall be stepped back by a minimum of 1m in relation to the building's ground floor area in its northern, eastern and western elevations, and
    3. the building shall incorporate eaves of at least 600mm width at both the ground and first floor levels.
  - iii. For all buildings and structures, 60% of the roof shall be either gable or hip. Mono-pitch (shed) or dormer roof forms can be used in combination with gable or hip.
- b. Reflectivity values for all buildings and structures shall be as follows:
  - i. Any exterior surface wall shall have a reflectivity value of between 0% and 37%.
  - ii. Any roof shall have a reflectivity value of between 0% and 25%.
- c. Collection and disposal of stormwater from building allotments
  - i. As a permitted activity, all buildings and impermeable surfaces, including driveways, shall be provided with a stormwater and disposal system within the site, complying with the following conditions:
    1. It is designed to accommodate at least a 10% AEP storm event by:
      - a. soakage; or
      - b. vegetated swales; or
      - c. ponding; or
      - d. a combination of any of the above.
    2. Surface water from a 2% AEP storm event, and does not enter habitable buildings.
    3. Where the system uses pipes ensure that:
      - a. accessible inspection points or chambers are provided at all changes of grade and direction, and
      - b. self-cleansing velocities are maintained, and
      - c. the system has a functional design life of at least 50 years.

**2. Whangamoia Trust Ōtaramarae Development Area Eco Farm Park Reflectivity***[A5.6(2)]*

- a. In Area A of the Whangamoia Trust Ōtaramarae Development Area (as shown in WTDA) the finished surfaces of any structure or building, including the roof, shall have reflectivity values between 0% and 37%.

## Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

### **RURZ-MC1 Building design, site layout and amenity**

[9.7(1)(1)]

1. 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.

### **RURZ-MC2 Parking, access and turning**

[9.7(1)(2)]

1. 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 APP1 - Parking Turning and Access can be implemented.
  - d. How the activities will avoid, remedy or mitigate any adverse effects on the function and safe and efficient operation of the transport network.

### **RURZ-MC3 Measures to secure water quality improvement**

[9.7(1)(4)]

1. The revegetation, retirement and legal protection of land, gullies, wetlands and riparian areas.
2. The management of maintenance of revegetation and retirement areas.

### **RURZ-MC4 Natural hazards**

[9.7(1)(5)]

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. 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, may be required for activities subject to flooding. This applies primarily for significant developments.
3. 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% AEP (Annual Exceedance Probability) storm event (1 in 100 year return period flood event).

**RURZ-MC5 Development of land or buildings susceptible to high ground water tables and flood levels***[9.7(2)(1)]*

1. 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.
2. Filling to not less than 1.0m above mean water table level (as established under a 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.
3. Any fill completed above shall not result in displacement of surface ponding off the site onto other properties.

**RURZ-MC6 Parklands Estate Precinct – Landscaping/revegetation**

1. Any revegetation plan submitted to council shall include the following information:
  - a. The boundaries of each lot.
  - b. A planting schedule listing:
    - i. the local indigenous species to be used for different areas within the site
    - ii. the spacings for each species
    - iii. the grades of the plants to be used and the anticipated rate of canopy closure to achieve the provisions of certification
  - c. Species selected should consider the following factors:
    - i. species which would occur naturally on sites such as those that are to be planted
    - ii. species which are known to be successful in re-vegetation projects
    - iii. the expected time to reach certification standard
    - iv. other factors to be considered are the overall appearance of the site, requirements for low maintenance, and species which provide habitat and food for fauna
  - d. A planting programme including:
    - i. site preparation techniques including pest/animal control
    - ii. the timing or staging of planting
    - iii. techniques for maintaining the planting and excluding exotic plants from the re-vegetation area
    - iv. allowance for the replacement of dead plants in the first few years
    - v. details of any intended inter-planting with later successional species after canopy closure, once construction is complete
    - vi. any additional plantings to be undertaken close to buildings, structures, curtilages and access ways, which may not necessarily be of indigenous species
  - e. A post-planting maintenance regime including:
    - i. a pest plant and pest animal management programme
    - ii. details for permanent protection of the plantings including monitoring and pest control and exclusion of grazing animals

- iii. the legal mechanism(s) to be used to ensure that the existing or planted indigenous vegetation is protected from disturbance and grazing, and to ensure the management of pest plant and pest animals, in perpetuity

#### **RURZ-MC7 Financial contributions**

1. Whether the proposal requires a financial contribution under the provisions of FC-Financial Contributions.

#### **RURZ-MC8 Lake structures**

1. 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.
2. The availability of the jetty for public use from public places at reasonable times and periods, without preventing the reasonable use of the lake structure by the owner of the structure.
3. The extent to which public access along public areas adjoining the lake are adversely affected.
4. The extent to which design components and surface colours are in harmony with the landscape character and amenity of the surrounding area.
5. Re-instatement of vegetation to integrate the lake structure with the existing landscape character and amenity of the surrounding area.

### Matters of Discretion

The following matters of discretion apply if listed in the rule table for the relevant activity.

#### **RURZ-MD1 Natural hazards**

*[9.8(1)(1)]*

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. Activities subject to flooding may be required to have 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.
3. 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% AEP (Annual Exceedance Probability) storm event (1 in 100 year return period flood event).

#### **RURZ-MD2 Parklands Estate Precinct – Landscaping/revegetation**

1. Refer to [RURZ-MC6](#)

#### **RURZ-MD3 Financial contribution**

*[9.8(1)(3)]*

1. Whether the proposal requires a financial contribution under the provisions of FC-Financial Contributions.

#### **RURZ-MD4 Lake structures**

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

2. 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.
3. The effects of the lake structure on the public access and use of the lake and adjoining public areas.
4. The extent to which the structure contributes to the recreational and social benefits and environmental wellbeing.
5. 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.
6. 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.
7. 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.
8. The extent to which re-instatement of vegetation will integrate the lake structure with the existing landscape character and amenity of the surrounding area.
9. 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.

### Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

#### **RURZ-AC1 General assessment criteria**

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 on the function and safe and efficient operation of the transport network.
7. The quality of private recreation and amenity space and parking and turning space.
8. How the activity is in accordance with the provisions of Appendix APP1 – Parking Turning and Access.
9. Promotion of the principles of CPTED.
10. The effects of no-residential activity on the character and amenity of the zone.
11. The effects on the quality of streams, rivers, lakes and wetlands.
12. Where the activity can be connected to existing transport networks and utility services.
13. Access to or increase in the demand on public opens space and reserves.

14. The quality of the landscape and of any proposed landscaping scheme designed to mitigate the potential adverse effects of the activity.
15. Any potential adverse effects of noise, vibration, light or any other source of disturbance.
16. The potential for reverse sensitivity to the effects of noise, vibration, light or any other source of disturbance.
17. The potential adverse effect on the sustainable use of the land and quality of the soils.
18. 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.
19. The extent to which the activity affects or alters geothermal surface features and associated vegetation.
20. The location and or design of the proposal detracts from the qualities and characteristics specified of a landscape or feature identified in the schedules for Natural Environmental or the natural character of the environment.
21. The extent to which the proposal contributes to indigenous biodiversity, ecosystems, the protection of significant natural areas.
22. Any required financial contribution under FC – Financial Contributions.
23. How the activity complies with the objectives and policies of the zone and for the chapters in Strategic Direction, Historical and Cultural Values and Natural Environmental Values.
24. The level of compliance with the performance standards of the zone.
25. The extent to which the requirements of an integrated transport assessment carried out in accordance with Appendix APP1 – Parking Turning and Access can be implemented.
26. Natural hazards
  - a. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps. The likelihood and consequences of a natural hazard event will be assessed to determine the level of risk associated with natural hazards.
  - b. Activities subject to flooding may be required to have 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. The report shall identify the potential risk from flooding, any recommendations for floor levels, earthworks or engineering works.
  - 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).
28. The assessment criteria for development and activities that affect a Significant Geothermal Feature, as set out in NFL-Natural Features and Landscapes.
29. Rotorua Caldera Sensitive Landscape Area Overlay:
  - 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 access ways 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.

## **RURZ-AC2 Mining and quarrying within the Henderson Quarry Expansion Area**

[9.9(2)(4)]

### 1. Landscape and visual effects

The effects of the proposed mining and quarrying on the Mount Ngongotahā ONFL and its surrounding landscape, including the whole of the Kauae spur and its flanks (labelled A, B, C, D in Figure RURZ-2), including the following:

- a. The effects on the overall integrity of the ONFL's factors, values and associations identified in the Lake Rotorua Landscape Assessment, June 2010.
- b. The effects on landscape character.
- c. The effects on visual amenity including the extent and visibility of quarrying on the wider visual catchment including but not limited to views from:
  - i. Rotorua CBD and lake front
  - ii. Eastern Rotorua lake shore
  - iii. The Cemetery and Marae on Henderson Road
  - iv. Ngongotahā Main Street; and
  - v. Mt Ngongotahā and its walkways.
- 2. The extent to which the proposed quarry development avoids and remedies alteration to the Kauae spur and skyline ridge. This includes the treatment of the externally visible quarry faces and any set back areas surrounding the quarry.
- 3. The extent to which the quarry encroaches into and integrates with the ONFL recognising expansion in a south westerly direction towards Area A is preferable from a landscape perspective.
- 4. The extent of indigenous vegetation removal and its effect on the aesthetic values of the ONFL

and surrounding landscape.

5. The effectiveness of any avoidance, remediation and mitigation measures proposed. These may include:
  - a. Consideration of the quarry extent, shape, orientation and overburden treatment
  - b. The scope and extent of proposed rehabilitation, including earthworks and planting, where it maintains or enhances the overall values of the ONFL and surrounding landscape.
  - c. The extent to which the existing landform is maintained for screening purposes, specifically within areas C and D in Figure RURZ-2.
6. The extent to which the quarry expansion recognises or adversely affects the relationship of Māori with Mount Ngongotahā as an outstanding cultural feature.
7. The extent to which the quarry expansion avoids, remedies or mitigates adverse effects on the surrounding environment including, but not limited to, noise, light and glare, vibration and traffic.
8. The extent to which the quarry expansion shape, form and extent is constrained by the functional and technical requirements of quarrying operations.
9. The adequacy of the landscape and visual assessment, management plans and Cultural Impact Assessment required to be submitted with the application.



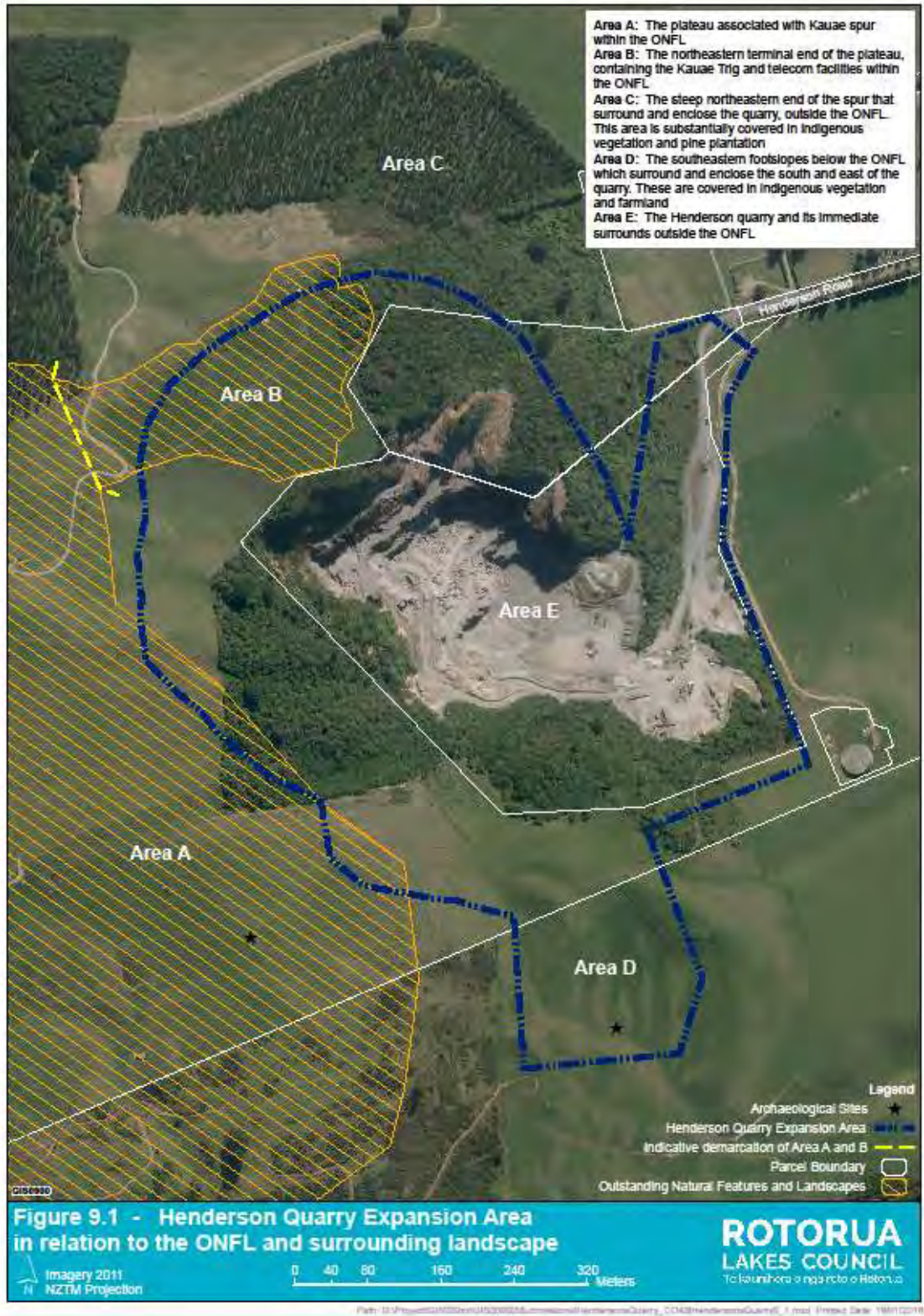


Figure RURZ-2 Henderson Quarry Expansion Area

10. Information Requirements – Henderson Quarry:

Any application for quarrying within the Henderson Quarry Expansion Area shall include the following.

- a. Landscape and Visual Assessment to address the matters set out in assessment criteria

RURZ-AC2(1).

b. Quarry Management Plan

A detailed Quarry Management Plan which addresses, but is not limited to the following:

- i. Site layout and plans that show the area to be quarried, site contours, the location of working faces, aggregate stockpiles, ancillary buildings, lighting and internal and external transport paths.
- ii. Provision for the disposal and stockpiling of overburden, including the location of areas used.
- iii. Procedures to reduce noise vibration and glare (from lights) and dust levels on site and a procedure for any complaints.
- iv. Time period for quarrying operations including blasting.
- v. Staging of quarrying development.
- vi. Measures to prevent stored soils and overburden being visually exposed for long periods.
- vii. The location and management of any effects on sites of natural significance or cultural or heritage value.
- viii. Implementation measures proposed to address recommendations identified in the Cultural Impact Assessment (CIA).
- ix. Provision of monitoring information to Council.
- x. Consideration of a template for an Annual Management Plan which shall include, but not be limited to the following:
  1. The location and timing of both the earthworks and quarrying works operations (including staging, cuts and fills) for the coming year including planned erosion, stability and sediment control measures
  2. Evidence to confirm quarry works and operations undertaken within the previous 12 months were undertaken within the Henderson Quarry Expansion Area
  3. Details and information to confirm works and operations to be undertaken within the next 12 months will be within the Henderson Quarry Expansion Area
  4. Planned quarrying operations for the coming year including details such as location and area of extraction of overburden and depth of the quarry pit(s); and
  5. Planned disposal of material for the coming year within the Overburden Disposal Area (OBDA) including location and area of material and expected ground levels and contours of exposed material.

c. Landscape Management and Maintenance Plan

A Landscape Management and Maintenance Plan which addresses, but is not limited to, the following:

- i. Existing and proposed landscaping.

- ii. Provision for screening (natural or artificial) to reduce visual impacts providing visual screening of visually intrusive features from public view and to ensure it is maintained for the life span of the quarry.
  - iii. Management and maintenance measures of all screen planting on site.
  - iv. Measures to prevent stored soils and overburden being visually exposed for long periods.
  - v. Any contingency methods to be employed in the event planting fails to establish; and
  - vi. Identify all planting detailing location, species, sizes and the extent of mitigation.
- d. Cultural Impact Assessment
- A Cultural Impact Assessment (CIA), prepared in consultation with tangata whenua for Mount Ngongotahā. The CIA shall include, but not be limited to, measures to address impacts on cultural landscape and other cultural values affected by the quarry expansion.

### **RURZ-AC3 Holiday rental accommodation**

*[9.9(2)(6)]*

1. The maximum number of people to be accommodated within the site;
2. Consistency of the proposed scale of use on rural character and amenity;
3. The way in which the site layout and design mitigates potential adverse effects on privacy and outlook on and from adjacent sites;
4. The ability of the site to provide for the use of outdoor space in a location which will minimise adverse effects of noise and light on nearby residential properties and the privacy of adjoining sites;
5. Proposed management of the accommodation and associated activities, including:
  - a. Limits on the use of outdoor space at night; and
  - b. Mechanisms in place to address noise issues should they occur, including the process for neighbours to follow should there be issues.
6. The location in relation to other holiday rental accommodation activities and potential cumulative effects of one or more holiday rental activity in close proximity to each other;
7. The ability of the site to provide for parking without adversely affecting nearby sites and the road network;
8. Location and screening in parking to provide safe access and turning within the site and minimise visual impact of activities undertaken on the site;
9. The potential for the use of the site for holiday rental accommodation to result in complaints about, or restrictions on, the lawfully established use of nearby sites for rural activities; and
10. The location of on-site parking in relation to the on-site effluent treatment system, and associated disposal field.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

<b>RURZ-AER1</b>	Improvement in water quality of Lake Rotorua, the Waikato River and other lakes rivers and streams.
<b>RURZ-AER2</b>	Low net loss of productive rural land through fragmentation or damage to soil quality.
<b>RURZ-AER3</b>	Rural character and amenity of the rural zones is maintained.
<b>RURZ-AER4</b>	No reverse sensitivity effects on existing activity as a result of rural residential or other incompatible use or development.
<b>RURZ-AER5</b>	No net loss of characteristics, values or significance of indigenous biodiversity, significant habitats of indigenous fauna or ecological functions in the rural zones.

# Part 2: District Wide Matters

## STRATEGIC DIRECTION

## OUTLINE

The chapters under the Strategic Direction heading of the District Plan provide an outline of the key strategic or significant resource management matters for the district. The chapters contain issues and objectives. Some related policies are included. Other related policies are located outside the Strategic Direction chapters, alongside the related rules in other chapters.

This section does not include rules, which can instead be found in the chapters under the District Wide and Area Specific headings.

The key strategic or significant resource management matters for the district, as outlined in this District Plan, are:

1. Development of Māori land
2. Economic development
3. Indigenous biodiversity
4. Natural hazards and climate change resilience
5. Renewable energy and emission reduction
6. Urban form and development
7. Vibrant, compact city centre
8. Water quality and the amenity of lakeside environments

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# DEVELOPMENT OF MĀORI LAND

Status: SDML is Operative.

## INTRODUCTION

Rotorua has one of the highest proportions of Māori per local authority in the country, with Te Arawa the main tribal affiliation. Māori history, historic heritage and culture contribute significantly to the district's identity. Te Arawa settled the Rotorua lakes after Īhenga, the grandson of Tamatekapua, travelled inland from Maketu. Te Arawa has played a significant role in shaping Rotorua. The Fenton agreement in 1880 saw approximately 3,000 acres of land included in the new township, close to the Ngāti Whakaeu kāinga of Ōhinemutu, Whakarewarewa and Ngāpuna.

The district receives economic benefits from tourism, farming and forestry. Te Arawa has been at the forefront of tourism development and own or control a significant proportion of the land and resources in the district. This resource base is being further strengthened as settlements for Treaty of Waitangi claims are finalised.

This part includes an objective and policy framework that enables living and employment opportunities on multiple-owned land. These opportunities are wide ranging and include diversification of activities around existing marae, papakāinga, tourism activities and accommodation, farming, fresh water fisheries, forestry and geothermal power generation. The corresponding rule framework is in various chapters, including the zone chapters, PK Papakāinga and Kaumātua Housing, and the rules for marae in SASM - Sites and Areas of Significant to Māori. These rule chapters link back to the enabling provisions in this chapter.

## ISSUES

### **SDML-I1 Sustainable development of Māori land**

A comparatively high proportion of the district is Māori freehold or multiple-owned land. There is a strong desire for Māori to return to their ancestral land, with a range of aspirations for changed land use and land development, whilst exercising kaitiakitanga and protecting sites of cultural significance. Treaty of Waitangi settlements are a significant contributory factor in the protection and conservation of areas and sites of cultural historic heritage values as well as a major factor in increased Māori land development and economic growth.

Resource consents or Iwi and Hapū management plans can be prepared by Iwi for the future intended development of Māori land. Such development may include Marae, papakāinga, kaumātua housing, habitat/wetland restoration, and commercial activities such as tourism ventures, business hubs, fishing, aquaculture, forestry and geothermal energy production. Iwi and Hapū management plans need to be lodged with the council and taken into account in planning documents and decision making.

The district plan provides a policy and rule framework that enables development on Māori land, while recognising that activities can generate environmental effects that may require management and solutions. Social and cultural benefits are high and can be further enhanced with designs that are functional and result in positive environmental outcomes.

## OBJECTIVES

### Sustainable development of Māori land

<b>SDML-O1</b> [3.3(4)]	Opportunities for development on Māori land that meet the needs of those landowners and respects the exercise of kaitiakitanga and the relationship of tangata whenua with land, water, significant sites and Wāhi tapu.  <i>Policies DLM-P1 to DLM-P3</i>
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## POLICIES

### Sustainable development of Māori land

Objective DML-O1

<b>SDML-P1</b> [3.3(4)(2)]	Recognise the traditional communal living practices of Māori on Māori Land.
<b>SDML-P2</b> [3.3(4)(4)]	Enable development of Māori Land within the provisions of the plan for the purposes of fulfilling the economic and social aspirations of those owners.
<b>SDML-P3</b> [3.3(4)(3)]	Encourage land use change that can demonstrate a reduced nutrient output from activities undertaken on Māori Land.

Advice Note:

For specific rules relating to Development of Māori Land please refer to HH - Historic Heritage, SASM - Sights and Areas of Significance to Māori, and PK - Papakāinga and Kaumātua Housing.

## ANTICIPATED ENVIRONMENTAL RESULTS

The efficiency and effectiveness of the policy framework of this part will be the focus of ongoing 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:

<b>SDML-AER1</b>	New activities on Māori land.
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# ECONOMIC DEVELOPMENT

Status: SDED is Operative

## ISSUES

### **SDED-I1 Enable sustainable development and economic growth**

The District Plan has a key role in encouraging economic growth throughout the district. It enables investment in Rotorua's key economic drivers of tourism, forestry and wood processing, and the geothermal and agricultural sectors through initiatives specific to each sector and the development of business and innovation zones. See BIZ Business and Innovation Zones for further detail.

Economic growth is heavily influenced by Rotorua's central location within the district and the infrastructure that supports the area. Infrastructure must not only be well planned to maximise economic potential, it must also be located to avoid visual impacts to important streetscapes and Outstanding Natural Features and Landscapes. Farming and forestry play a major role in shaping the economic environment of our district. Most agricultural land in Rotorua is used for dairy, sheep, beef and deer farming. Forestry is equal in land cover and has generated a range of manufacturing businesses relating to wood, wood processing and paper products.

Our district is one of the country's leading tourism centres, offering a wide variety of tourist accommodation and attractions including experiences featuring Māori culture, lakes, geothermal features and adventure opportunities. At any one time there can be 8,500-10,000 tourists in our district in addition to the base population. Projections suggest an overall increase in visits to Rotorua is anticipated. Cultural and sporting events are also major draw cards to our district. Many of the events focus on mountain biking, walking and running in the forests or around one or more of the lakes. The city is a preferred destination for major conferences, due to the Energy Events Centre and supporting hospitality facilities and infrastructure.

A number of significant features and recreational facilities are located outside of the city centre, including the forests, lakes and rivers of the district, which are significant attractors of people who then contribute to the local economy. These resources should be managed to ensure that they continue to contribute to the district's growth and success as a tourist and recreational attraction.

A number of opportunities for geothermal exploration and development exist within the district. There is the ability to enhance the use of this resource for renewable energy purposes and associated cascade uses.

These activities are economically and socially important to the district and represent significant investment. There is also the opportunity for Māori land holding entities to develop ancestral land with the above mentioned activities as well as provide for the relations of the Māori land owners with these lands and associated taonga.

The District Plan aims to ensure development occurs in a planned sustainable manner that maintains the amenity of the natural and cultural environment whilst playing a role in ensuring the continued efficient operation and future development. See Historical and Cultural Values and Natural Environmental Values for further detail.

Most land in the Rotorua district is rural, with agriculture and forestry being the two main land uses. The rural area of our district is important not only for its physical features, habitats, indigenous plants and wildlife, but also as a significant working environment and contributor to Rotorua's economy.

Providing for an efficient rural working environment that avoids, mitigates or remedies adverse effects that unacceptably impact the natural environment is an important element of this plan. The District Plan seeks to achieve a balance between economic use, the enhancement of water quality maintenance of amenity and the protection of identified characteristics.

Encouraging changes in land use practices within the Lake Rotorua Catchment to help reduce the level of high nutrient loss, is one feature of this plan. The District Plan promotes a reduction in nutrient discharge within the Lake Rotorua catchment through providing for the operation and establishment of a range of rural activities and agricultural practices. This is likely to affect pastoral activities with high nutrient loss – particularly dairy farming – and lead to innovative agricultural practices or land use change within identified locations that have less impact on water quality. Possibilities include forestry, housing, recreation and tourism, any one of which would change the existing character of those rural zones. There is also the prospect that heavy industry will seek to locate outside the caldera, which will further change the balance of the rural area to a working environment. See RRZ- Rural Zones and SUB- Subdivision.

## OBJECTIVES

<b>SDED-O1</b> [1.3(4)]	Sustainable Rural, Residential, Industrial and Business Innovation Zones where activities contribute to the economic, social, cultural and environmental wellbeing and prosperity of the community. <i>Policies SDED-P1 to SDED-P5</i>
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## POLICIES

Objective SDED-O1

<b>SDED-P1</b> [1.3(3)(1)]	The positive effects of business and industry on economic, social and environmental wellbeing are encouraged and promoted by enabling existing activities to continue to operate and develop.
<b>SDED-P2</b> [1.3(3)(2)]	Recognise the key contribution that sustainable rural and forestry activities make to the economy and the need for innovation and diversification with environmentally sound practises.
<b>SDED-P3</b> [1.3(3)(3)]	Enable the operation of rural production and industrial activities, having regard to access to and use of resources, transportation and infrastructure requirements and the future need for innovation and diversification with environmentally sound practices.
<b>SDED-P4</b> [1.3(3)(4)]	Manage the environment to enable ongoing growth of tourism and recreational activities that support the social, cultural and environmental attributes that are valued by the community and contribute to the identity of Rotorua.
<b>SDED-P5</b> [1.3(3)(5)]	Commercial and industrial activities, exclusive of resource based activities, establish within land zoned and provided with onsite services for commercial and industrial purposes.

Advice Note:

For the rules relating to Economic Growth and Major Industry please refer to CCZ - City Centre Zones, COMZ- Commercial Zones, INZ- Industrial Zones, BIZ- Business and Innovation Zones and RRZ- Rural Zones.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

<b>SDED-AER1</b>	The continued economic growth of the district and efficient operation and development of major business, industry and rural production activities.
<b>SDED-AER2</b>	A productive, sustainable rural environment that contributes to the economy of the district.

# INDIGENOUS BIODIVERSITY

Status: SDIB is Operative

## ISSUES

### SDIB-I1 Indigenous biodiversity

The indigenous biodiversity resource of the district exists at approximately 20% of its original extent. Further loss of this resource may lead to the exponential loss of species and of ecosystem processes and functions which will in turn threaten the life supporting capacity of these ecosystems. To safeguard the resource as a whole, the approach to managing indigenous biodiversity must go beyond identifying and protecting significant natural areas. This is because the significant natural areas rely on ecological functions and processes beyond their boundaries in order to be maintained and the indigenous biodiversity resource must be viewed as an interconnected system of ecological buffers, connections, and corridors across the wider landscape.

## OBJECTIVES

### SDIB-O1

[1.3(11)]

Maintain or enhance indigenous biodiversity and the continued functioning of ecological processes.

*Policies SDIB-P1 to SDIB-P3*

## POLICIES

*Objective SDIB-O1*

### SDIB-P1

[1.3(11)(1)]

Manage activities that have the potential to adversely affect indigenous biodiversity and the continued functioning of ecological processes, with a particular focus on activities that affect the following:

1. The cumulative loss or degradation of indigenous habitats and ecosystems
2. Fragmentation and isolation of indigenous habitats and ecosystems
3. Extent and quality of indigenous habitats and ecosystems
4. Corridors or connections linking indigenous habitats and ecosystems
5. Ecological sequences
6. Migratory pathways
7. Water quality for the purpose of maintaining indigenous biodiversity and ecosystems
8. Buffering of indigenous habitats and ecosystems
9. Ecosystem services
10. Animal and plant pests
11. Noise, visual and physical disturbance on indigenous habitats and ecosystems.

<p><b>SDIB-P2</b> <i>[1.3(11)(2)]</i></p>	<p>Promote positive indigenous biodiversity outcomes, including through:</p> <ol style="list-style-type: none"> <li>1. Working towards achieving no net loss of indigenous biodiversity at a regional scale</li> <li>2. Encouraging enhancement, restoration and re-vegetation of habitats and connectivity between habitats</li> <li>3. Maintaining those areas/ecosystems that support (including through buffering and/or linking) habitats and areas identified as significant natural areas</li> <li>4. Providing for ecosystem services</li> <li>5. Restoring and protecting the health and wellbeing of the Waikato River and its catchment</li> <li>6. The contribution to natural character and amenity values</li> <li>7. Tangata whenua relationships with indigenous biodiversity including their holistic view of ecosystems and the environment</li> <li>8. Managing the density, range and viability of indigenous flora and fauna</li> <li>9. The consideration and application of biodiversity offsets, where significant residual adverse effects are unable to be avoided, remedied or mitigated.</li> </ol>
<p><b>SDIB-P3</b> <i>[1.3(11)(3)]</i></p>	<p>Provide for activities that have a minor adverse effect on the maintenance of indigenous biodiversity (excluding SNAs), including:</p> <ol style="list-style-type: none"> <li>1. The maintenance and operation of lawfully established infrastructure and utilities</li> <li>2. The continuation of existing lawfully established uses of land where the effects of such land use remain the same or similar in character, intensity, and scale</li> <li>3. Activities undertaken for the purpose of maintenance or enhancement of indigenous biodiversity</li> <li>4. The collection of material for maintaining traditional Māori cultural practices</li> <li>5. Actions necessary to avoid loss of life, injury or serious damage to property.</li> </ol>



# NATURAL HAZARDS AND CLIMATE CHANGE RESILIENCE

Status: SDNC is Operative

## ISSUES

### **SDNH-I1 Natural hazards**

A secure and safe community is a healthy community and will attract growth. Our district has learned to safely take advantage of natural hazards. The oldest settlements in our district are within active geothermal systems where surface and underground features present a potential hazard to building and living.

The district is subject to a number of natural hazards that can adversely affect life or property. The main natural hazards affecting the district are earthquakes (associated with fault lines), subsidence (including liquefaction), landslides, flooding, and volcanic and geothermal activity due to the district's location within the Taupo Volcanic Zone. A lesser known source of volcano hazard is 'Caldera Unrest'. There is uncertainty over when the activity increases from 'background' levels to 'volcanic unrest' and an eruption threat. The Bay of Plenty and Waikato Civil Defence Emergency Management Group Plans rank caldera unrest as the 4th and 3rd highest hazard respectively.

Some areas known to be at risk from actual or potential hazards such as subsidence, flooding and geothermal activity have already been developed for urban purposes. In addition some hazards such as volcanic activity and earthquakes are more difficult to identify and mitigate in advance and the potential effects of the hazards themselves are so widespread and devastating that avoidance or control through the District Plan is not always possible.

The District Plan specifically manages land use affected by natural hazard risks through fault line rules and performance standards relating to flooding, geothermal activity and fault lines where appropriate mitigation measures are available, and are not sufficiently managed under other national legislation such as the Building Act 2004. All natural hazards identified on the planning maps will be addressed when considering resource consent applications, guided by the natural hazard provisions of this part of the plan.



## OBJECTIVES

<b>SDNH-O1</b> [1.3(9)]	Minimise or reduce the level of risk to life, property and the environment from the subdivision, use and development of land in areas subject to a natural hazard. <i>Policies SDNC-P1 to SDNC-P2</i>
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## POLICIES

*Objective SDNC-O1*

<b>SDNH-P1</b> [1.3(9)(1)]	Require the design and location of activities to avoid or mitigate natural hazards to an acceptable level of risk to life, property and the environment.
<b>SDNH-P2</b> [1.3(9)(2)]	Recognise that the risk of natural hazards will continue to influence the nature and location of urban development.

Advice Note:

For the rules relating to Natural Hazards please refer to NH- Natural Hazards. The Introduction page of the planning maps outlines the hazard information.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

<b>SDNC-AER1</b>	Enhanced public safety in relation to natural hazards through the design and management of land use activities and subdivision to an acceptable level of risk.
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# RENEWABLE ENERGY AND EMISSION REDUCTION

Status: SDRE is Operative

## ISSUES

### **SDRE-I1 Sustainable development and use of renewable electricity**

The National Policy Statement for Renewable Electricity Generation elevates renewable electricity generation to being a matter of national significance. The contribution of renewable electricity generation towards addressing the effects of climate change plays a vital role in the wellbeing of New Zealand, its people and the environment. In considering the risks and opportunities associated with various electricity futures, central government has reaffirmed the strategic target that 90% of electricity generated in New Zealand should be derived from renewable energy sources by 2025.

Notwithstanding other renewable electricity sources, the district has a geothermal resource available that forms part of the wider Taupo Volcanic Zone. For new geothermal development the Waikato and Bay of Plenty Regional Policy Statements have classified the district's geothermal systems for different purposes, ranging from Development Geothermal Systems to Protected Geothermal Systems. Those geothermal systems classified for Development, Limited Development or Conditional Development purposes are anticipated to contribute towards the generation of electricity using a renewable source of energy. These classifications determine the extent to which adverse effects on Significant Geothermal Features are to be avoided or mitigated.

There is a need to manage the significant economic value of the geothermal resource for both tourism and energy purposes, while also seeking to ensure the cultural, economic, ecological and aesthetic values of the geothermal resource are maintained.

It is envisaged that if sustainable geothermal energy production is identified as being appropriate in these systems, development will be industrial in nature and located within a rural environment. A rural zone or heavy industrial zone is considered appropriate to provide for the infrastructure and facilities required for this type of development.

The District Plan aligns with the regional policy statements by mapping the location of each geothermal system and providing for development appropriate to the regional classification of the geothermal system.

Identifying locations for this type of development provides direction to Rotorua residents as to where geothermal development is likely to occur in the future and therefore help to reduce potential reverse sensitivity impacts from occurring upon development.

To align with the National Policy Statement for Renewable Electricity Generation and support the economic growth of the district, the District Plan provides for the continued operation, and maintenance of these activities. From a land use perspective this also requires protection of infrastructure from sensitive land uses to avoid reverse sensitivity issues.

In addition, renewable electricity generation by other means, such as hydro and wind, is also strategically important and can also only occur in appropriate locations where the resource exists.

Importantly, the National Policy Statement for Renewable Electricity Generation promotes not only new development but also the maintenance of existing activities.

Currently the district contains geothermal prions and hydro lakes, the latter being created when the Ohakuri and Atiamuri dams and associated hydro-electricity power stations were constructed on the Waikato River. They form part of the wider Waikato Hydro Scheme which comprises nine power stations and eight hydro-reservoirs (lakes) between Taupo and Karapiro. The scheme is a major contributor of renewable electricity for the region. Operating easements around the margins of the lakes and the Waikato River define inundation areas as a result of normal operation of the scheme.

For further detail on how the plan provides for renewable electricity generation please refer to EIT- Energy, Infrastructure and Transport.

## OBJECTIVES

<b>SDRE-O1</b> [1.3(8)]	Sustainable, efficient use, development, operation, maintenance and upgrading of renewable electricity generation resources and activities that contribute to the economic, cultural and social wellbeing of Rotorua District, region and New Zealand. <i>Policies SDRE-P1 to SDRE-P5</i>
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## POLICIES

*Objective SDRE-O1*

<b>SDRE-P1</b> [1.3(8)(1)]	Enable the efficient development, operation, use, maintenance and upgrade of renewable electricity generation developments.
<b>SDRE-P2</b> [1.3(8)(2)]	Renewable electricity generation avoids, remedies, or mitigates adverse effects on significant geothermal features, according to the regional classification of the geothermal system, and on surrounding rural character and amenity.
<b>SDRE-P3</b> [1.3(8)(3)]	Recognise the practical implications and constraints associated with the development, operation, maintenance and upgrade of renewable energy generation activities, due to resource location, and functional and technical requirements.
<b>SDRE-P4</b> [1.3(8)(4)]	Enable research into potential sites for renewable electricity generation including investigation, identification and exploration activities and for innovative renewable electricity development where potential adverse effects can be appropriately avoided, remedied or mitigated.
<b>SDRE-P5</b> [1.3(8)(5)]	Recognise and provide for the national, regional and local benefits of renewable energy generation activities and resources in relation to climate change, security of supply and social, cultural and economic wellbeing.

Advice Note:

For the rules relating to Renewable Electricity please refer to RRZ- Rural Zones and EIT- Energy, Infrastructure and Transport.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

<b>SDRE-AER1</b>	An increase in the use of alternative modes of transport e.g. walking, cycling and public transport.
<b>SDRE-AER2</b>	An increase in the development and use of renewable energy resources in the Rotorua district.

# URBAN FORM AND DEVELOPMENT

Status: SDUD is Operative and subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough~~.

Provisions in this chapter incorporate the objectives and policies in Clause 6 of Schedule 3A of the RMA. In accordance with Section 80H of the RMA these provisions are shown in green.

## ISSUES

There are five key issues influencing the policy framework in the ~~Future Growth area for urban form and development~~.

### **SDUD-11 Well-functioning urban environments ~~Economic and social well-being of the district~~**

~~Well-functioning urban environments enable communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future. To enable Rotorua to be a well-functioning urban environment future development should support good accessibility for all people between housing, jobs, services and other amenities particularly by public and active transport modes. A range of housing types is enabled to provide for changing demographics and market demands. Housing development in Rotorua has historically been single detached houses on generous sites. Rotorua is projected to have an ageing population. Couple and single person households are anticipated to account for over three quarters of housing growth over the long term which means changing demands for housing types and sizes. Smaller houses on smaller sites can provide for singles and couples looking for affordable housing or older people seeking to downsize. Larger houses (5+ bedrooms, multiple kitchens) can accommodate multi-generational/extended families or communal living arrangements. Supply of only one housing type to the market reduces choice and options for different household types and therefore does not meet the communities needs or enable the community to provide for their own social well-being.~~

~~Restricting land for urban expansion reduces development options to infill housing which can increase localised areas of traffic congestion and reduce privacy and useable lot sizes in turn impacting residential amenity and housing affordability. Whilst Rotorua is forecast to have limited population growth within the life of this district plan, the provision of land for urban development will increase the level of lifestyle choices provided to Rotorua residents and the ability to complete innovative and flexible developments. This will enable well designed development and provide the ability for the community to contribute to the social and economic well-being of Rotorua.~~

~~More houses are required in Rotorua to keep up with demand. A lack of housing supply and diversity has adverse consequences on the health and wellbeing of our communities.~~

~~To meet the demand for housing existing urban areas will need to change over time providing a greater density of development than previously provided. Enabling the greatest level of density around centres, employment opportunities or in areas accessible to existing or planned public or active transport will support a well-functioning urban environment.~~

## **SDUD-12 Development of the future growth areas and infrastructure**

Fragmented development can effectively make further land conversion uneconomic. This is particularly so if development affects or pre-empts the effective and efficient location of infrastructure services and other supporting land use activities. In addition fragmented development can reduce the efficient use of rural land for agricultural practices. Large-scale development should occur in a planned and structured approach, taking into account the environmental qualities and features of the land, as well as the need to provide strong and efficient connections with the existing urban area.

No development should occur within the identified future development zones until a comprehensive design process has been undertaken for each development zone, providing the community with an opportunity to have an input.

## **SDUD-13 The provision of infrastructure**

Additional infrastructure such as water supply, roads, sewage, electricity and stormwater disposal is often necessary to service new development. Certain areas of development may have the potential to connect into existing infrastructure that has the capacity to meet the demand. In other instances an upgrade and/or extension will be required. There is a need to ensure any proposed infrastructure is capable of supporting the full development potential of the land, thus providing for the sustainable management and a reduction in economic cost of development in the future.

There is a need to co-ordinate subdivision and development with cost-effective infrastructure provision. Development that is inconsistent with the anticipated and planned settlement pattern carries a high risk of unforeseen effects on infrastructure, and in particular the transport network.

## **SDUD-14 ~~Subdivision and development~~ Caldera landscape**

The identified urban development areas are adjacent to the sensitive rural area in the Rotorua caldera which provides the valued rural backdrop to the Rotorua city and has been identified by the community as sensitive to urban growth. Within the future growth area there are components of the site which are less visible than others where development will maintain the amenity and character of the Rotorua district. In elevated areas that have higher visibility development will need to be designed in a manner to maintain these existing amenity and character values.

## **SDUD-15 The development of rural land**

As urban activities, such as rural residential or low density residential development, occur within established rural areas, many of the effects associated with the operation of farms or other existing rural activities e.g. noise, dust, hours of operation, odour become less accepted by the community and as a consequence pressures are placed on existing operations to reduce their activities. These pressures are increased as the scale of urban activity increases particularly where it occurs in a fragmented manner. In contrast development of an industrial nature also has the ability to impact the existing amenity associated with residential activities located within the immediate vicinity. Reverse sensitivity effects associated with development within future growth areas will need to be avoided.

## **SDUD-16 ~~Provision of safe and attractive residential spaces and sustainable infrastructure~~ Quality environments**

Well-designed development can support quality living environments for people and enhance the visual attractiveness of streets. This is important as Rotorua transitions to a more compact urban form. Neighbourhoods will change over time as more intensive development occurs and land is used more efficiently. This will change the amenity values appreciated by some people in existing neighbourhoods but may also improve amenity values for future generations, by enabling greater housing choice in the most accessible parts of Rotorua.

~~Residential areas are expected to provide safe and attractive environments to live in, with space to give each household reasonable privacy and outlook. The District Plan anticipates that existing residential areas will continue to be efficiently used, with further infill subdivision, but is careful to ensure environment and amenity values are upheld through performance standards, rules, and subdivision standards.~~

~~Almost one in five residents live outside the main city area, and demand for semi-rural lifestyle blocks and lakeside living will continue throughout the life of this plan.~~

~~The District Plan has also identified areas of rural land suitable for future land conversion and appropriate to consider for the city's urban land bank. The demand for land on the eastside of Lake Rotorua means development will likely occur there first. Land to the south of Pukehāngi Road has identified a number of future development zones, which aligns with the Rotorua Basin Integrated Structure Plan.~~

~~At present these areas contain a mixture of rural activities and directly adjoin the Rotorua urban environment allowing ease of access to infrastructure, city amenities and services. In the future it is anticipated that Pukehāngi Road will also be subject to land use change incentives that are administered under RRZ Rural Zones and SUB-Subdivision.~~

~~The identification of the location of future urban expansion will contribute to infrastructure planning ensuring the co-ordinated provision of land use and infrastructure. It is important that the appropriate infrastructure to cater for the potential level of development is provided to support growth within these areas.~~

## OBJECTIVES

### ~~Well-Functioning Urban Environment Economic and social well being of the District~~

<p><b><u>SDUD-O1</u></b></p>	<p><u>A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future:</u></p> <p><i>Policies SDUD-P1 to SPUD-P3</i></p>
<p><b><u>SDUD-O2</u></b></p>	<p><u>A relevant residential zone provides for a variety of housing types and sizes that respond to—</u></p> <ul style="list-style-type: none"> <li>i. <u>housing needs and demand; and</u></li> <li>ii. <u>the neighbourhood's planned urban built character, including three storey buildings within the Residential 1 Zone and up to six storeys in the Residential 2 Zone.</u></li> </ul> <p><i>Policy SDUD-P4</i></p>
<p><b><u>SDUD-O13</u></b> [12.3(1)]</p>	<p><u>There is at all times at least <del>S</del>sufficient development capacity and land supply to meet expected demand for housing and business land over the short term, medium term and long term. area suited for future urban and economic development that provides the residents of Rotorua with a range of lifestyle and development choices.</u></p> <p><i>Policies SDUD-P5 to SDUD-P7</i></p>
<p><b><u>SDUD-O4</u></b></p>	<p><u>The primary focus for higher residential intensification and additional business or community services include areas:</u></p> <ul style="list-style-type: none"> <li>a) <u>within and adjacent to centres or employment opportunities;</u></li> <li>b) <u>well-serviced by existing or planned public or active transport;</u></li> <li>c) <u>where there is high demand for housing or for business land in the area, relative to other areas within the urban environment.</u></li> </ul> <p><i>Policies SDUD-P5 to SDUD-P7</i></p>

### Development of the future growth areas and infrastructure

<b>SDUD-O25</b> [12.3(2)]	Subdivision and development within growth areas completed in a structured and integrated pattern, with the environmental qualities of the land fully identified and sustainably managed. <i>Policies SDUD-P38 to SDUD-P510</i>
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**The provision of infrastructure**

<b>SDUD-O36</b> [12.3(3)]	Serviced development that safely connects to the existing road network, utility reticulation, provides a potable drinking water supply and sufficiently caters for the future development potential of the site. <i>Policies SDUD-P611 to SDUD-P914</i>
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~~Subdivision and development Caldera Landscape~~

<b>SDUD-O47</b> [12.3(4)]	The amenity values associated with the Rotorua caldera landscape and adjacent zones is maintained when subdivision and development occurs. <i>Policies SDUD-P1015 to SDUD-P1217</i>
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**The development of rural land**

<b>SDUD-O58</b> [12.3(5)]	Efficient and safe operation of the transport network and adjoining rural activities when development in future growth areas occurs. <i>Policies SDUD-P1318 to SDUD-P1419</i>
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~~Provision of safe and attractive residential spaces Quality Environments~~

<b>SDUD-O9</b> [1.3(4)]	<u>Urban development results in attractive, safe and healthy environments.</u> <i>Policies SDUD-P20 to SDUD-P21</i>
<b>SDUD-O610</b> [1.3(4)]	Subdivision, use and development consistent with the anticipated settlement pattern that maximises the efficient use of zoned and serviced urban land and is co-ordinated with the provision of cost effective infrastructure. <i>Policies SDUD-P1522 to SDUD-P1825</i>
<b>SDUD-O711</b> [1.3(5)]	Sufficient and suitable land zoned for future urban development that provides the residents of Rotorua with a range of lifestyle and development choices. <i>Policies SDUD-P1926 to SDUD-P2229</i>

**Commercial Activities Located within Non-Commercial Zones**

<b>SDUD-O812</b> [5.3(6)]	A compact city centre that is the primary commercial centre within the district for shopping, employment, city-living, entertainment, recreation and community events, (with this role not being compromised by commercial development in other locations). <i>Policies SDUD-P2330 to SDUD-P2431</i>
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**HOUSING BOTTOM LINES****Housing bottom lines for Rotorua urban environment**



Short-medium term (2020-2030)	Long term (2030-2050)	30 Year Total (2020-2050 additional)
3,240	3,500	9,740

Explanatory Note:

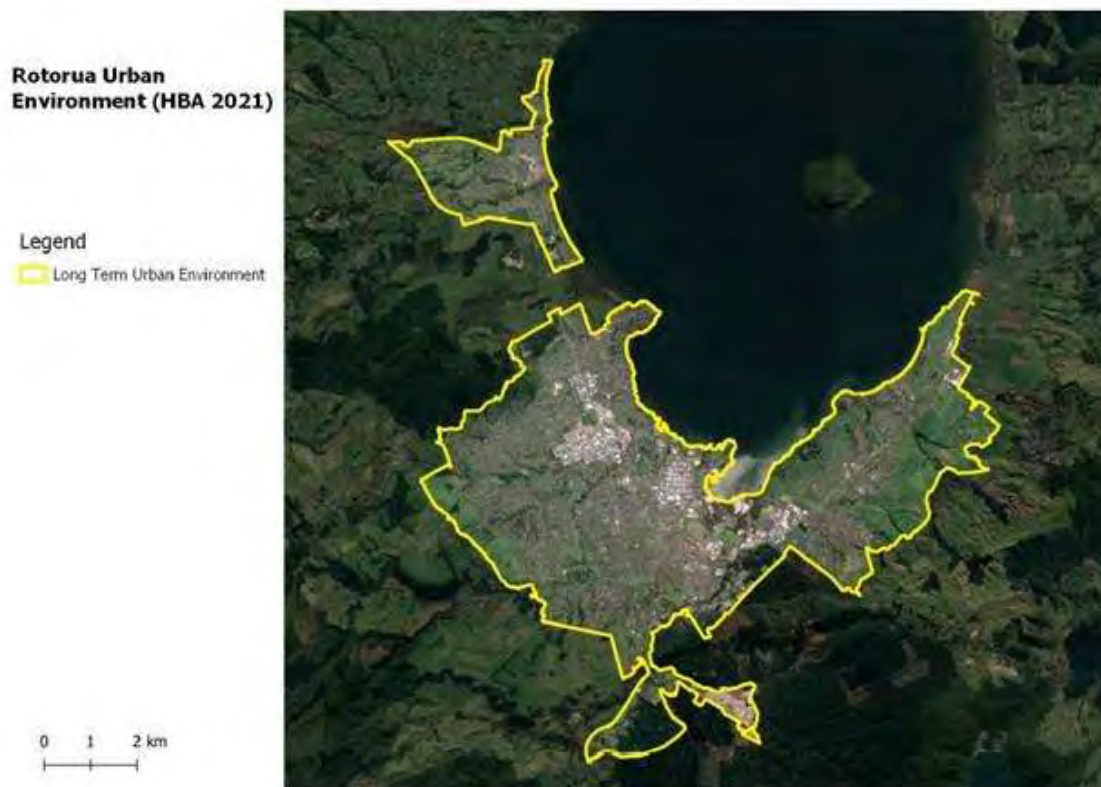
These housing bottom lines were identified through the Housing and Business Development Capacity Assessment for Rotorua District 2022 (HBA 2022), and have been inserted into the District Plan as part of the implementation of the National Policy Statement for Urban Development 2020.

They are intended to represent the amount of feasible and reasonably expected to be realised development capacity that is sufficient to meet the expected housing demand with the urban environment, along with a competitiveness margin. The competitiveness margins is 20% for the short-medium term and 15% for the long term.

Rotorua Lakes Council is required to enable the development represented in the housing bottom lines through the district plan, structure plans, growth and infrastructure strategies.

The housing bottom lines relate to the Rotorua urban environment. An urban environment means any area of land that is, or is intended to be, predominantly urban in character, and that is, or is intended to be, part of a housing and labour market of at least 10,000 people. This definition allows areas identified or zoned for future urban development to be included in the defined urban environment. It also allows discrete locations of urban land that have a functional relationship with each other in terms of a housing and labour market to be part of the urban environment, even when they are not contiguous.

The areas included within the Rotorua Urban Environment are shown in the figure below.



SDUD-FIGURE 1 – Rotorua Urban Environment

## POLICIES

### ~~Economic and social well-being of the district~~ Well-Functioning Urban Environment

#### Objective SDUD-01

<b><u>SDUD-P1</u></b>	<u>Enable a variety of housing types and a mix of densities.</u>
<b><u>SDUD-P2</u></b>	<u>Provide for papakāinga, marae, Māori customary activities and commercial activities across urban and rural Rotorua to support Māori economic, social and cultural well-being.</u>
<b><u>SDUD-P3</u></b>	<p><u>Within the urban environment, limit heights and densities where it is necessary to recognise and provide for matters of national importance, or other matters of significance to Rotorua, including:</u></p> <ol style="list-style-type: none"> <li>1. <u>Nationally significant infrastructure;</u></li> <li>2. <u>Historic heritage;</u></li> <li>3. <u>Sites of significance to Maori and identified cultural values;</u></li> <li>4. <u>Outstanding natural features and landscapes;</u></li> <li>5. <u>Significant indigenous vegetation and significant habitats of indigenous fauna;</u></li> <li>6. <u>Maintenance and enhancement of public access along lakes and rivers;</u></li> <li>7. <u>Management of significant risks from natural hazards, including flooding and geothermal hazards.</u></li> </ol>

#### Objective SPUD-02

<b><u>SDUD-P4</u></b>	<u>Apply the MDRS across all relevant residential zones in the district plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).</u>
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#### Objective SDUD-013 and SPUD-04

<b><u>SDUD-P15</u></b> [12.3(1)(1)]	Identify areas within the district to meet future demand for residential development.
<b><u>SDUD-P6</u></b>	<p><u>Within the urban environment enable:</u></p> <ol style="list-style-type: none"> <li>1. <u>The highest density of development within and adjoining the City Centre, recognising that this location has access to the greatest range of commercial activities and community services in Rotorua;</u></li> <li>2. <u>A high density of development within the suburban centres of Ngongatahā and Owhata;</u></li> <li>3. <u>A medium density of development elsewhere in residential areas.</u></li> </ol>
<b><u>SDUD-P27</u></b> [12.3(1)(2)]	Ensure that development in the areas identified for new growth is carried out in a manner that meets the community's needs and avoids, remedies or mitigates adverse environmental effects.

**Development of the future growth areas and infrastructure**Objective ~~SDUD-O25~~

<b>SDUD-P<del>38</del></b> [12.3(2)(1)]	Identify the key infrastructural, community, cultural and environmental opportunities and constraints for each new growth area and ensure that these are reflected in the development of each area.
<b>SDUD-P<del>49</del></b> [12.3(2)(2)]	Ensure that the activities carried out in the future urban area do not generate adverse environmental effects and or compromise future land use.
<b>SDUD-P<del>510</del></b> [12.3(2)(3)]	Avoid fragmented development that results in inefficiencies in the provision of infrastructure.

**The provision of infrastructure**Objective ~~SDUD-O36~~

<b>SDUD-P<del>611</del></b> [12.3(3)(1)]	Manage urban subdivision and land development to connect with the existing infrastructure and transportation network, according to the capacity limitations of that network where available and the potential requirements for upgrading its capacity.
<b>SDUD-P<del>712</del></b> [12.3(3)(2)]	Require all subdivision and development to be coordinated with the planned provision of infrastructure, integrated with the transport network and the district's road hierarchy.
<b>SDUD-P<del>813</del></b> [12.3(3)(3)]	Provide for urban expansion where such growth does not adversely affect the safe and efficient use and development of land, roads and infrastructure.
<b>SDUD-P<del>914</del></b> [12.3(3)(4)]	Ensure a reasonable share of additional cost of infrastructure arising from subdivision and development is met by the applicant.

**~~Subdivision and development~~ Caldera Landscape**Objective ~~SDUD-O47~~

<b>SDUD-P<del>1015</del></b> [12.3(4)(1)]	Ensure that any development in the future development areas does not have an adverse impact on the caldera landscape.
<b>SDUD-P<del>1116</del></b> [12.3(4)(2)]	Manage development to ensure it will not unduly conflict with existing activities on adjoining properties, compromise future urban development potential or give rise to adverse effects on the amenity of the caldera.
<b>SDUD-P<del>1217</del></b> [12.3(4)(3)]	Ensure subdivision and development is designed in a manner that is cognisant of the amenity values associated with the Rotorua caldera and differences in amenity values within adjacent zones.

**The development of rural land**Objective ~~SDUD-O58~~

<b>SDUD- P1318</b> [12.3(5)(1)]	Restrict subdivision and development that compromise the safe, efficient and effective functioning of regionally significant infrastructure, including the transportation network.
<b>SDUD- P1419</b> [12.3(5)(2)]	Manage development to ensure it will not unduly conflict with existing activities on adjoining properties, compromise future urban development potential or give rise to adverse environmental effects.

### ~~Provision of safe and attractive residential spaces~~ Quality Environments

#### Objective SDUD-069

<b>SPUD-P20</b>	<u>Encourage subdivision, use and development to be designed to promote the health, safety and well-being of people and communities.</u>
<b>SPUD-P21</b>	<u>Provide for developments not meeting permitted activity status, while encouraging high-quality developments.</u>

#### Objective SPUD-10

<b>SDUD- P1522</b> [1.3(4)(1)]	Ensure that subdivision, use and development is directed to areas with existing or planned service connections and/or to land that is zoned for future growth.
<b>SDUD- P1623</b> [1.3(4)(2)]	Identify and zone appropriate areas of land for urban purposes to guide the future provision of infrastructure within the Rotorua District.
<b>SDUD- P1724</b> [1.3(4)(3)]	Avoid subdivision, use and development which results in the inefficient and/or uneconomic expansion of existing infrastructure and fragmented residential development.
<b>SDUD- P1825</b> [1.3(4)(4)]	Manage the demand on infrastructure by requiring subdivision, use and development to be adequately serviced by existing and/or planned provision of infrastructure including the transport network.

#### Objective SDUD-0711

<b>SDUD- P1926</b> [1.3(5)(1)]	Ensure that development in the areas identified for new growth is carried out in a manner that meets the community's needs and avoids, remedies or mitigates adverse environmental effects.
<b>SDUD- P2027</b> [1.3(5)(2)]	Manage development to ensure it will not unduly conflict with existing activities on adjoining properties, compromise future urban development potential or give rise to reverse sensitivity effects
<b>SDUD- P2128</b> [1.3(5)(3)]	Identify the key infrastructural, community, cultural and environmental opportunities and constraints for each future growth zone and ensure that these are planned for in the development of each area.
<b>SDUD- P2229</b> [1.3(5)(4)]	Ensure that the activities carried out in the future urban area prior to residential development do not generate adverse environmental effects and or compromise future land use.

### Commercial Activities Located within Non-Commercial Zones

#### Objective SDUD-012

<b>SDUD- P2330</b> [5.3(6)(1)]	Maintain strong boundaries to the city centre to consolidate and intensify retail, commercial and office activities within the city centre and protect the amenity of residential neighbourhoods.
<b>SDUD- P2431</b> [5.3(6)(2)]	Restrict the location of retail and commercial activities within other non-commercial areas of the district to ensure that the city centre continues to be the districts pre-eminent retail and commercial centre.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

<b>SDUD-AER1</b>	Increased economic and social well-being of the Rotorua residents by providing well planned subdivision and development.
<b>SDUD-AER2</b>	Increased availability of well-designed lots that are connected to existing infrastructure that has the capacity to service the full development potential of the site or that can be upgraded to cater for the growth demands.
<b>SDUD-AER3</b>	Structured and coherent subdivision and development that does not restrict future development potential and does not decrease the amenity and landscape characteristics of the surrounding area.
<b>SDUD-AER4</b>	The provision and development of a range of different lifestyle and living options.
<b>SDUD-AER5</b>	Development and subdivision that is coordinated with zoned and serviced land and cost-effective infrastructure provision.



# VIBRANT, COMPACT CITY CENTRE

Status: SDVC is Operative

## ISSUES

### SDVC-I1 A vibrant, compact city centre

The community expects our district to have a strong, vibrant city centre with a unique character. The District Plan aims to revitalise the city centre by consolidating business into the area and making it the focal point for commercial and cultural activity.

There is a need to further enforce these attributes of the city centre by promoting it as the key location within the district for commercial and retail investment to produce a vibrant city centre for Rotorua locals and visitors. This will be achieved by restricting the establishment of commercial activities in areas outside of the city centre where these are pedestrian orientated and more aligned with the amenity of the city centre zones. Definitions of the different types of retail will also help to clarify what retail and commercial activities are expected within each zone.

The city centre is likely to see significant changes that will have an impact on its form and function. Tourism development around the lakefront will improve the connection of the city centre to the lakefront and bring more activity to the lakefront.

The city centre boundaries reflect the precincts of the urban design framework. Areas of the city centre, particularly towards the lakefront, have new policy frameworks to promote tourist accommodation and commercial activity consistent with their location. The need for resource consents for building or renovating has been limited, and on-site parking in the city centre is no longer a consent requirement, this increasing activity and investment opportunities. Refer to CCZ- City Centre Zones for further detail.

### SDVC-I2 Commercial activities located within Non-Commercial Zones

A number of commercial and office activities that are suited for the city centre have established within residential or industrial environments. Locating such activities outside of the city centre leads to increased vacancy rates within the city centre, reduces activity and reduces the amenity of the city centre. To address this a suite of methods are adopted in the plan, including providing a strong boundary to the city centre to consolidate it, discouraging the establishment of commercial activities in non-commercial zones, providing guidance on the preferred location of commercial activities and enabling development within the city centre.

## OBJECTIVES

### SDVC-O1

[1.3(2)]

A city centre that provides residents and visitors with recreation, outdoor dining, retailing and entertainment, offices and commercial activities within a safe, attractive environment.

*Policies SDVC-P1 to SDVC-P5*

<b>SDVC-O2</b> [5.3(6)]	A compact city centre that is the primary commercial centre within the district for shopping, employment, city-living, entertainment, recreation and community events, (with this role not being compromised by commercial development in other locations). <i>Policies SDVC-P6 to SDVC-P7</i>
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## POLICIES

### Objective SDVC-O1

<b>SDVC-P1</b> [1.3(2)(1)]	Recognise the importance of the city centre as a built resource and social centre with strong links to the lakefront and the need for it to continue to develop to accommodate changing needs and demands of the community.
<b>SDVC-P2</b> [1.3(2)(2)]	Maintain a hierarchy of viable and vibrant commercial centres for retail, commercial and entertainment activities that complement and are subservient to the city centre.
<b>SDVC-P3</b> [1.3(2)(3)]	Manage the location and establishment of Large Format Retail to ensure these complement the city centre as a social and business hub.
<b>SDVC-P4</b> [1.3(2)(4)]	Maintain strong boundaries to the city centre to consolidate and intensify activities and protect residential neighbourhoods located in close proximity to the city centre.
<b>SDVC-P5</b> [1.3(2)(5)]	Provide diverse commercial centres that offer services and convenient retail activities that complement rather than compete with the city centre.

### Objective SDVC-O2

<b>SDVC-P6</b> [5.3(6)(1)]	Maintain strong boundaries to the city centre to consolidate and intensify retail, commercial and office activities within the city centre and protect the amenity of residential neighbourhoods.
<b>SDVC-P7</b> [5.3(6)(2)]	Restrict the location of retail and commercial activities within other non-commercial areas of the district to ensure that the city centre continues to be the districts pre-eminent retail and commercial centre.

#### Advice Note:

For the rules relating to the city centre please refer to CCZ- City Centre Zones.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

<b>SDVC-AER1</b>	Efficient use of existing buildings and increased development within the city centre, supporting this as the principal commercial, retail and civic centre of Rotorua.
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# WATER QUALITY AND THE AMENITY OF LAKESIDE ENVIRONMENTS

Status: SDWQ is Operative

## ISSUES

### **SDWQ-I1 Water quality and the amenity of lakeside environments**

The Rotorua lakes provide high levels of aesthetic, cultural, natural and recreational values and play a significant role in the tourism industry of Rotorua. A number of lakeside settlements have also established along the margins of many Rotorua lakes due to these values. These lakeside settlements also play a role in the district's tourism industry by providing holiday home accommodation set within unique environments.

The District Plan has a role to play in achieving a balance between providing for these lakeside settlements and their associated activities, the recreational activities located on waterbodies and maintaining the character, visual and cultural values associated with the lakes and rivers.

The degradation of water quality within the Rotorua waterbodies and the restoration, protection and enhancement of the health and well-being of the Rotorua waterbodies, the Waikato River and their margins is an important issue for the district to address. The District Plan has a role in this through managing the effects of land use. This role is complementary to the regional councils' role of controlling nutrient discharge from land use activities and undertaking remedial works. Through the implementation of each of these roles, subsequent biodiversity, habitat and ecological functions of the waterbodies will also be maintained, helping to enhance the natural character managed under Natural Environmental Values.

The District Plan also promotes riparian zones that separate pastoral land from waterbodies. Appropriate location of buildings, waste disposal equipment and structures that house animals are permitted activities that do not require resource consent. See RRZ Rural Zones for further detail.

Te Arawa Lakes Trust, Rotorua District Council, and the Bay of Plenty Regional Council work collaboratively to ensure the on-going management, restoration, and rehabilitation of the health of the Rotorua waterbodies. Joint Management Agreements have also been established under the Waikato Tainui Raupatu Claims (Waikato River) Settlement Act 2010. These cover the Waikato River and intend to implement the Waikato River Vision and Strategy (*Te Ture Whaimana o Te Awa o Waikato*). Similar mechanisms are being developed for the Kaituna River.

Our district's lakes, rivers and streams are of great cultural, historic and heritage value. Rotorua District Council, Bay of Plenty Regional Council, and Te Arawa Lakes Trust are working with other partners on a range of initiatives such as the Oturoa Agreement to mitigate the effects of nutrient runoff from pastoral farming, sewage leachate from residential areas and other inputs from the commercial and industrial sectors. There is a focus on the Lake Rotorua Catchment.

The District Plan has a role in contributing to the enhancement of water quality through managing the effects of land use and enabling land use change.

## OBJECTIVES

<b>SDWQ-O1</b> [1.3(1)]	The enhancement of water quality and management of Rotorua's water bodies and the lake and riverside environments to improve the environmental, cultural, social and economic well-being of Rotorua. <i>Policies SDWQ-P1 to SDWQ-P4</i>
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## POLICIES

*Objective SDWQ-O1*

<b>SDWQ-P1</b> [1.3(1)(1)]	Manage the recreational use of the Rotorua lakes and rivers to avoid, remedy or mitigate adverse effects on visual, cultural, social and environmental values of water bodies.
<b>SDWQ-P2</b> [1.3(1)(2)]	Enable the continued use and development within lake and river side settlements whilst maintaining amenity values and enhancing water quality of water bodies and their margins.
<b>SDWQ-P3</b> [1.3(1)(3)]	Manage subdivision, use and development where the proposal will contribute to the improvement of lake water quality within Lake Rotorua.
<b>SDWQ-P4</b> [1.3(1)(4)]	Manage subdivision, use and development in a manner that restores, protects and enhances the health and wellbeing of the Waikato and Kaituna Rivers.

Advice Note:

For the rules relating to Water Quality and the Amenity of Lakeside Environments please refer to RESZ- Residential Zones, RRZ- Rural Zones, CNSZ- Conservation Reserves Zone, DSTZ- Destination Reserve Zone, WTRZ- Water Zone and SUB- Subdivision.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

<b>SDWQ-AER1</b>	Improved water and habitat, quality of streams, rivers and lakes and their associated ecosystems.
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# Part 2: District Wide Matters

## SUBDIVISION – WĀHIA TE WHENUA

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# SUB

## SUBDIVISION– WĀHIA TE WHENUA

Status: SUB is Operative and subject to Plan Change 9. Plan Change 9 amendments are shown in underline and ~~strikethrough~~.

### INTRODUCTION

Subdivision is a legal process that can create new land parcels, or alter existing boundaries. It is often the first step in the development process and can determine the long term pattern of future land use, therefore careful management is required to make sure long-lasting impacts are positive. The subdivision of land releases further potential for development in accordance with the plan for each lot created. The effects of the potential development may have significant environmental effects.

As well as creating new land parcels, the process is also used to adjust boundaries, to create unit titles and to create or extinguish easements such as rights of way, for example.

Land that is subdivided needs to be suitable for the purposes to which it will serve. There are many natural or man-made hazards that may affect the suitability of land. Sustainable development makes efficient use of infrastructure and utility services. Not all land can easily connect to existing infrastructure networks. Subdivision requires management to ensure that land is suitable and can be serviced.

Land to be subdivided should be appropriately located to ensure that activities on the subdivided land do not result in reverse sensitivity effects on the existing lawfully established activities.

Esplanade reserves and strips are used to protect significant ecological areas, riparian habitats and outstanding natural features, and to secure public access alongside the lakes, rivers and streams. Esplanade reserves or esplanade strips are vested in the council, or registered in accordance with Sections 231 and 232 of the Resource Management Act 1991 (RMA). This supports council's role in giving effect to Part 6 of the RMA through maintaining and enhancing public access to the lakes, rivers and streams for the communities' future use.

### ISSUES

There are eight key issues influencing the policy framework for subdivision. In addition, there is the issues of reverse sensitivity, which is a common issue throughout this plan; and the issue of public access to lakes, rivers and streams, which relates to the esplanade provisions.

#### **SUB-I1 Subdivision and water quality**

Lake water quality is being adversely affected by high nutrient output activities within the lake catchments. There are a number of factors that influence water quality, including natural processes such as run off, sedimentation and volcanic activity, water fowl, industry and urban sewage. Primary agricultural production is a significant source of nutrient discharges that reach streams, rivers and wetlands and ultimately reach the lakes. While controlling discharge to water is primarily a regional council function the district plan controls land use and subdivision. Incentives to encourage land use change from high nutrient output agricultural production activities to lower nutrient output activities are encouraged by objectives and policies in this Plan. In order to

ensure that land use change contributes to improved water quality and nutrient discharges are reduced, subdivision rights may be given where it can be demonstrated there will be land use change that will result in sustainable positive effects on Significant Natural Areas, the margins of water bodies and lake water quality. Extra subdivision rights for these reasons need to be balanced against maintaining rural character and ensuring land is held in sustainably sized lots to allow flexibility of rural land use into the future.

Subdivision design is determined by the rules which include minimum site areas for example. Compliance with the rules can become the key consideration for design rather than the natural characteristics of the site. Site specific design of subdivisions allows a better solution in some cases and therefore proposals should be assessed giving positive weight to good design solutions.

### **SUB-12 Natural and manmade constraints**

The RMA provides council with the ability to refuse subdivision consent in circumstances where land is, or is likely to be, subject to material damage by erosion, falling debris, subsidence (including liquefaction), slippage, or inundation from any source. In the Rotorua District, geothermal activity can be a factor in erosion, subsidence or inundation. Other significant site suitability issues for Rotorua include:

1. Geothermal activity
2. Young soils that are highly erodible
3. Catchments with short duration, high intensity storm events
4. Ephemeral gully systems
5. Lake edge inundation
6. Surface water inundation
7. Fault lines
8. Liquefaction
9. Historic and present lake and stream margins

Conditions can be imposed on subdivision or land use consents to mitigate the risk of human generated hazards, such as contamination, or natural hazards. Where the effects cannot be mitigated, consent may not be granted. However there are areas where there are strong cultural associations with living in active geothermal systems where hazards are accepted. The villages of Ōhinemutu and Whakarewarewa are of high geothermal activity that are subject to special management.

### **SUB-13 The provision of adequate services to potential subdivisions**

Subdivision may create demand for infrastructure and services beyond the boundaries of the site. Council must ensure that any subdivision is provided with infrastructure and services which will adequately meet the requirements of the anticipated permitted land use activities. Infrastructure and services, including roads may already have available capacity or there may be deficiencies that will have to be addressed before the subdivision and consequential future land use can proceed. Any infrastructure upgrading will need to be addressed with the appropriate infrastructure and service providers. A financial contribution for upgrading of infrastructure and other growth impacts may be required at the time of subdivision for a variety of purposes set out in FC Financial Contributions.

An increase in extreme weather events and associated natural hazards is predicted in the foreseeable future. This may include an increase in short duration, intense rainfall or conversely extended periods without rain at all. Subdivision and servicing requirements must take into account the impact of climate change, particularly higher intensity rainfall events, by designing for these more extreme events.

Subdivision may require a new framework of roads, public reserve space, infrastructure and utility services. The subdivider must ensure that these are designed and provided in a manner that enables integrated management of public infrastructure and spaces in accordance with council's and other infrastructure providers' adopted standards and strategic priorities.

#### **SUB-14 Sustainable design and development of land**

Sites need to be designed to allow for sustainable land use. Subdivision can adversely affect amenity values when not designed sympathetically with the surrounding environment. Good design of subdivisions can positively impact on the level of safety and comfort for the people using them and can also improve health and energy efficiency, and the overall character of an area. The reverse is true of subdivisions that haven't considered these aspects adequately in their design. Consideration needs to be given to principles of urban design, because of these significant potential positive effects on the environment.

Setting minimum site sizes [and shape factor requirements for vacant lot subdivision in the Residential 1 Medium Zone and Residential 2 High Density Zone, and minimum site sizes](#) and useable open space standards [for other zones](#), coupled with the yard, site coverage and height performance standards in each of the zones, enables sites to be created of a size and shape that can accommodate future land uses in a practical way.

Subdivision design can facilitate sufficient privacy and space around residential buildings. It should also ensure that sites are suitable for their intended future use in a way that makes best use of the site characteristics and sustainable development.

Connectivity is also a key consideration when designing a subdivision. Developing a compact urban area that allows for effective and varied forms of transport and pedestrian connections is important to achieve a sustainable city.

In rural areas of the district, privacy and distance to neighbours is less of an issue as sites have larger areas. However, there is a need to ensure the rural qualities and characteristics, such as the relative quiet, sense of open space and predominantly unbuilt landscape are maintained.

Productive rural land (in particular versatile land) is a valuable finite resource on which rural production activities rely. Those activities are in turn significant contributors to the district's economy. Fragmentation of the rural land resource for purposes unrelated to rural production has the potential to constrain or compromise the ability to use such land for a range of productive purposes

#### **SUB-15 ~~Infill residential subdivision~~**

~~Infill subdivision refers to further subdivision of already established residential areas. In the urban area there are large lots that are able to be further subdivided, typically one lot divided into two. This plan provides a balance, ensuring that infill subdivision of a site does not impact on the privacy and amenity enjoyed by adjacent sites, or on the environmental quality and character of the neighbourhood.~~

~~There are challenges associated with sites that are marginal for infill subdivision. Some sites may be affected by restricted access, natural hazards, servicing limitations, geotechnical constraints, or may have limited practical outdoor living space. In addition, the location of existing buildings or structures may limit future development. Appropriate access, privacy, orientation for maximum solar access, practical outdoor space and on-site parking and turning may be considered when determining the potential of a site for infill subdivision. Land use that follows infill subdivision increases the site coverage and hard surface coverage areas of land which in turn reduce areas available for on-site disposal of stormwater. Careful consideration must be given to solutions for stormwater collection and disposal in infill situations to avoid negative effects on adjoining properties and existing infrastructure from more intense development.~~

### **SUB-16 Natural features, cultural and historic heritage**

Natural features and cultural and historic heritage values may be adversely affected by activities resulting from subdivision. These need to be identified and protected at the time of subdivision.

Sites that have potential for subdivision may have vegetation that contributes to the quality of the environment. This may be an individual tree, or a diverse range of specimens that together create a habitat that supports a particular rare plant, insect or animal species, for example. Works before and after subdivision can lead to biodiversity loss and the depletion of ecological functions, indigenous vegetation and habitat, or have an adverse impact on Outstanding Natural Features and Landscapes and Significant Geothermal Features. The existing natural character and features of a site, indigenous biodiversity and ecosystem functions need to be assessed and considered in the design of a subdivision.

Equally, sites may include built historic heritage, archaeological finds, or a feature with cultural value that may be lost through subdividing a site without giving adequate consideration to a design that respects those features.

A method of protecting the natural values of water bodies and providing public access to water bodies is to acquire esplanade reserves and esplanade strips. These are instruments that can be vested in council or created at the time of subdivision to assist with improving public access and recreational use and for conservation purposes.

This rules in this chapter contain a specific section on esplanade acquisition.

### **SUB-17 Landscape of the Rotorua Caldera**

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 to provide a natural setting to the Rotorua urban area.

### **SUB-18 Strategic infrastructure and existing lawfully established activities**

The type, design and locations of development can generate adverse reverse sensitivity effects on strategic infrastructure, such as the road, electricity and road networks. Activities located on sites within the national grid subdivision corridors, or those that generate effects that can affect traffic movements and safety of the road network must be managed so infrastructure can operate efficiently and safely. Subdivision should be appropriately designed to ensure that activities on the subdivided land do not result in reverse sensitivity effects on existing lawfully established activities.

### **SUB-19 Reverse sensitivity**

The establishment of new activities within incompatible zones or in close proximity to existing activities that have a different level of amenity can create adverse reverse sensitivity effects. This has the ability to reduce the efficient operation of the existing activities or undermine the intended amenity of the zone. Examples include residential activities locating in rural working environments or industrial zones. These latter zones provide for the establishment and operation of a range of activities that play a significant role in the economy of Rotorua, align with the intended amenity of the zone and therefore have priority.

### **SUB-110 Public Access to lakes, rivers and streams**

The creation of esplanade reserves and strips is the most secure and effective mechanism to provide public access to these waterbodies, while they may not be appropriate in all areas. Their purpose under the RMA is to provide public access to and along these water bodies, to contribute to the protection of the natural character and water quality of lakes, rivers, streams, and enable recreational use of an esplanade reserve or strip where it is compatible with the conservation values attributed to it. Activities should be promoted which enhance and enable the public's ability to enjoy waterbodies and their margins. Activities that require exclusive use or impede other's use and enjoyment of the district's water bodies need to be managed to ensure that the purpose of



these reserves is maintained and provide for the public's ability to enjoy the district's water bodies, whilst respecting adjacent land owners.

## OBJECTIVES

### Subdivision and water quality

<b>SUB-01</b> [13.3(1)(1)]	Subdivision enables definitive land use change which results in significant reductions in nutrients losses, thereby contributing to water quality improvements in the lakes, rivers, streams, wetlands and other water bodies within the District.  <i>Policies SUB-P1 to SUB-P4</i>
<b>SUB-02</b> [13.3(2)]	Subdivision layout and design contributes to improvements in water quality through the management of riparian margins, stormwater treatment and wastewater treatment.  <i>Policy SUB-P5</i>

### Natural and manmade hazards

<b>SUB-03</b> [13.3(3)]	Subdivision where man-made and natural hazard risk does not exceed acceptable levels.  <i>Policies SUB-P6 to SUB-P7</i>
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### Provision of adequate services to potential subdivisions

<b>SUB-04</b> [13.3(4)]	Sites and associated roads integrate safely and efficiently within the transport network  <i>Policies SUB-P8 to SUB-P14</i>
<b>SUB-05</b> [13.3(5)]	Adequate infrastructure and services are provided to each site to accommodate the potential development.  <i>Policies SUB-P15 to SUB-P25</i>
<b>SUB-06</b> [13.3(6)]	New public open spaces designed to be safe for use are provided, or existing spaces are enhanced proportionate to the development capacity of the site.  <i>Policies SUB-P26 to SUB-P28</i>
<b>SUB-07</b> [13.3(7)]	An esplanade reserve network adjoining the district's lakes and adjoining the rivers and streams for the purposes of protecting conservation values, enabling public access and improving water quality.  <i>Policy SUB-P29</i>

### Sustainable design and development of land

<b>SUB-08</b> [13.3(8)]	Maintain and enhance the district's productive capacity of rural land, amenity, biodiversity, landscape, ecological values and character through subdivision and development.  <i>Policies SUB-P30 to SUB-P35</i>
<b>SUB-09</b> [13.3(9)]	A compact urban area that provides for various transport options.  <i>Policies SUB-P36 to SUB-P37</i>

### Natural features and cultural historic heritage

<b>SUB-O10</b> [13.3(10)]	Protect and enhance the district's natural environment by maintaining its natural character and functioning, cultural and historic heritage, Outstanding Natural Features and Landscapes, Significant Geothermal Features, Significant Natural Areas and indigenous biodiversity. <i>Policies SUB-P38 to SUB-P39</i>
<b>SUB-O11</b> [13.3(11)]	Identify and protect the district's cultural landscapes, built features and cultural and archaeological sites. <i>Policy SUB-P40</i>

### Landscape of the Rotorua Caldera

<b>SUB-O12</b> [13.3(12)]	A Rotorua caldera rim that maintains its rural character and a high level of amenity and is highly valued by the Rotorua community. <i>Policy SUB-P41</i>
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### Strategic infrastructure

<b>SUB-O13</b> [13.3(15)]	Subdivision occurs in a manner that integrates safely and efficiently with existing strategic infrastructure. <i>Policies SUB-P42 to SUB-P43</i>
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### Reverse sensitivity

<b>SUB-O14</b> [13.3(14)]	Subdivision design that prevents reserve sensitivity effects on existing lawfully established activities. <i>Policy SUB-P45</i>
<b>SUB-O15</b> [1.3(10)]	Subdivision, use and development that enables the continued efficient operation of existing development and activities. <i>Policy SUB-P45</i>

### Advice Note

See also the objectives and policies of PA- Public Access under the Natural Environmental Values heading.

## POLICIES

### Subdivision and water quality

#### Objective SUB-O1

<b>SUB-P1</b> [13.3(1)(1)]	Provide additional subdivision opportunities to incentivise definitive land use changes which result in significant reductions in nutrient losses in the Lake Rotorua groundwater catchment.
<b>SUB-P2</b> [13.3(1)(2)]	Ensure that subdivision for the purpose of providing an incentive to land use change to improve water quality remedies or mitigates adverse effects on versatile land and the character and amenity of the zone.
<b>SUB-P3</b> [13.3(1)(3)]	Provide incentives for: <ol style="list-style-type: none"> <li>1. The long term protection of:           <ol style="list-style-type: none"> <li>a. Significant Natural Areas</li> <li>b. Gullies or margins of water bodies</li> </ol> </li> <li>2. Significant reductions in nutrient losses.</li> </ol>

<b>SUB-P4</b> [13.3(1)(4)]	Require indigenous revegetation and maintenance of land and riparian areas that are: <ol style="list-style-type: none"> <li>1. Susceptible to erosion</li> <li>2. Along lakeshore and other riparian margins.</li> </ol>
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Objective SUB-02

<b>SUB-P5</b> [13.3(2)(1)]	Ensure subdivision design avoids, remedies or mitigates the adverse cumulative effects on water quality from stormwater and on site waste water treatment systems including through the use of low impact design.
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**Natural and manmade hazards**

Objective SUB-03

<b>SUB-P6</b> [13.3(3)(1)]	Require that applications for subdivision demonstrate that man-made and natural hazard risk does not exceed acceptable levels.
<b>SUB-P7</b> [13.3(3)(2)]	Restrict subdivision where land is subject to natural hazards, including: <ol style="list-style-type: none"> <li><del>1. Inundation-Flooding</del></li> <li>2. High water tables</li> <li>3. Geothermal activity</li> <li>4. Subsidence (including liquefaction)</li> <li>5. Slippage</li> <li>6. Falling debris</li> <li>7. Erosion</li> <li>8. Soil instability</li> <li>9. Fault lines</li> <li>10. Liquefaction</li> </ol> <p>Such that the site would be unusable or unsafe or that the natural hazard risk exceeds acceptable levels.</p>

**Provision of adequate services to potential subdivisions**

Objective SUB-04

<b>SUB-P8</b> [13.3(4)(1)]	Require that sites are provided with safe and efficient links for pedestrians, cyclists and vehicles providing connectivity to the existing transport network and to local services and facilities at the time of subdivision.
<b>SUB-P9</b> [13.3(4)(2)]	Require that sites are connected with the existing transport infrastructure in a manner that does not compromise connection with future subdivision or development of both the proposed and adjoining sites.
<b>SUB-P10</b> [13.3(4)(3)]	Require safe and practical, legal and physical access suitable for the proposed activities.
<b>SUB-P11</b> [13.3(4)(4)]	Lot shape and size that is capable of accommodating permitted activity in the zone, including on-site parking and turning.

<b>SUB-P12</b> <i>[13.3(4)(5)]</i>	Flexible road design that ensures: <ol style="list-style-type: none"> <li>1. Roads can perform their functions within the district's roading hierarchy</li> <li>2. Sufficient width is provided for the laying of services within the road berm</li> <li>3. Landscaping does not adversely affect the integrity of services</li> <li>4. The context of the subdivision and requirement for on-site car parking are considered</li> <li>5. Practical streetscape amenity is provided.</li> </ol>
<b>SUB-P13</b> <i>[13.3(4)(6)]</i>	The layout of subdivision and of subsequent development particularly dwellings is designed and maintained to avoid, remedy or mitigate reverse sensitivity from road or rail noise.
<b>SUB-P14</b> <i>[13.3(4)(7)]</i>	Avoid, remedy or mitigate the adverse effects of activities on the transport network within the road hierarchy and the safe and effective functioning of the wider transport network by: <ol style="list-style-type: none"> <li>1. Providing on-site vehicle parking, loading, turning where necessary and site access, as well as pedestrian access</li> <li>2. Considering the impact of increased traffic movement on the transport network, including the wider network intersections.</li> </ol>

*Objective SUB-O5*

<b>SUB-P15</b> <i>[13.3(5)(1)]</i>	Require that connections to the public reticulated water supply, stormwater and sanitary sewerage systems are made at time of subdivision wherever a reticulated system is available.
<b>SUB-P16</b> <i>[13.3(5)(2)]</i>	Ensure applications for subdivisions demonstrate that the water supply capacity, including capacity for firefighting purposes, is sufficient for the development.
<b>SUB-P17</b> <i>[13.3(5)(3)]</i>	Provide for potable water supply to a suitable standard to all lots or lease areas at time of subdivision.
<b>SUB-P18</b> <i>[13.3(5)(4)]</i>	Ensure applications for subdivision demonstrate that the system for the disposal of sewage is adequate for the development
<b>SUB-P19</b> <i>[13.3(5)(5)]</i>	Provide for a system for the disposal of sewage in a manner that minimises adverse effects on water quality, the environment and public health to all lots or lease areas at time of subdivision.
<b>SUB-P20</b> <i>[13.3(5)(6)]</i>	Require that applications for subdivision demonstrate an effective system for the collection, treatment and disposal of stormwater suitable for the intended use, existing building, roads, shared access, reserves, or works created by subdivision.
<b>SUB-P21</b> <i>[13.3(5)(7)]</i>	Ensure adequate provision is made at the time of subdivision for connections to electricity, telecommunications and broadband services for lots or lease areas created by subdivision.
<b>SUB-P22</b> <i>[13.3(5)(8)]</i>	Ensure adequate provision is made at the time of subdivision for connections to the natural gas network for lots or lease areas created by subdivision where existing gas reticulation is available.
<b>SUB-P23</b> <i>[13.3(5)(9)]</i>	Avoid subdivision which results in the uneconomic or inefficient expansion of existing infrastructure.

<b>SUB-P24</b> [13.3(5)(10)]	Require adequate capacity at the time of subdivision to serve all lots and lease areas created with potable water supply, sewage disposal, power, telecommunications and stormwater disposal suitable for the maximum potential number of <del>household</del> <u>residential</u> units allowed for as a permitted or controlled activity.
<b>SUB-P25</b> [13.5(5)(11)]	Require road access to adjoining sites to ensure: <ol style="list-style-type: none"> <li>1. Future potential development is not precluded by the layout of a subdivision</li> <li>2. That communities are connected through an integrated road network.</li> </ol>

*Objective SUB-O6*

<b>SUB-P26</b> [13.5(6)(1)]	Provide public neighbourhood reserves on suitable land that improve community recreation opportunities.
<b>SUB-P27</b> [13.5(6)(2)]	Ensure the principles of Crime Prevention Through Environmental Design (CPTED) are considered when incorporating public open spaces into a subdivision.
<b>SUB-P28</b> [13.5(6)(3)]	Provide and enhance public open spaces where: <ol style="list-style-type: none"> <li>1. There are opportunities to strengthen connections with stream, river or lake margins</li> <li>2. Visual connections with significant landforms, features or waterways can be achieved</li> <li>3. There are opportunities to provide connection to, and to consolidate with, other public spaces</li> <li>4. The reserves can be easily accessed by surrounding residents, are overlooked and can be used safely</li> <li>5. There are appropriate opportunities to protect significant natural and cultural features included in the schedules to Historical and Cultural Values and Natural Environmental Values.</li> </ol>

*Objective SUB-O7*

<b>SUB-P29</b> [13.5(7)(1)]	Require esplanade reserves and esplanade strips where appropriate, on sites that adjoin lakes, rivers and streams of the district including those shown on the urban and rural series planning maps to maintain and enhance natural character, water quality, aquatic habitats, public access and ecological connectivity.
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**Sustainable design and development of land***Objective SUB-O8*

<b>SUB-P30</b> [13.3(8)(1)]	Subdivision layout and design retains natural landforms and processes on the site and surrounding land and avoids or mitigates alterations to landform, waterways and ecosystems.
<b>SUB-P31</b> [13.3(8)(2)]	<u>Residential 1 and 2 Zones: Require subdivision to deliver sites that are of an appropriate size and shape for the form of development enabled by the zone.</u> <u>Other Zones:</u> Require that subdivision maintains and enhances the character, landscape and amenity values of <u>the zone each zone in the district.</u>
<b>SUB-P32</b> [13.3(8)(3)]	Avoid subdivision that results in the fragmentation of rural land that results in: <ol style="list-style-type: none"> <li>1. The productive capacity of soil being reduced</li> <li>2. Unplanned effects on infrastructure and a demand for public infrastructure</li> <li>3. A potential increase in reverse sensitivity effects on adjacent rural activities.</li> </ol>
<b>SUB-P33</b> [13.3(8)(4)]	Enable subdivision that provides an incentive to the long term protection of a Significant Natural Area, a gully or the margins of a waterbody.

<p><b>SUB-P34</b> [13.3(8)(5)]</p>	<p>Subdivision and development minimises adverse effects on existing vegetation that contributes to amenity and enhances the landscape of the surrounding area by:</p> <ol style="list-style-type: none"> <li>1. Retaining existing established trees and vegetation on sites, particularly where the vegetation: <ol style="list-style-type: none"> <li>a. Is next to a stream, river, wetland or lake margin</li> <li>b. Adds positively to the environment</li> <li>c. Is an integral part of the wider landscape</li> </ol> </li> <li>2. The appropriate revegetation and enhancement with native species.</li> </ol>
<p><b>SUB-P35</b> [13.3(8)(6)]</p>	<p>Subdivision and subsequent development minimises adverse effects on vegetation that contribute to amenity and enhance the landscape of the surrounding area by promoting the revegetation of areas with appropriate indigenous vegetation where positive benefits can be achieved for the purpose of:</p> <ol style="list-style-type: none"> <li>1. Enhancing stormwater control</li> <li>2. Assisting in improving the quality of water by reducing nutrients that eventually enter the streams, rivers, wetlands and lakes</li> <li>3. Retiring areas that are unsuitable for grazing</li> <li>4. Aiding the stabilisation of land at risk of slippage</li> <li>5. Providing links between existing areas of significant indigenous vegetation</li> <li>6. Enhancing landscape and natural character</li> <li>7. Restoration and enhancement of habitat for indigenous fauna</li> <li>8. In areas adjoining already protected features</li> <li>9. In areas where positive benefit can be made in improving biodiversity and ecological corridors.</li> </ol>
<p><b><u>SUB-P35A</u></b></p>	<p><u>Provide for subdivision around existing development, and where it enables creation of sites for uses that are in accordance with an approved land use resource consent and where there is compliance with District-wide and zone rules.</u></p>

## Objective SUB-09

<p><b>SUB-P36</b> [13.3(9)(1)]</p>	<p>Provide for subdivision that promotes cycling and pedestrian linkages through the urban area.</p>
<p><b>SUB-P37</b> [13.3(9)(2)]</p>	<p>Require where appropriate the establishment and maintenance of indigenous vegetation within areas retired from existing rural land use, including the control and eradication of pest plants.</p>

**Natural features and cultural historic heritage**

## Objective SUB-010

<p><b>SUB-P38</b> [13.3(10)(1)]</p>	<p>Avoid subdivision of sites unless the features listed below are sensitively incorporated into the subdivision design and the values associated with these features are protected:</p> <ol style="list-style-type: none"> <li>1. Streams, rivers, wetlands, lakes and their margins</li> <li>2. Outstanding natural features and landscapes and landforms</li> <li>3. Geothermal surface features</li> <li>4. Cultural and historic heritage landscapes, sites and features</li> <li>5. Significant indigenous vegetation and habitat of indigenous fauna.</li> </ol>
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<b>SUB-P39</b> [13.3(10)(2)]	Require where appropriate the establishment and maintenance of indigenous vegetation within areas retired from existing rural land use, including the control and eradication of pest plants.
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Objective SUB-O11

<b>SUB-P40</b> [13.3(11)(1)]	Ensure that subdivision of a site that includes a feature of cultural significance includes measures to protect it from potential adverse effects of the future development of the land.
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### Landscape of the Rotorua Caldera

Objective SUB-O12

<b>SUB-P41</b> [13.3(12)(1)]	Ensure that new subdivision and development within the Rotorua caldera rim is consistent with the design guidelines identified in the Boffa Miskell Ltd report 'Rotorua Caldera Rim - Caldera Rim Rural Character Design Guideline, September 2012', which seeks to avoid, remedy or mitigate the visual impact of new development.
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### Strategic infrastructure

Objective SUB-O13

<b>SUB-P42</b> [13.3(15)(1)]	Avoid subdivision which results in significant adverse effects on established strategic infrastructure.
<b>SUB-P43</b> [13.3(15)(2)]	Facilitate good urban design outcomes by taking existing strategic infrastructure into account in subdivision design.

### Reverse sensitivity

Objective SUB-O14 and Objective SUB-O15

<b>SUB-P44</b> [1.3(10)(1)], [13.3(14)(1)]	Ensure that new subdivision and development will not have reverse sensitivity effects on lawfully established activities.
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## RULES

The subdivision rules in this chapter are divided into three categories:

1. The first are the [Zone Specific Rules](#), which apply separately to each zone.
2. Following these are the [All Zones Subdivision Rules](#), which address specific issues such as subdivision in areas with natural hazards or near key infrastructure (the national grid or Rotorua Regional Airport).
3. The third category are the [Esplanade Reserve Requirements](#) which apply to subdivision that adjoins or is within 20m of a stream, river or lake (see SUB-R44 and R45).

Additional subdivision rules are also contained in the following Development Area chapters:

1. Pukehāngi Heights Development Area;
2. Wharenui Development Area; and
3. Ōtaramarae Development Area

Financial contribution requirements are contained in a separate chapter in FC – Financial Contributions.

Subdivision will be assessed against all of these: the subdivision rules for the relevant zone, the rules for 'All Zones' (if relevant), any relevant Development Area rules, esplanade requirements and financial contribution

requirements. The relevant zone chapters in which the site is located and other chapters must also be referenced when preparing a subdivision application. For example, performance standards relating to yard setbacks need to be considered where there are existing buildings close to new boundaries.

The National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) will also need to be considered where the land is potentially affected by contaminants. Other national environmental standards may also be relevant to the subdivision and intended use of the land.

**Links to the rule categories are provided below:**

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## Zone Specific Subdivision Rules

## Residential Zones

General			
<b>SUB-R1</b>		<b>The subdivision of sites or buildings not otherwise stated below</b>	
		<i>[13.5(1)(2)]</i>	
<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>a. Residential zones, site design <a href="#">SUB-S1</a>;</li> <li>b. Site suitability <a href="#">SUB-S8</a>;</li> <li>c. Site serviceability <a href="#">SUB-S9</a>; and</li> <li>d. Other <a href="#">SUB-S14</a>.</li> <li>e. Relevant performance standards for the zone and other relevant provisions of the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.</li> </ol> <b>Matters of control:</b> <ol style="list-style-type: none"> <li>a. General <a href="#">SUB-MC1</a>.</li> </ol>	<b>2.</b>	<b>Activity Status:</b> Discretionary <b>Where:</b> Compliance not achieved with the performance standards in SUB-R1(1) <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>a. General <a href="#">SUB-AC1</a>.</li> </ol>
<p style="color: green;"><b><u>Notification Residential 1 and 2 Zones:</u></b></p> <ol style="list-style-type: none"> <li>a. <u>An application for resource consent for subdivision of land in the Residential 1 or 2 Zones associated with the construction and use of residential units will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991) in the following circumstances:</u> <ol style="list-style-type: none"> <li>i. <u>The subdivision is associated with the construction and use of no more than 3 residential units on a site that do not comply with 1 or more of the following standards and provided other standards are met:</u> <ol style="list-style-type: none"> <li>1. <u>Height RESZ-S1: (1) or (1A)</u></li> <li>2. <u>Yards RESZ-S2: (1)</u></li> <li>3. <u>Site Coverage RESZ-S3: (1)(a) or (2)(a)</u></li> <li>4. <u>Design and Landscaping RESZ-S6: (2)(a)(i) to (ii); (3); (4)(a); and (6)(a) to (b).</u></li> </ol> </li> <li>ii. <u>The subdivision is associated with the construction and use of four or more residential units on a site that comply with the standards in (i)(1) to (4), provided that other performance standards are met.</u></li> </ol> </li> <li>b. <u>Any application for resource consent for an activity not captured by a) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.</u></li> </ol>			

Specific Activities		
<b>SUB-R2</b>		<b>The subdivision of sites or buildings for the purpose of a boundary adjustment</b>
<i>[13.5(1)(4), 13.5(1)(5)]</i>		
<b>Applicable Spatial Layers</b> All Residential Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Site suitability <a href="#">SUB-S8</a>;</p> <p>b. Site serviceability <a href="#">SUB-S9</a>; and</p> <p>c. Boundary adjustments <a href="#">SUB-S11</a>.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R2(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>
<b>SUB-R3</b>		<b>The subdivision of sites or buildings for the purpose of creating a reserve</b>
<i>[13.5(1)(6), 13.6(1)(5)]</i>		
<b>Applicable Spatial Layers</b> All Residential Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The subdivision is for the sole purpose of creating a reserve in accordance with Reserves Act 1977, the Te Ture Whenua Māori Act 1993/Māori Land Act 1993 or Resource Management Act 1991.</p> <p><b>Performance Standards:</b></p> <p>a. Site suitability <a href="#">SUB-S8</a>;</p> <p>b. Site serviceability <a href="#">SUB-S9</a>;</p> <p>c. Subdivision for creating reserves <a href="#">SUB-S12</a>; and</p> <p>d. Other SUB-S14.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R3(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>
<b>SUB-R4</b>		<b>The subdivision of a cross lease title occupied by one or more existing <del>household residential</del> units to create freehold titles</b>
<i>[13.5(1)(11)]</i>		
<b>Applicable Spatial Layers</b> All Residential Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Other <a href="#">SUB-S14</a>.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R4(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>
<p><b><u>Notification Residential 1 and 2 Zones:</u></b></p> <p>a. <u>An application for resource consent for subdivision of land in the Residential 1 or 2 Zones associated with the construction and use of residential units will be considered without public or limited notification or the need to obtain written approval from</u></p>		

	<p><u>affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991) in the following circumstances:</u></p> <p>i. <u>The subdivision is associated with the construction and use of no more than 3 residential units on a site that do not comply with 1 or more of the following standards and provided other standards are met:</u></p> <ol style="list-style-type: none"> <li>1. <u>Height RESZ-S1: (1) or (1A)</u></li> <li>2. <u>Yards RESZ-S2: (1)</u></li> <li>3. <u>Site Coverage RESZ-S3: (1)(a) or (2)(a)</u></li> <li>4. <u>Design and Landscaping RESZ-S6: (2)(a)(i) to (ii); (3); (4)(a); and (6)(a) to (b).</u></li> </ol> <p>ii. <u>The subdivision is associated with the construction and use of four or more residential units on a site that comply with the standards in (i)(1) to (4), provided that other performance standards are met.</u></p> <p>b. <u>Any application for resource consent for an activity not captured by a) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.</u></p>	
<b>SUB-R5</b>	<p><b>The subdivision of sites or buildings for the purpose of network utility operation or a site for electricity generation and transmission activities</b></p> <p style="text-align: right;"><i>[13.5(1)(7)]</i></p>	
<p><b>Applicable Spatial Layers</b></p> <p>All Residential zones</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Utility services or electricity generation <a href="#">SUB-S13</a>.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R5(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>

### City Centre Zones

<b>General</b>		
<b>SUB-R6</b>	<p><b>The subdivision of sites or buildings not otherwise stated below</b></p> <p style="text-align: right;"><i>[13.6(1)(1)]</i></p>	
<p><b>Applicable Spatial Layers</b></p> <p>All City Centre Zones</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. City Centre Zones, site specific <a href="#">SUB-S2</a>;</p> <p>b. Site suitability <a href="#">SUB-S8</a>;</p> <p>c. Site serviceability <a href="#">SUB-S9</a>;</p> <p>d. Other <a href="#">SUB-S14</a>; and</p> <p>e. Relevant performance standards for the zone and other relevant provisions of the District Plan unless the subdivision is intended to accommodate a land use</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R6(1)</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>

	consent that has been granted for the site. <b>Matters of control:</b> a. General <a href="#">SUB-MC1</a> .	
<b>Specific Activities</b>		
<b>SUB-R7</b> <b>The subdivision of sites or buildings for the purpose of a boundary adjustment</b>		<i>[13.6(1)(3), 13.6(1)(4)]</i>
<b>Applicable Spatial Layers</b> All City Centre Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Site suitability <a href="#">SUB-S8</a>;</p> <p>b. Site serviceability <a href="#">SUB-S9</a>; and</p> <p>c. Boundary adjustments <a href="#">SUB-S11</a>.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R7(1).</p> <p><b>Assessment Criteria:</b></p> <p>b. General <a href="#">SUB-AC1</a>.</p>
<b>SUB-R8</b> <b>The subdivision of sites or buildings for the purpose of creating a reserve</b>		<i>[13.6(1)(5)]</i>
<b>Applicable Spatial Layers</b> All City Centre Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The subdivision is for the sole purpose of creating a reserve in accordance with Reserves Act 1977, the Te Ture Whenua Māori Act 1993/Māori Land Act 1993 or Resource Management Act 1991.</p> <p><b>Performance Standards:</b></p> <p>a. Site suitability <a href="#">SUB-S8</a>;</p> <p>b. Site serviceability <a href="#">SUB-S9</a>;</p> <p>c. Subdivision for creating reserves <a href="#">SUB-S12</a>; and</p> <p>d. Other <a href="#">SUB-S14</a>.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R8(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>
<b>SUB-R9</b> <b>The subdivision of a cross lease title occupied by one or more existing <del>household residential</del> units to create freehold titles</b>		<i>[13.6(1)(7)]</i>
<b>Applicable Spatial Layers</b> All City Centre Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Other <a href="#">SUB-S14</a>.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R9(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>

<b>SUB-R10</b>	<b>The subdivision of sites or buildings for the purpose of network utility operation or a site for electricity generation and transmission activities</b>		<i>[13.6(1)(6)]</i>
<b>Applicable Spatial Layers</b> All City Centre Zones	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Utility services or electricity generation <a href="#">SUB-S13</a>.</li> </ol> <b>Matters of Control:</b> <ol style="list-style-type: none"> <li>General <a href="#">SUB-MC1</a>.</li> </ol>	<b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance not achieved with the performance standards in SUB-R10(1). <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General <a href="#">SUB-AC1</a>.</li> </ol>	

### Commercial Zones

General			
<b>SUB-R11</b>	<b>The subdivision of sites or buildings not otherwise stated below</b>		<i>[13.7(1)(1)]</i>
<b>Applicable Spatial Layers</b> All Commercial Zones	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Commercial Zones, site design <a href="#">SUB-S3</a>;</li> <li>Site suitability <a href="#">SUB-S8</a>;</li> <li>Site serviceability <a href="#">SUB-S9</a>;</li> <li>Other <a href="#">SUB-S14</a>; and</li> <li>Relevant performance standards for the zone and other relevant provisions of the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.</li> </ol> <b>Matters of control:</b> <ol style="list-style-type: none"> <li>General <a href="#">SUB-MC1</a>.</li> </ol>	<b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance not achieved with the performance standards in SUB-R11(1) <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General <a href="#">SUB-AC1</a>.</li> </ol>	
Specific Activities			
<b>SUB-R12</b>	<b>The subdivision of sites or buildings for the purpose of a boundary adjustment</b>		<i>[13.7(1)(3), 13.7(1)(4)]</i>
<b>Applicable Spatial Layers</b> All Commercial Zones	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> <ol style="list-style-type: none"> <li>Site suitability <a href="#">SUB-S8</a>;</li> <li>Site serviceability <a href="#">SUB-S9</a>; and</li> <li>Boundary adjustments <a href="#">SUB-S11</a>.</li> </ol> <b>Matters of Control:</b> <ol style="list-style-type: none"> <li>General <a href="#">SUB-MC1</a>.</li> </ol>	<b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance not achieved with the performance standards in SUB-R12(1). <b>Assessment Criteria:</b> <ol style="list-style-type: none"> <li>General <a href="#">SUB-AC1</a>.</li> </ol>	

<b>SUB-R13</b>		<b>The subdivision of sites or buildings for the purpose of creating a reserve</b>	[13.7(1)(5)]
<b>Applicable Spatial Layers</b> All Commercial Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The subdivision is for the sole purpose of creating a reserve in accordance with Reserves Act 1977, the Te Ture Whenua Māori Act 1993/Māori Land Act 1993 or Resource Management Act 1991.</p> <p><b>Performance Standards:</b></p> <p>a. Site suitability <a href="#">SUB-S8</a>;</p> <p>b. Site serviceability <a href="#">SUB-S9</a>;</p> <p>c. Subdivision for creating reserves <a href="#">SUB-S12</a>; and</p> <p>d. Other <a href="#">SUB-S14</a>.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R13(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>	
<b>SUB-R14</b>		<b>The subdivision of sites or buildings for the purpose of network utility operation or a site for electricity generation and transmission activities</b>	[13.7(1)(6)]
<b>Applicable Spatial Layers</b> All Commercial Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Utility services or electricity generation <a href="#">SUB-S13</a>.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R14(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>	

## Industrial Zones

<b>General</b>			
<b>SUB-R15</b>		<b>The subdivision of sites or buildings not otherwise stated below</b>	[13.8(1)(1)]
<b>Applicable Spatial Layers</b> All Industrial Zones except Industrial T Zone	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Industrial Zones, site design <a href="#">SUB-S4</a>;</p> <p>b. Site suitability <a href="#">SUB-S8</a>;</p> <p>c. Site serviceability <a href="#">SUB-S9</a>;</p> <p>d. Other <a href="#">SUB-S14</a>; and</p> <p>e. Relevant performance standards for the zone and other relevant provisions of the District Plan unless the subdivision is intended to accommodate a</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R15(1)</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>	

	land use consent that has been granted for the site. <b>Matters of control:</b> a. General <a href="#">SUB-MC1</a> .	
<b>Applicable Spatial Layers</b> Industrial T Zone	<b>3. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">SUB-AC1</a> .	
<b>Specific Activities</b>		
<b>SUB-R16</b>	<b>The subdivision of sites or buildings for the purpose of a boundary adjustment</b>	<i>[13.8(1)(3), 13.8(1)(4)]</i>
<b>Applicable Spatial Layers</b> All Industrial Zones except Industrial T Zone	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> a. Site suitability <a href="#">SUB-S8</a> ; b. Site serviceability <a href="#">SUB-S9</a> ; and c. Boundary adjustments <a href="#">SUB-S11</a> . <b>Matters of Control:</b> a. General <a href="#">SUB-MC1</a> .	<b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance not achieved with the performance standards in SUB-R16(1). <b>Assessment Criteria:</b> a. General <a href="#">SUB-AC1</a> .
<b>SUB-R17</b>	<b>The subdivision of sites or buildings for the purpose of creating a reserve</b>	<i>[13.8(1)(5)]</i>
<b>Applicable Spatial Layers</b> All Zones except Industrial T Zone	<b>1. Activity Status:</b> Controlled <b>Where:</b> The subdivision is for the sole purpose of creating a reserve in accordance with Reserves Act 1977, the Te Ture Whenua Māori Act 1993/Māori Land Act 1993 or Resource Management Act 1991. <b>Performance Standards:</b> a. Site suitability <a href="#">SUB-S8</a> ; b. Site serviceability <a href="#">SUB-S9</a> ; c. Subdivision for creating reserves <a href="#">SUB-S12</a> ; and d. Other <a href="#">SUB-S14</a> . <b>Matters of Control:</b> a. General <a href="#">SUB-MC1</a> .	<b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance not achieved with the performance standards in SUB-R17(1). <b>Assessment Criteria:</b> a. General <a href="#">SUB-AC1</a> .

<b>SUB-R18</b>		<b>The subdivision of sites containing more than one house in the Industrial T Zone</b>	[13.8(1)(11)]
<b>Applicable Spatial Layers</b> Industrial T Zone	1. <b>Activity Status:</b> Shall be the same activity status as if it were in Residential 1 Zone		
<b>SUB-R19</b>		<b>The subdivision of vacant site or the subdivision of a site containing one house that creates a vacant lot in the Industrial T Zone</b>	[13.8(1)(12)]
<b>Applicable Spatial Layers</b> Industrial T Zone	1. <b>Activity Status:</b> Non-Complying		
<b>SUB-R20</b>		<b>The subdivision of sites or buildings for the purpose of network utility operation or a site for electricity generation and transmission activities</b>	[13.8(1)(6)]
<b>Applicable Spatial Layers</b> All Industrial Zones except Industrial T Zone	1. <b>Activity Status:</b> Controlled <b>Performance Standards:</b> a. Utility services or electricity generation <a href="#">SUB-S13</a> . <b>Matters of Control:</b> a. General <a href="#">SUB-MC1</a> .	2. <b>Activity Status:</b> Discretionary <b>Where:</b> Compliance not achieved with the performance standards in SUB-R20(1). <b>Assessment Criteria:</b> a. General <a href="#">SUB-AC1</a> .	
<b>Applicable Spatial Layers</b> Industrial T Zone	3. <b>Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">SUB-AC1</a> .		

### Business and Innovation Zones

<b>General</b>			
<b>SUB-R21</b>		<b>The subdivision of sites or buildings not otherwise stated below</b>	[13.9(1)(1)]
<b>Applicable Spatial Layers</b> All Business and Innovation Zones	1. <b>Activity Status:</b> Controlled <b>Performance Standards:</b> a. Business and Innovation Zones, site design <a href="#">SUB-S5</a> ; b. Site suitability <a href="#">SUB-S8</a> ; c. Site serviceability <a href="#">SUB-S9</a> ; d. Other <a href="#">SUB-S14</a> ; and e. Relevant performance standards for the zone and other relevant	2. <b>Activity Status:</b> Discretionary <b>Where:</b> Compliance not achieved with the performance standards in SUB-R21(1) <b>Assessment Criteria:</b> a. General <a href="#">SUB-AC1</a> .	



	<p>provisions of the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.</p> <p><b>Matters of control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	
<b>Specific Activities</b>		
<b>SUB-R22 The subdivision of sites or buildings for the purpose of a boundary adjustment</b>		[13.9(1)(3), 13.9(1)(4)]
<p><b>Applicable Spatial Layers</b></p> <p>All Business and Innovation Zones</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Site suitability <a href="#">SUB-S8</a>;</p> <p>b. Site serviceability <a href="#">SUB-S9</a>; and</p> <p>c. Boundary adjustments <a href="#">SUB-S11</a>.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R22(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>
<b>SUB-R23 The subdivision of sites or buildings for the purpose of creating a reserve</b>		[13.9(1)(5)]
<p><b>Applicable Spatial Layers</b></p> <p>All Business and Innovation Zones</p>	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The subdivision is for the sole purpose of creating a reserve in accordance with Reserves Act 1977, the Te Ture Whenua Māori Act 1993/Māori Land Act 1993 or Resource Management Act 1991.</p> <p><b>Performance Standards:</b></p> <p>a. Site suitability <a href="#">SUB-S8</a>;</p> <p>b. Site serviceability <a href="#">SUB-S9</a>;</p> <p>c. Subdivision for creating reserves <a href="#">SUB-S12</a>; and</p> <p>d. Other <a href="#">SUB-S14</a>.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R23(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>

<b>SUB-R24</b>		<b>The subdivision of sites or buildings for the purpose of network utility operation or a site for electricity generation and transmission activities</b>	[13.9(1)(6)]
<b>Applicable Spatial Layers</b> All Business and Innovation Zones	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> a. Utility services or electricity generation <a href="#">SUB-S13</a> . <b>Matters of Control:</b> a. General <a href="#">SUB-MC1</a> .	<b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance not achieved with the performance standards in SUB-R24(1). <b>Assessment Criteria:</b> a. General <a href="#">SUB-AC1</a> .	

## Rural Zones

<b>General</b>			
<b>SUB-R25</b>		<b>The subdivision of sites or buildings not otherwise stated below</b>	[13.10(1)(1)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Discretionary <b>Performance Standards:</b> a. Rural Zone site design <a href="#">SUB-S6</a> ; b. Site suitability <a href="#">SUB-S8</a> ; c. Site serviceability <a href="#">SUB-S9</a> ; d. Rural Zones general <a href="#">SUB-S10</a> ; e. Other <a href="#">SUB-S14</a> ; and f. Relevant performance standards for the zone and other relevant provisions of the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site. <b>Assessment Criteria:</b> a. General <a href="#">SUB-AC1</a> .	<b>2. Activity Status:</b> Non-Complying <b>Where:</b> Compliance not achieved with the performance standards in SUB-R25(1).	
<b>Specific Activities</b>			
<b>SUB-R26</b>		<b>The subdivision of sites or buildings for the purpose of a boundary adjustment</b>	[13.10(1)(6), 13.10(1)(7)]
<b>Applicable Spatial Layers</b> All Rural Zones	<b>1. Activity Status:</b> Controlled <b>Performance Standards:</b> a. Site suitability <a href="#">SUB-S8</a> ; b. Site serviceability <a href="#">SUB-S9</a> ; and c. Boundary adjustments <a href="#">SUB-S11</a> . <b>Matters of Control:</b> a. General <a href="#">SUB-MC1</a> .	<b>2. Activity Status:</b> Discretionary <b>Where:</b> Compliance not achieved with the performance standards in SUB-R26(1). <b>Assessment Criteria:</b> a. General <a href="#">SUB-AC1</a> .	

<b>SUB-R27</b>		<b>The subdivision of sites or buildings for the purpose of creating a reserve</b>	[13.10(1)(8)]
<b>Applicable Spatial Layers</b> All Rural Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Where:</b></p> <p>The subdivision is for the sole purpose of creating a reserve in accordance with Reserves Act 1977, the Te Ture Whenua Māori Act 1993/Māori Land Act 1993 or Resource Management Act 1991.</p> <p><b>Performance Standards:</b></p> <p>a. Site suitability <a href="#">SUB-S8</a>;</p> <p>b. Site serviceability <a href="#">SUB-S9</a>;</p> <p>c. Subdivision for creating reserves <a href="#">SUB-S12</a>;</p> <p>d. Other <a href="#">SUB-S14</a>; and</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	<p><b>2. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R27(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>	
<b>SUB-R28</b>		<b>The subdivision of a cross lease title occupied by one or more existing <del>household</del> residential units to create freehold titles</b>	[13.10(12)]
<b>Applicable Spatial Layers</b> All Rural Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <p>a. Other <a href="#">SUB-S14</a>.</p> <p><b>Matters of Control:</b></p> <p>a. General <a href="#">SUB-MC1</a>.</p>	<p><b>2. Activity Status:</b> Non-complying</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R28(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>	
<b>SUB-R29</b>		<b>The subdivision of land for the purpose of creating a lifestyle lot</b>	[13.10(1)(3)]
<b>Applicable Spatial Layers</b> All Rural Zones	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Performance Standards</b></p> <p>a. Rural Zones site design and lifestyle lot entitlements <a href="#">SUB-S6</a>;</p> <p>b. Site suitability <a href="#">SUB-S8</a>;</p> <p>c. Site serviceability <a href="#">SUB-S9</a>;</p> <p>d. Rural Zones general <a href="#">SUB-S10</a>;</p> <p>e. Other <a href="#">SUB-S14</a>; and</p> <p>f. Relevant performance standards for the zone and other relevant provisions of the District Plan unless the subdivision is intended to accommodate a land use</p>	<p><b>2. Activity Status:</b> Non-complying</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R29(1).</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>	

	<p>consent that has been granted for the site.</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>;</p> <p>b. Applications for additional lifestyle lots:</p> <p>i. Legal mechanisms that provide for the on-going protection and management of the SNA retired area or the site where a definitive land use change has been implemented.</p> <p>ii. Restrictions on the type of activities that may occur on the site.</p> <p>iii. The location of the additional lifestyle lot taking into account the following:</p> <ol style="list-style-type: none"> <li>1. Mitigation measures to ensure positive effects on the qualities and characteristics of the landscape and natural character of lakes, rivers, streams and wetlands;</li> <li>2. Measures employed to ensure mitigation of adverse effects on impacts on rural character, including the effects of the intensification of lifestyle lots and separation distances of between residential dwellings; and</li> <li>3. Measures employed to reduce cumulative effects of the additional lifestyle entitlement.</li> </ol>	
<p><b>Advice Note:</b></p> <p>The performance standards for this rule applicable in the Rural 1 and 2 Zones (SUB-S6) provide for a lifestyle lot entitlements based on the size of the parent lot; as well as additional lifestyle lot entitlements for protection of SNAs, protection of gullies or margins of water bodies and nutrient reduction.</p>		

<b>SUB-30</b>		<b>The subdivision of sites that may be severed by a natural feature or road in Rural Zones</b>	[13.10(1)(5)]
<b>Applicable Spatial Layers</b> All Rural Zones	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>The subdivision will create new rural lots separated fully from the balance site by: <ol style="list-style-type: none"> <li>A formed public road;</li> <li>An unrestricted Māori roadway</li> <li>A railway reserve; or</li> <li>Topographical severance.</li> </ol> </li> <li>This rule shall not apply in addition to any lifestyle lot allocation under SUB-S6.</li> </ol> <p><b>Performance Standards:</b></p> <ol style="list-style-type: none"> <li>Site suitability <a href="#">SUB-S8</a>;</li> <li>Site serviceability <a href="#">SUB-S9</a>;</li> <li>Rural Zones general <a href="#">SUB-S10</a>;</li> <li>General <a href="#">SUB-S13</a>; and</li> <li>Relevant performance standards for the zone and other relevant provisions of the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.</li> </ol> <p><b>Assessment Criteria:</b></p> <ol style="list-style-type: none"> <li>General <a href="#">SUB-AC1</a>.</li> </ol> <p>Advice note There is no minimum site area.</p>	<p><b>2. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R30(1)</p> <p><b>Assessment Criteria:</b></p> <ol style="list-style-type: none"> <li>General <a href="#">SUB-AC1</a>.</li> </ol>	
<b>SUB-R31</b>		<b>The subdivision of sites or buildings for the purpose of network utility operation or a site for electricity generation and transmission activities</b>	[13.5(1)(7), 13.6(1)(6), 13.7(1)(6), 13.8(1)(6), 13.9(1)(6), 13.10(1)(9), 13.11(1)(7)]
<b>Applicable Spatial Layer</b> All Rural Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ol style="list-style-type: none"> <li>Utility services or electricity generation <a href="#">SUB-S13</a>.</li> </ol> <p><b>Matters of Control:</b></p> <ol style="list-style-type: none"> <li>General <a href="#">SUB-MC1</a>.</li> </ol>	<p><b>2. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R31(2).</p>	

## Reserves Zones and Water Zone

General		
<b>SUB-R32</b>		<b>The subdivision of sites or buildings not otherwise stated below</b> <span style="float: right;"><i>[13.11(1)(1)]</i></span>
<b>Applicable Spatial Layers</b> All Reserves Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Reserves Zones site design <a href="#">SUB-S7</a>;</li> <li>b. Site suitability <a href="#">SUB-S8</a>;</li> <li>c. Site serviceability <a href="#">SUB-S9</a>;</li> <li>d. Rural Zones general <a href="#">SUB-S10</a>;</li> <li>e. Other <a href="#">SUB-S14</a>; and</li> <li>f. Relevant performance standards for the zone and other relevant provisions of the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.</li> </ul> <p><b>Matters of control:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">SUB-MC1</a>.</li> </ul>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R32(1)</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">SUB-AC1</a>.</li> </ul>
<b>Applicable Spatial Layers</b> Water Zone	<b>3. Activity Status:</b> Non-Complying	
Specific Activities		
<b>SUB-R33</b>		<b>The subdivision of sites or buildings for the purpose of a boundary adjustment</b> <span style="float: right;"><i>[13.11(1)(3), 13.11(1)(4)]</i></span>
<b>Applicable Spatial Layers</b> All Reserves Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ul style="list-style-type: none"> <li>a. Site suitability <a href="#">SUB-S8</a>;</li> <li>b. Site serviceability <a href="#">SUB-S9</a>; and</li> <li>c. Boundary adjustments <a href="#">SUB-S11</a>.</li> </ul> <p><b>Matters of Control:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">SUB-MC1</a>.</li> </ul>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R33(1).</p> <p><b>Assessment Criteria:</b></p> <ul style="list-style-type: none"> <li>a. General <a href="#">SUB-AC1</a>.</li> </ul>
<b>SUB-R34</b>		<b>The subdivision of sites or buildings for the purpose of creating a reserve</b> <span style="float: right;"><i>[13.11(1)(5)]</i></span>
<b>Applicable Spatial Layers</b>	<b>1. Activity Status:</b> Controlled	<b>2. Activity Status:</b> Discretionary

All Reserves Zones	<p><b>Where:</b></p> <p>The subdivision is for the sole purpose of creating a reserve in accordance with Reserves Act 1977, the Te Ture Whenua Māori Act 1993/Māori Land Act 1993 or Resource Management Act 1991.</p> <p><b>Performance Standards:</b></p> <ol style="list-style-type: none"> <li>Site suitability <a href="#">SUB-S8</a>;</li> <li>Site serviceability <a href="#">SUB-S9</a>;</li> <li>Subdivision for creating reserves <a href="#">SUB-S12</a>; and</li> <li>Other <a href="#">SUB-S14</a>.</li> </ol> <p><b>Matters of Control:</b></p> <ol style="list-style-type: none"> <li>General <a href="#">SUB-MC1</a>.</li> </ol>	<p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R34(1).</p> <p><b>Assessment Criteria:</b></p> <ol style="list-style-type: none"> <li>General <a href="#">SUB-AC1</a>.</li> </ol>
Applicable Spatial Layers Water Zone	<p><b>3. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>The subdivision is for the sole purpose of creating a reserve in accordance with Reserves Act 1977, the Te Ture Whenua Māori Act 1993/Māori Land Act 1993 or Resource Management Act 1991.</p>	
<b>SUB-R35</b>	<b>The subdivision of sites or buildings for the purpose of network utility operation</b>	<i>[13.11(1)(7)]</i>
Applicable Spatial Layers All Reserve Zones	<p><b>1. Activity Status:</b> Controlled</p> <p><b>Performance Standards:</b></p> <ol style="list-style-type: none"> <li>Utility services or electricity generation <a href="#">SUB-S13</a>.</li> </ol> <p><b>Matters of Control:</b></p> <ol style="list-style-type: none"> <li>General <a href="#">SUB-MC1</a>.</li> </ol>	<p><b>2. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Compliance not achieved with the performance standards in SUB-R35(1).</p> <p><b>Assessment Criteria:</b></p> <ol style="list-style-type: none"> <li>General <a href="#">SUB-AC1</a>.</li> </ol>
Applicable Spatial Layers Water Zone	<p><b>3. Activity Status:</b> Non-Complying</p>	
<b>SUB-R36</b>	<b>The subdivision of sites or buildings in Reserve Zones where sites are not being created for reasons other than for the purpose of creating a reserve</b>	<i>[13.11(1)(6)]</i>
Applicable Spatial Layers All Reserves Zones	<p><b>1. Activity Status:</b> Discretionary</p>	
Applicable Spatial Layers Water zones	<p><b>2. Activity Status:</b> Non-Complying</p>	

<b>SUB-R37</b>	<b>Reduction or waiver of the 20 metres width for esplanade reserves or esplanade strips</b>	<i>[13.11(1)(12)]</i>
<p><b>Applicable Spatial Layers</b></p> <p>All Reserves Zones</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Assessment Criteria:</b></p> <p>a. Priorities for acquisition of an esplanade reserve are shown on the planning maps and in particular map 203. This will be considered in determining a reduction or waiver.</p> <p>i. The width requirements for esplanade instruments as stated in 13.16.1 may be reduced to a width of no less than 5 metres if the following instances apply:</p> <ol style="list-style-type: none"> <li>1. Topographical constraints on or adjacent to, the area in question are such that the full 20 metres width will lead to conflict with no practical resolution.</li> <li>2. Existing permanent buildings such as dwellings (but excluding boat sheds, garages and garden sheds) are sited within 25 metres of the water body.</li> <li>3. Existing access to adjacent allotments is sited within 20 metres of the water body and cannot be readily re-sited.</li> <li>4. Topography adjacent to or within the proposed reserve requires that services such as a road or access must be placed within 20 metres of the water body.</li> <li>5. Identified Māori historic heritage sites are within 20 metres of the water body.</li> </ol> <p>ii. The requirements for esplanade instruments as stated in SUB-R17 may be waived if the following instances apply:</p> <ol style="list-style-type: none"> <li>1. Topographical constraints on, or adjacent to, the area in question has the potential to adversely affect public safety.</li> <li>2. Access to the water body is limited.</li> <li>3. It would be more beneficial for the land to remain with the owner than to vest in council.</li> <li>4. The land has little or no value in terms of enhancing public access; there are no conservation benefits to be gained; or for reasons of public safety or security.</li> <li>5. There are no conservation benefits to be gained.</li> <li>6. For reasons of public safety or security.</li> <li>7. Where the land is already protected under a QEII Trust Covenant, protective covenant under the Reserves or Conservation Act, or marginal strip under the Conservation Act.</li> <li>8. Land administered under the Te Ture Whenua Māori Act 1993.</li> <li>9. Other exceptional circumstances that are sufficient to justify a restriction.</li> </ol> <p>iii. Before considering any waiver under SUB-R10(1)(a)(ii) Council will consider and, where practicable, seek the provision of alternative access routes that are available to the public.</p>	
<p><b>Applicable Spatial Layers</b></p> <p>Water 1 Zone</p>	<p><b>2. Activity Status:</b> Non-Complying</p>	



## All Zones Subdivision Rules

National Grid			
<b>SUB-R38</b>	<b>The subdivision of sites or buildings within a national grid subdivision corridor</b>		<i>[13.5(1)(12), 13.5(1)(13), 13.6(1)(8), 13.6(1)(9), 13.7(1)(8), 13.7(1)(9), 13.8(1)(9), 13.8(1)(10), 13.9(1)(7), 13.9(1)(8), 13.10(1)(13), 13.10(1)(14), 13.11(1)(10), 13.11(1)(11)]</i>
<b>Applicable Spatial Layers</b>  All Zones	<b>1. Activity Status:</b> Restricted Discretionary  a. A building platform for the principal dwelling or building shall be identified for each allotment and shall be located wholly outside of the national grid yard.  <b>Matters of Discretion:</b> a. General <a href="#">SUB-MD1</a> ; b. The risk to the structural integrity of the transmission asset. c. The extent to which the subdivision design avoids, remedies or mitigates conflicts with existing transmission assets, for example through the location and design of roads, reserves, landscaping and building platforms; d. The ability for operation, maintenance and planned upgrade of the transmission asset, including inspection of transmission lines; e. The extent to which the subdivision design and consequential development will minimise the risk or injury and/or property damage from such lines; f. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity and nuisance effects of the transmission asset; g. The ability to provide a complying building platform; and	<b>2. Activity Status:</b> Non-Complying  <b>Where:</b>  Compliance not achieved with the performance standards in SUB-R38(1).	

	<p>h. The extent to which the design and construction of any subdivision allows for earthworks, buildings and structures to comply with the safe separation distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).</p>	
<p><b>Notification</b></p> <p>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.</p>		
<p><b>Advice Note:</b></p> <p>Vegetation to be planted within the National Grid Corridor or in close proximity to any sub-transmission or distribution electricity line should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</p> <p>Vegetation to be planted within the transmission corridor should be selected and managed in accordance with technical advice from the network operator.</p>		
<p><b>Rotorua Airport Noise Overlays</b></p>		
<p><b>SUB-R39</b></p>	<p><b>The subdivision of sites or buildings within or dissected by the Airport Inner Control Area Overlay</b></p>	<p>[13.5(1)(8), 13.7(1)(7), 13.8(1)(7), 13.10(1)(10), 13.11(1)(8), 13.11(1)(9)]</p>
<p><b>Applicable Spatial Layers</b></p> <p>Airport Inner Control Area Overlay:</p> <p>Residential 1 Zone</p> <p>Business and Innovation Zones</p> <p>Industrial 1 and 1 E Zones</p> <p>Reserve 1 and 3 Zones</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Where:</b></p> <p>Reserve 1 Zone or Reserve 3 Zone: Sites are not for activities sensitive to aircraft noise.</p> <p><b>Performance Standards:</b></p> <p>a. Where the subdivision will create a vacant site that will require land use consent for future development by any rule in the plan, the necessary land use consent shall be lodged with the subdivision consent. This is in order to establish that the development of the site is possible without adverse effects from noise.</p> <p><b>Assessment Criteria:</b></p> <p>a. The assessment criteria contained within the Noise chapter shall be taken into account when considering both the subdivision and land use consents concurrently; and</p> <p>b. General <a href="#">SUB-AC1</a>.</p>	
<p><b>Applicable Spatial Layers</b></p> <p>Airport Inner Control Area Overlay:</p> <p>Rural 1 Zone</p>	<p><b>2. Activity Status:</b> Non-Complying</p>	

<p><b>Applicable Spatial Layers</b></p> <p>Airport Inner Control Area Overlay: Reserve 1 and 3 Zones</p>	<p><b>3. Activity Status:</b> Prohibited</p> <p><b>Where:</b> Sites are for activities sensitive to aircraft noise.</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>
<p>Advice Note:</p> <p>Where the subdivision will create a vacant allotment that will require land use consent for the future development by any rule in the plan, the necessary land use consent shall be lodged concurrently with the subdivision consent. This is in order to establish that the development of the site is possible without adverse effects from noise.</p>	
<p><b>SUB-R40 Subdivision of sites or buildings within or dissected by the Air Noise Area Overlay</b></p> <p style="text-align: right;"><i>[13.5(1)(9), 13.5(1)(9)(a), 13.5(1)(9)(b), 13.8(1)(8), 13.10(1)(11), 13.10(1)(11a), 13.11(1)(8)]</i></p>	
<p><b>Applicable Spatial Layers</b></p> <p>Air Noise Area Overlay: Industrial 1 and 1E Zone Reserve 1 and 3 Zones</p>	<p><b>1. Activity Status:</b> Discretionary</p> <p><b>Where:</b> Reserve 1 Zone or Reserve 3 Zone: Sites are not for activities sensitive to aircraft noise.</p> <p><b>Assessment Criteria:</b></p> <p>a. General <a href="#">SUB-AC1</a>.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Air Noise Area Overlay: Residential 1 Zone</p>	<p><b>2. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>a. The site contains existing <del>household residential</del> units and there will be not additional building platforms; or</p> <p>b. The subdivision is a boundary adjustment; or</p> <p>c. The subdivision is the conversion of cross lease sites or buildings.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Air Noise Area Overlay: Rural 1 Zone</p>	<p><b>3. Activity Status:</b> Non-Complying</p> <p><b>Where:</b></p> <p>a. The subdivision is a boundary adjustment; or</p> <p>b. The subdivision is the conversion of cross lease sites or buildings.</p>
<p><b>Applicable Spatial Layers</b></p> <p>Air Noise Area Overlay: Residential 1 Zone Rural 1 Zone Reserve 1 and 2 Zones</p>	<p><b>4. Activity Status:</b> Prohibited</p> <p><b>Where:</b> The activity is not stated above.</p>

Historical and Cultural Values		
<b>SUB-R41</b>	<b>Subdivision activity, including that which otherwise be a controlled activity where the site includes or adjoins a site of cultural importance listed in the schedules for Historical and Cultural Values</b>	<i>[13.5(1)(10), 3.5(1)]</i>
<b>Applicable Spatial Layers</b> All Residential Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">SUB-AC1</a> .	
Subdivision of Sites and Buildings Susceptible to Natural Hazards		
<b>SUB-R42</b>	<b>The subdivision of sites or buildings on land affected by a geothermal feature, <del>geothermal activity</del> <u>the Geothermal Hazard Assessment Overlay</u> or bore</b>	<i>[13.5(1)(15), 13.6(1)(10), 13.7(1)(11), 13.8(1)(14), 13.9(1)(10), 13.10(1)(16), 13.11(1)(15)]</i>
<b>Applicable Spatial Layers</b> All Zones	<b>1. Activity Status:</b> Discretionary <b>Assessment Criteria:</b> a. General <a href="#">SUB-AC1</a> .	
<b>SUB-R43</b>	<b>The subdivision of sites or buildings on land susceptible to <del>inundation-flooding</del></b>	<i>13.7(1)(10), 13.7(1)(12), 13.8(1)(13), 13.9(1)(9), 13.10(1)(15), 13.11(1)(14),</i>
<b>Applicable Spatial Layers</b> <del>All Reserve Zones</del> <del>All Rural Zones</del> <a href="#">All Zones</a>	<b>1. Activity Status:</b> <del>Restricted</del> Discretionary <b>Where:</b> a. <del>For the purpose of this rule inundation is defined as being surface flooding affected by high risk flood hazard zones within the Waikato River Catchment, as defined in the definitions, or caused by a 2% Annual Exceedance Probability (AEP) storm event (1 in 50 year return period flood event) in all other areas.</del> b. <del>It includes land affected by the high risk flood zone, the 50 year ARI lake flooding overlay.</del> a. The building platform identified for the subdivision includes land anticipated to be flooded by: <ol style="list-style-type: none"> <li>i. the 1% AEP flood level from rivers or overland flows and/or the 1% AEP lake flood level; and</li> <li>ii. Taking into account the effects of climate change, using RCP8.5 median scenario (or most recent national or regional guidance), to the year 2130.</li> </ol> <b>Assessment Criteria:</b> <del>a. General <a href="#">SUB-AC1</a>.</del> <b>Matters of Discretion</b> a. Areas susceptible to flooding SUB-MD2.	

<p><b>Applicable Spatial Layers</b></p> <p>All Commercial Zones</p> <p>All Industrial Zones</p> <p>All Business and Innovation Zones</p>	<p><b>2. Activity Status: Non-Complying</b></p> <p><b>Where:</b></p> <p>a. For the purpose of this rule inundation is defined as being surface flooding affected by high risk flood hazard zones within the Waikato River Catchment, as defined in the definitions, or caused by a 2% Annual Exceedance Probability (AEP) storm event (1 in 50 year return period flood event) in all other areas.</p> <p>b. It includes the effects of lake level inundation in Commercial Zones.</p>
<p><b>Development Areas</b></p>	
<p>Advice Note:</p> <p>Additional subdivision rules are contained in the following chapters:</p> <ol style="list-style-type: none"> <li>1. PHDA- Pukehangi Heights Development Area</li> <li>2. WHDA- Wharenui Development Area</li> <li>3. OMDA- Ōtomarae Development Area</li> </ol>	

## Performance Standards

The following performance standards apply if relevant and listed in the rule table for the relevant activity.

### SUB-S1 Residential Zones site design performance standards

[13.5(2), 13.5(2)(3)]

#### 1. Minimum site area

##### a. Residential 1 Zone:

- i. All areas ~~(except the Wharenui Road Development Area): 350 250m<sup>2</sup> net site area provided that the average site area of all new sites shall be at least 450m<sup>2</sup>.~~
- ii. ~~Wharenui Road Development Area: For residential housing the average net site area of all new sites shall be 450m<sup>2</sup>.~~
- iii. does not apply to subdivision that is in accordance with existing or concurrently approved land use consents, or for any lots around existing buildings and development that do not increase the degree of any non-compliance with the density standards in the District Plan.

##### b. Residential 2-Zone:

- i. ~~Within a comprehensive residential development plan, which will include the complementary land use consent application All Areas: 150-250m<sup>2</sup> net site area.~~
- ii. Without a comprehensive residential development plan: 350m<sup>2</sup> net site area. i) does not apply to subdivision that is in accordance with existing or concurrently approved land use consents, or for any lots around existing buildings and development that do not increase the degree of any non-compliance with the density standards in the District Plan.

##### c. Residential 3 Zone: 250m<sup>2</sup> net site area.

##### d. Residential 4 Zone – Sites without public sanitary sewer: The minimum net site area for any new site shall be 2,000m<sup>2</sup>, provided that:

- i. The site shall be of sufficient size in order to meet the regional council requirements for on-site effluent or sewage disposal, including any associated disposal field.
  - ii. It can be demonstrated that existing buildings located on sites can comply with the performance standards for the zone and/or development area.
- e. Residential 4 – with operational public sanitary sewer reticulation system: Minimum net site area for any new site shall be 1,000m<sup>2</sup>, provided that
- i. It can be demonstrated that existing buildings located on-site can comply with the performance standards for the zone and/or development area.
- f. Residential 5 Zone: 1,500m<sup>2</sup> minimum net site area, provided that the average net site area of all new lots shall be 2,000m<sup>2</sup>.

## 2. Site design factor

- a. Residential 1 Zone:
- i. All areas ~~(except the Wharenui Road Development Area)~~:
    - 1. ~~Sites of 450m<sup>2</sup> site area and above—The site shall contain an area of 180m<sup>2</sup> that is suitable for building and does not intrude into the yard buffers. All vacant sites must be able to contain a rectangle of 8m by 15m to accommodate a building that does not protrude into the yard buffers and must be capable of accommodating development.~~
    - 2. ~~Sites of less than 450m<sup>2</sup> site area—The site shall contain an area of 150m<sup>2</sup> that is suitable for building and does not intrude into the yard buffers.~~
  - ii. ~~Within the Wharenui Road Development Area—Sites shall contain an area of 180m<sup>2</sup> that is suitable for building and does not intrude into the yard buffers.~~
- b. Residential 2-Zone:
- i. ~~Within a comprehensive residential development plan, which will include the complementary land use consent application—Sites shall contain the proposed or existing buildings and activities so that the buildings do not intrude into the yard buffers unless approved as part of the comprehensive development plan. All vacant sites must be able to contain a rectangle of 8m by 15m to accommodate a building that does not protrude into the yard buffers and must be capable of accommodating development:~~
  - ii. ~~Without a comprehensive residential development plan—Sites shall contain the proposed or existing buildings and activities so that the buildings do not intrude into the yard buffers.~~
- c. Residential 3 Zone: Sites shall contain the proposed or existing buildings and activities so that the buildings do not intrude into the yard buffers.
- d. Residential 4 Zone: Sites shall contain an area of at least 300m<sup>2</sup> that is suitable for building and does not intrude into the yard buffers.

## 3. Provision for solar access

Sites shall be designed and oriented to provide sufficient space for the placement of future residential buildings to enable maximum benefit to be derived from solar access

## 4. Access, on-site parking and turning areas

Any vehicle access, on-site parking and turning that is required in accordance with the Zone performance standards, site serviceability standards and Appendix APP1 – Parking Turning and Access shall be separate to the area provided for [access to front doors](#), outdoor spaces and residential privacy.

**5. When esplanades required**

Where acquisition of an esplanade reserve or strip is required by the provisions of the Act or any rule in the plan, the sites created by subdivision shall be of sufficient size after acquisition to comply with the site dimensions and sit design factor requirements.

**6. Wharenui Road Development Area**

In addition to the provisions of this part, all subdivision undertaken within the Wharenui Road Development Area shall be undertaken in accordance with the development plan in WHDA-Wharenui Road Development Area.

**SUB-S2 City Centre Zones site design performance standards**

**1. Minimum site area**

There is no minimum site area for these zones.

**2. Site design factor**

The subdivision shall meet the performance standards in [SUB-S8](#), [SUB-S9](#), [SUB-S14](#), esplanade requirements, financial contribution requirements, the performance standards for the zone where relevant and other relevant provisions in the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.

**3. Access to service lane network for subdivision within City Centre 1 and 2 Zones**

Where a site to be subdivided adjoins or includes a service lane as shown on the planning maps – city centre service lanes, which is vested in council or will be vested in council as part of the subdivision, vehicle access to the site shall be provided from the service lane network. New lots shall be designed to allow vehicle access to the service lane network. Access shall be provided to the service lane network regardless of whether the whole network is vested in council.

**4. Vesting of service lanes**

Council will require the vesting of land for service lanes upon subdivision of sites containing land identified as service lanes as shown on the planning maps - city centre service lanes, in accordance with FC Financial contributions. Survey and legal costs associated with the vesting of the service lane shall be met by the council. The costs of forming the service lane shall also be met by council.

**SUB-S3 Commercial Zones site design performance standards**

**1. Minimum site area**

- a. Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone, Commercial 5 Zone and Commercial 6 Zone: There is no minimum site area for this zone.
- b. Commercial 4 Zone: For sites that are for residential purposes: There shall be no minimum site area for this zone.

**2. Site design factor**

The subdivision shall meet the performance standards in [SUB-S8](#), [SUB-S9](#), [SUB-S14](#), esplanade requirements, financial contribution requirements, the performance standards for the zone where

relevant and other relevant provisions in the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.

**3. Access, onsite parking and turning areas**

Any vehicle access, on-site parking and turning that is required in accordance with the zone performance standards, site serviceability standards and Appendix APP1 – Parking Turning and Access shall be separate to the area provided for [access to front doors](#), outdoor spaces and residential privacy.

**4. When Esplanades Required**

Where acquisition of an esplanade reserve or strip is required by the provisions of the Act or any rule in the plan, the sites created by subdivision shall be of sufficient size after acquisition to comply with the site dimensions and sit design factor requirements.

**5. Wharenui Road Development Area**

In addition to the provisions of this part, all subdivision undertaken within the Commercial 3 Zone of the Wharenui Road Development Area shall be undertaken in accordance with the development plan in WHDA- Wharenui Road Development Area.

**SUB-S4 Industrial Zones site design performance standards**

**1. Minimum site area**

There is no minimum net site area for these zones.

**2. Site design factor**

The subdivision shall meet the performance standards in [SUB-S8](#), [SUB-S9](#), [SUB-S14](#), esplanade requirements, financial contribution requirements, the performance standards for the zone where relevant and other relevant provisions in the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.

**SUB-S5 Business and Innovation Zones site design performance standards**

**1. Minimum site area**

There is no minimum site area for this zone.

**2. Site design factor**

The subdivision shall meet the performance standards in [SUB-S8](#), [SUB-S9](#), [SUB-S14](#), esplanade requirements, financial contribution requirements, the performance standards for the zone where relevant and other relevant provisions in the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.

**3. Access, on-site parking and turning areas**

Any vehicle access, on-site parking and turning shall be in accordance with the performance standards for the zone and Appendix APP1 – Parking, Access and Turning.

**SUB-S6 Rural Zones site design performance standards and lifestyle lot entitlements**

**1. Minimum site area**

a. Rural 1 Zone:

i. Minimum net site area (unless otherwise stated): 15 hectares of usable land



- ii. Exceptions:
  1. For lifestyle lots in accordance with [SUB-R29](#) where the minimum net site area shall be 2,500m<sup>2</sup> to a maximum net site area of 4 hectares; or
  2. For land with versatile land outside the Lake Rotorua catchment the minimum net site area is 40 hectares.
- b. Rural 2 Zone:
  - i. The minimum net site area for any new lot for which a separate Computer Register (Certificate of Title) is intended to be issued shall be 8,000m<sup>2</sup>;
  - ii. The lot shall be of sufficient size to meet the Regional Council requirements for the treatment and management of sanitary sewer, including any associated disposal field;
  - iii. All relevant performance standards associated with the location of buildings on site, as stated in the zone and/or development area, shall be met; and
  - iv. Where sites contain existing buildings, it shall be demonstrated that all relevant performance standards for the zone and/or development area are met.
  - v. Exception: Where
    - a lot is within a service area programmed to be publicly reticulated for sanitary sewer but not in Brunswick Park; and
    - the reticulation system is operationalthe following shall apply:
    1. The minimum net site area of any new lot shall be 4,000m<sup>2</sup>.
    2. All relevant performance standards associated with the location of buildings on a site, as stated in the zone and/or development area shall be met; and
    3. Where sites contain existing buildings, it shall be demonstrated that the performance standards for the zone and/or development area are met.
- c. Rural 3 Zone:
  - i. The minimum site area for any new lot for which a separate Computer Register (Certificate of Title) is intended to be issued shall be:
    1. 1,500m<sup>2</sup> within the Bay of Plenty Region; and
    2. 2,500m<sup>2</sup> within Waikato Region;
  - ii. The lot shall be sufficient size to meet the Regional Council requirements for the treatment and management of sanitary sewer, including associated disposal field;
  - iii. All relevant performance standards associated with the location of buildings on site as stated in the performance standards for the zone and/or development area shall be met; and
  - iv. Where sites contain existing buildings, it shall be demonstrated that all relevant performance standards for the zone and/or development area are met.
  - v. Exception: Where

- a lot is within a service area programmed to be publicly reticulated for sanitary sewer; and
- and the reticulation system is operational

the following shall apply:

1. The minimum net site area for any new lot shall be 1,000m<sup>2</sup>;
2. All relevant performance standards associated with the location of buildings on site as stated in the performance standards for the zone and/or development area shall be met; and
3. Where sites contain existing buildings, it shall be demonstrated that the performance standards for the zone and/or development area are met.

## **2. Site design factor**

- a. Rural 1 Zones and Rural 2 Zones: The subdivision shall meet the performance standards in [SUB-S8](#), [SUB-S9](#), [SUB-S14](#), esplanade requirements, financial contribution requirements, the performance standards for the zone where relevant and other relevant provisions in the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.
- b. Rural 3 Zones: The site shall provide an area of 300m<sup>2</sup> that is suitable for building and does not intrude into the yard buffers.

## **3. Rural 1 Zone - usable site area**

Unless otherwise stated a site, or an amalgamation of sites to be held in a separate Computer Register (Certificate of Title) shall have a minimum of 15 hectares of usable land except that sites that include versatile land outside the Lake Rotorua catchment shall have a minimum net site area of 40 hectares of usable land.

## **4. Rural 1 Zone - allowance for lifestyle lots**

- a. The subdivision of a site to create a lifestyle lot shall be subject to the following conditions:
  - i. A lifestyle lot to be held in a separate Computer Register (Certificate of Title) may be created provided that the net area of the lot is between 2,500m<sup>2</sup> and 4 hectares;
  - ii. The lifestyle lot shall be of sufficient size to meet the regional council requirements for the treatment and management of sanitary sewerage and associated disposal field within the boundary of the site to be created;
  - iii. The balance of the site from which the lifestyle lot is to be subdivided shall:
    1. have a minimum net site area of 15 hectares of usable land;
    2. except that that include versatile land outside the Lake Rotorua catchment the balance of the site shall have minimum net site area of 40 hectares of usable land; and
  - iv. The number of lifestyle lots to be excised from the existing lot shall not exceed the number specified in the following table:

Table SUB-1 lifestyle lot allowance

Number of Lifestyle Lots Allowed	Area of Existing Lot (Hectares)
1	15.25 – 50 Except sites that include versatile land outside the Lake Rotorua catchment where the minimum existing area shall be 40.25.
2	51 – 100
3	101 – 200
4	201 – 400
5	401 and over

- v. Any allowance for lifestyle lot subdivision for lots held in separate Certificates of Title created after 10 June 1994 shall not exceed the number of lifestyle lots allowed for in the parent title, as it existed at 10 June 1994 or as consented to by council.
- vi. For Certificates of Title created after 10 June 1994, the subdivider may nominate an appropriate allocation of outstanding lifestyle lots per newly created lot. This nomination will be registered on the Computer Register (Certificate of Title) and form part of the subdivision consent as is appropriate.

#### **5. Rural 1 Zone - Additional Lifestyle Lot for Protection of SNAs**

- a. Additional lifestyle lots over and above the number allowed for in Table SUB-1 may be created where a significant natural area (SNA) listed in the ECO-SCHED1 – Significant Natural Areas is to be legally protected and its on-going management provided for, subject to the following –
  - i. Where a significant natural area identified in ECO-SCHED1 – Significant Natural Areas will be legally protected and provision is made for its management as part of the subdivision application, one additional lifestyle lot may be created for each lifestyle lot allocated in Table SUB-1. The additional lot shall comply with all other requirements of (3) and (4).
  - ii. The area of SNA to be protected must ensure the integrity and long term management of the SNA as a whole and shall be supported by the opinion of a suitably qualified ecologist to the integrity and long term management of the SNA.
  - iii. Where more than one additional lot is being applied for under this performance standard (SUB-S6.5), the total area of SNA to be protected must be equivalent to ten times the total area of the proposed lifestyle lots or ten hectares, whichever is the greater.
  - iv. Land identified as being part of an SNA for the purpose of an application to create a lifestyle lot cannot be taken into account subsequently for an application to create a lifestyle lot under any other rule in the Plan.

#### **6. Rural 1 Zone – additional lifestyle lot for protection of gullies or margins of water bodies**

- a. Additional lifestyle lots over and above the number allowed for in Table SUB-1 may be created where a gully or stream margin is to be legally protected and a planting scheme has been carried out subject to the following –
  - i. Within the Lake Rotorua catchment:

1. Where an additional lot is applied for, the total area of the gully to be protected and planted must be a minimum of seven hectares or for a riparian margin, a minimum length of 700m with a minimum width of 20m from the river margin.
  2. Where more than one additional lot is applied for the total area of gully to be protected must be 10 hectares.
- ii. Outside of the Lake Rotorua catchment where one or more additional lots is applied for the total area of gully to be protected and planted must be 10 hectares or for a river margin a minimum area of 4ha with a minimum width of 20m and a maximum width of 30m from the river margin.
  - iii. The planting scheme on the land shall be beneficial to indigenous biodiversity and the improvement of water quality. This must be demonstrated through the report of a suitably qualified ecologist that provides an assessment in the context of the relevant ecological district, bioclimatic zone and landform type, and demonstrates the ecological viability and sustainability of the site – the likelihood of an area remaining ecologically viable and the management input necessary for long term sustainability.
  - iv. Land identified as being part of a protected gully or stream margin for the purpose of an application to create a lifestyle lot cannot be taken into account subsequently for an application to create a lifestyle lot under any other rule in the Plan.

#### **7. Rural 1 Zone - additional lifestyle lots for nutrient reduction**

- a. Additional lifestyle lots beyond the number allowed for in Table SUB-1 may be created within the Lake Rotorua catchment where a significant reduction in nutrient losses has been secured through a consent notice or other legal mechanism and is in accordance with the following provisions –
  - i. A significant and permanent nutrient reduction through the definitive land use change below is secured by a covenant registered on the title or by some other legal mechanism with a similar permanent effect.
  - ii. The number of lifestyle lots to be excised from the existing lot shall be determined in accordance with the following Definitive Land Use Changes –

SUB- Table 2 Definitive Land Use Changes

Change of 10 hectares from dairy use to drystock use	1 lifestyle lot
Change of 10 hectares from drystock use to a minimal nutrient leaching use (e.g. forestry)	1 lifestyle lot
Change of 10 hectares from dairy use to a minimal nutrient leaching use (e.g. forestry)	2 lifestyle lots

- iii. Information requirements at the time of lodgement of the resource consent application include providing evidence from a suitably qualified and experienced person of how the above requirements will be achieved demonstrating reduction of nitrogen discharge allowance based on existing land use and the proposed land use that will be in place and that evidence of compliance with the performance standards is provided prior to the issue of a Certificate under section 224 of the Act. The information provided shall be in accordance with the Regional Rules.

- iv. Land identified as having undergone land use change for the purpose of an application to create a lifestyle lot cannot be taken into account subsequently for an application to create a lifestyle lot under any other rule in the Plan.

**8. Rural 2 Zone – additional lifestyle lot for protection of SNAs**

- a. Additional lifestyle lots over and above the number allowed for in Table SUB-1 may be created where a Significant Natural Area (SNA) listed in ECO-SCHED1 – Significant Natural Areas is to be legally protected and its on-going management provided for, subject to the following –
  - i. One lifestyle lot for each lifestyle lot allocation identified in Table SUB-1 may be created. The lot shall comply with all other requirements of the performance standards for minimum site area and site design factor.
  - ii. The area of SNA to be protected must ensure the integrity and long term management of the SNA as a whole and shall be supported by the opinion of a suitably qualified ecologist to the integrity and long term management of the SNA.
  - iii. Where more than one additional lot is being applied for under this performance standard (SUB-S6.8), the total area of SNA to be protected must be equivalent to ten times the total area of the proposed lifestyle lots or ten hectares whichever is the greater.
  - iv. Land identified as being part of an SNA for the purpose of an application to create a lifestyle lot cannot be taken into account subsequently for an application to create a lifestyle lot under any other rule in the Plan.

**9. Rural 2 Zone – additional lifestyle lot entitlement for protection of gullies or margins of water bodies**

- a. Additional lifestyle lots over and above the number allowed for in Table SUB-1 may be created where a gully or stream margin has been legally protected and a planting scheme has been carried out, subject to the following –
  - i. Within the Lake Rotorua catchment where an additional lot is applied for the total area of the gully to be protected and planted must be a minimum of seven hectares or for a riparian margin a minimum length of 700m with a minimum width of 20m from the river margin.
  - ii. Outside of the Lake Rotorua catchment where one or more additional lots is applied for the total area of gully to be protected and planted must be 10 hectares or for a river margin a minimum area of 4ha with a minimum width of 20m and a maximum width of 30m from the river margin.
  - iii. The planting scheme on the land to be considered shall be beneficial to indigenous biodiversity and the improvement of water quality This must be demonstrated through the report of a suitably qualified ecologist that provides an assessment in the context of the relevant ecological district, bioclimatic zone and landform type, and demonstrates the ecological viability and sustainability of the site – the likelihood of an area remaining ecologically viable and the management input necessary for long term sustainability.
  - iv. Where more than one additional lot is applied for within the Lake Rotorua catchment the total area of gully to be protected must be equivalent to ten hectares.

- v. Land identified as being part of a protected gully or stream margin for the purpose of an application to create a lifestyle lot cannot be taken into account subsequently for an application to create a lifestyle lot under any other rule in the Plan.

#### 10. When esplanades required

Where acquisition of an esplanade reserve or strip is required by the provisions of the Act or any rule in the plan, the sites created by subdivision shall be of sufficient size after acquisition to comply with the site dimensions and sit design factor requirements.

#### SUB-S7 Reserves Zones

##### 1. Minimum site area

There is no minimum net site area for these zones.

##### 2. Site design factor

- a. Sites shall be capable of meeting the performance standards in [SUB-S8](#), [SUB-S9](#), [SUB-S14](#), esplanade requirements, financial contribution requirements, the performance standards for the zone where relevant and other relevant provisions in the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site, or the site is in the Reserve 2 Zone and intended for a commercial or residential nature.

#### SUB-S8 Site suitability

~~{13.12}~~

#### ~~1. Subdivision of land or buildings susceptible to inundation from surface water~~

- ~~a. For the purpose of this rule inundation is defined as being surface flooding affected by high risk flood hazard zones within the Waikato River Catchment, as defined in the definitions, or caused by a 2% Annual Exceedance Probability (AEP) storm event (1 in 50 year return period flood event) in all other areas.~~
- ~~b. For subdivision of any land or buildings susceptible to inundation from surface water the following shall apply:
 
  - ~~i. No vacant lots shall be created on land susceptible to inundation if it cannot be filled above the inundation flood level.~~
  - ~~ii. Subdivision of lots containing existing lawfully authorised buildings located on land susceptible to inundation may be undertaken:
 
    - ~~1. Where future replacement or habitable additions to the buildings require building platforms to be filled to above the inundation flood level; and~~
    - ~~2. Where the replacement building is located entirely within the existing building footprint, and the site coverage requirements stated in the applicable zone chapter are complied with.~~~~~~

#### 2. Subdivision of land or buildings susceptible to high ground water

- a. For subdivision of any land or buildings on land susceptible to high water tables the ground water table shall be established and the following shall apply:
  - i. In the case of sites or buildings adjacent or in close proximity to rivers and streams, the ground water table must be established with reference to the average water

level of the river or stream at maximum lake level as determined by the relevant regional authority; or

- ii. In the case of sites or buildings in close proximity to lakes, the ground water table must be established with reference to the maximum desirable lakes levels as set by the relevant regional authority; and
- iii. Filling to not less than 1m above mean water table level as established above ~~and also above the 2% AEP flood level~~ shall be required to provide a dry building platform to comply with relevant statutory requirements for the construction of buildings; and
- iv. Failing to achieve (iii) above shall not result in displacement of surface ponding off the site onto other properties.
- v. In reserve areas, or other areas excluded from the placement of buildings or services, lower standards than those required above may be accepted by council. The areas that will be covered by these provisions shall be shown on applications for the subdivision of any sites or buildings.
- vi. Consideration shall also be given to the amenity effects on adjoining properties, such that the height of building floor levels above natural ground level may impact on the visual privacy of adjoining properties and residences.
- vii. Areas unsuitable for building or areas indicated as being below the levels required shall be identified and conditions may require the registration of a consent notice on the Computer Register (Certificate of Title) for the site.
- viii. For the subdivision the following shall apply to the design of stormwater treatment and management for sites:
  1. Secondary flow (normally surface flow) paths shall be designed and constructed to ensure that surface water shall not enter buildings; and
  2. 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.
  3. Roads may be used to provide stormwater ponding and overland flow paths when the primary system is overloaded.

### **3. Subdivision of land or buildings in areas within geothermal activity**

- a. For the subdivision of any land or buildings on land known to be susceptible to geothermal activity, the following shall apply:
  - i. Those areas of the site with geothermal activity and that have visible geothermal surface features, or have existing or disused geothermal bores, shall be identified as part of the subdivision application, and shall be shown as being excluded from the location of buildings and structures.
  - ii. The assessment of effects on the environment (AEE) submitted with any subdivision application shall cover the effects of the geothermal activity on the subdivision and any subsequent use of the land or buildings. It shall also assess any effects the subdivision may have on the geothermal surface features. The assessment shall include an assessment of risk, cover relevant matters contained in section 106 RMA and recommend how the issue can be avoided, remedied or mitigated.

- iii. Proposed mitigation measures shall be documented to ensure suitability of the land for subdivision and intended future use. This shall include the consideration of subsequent location and use of either habitable or non-habitable buildings on the site.

#### **4. Subdivision of land or buildings on ground subject to slippage and subsidence (including liquefaction)**

- a. As part of a subdivision consent application information will be required to establish whether the site is or is likely to be subject to damage through slippage or subsidence. It shall be demonstrated that the site is suitable for subdivision and for the intended future use, and that it will not worsen the effects of any potential slippage or subsidence.

#### Advice Note: Electricity Lines

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 NZECP 34:2001. The electricity line operator can be contacted for advice for any activities around the electricity network.

### **SUB-S9 Site serviceability**

[13.13]

#### **1. Site development and earthworks**

- a. For the subdivision of any land or buildings the following shall apply in relation to earthworks, foundations and land stability:
  - i. All sites within the subdivision shall have an area with a foundation suitable for the intended future use, ~~which will be free from inundation~~, erosion, subsidence and slippage;
  - ii. All earthworks shall be carried out in a manner that does not disturb riparian margins, adversely affect Significant Natural Areas, indigenous vegetation or significant habitats or Significant Geothermal Features. Where the site is within a feature identified in the schedules for Historical and Cultural Values or Natural Environmental Values, or is a Significant Geothermal Feature, then the provisions of these chapters of the plan shall apply;
  - iii. Modifications to the natural environment resulting from earthworks shall be minimised, avoided or mitigated in order to preserve existing landscape and habitat features;
  - iv. Bulk earthworks, slope stability or the suitability of natural and made ground for the foundations of buildings, road, services or other works, shall be evaluated, investigated, controlled and certified by a Chartered Professional Engineer specialising in Geotechnical works or an Engineering Geologist; and
  - v. Where the volume of filling exceeds 50m<sup>3</sup> and the depth exceeds 450mm, the filling shall be tested and certified by a Chartered Professional Engineer.

#### **2. Roading and access**

- a. For the subdivision of any land or buildings access to new sites created by subdivision shall be provided as follows:
  - i. All sites and lease areas for which a Computer Register (Certificate of Title) is to be issued must have suitable legal and physical access. Large lot subdivision (that is



subdivision into sites or lease areas that may be further subdivided in accordance with the rules of this plan) shall also make provision for satisfactory access to future potential sites.

- ii. Every site that does not have frontage to an existing road or private road shall be provided with a frontage to a road or private road which will give vehicular access to that site.
- iii. A hierarchical network of roads shall be provided having regard to the desired servicing levels, with clear physical distinctions between each type of road, based on road formation, convenience, traffic volumes, vehicle speeds, public safety and amenity.
- iv. Provision shall be made in the planning of the subdivision for noise mitigation by providing a barrier or distance from the source of noise sufficient to protect the amenity of occupiers from unreasonable disturbance from the use of transport routes.
- v. Sufficient provision shall be made in the design of the road corridor for utility services, that is, water supply and reticulation, sewerage reticulation and disposal facilities, stormwater and land drainage, electricity, street lighting, telecommunication and broadband, gas and for landscaping and street trees.
- vi. No access shall be created within 25m of the boundary of the rail corridor at a level crossing.
- vii. Provision for the safe and convenient movement of pedestrians and cyclists throughout the subdivision site or development.
- viii. Access shall not be directly to a State Highway that is defined as a strategic road as identified in EIT-SCHED1 – Road Hierarchy.

**b. Shared Private Access**

- i. The minimum access and formation widths for shared private access serving household residential units shall be provided in accordance with the following table:

SUB- Table 3 Minimum access and formation widths

Access	Number of <u>household residential</u> units	Widths	
		Legal	Formation
Shared private access	1-2 <u>household residential</u> units	3m	2.7m
	3-4 <u>household residential</u> units	4m	3m
	5-8 <u>household residential</u> units	6.5m	5m
	<u>8-20 residential units</u>	<u>8m</u>	<u>5.5m (plus separate 1.5m wide pedestrian path and 1m wide services berm)</u>
Rural 1 zone shared private access		10m	3m

- ii. A maximum number of ~~8~~ **20 household residential** units may share a private access.

**c. Provision of a design and access statement for roading design approval**

For any subdivision of land or building where roading is proposed the following shall apply:

- i. A design and access statement shall be submitted with the subdivision consent application for design approval. The statement shall cover all aspects of purpose and design and shall specifically address:
  - a. Road dimensions and layout;
  - b. Link and place functions;
  - c. Connectivity;
  - d. The manner in which target operating speeds will be achieved; and
  - e. The manner in which low impact design principles have been considered for stormwater runoff from the roads.
- ii. In addition the design and access statement shall evaluate the effects of the proposed development as its ultimate extent, and where staged, on the surrounding communities and transportation network.

**d. Road and access**

- i. A Māori Roadway that is unrestricted to users will be considered to be a private road. A Māori Roadway that is restricted to users will be considered to be a private way.
- ii. Private roads and private ways are as defined in Section 315 of the Local Government Act 1974;
- iii. Private roads and private ways are approved by council under Section 348 of the Local Government Act 1974 and private roads can also be approved as part of the subdivision process under the Resource Management Act 1991.
- iv. Council may approve an application for subdivision in any of the following situations:
  - 1. Where council is satisfied that adequate access to the site area is provided over other land pursuant to an easement of right of way or via an access lot;
  - 2. Access to rear sites, by way of access way or legally formed right of way must comply with the minimum width requirements, and must be of sufficient width to provide for the potential future use of the site. The future proofing of this should be considered in all new building locations so that efficient use of the land can be made at a future date;
  - 3. The subdivision of land and buildings shall be designed such that there is sufficient on-site turning to comply with Appendix APP1 – Parking, Turning and Access, so that reversing of vehicles along a right of way, access lot, or access leg will not be necessary
- v. Road access to adjoining land shall be provided to ensure future potential development of adjoining sites and connected communities through an integrated road network;
- vi. All vehicle crossings shall be provided and constructed to the standards of the road controlling authority.

### 3. Infrastructure Performance Standards

#### a. Requirements for water services – sewage, stormwater and water supply

- i. The following services shall be required for new sites created by subdivision:
  1. An adequate system for the site specific collection and disposal of stormwater from the proposed roads, private ways, access ways, and reserves and from all sites and buildings within the subdivision;
  2. Adequate disposal of sewage from each site and building within the subdivision;
  3. Adequate and potable water supply to all sites and buildings within the subdivision. New private water supplies shall require testing to prove quantity and potability. Treatment of water supplies for stock use is not required;
  4. All land and buildings to be subdivided shall be served by available communal water services schemes which will be mandatory in areas where these services are already operating or likely to be available within five years;
  5. Where one or more of the water services are not available, the application shall demonstrate that these services can be provided within the site, or is otherwise secured in perpetuity;
  6. All easements for the identification and protection of private and public services shall be shown on the survey plan. Adequate provision must be made for access to and along the easements for maintenance and renewal purposes and in particular easements covering open stormwater drains; and
  7. All sites and buildings shall be serviced independently with stormwater, sanitary sewerage and water supply.

#### b. Water services

- i. All existing available water services shall be extended wherever practically possible. Council will consider the capacity of the existing utility service to connect to each new site within the subdivision, to service future land use in the catchment, and the adequacy of the existing utility services available, including potential to upgrade such services to ensure adequate capacity;
- ii. New water services shall be provided for within road reserves;
- iii. Unless otherwise provided for by this plan, all services are expected to be entirely underground;
- iv. The services to each site shall be independent from the point of supply and to the point of discharge;
- v. All existing water services serving the sites in the subdivision and that are located on adjacent sites must be identified, including all existing and proposed easements associated with the provision of water services; and
- vi. The water supply shall be adequate for fire-fighting purposes.

#### c. Requirements for electricity, telecommunications and gas

- i. Adequate provision shall be made for the supply and installation of electricity, telecommunication including broadband capability and gas services (where

- available within 100m of the subdivision) for every site and building within the subdivision up to the frontage of the site, or lease area;
- ii. Electricity, telecommunication, and services shall be installed underground unless that is demonstrated to be impractical;
  - iii. The following shall be the minimum requirement for electricity servicing of new sites or lease areas created by subdivision:
    1. Written confirmation of the provision of these services in accordance with the requirements of the supply authority shall be required prior to release of Section 224(c) certification;
    2. Written confirmation and evidence as to why the installation of these services underground is impractical shall be required prior to release of Section 224(c) certification;
    3. The subdivider shall be required to demonstrate that the cost of subsequent connection by the future property owner or occupier is not onerous or unreasonable;
    4. All easements for the identification and protection of electricity, telecommunications and gas services shall be shown on the survey plan in favour of the service provider. Adequate provision must be made for access to and along the easements for maintenance and renewal purposes.
  - d. **Requirements for street lighting**
    - i. Adequate provision shall be made for the supply and installation of street lighting in accordance with the requirements for the roading authority; and
    - ii. Any required street lighting shall be provided in a manner to ensure safety of pedestrians, cyclists and vehicles using the roading network.

## **SUB-S10 Rural Zones general performance standards**

### **1. Proposed lots shall not create new severed areas**

- a. Subdivision of land shall not create a lot that has the potential to use the severed lot provision to claim a future severed lot. The features listed in Rule SUB-R30 (formed public roads, unrestricted Māori roadway, railway reserve, topographical severance) shall be used as primary determinants for the boundaries of any new lots created. Any new lot or lease area shall not be proposed across a road or roadway. New boundaries shall follow topographical features such as the bed of a river rather than create the need to cross such features unnecessarily.
- b. Where a proposed lot is not proposed to be connected to a reticulated sanitary sewer network it shall be demonstrated that each site is capable of supporting an on-site effluent disposal system that meets the sewage disposal permitted activity conditions. Alternatively it shall be connected to an operational private community sewage disposal system or a resource consent has been obtained from the relevant Regional Council for a suitable system.

### **2. Subdivision of rural sites with existing buildings**

- a. Where any proposed site to be subdivided has existing buildings on the site, new sites to be created by subdivision shall not result in the activity failing to comply with the performance standards for yards stated in in the zone chapter and/or development area;

- b. A proposed site with an existing building and accessory septic tank shall contain the tank and any associated drainage field within the site and without intruding within the site yards; and
- c. Where any proposed site that is to be subdivided has existing buildings on the site, and where a land use consent has been granted for the existing buildings on site to intrude into the site yards, the degree of non-compliance with the performance standards stated in the zone chapter and/or development area shall not be increased by the subdivision.

### 3. Vegetation, re-vegetation and retirement

- a. Applications for subdivision within the rural zones shall demonstrate that consideration has been given to existing vegetation, retirement of land adjoining water courses from grazing and appropriate new planting of indigenous species to mitigate the effects of potential development for the purposes of water quality improvement, stormwater control, land stabilisation, screening and habitat protection or enhancement.
- b. An application for subdivision consent for land adjoining a lake, stream or wetland must include measures to retain, enhance and manage the landscaping of that land, such as:
  - ii. A site plan that shall identify lot boundaries, contours, landscape types, special ecological features, proposed access, location of future buildings, fence lines, and the finished landform resulting from the subdivision.
  - iii. Recommended conditions necessary to mitigate adverse effects or provide positive effects on the landscape including;
    - 1. Controls on the siting, bulk, location and design of buildings, earthworks and vegetation removal;
    - 2. Location and design of roading and supporting infrastructure;
    - 3. Planting of landscape on public and private lands;
    - 4. Protection of natural features of value;
    - 5. Location and design of fencing.
  - iv. The extent of any landscape assessment shall be sufficiently comprehensive to address the scale of the development and nature of potential landscape and visual effects.

#### SUB-S11 Boundary adjustments

- 1. The subdivision standards for the zone shall not apply to subdivision undertaken for the adjustment of boundaries between adjoining lots. Subdivision undertaken for the purposes of a boundary adjustment shall comply with the following:
  - a. No additional lots or lease areas for which a Computer Register (Certificate of Title) can be issued shall be created; and
  - b. The adjustment or relocation of boundaries shall leave the resulting Computer Register (Certificate of Title) with similar areas to that existing prior to subdivision; and
  - c. The adjustment or relocation of boundaries shall not increase the degree of non-compliance of any existing Computer Register (Certificate of Title) or lease area, with the site design performance standards contained in this part for the zone.
  - d. In rural zones, the adjustment or relocation of boundaries shall not result in lifestyle-sized lots (less than 4 hectares) for which there was not an allocation.

**SUB-S12 Subdivision for creating reserves***[13.14]*

1. For the subdivision of any site or building with the sole purpose of creating a reserve in accordance with Reserves Act 1977, the Te Ture Whenua Māori Act 1993/Māori Land Act 1993 or Resource Management Act 1991 the following shall apply:
  - a. There shall be no minimum site area where a subdivision creates a site for a reserve.
  - b. Site suitability requirements for building and servicing of the reserve will only be required if relevant for the proposed use of the reserve, and if required will be subject to the provisions of this part. A consent notice may be imposed if building platforms and services are not provided.
  - c. The balance lot from which the reserve is to be excised shall be demonstrated as being suitable for its purpose.

**SUB-S13 Subdivision for utility services or electricity generation**

1. For the subdivision of any site or building to create a lot to accommodate utility service or electricity generation and transmission activity sites the following shall apply:
  - a. There shall be no minimum site area for a site to accommodate a utility service.
  - b. Site suitability ([SUB-S8](#)) and serviceability ([SUB-S9](#)) requirements for building and servicing of the utility service lot will only be required if relevant for the proposed utility service, and if required will be subject to the provisions of this part. A consent notice may be imposed if building platforms and services are not provided.
  - c. The site shall be of sufficient size to adequately accommodate the utility service, any associated buildings and structures.
  - d. The site shall be of sufficient size to accommodate yard requirements and landscaping to mitigate any potential adverse effects from the utility service activity.
  - e. The site shall be of sufficient size to accommodate parking and turning requirements.
  - f. The balance lot from which the site is to be excised shall be demonstrated as being suitable for its purpose.

**SUB-S14 Other performance standards***[13.14]***1. Subdivision registration of consent notices**

Where any subdivision of land or buildings creates an effect that has on-going consequences or requires on-going management, the avoidance, remediation, or mitigation of these effects may be stated as conditions of resource consent. Further, the necessary conditions shall require registration by way of Consent Notice on the Computer Register (Certificate of Title) for the new lots or lease areas created.

**2. Cross lease, unit title, company lease subdivision**

All applications associated with cross lease, unit title, or company lease applications shall demonstrate to council that all buildings on the lease areas either:

- a. Have existing use rights; [or a land use consent has been granted; and](#)

- b. Comply with all building consent requirements, or have a Certificate of Acceptance issued in accordance with the Building Act 2004; ~~or and~~
- c. Will not increase the degree of any non-compliance with the density standards in the district plan after subdivision will be created unless there is an approved land use consent; and
- d. Comply with other the relevant provisions of the District Plan for the zone in which the site is located; ~~or and~~
- ~~e. Comply with all building consent requirements, or have a Certificate of Acceptance issued in accordance with the Building Act 2004; or~~
- ~~f. A resource consent has been granted.~~
- g. Where a building fails to comply, a subdivision consent will not be granted until the requirements under (a) to (d) above have been met.

### 3. Conversion of cross lease to freehold requirements

- a. Where a lot to be created by the conversion of a cross lease to a freehold title is occupied by an existing household residential unit, or is for a residential unit for which land use consent has been granted, the proposed lot shall not increase the degree of any non-compliance with density standards in the district plan and shall comply with the other relevant performance standards for permitted activity for the zone. In any instance of an existing household residential unit failing to comply with a performance standard, the council may impose conditions regarding mitigation of the potential adverse effects.
- b. Any proposed lot that is not occupied by an existing household residential unit shall comply with the relevant site dimension requirements set out for the relevant zone and the site suitability and site serviceability standards set out in SUB-S8 and SUB-S9.
- c. The application will be subject to the requirements of the esplanade provisions at the end of this chapter.

### 4. Update of cross lease flats plan requirements

The application shall demonstrate that the existing buildings on the site comply with the provisions of the current building code with regard to means of escape from fire, access protection of other people's property, and where applicable, provides for persons with disability.

### 5. Unit title requirements

- a. Unit title subdivision applications shall allocate accessory units to principal units to ensure compliance with parking requirements stated in the performance standards for the zone and APP1 – Parking Turning and Access where parking requirements are not provided for within the principal unit. Practical and physical access shall be provided to each unit in accordance with SUB-S9(2), or in accordance with an approved land use consent for the building, or buildings, to be subdivided.
- b. In the case of a unit title each proposed unit shall be in accordance with either a permitted activity as stated in the relevant zone, or in accordance with an approved land use consent for the building, or buildings, to be subdivided.
- c. Company lease or unit title subdivision applications shall demonstrate that the proposal complies with, or will comply with the provisions of the current building code with regard to means of escape from fire, access, protection of other people's property, and where applicable, provides for persons with disability.

- d. Before granting consent to a staged cross lease, company lease or unit title subdivision the council shall be satisfied that the site has sufficient area for further complying development, that each stage does not compromise future stages and that such development will be free from natural or manmade hazards and is capable of being adequately serviced.
- 6. Subdivision of sites (other than cross lease titles) with existing buildings**
- a. Where any proposed site to be subdivided has existing, lawfully established buildings or buildings approved in a land use consent, on it, the new sites to be created by subdivision shall comply with the performance standards for yards for the zone or the subdivision shall not increase the degree of non-compliance.
- ~~b. Where any proposed site that is to be subdivided has existing buildings on the site that have been granted land use consent to intrude into the site yards, the degree of non-compliance with the relevant performance standards for the zone shall not be increased by the subdivision.~~

## Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

### SUB-MC1 General matters of control

*[13.17(1), 13.15]*

1. The level of compliance with the performance standards in this chapter. The application shall also be assessed against the general controlled assessment criteria for controlled activities for the relevant underlying zone.
2. The following matters:
  - a. The degree of connectivity to open space, services and facilities.
  - b. Accessibility by all modes of transport, including for cyclists and pedestrians.
  - c. The degree of accordancy with the principles of CPTED.
  - d. The extent to which the design and layout of lots enable siting of a household residential unit with good solar access.
  - e. The extent to which existing landform and landscape features are retained and enhanced.
  - f. The extent to which existing vegetation is retained or enhanced.
  - g. The extent to which the character and amenity values are consistent with the planned character of the zone maintained and enhanced.
  - h. The extent to which adverse reverse sensitivity effects can be avoided, remedied or mitigated.
  - i. Potential for the activity to adversely affect the safe and efficient operation of strategic infrastructure.
  - ~~j. Where subdivision will result in an existing dwelling failing to meet performance standards, the council shall consider and may impose conditions regarding the potential adverse effects of non-compliance with a performance standard and the objectives and policies for the relevant zones.~~
  - k. Whether a financial contribution is required under the provisions of FC – Financial Contributions



- I. Wharenui Road Precinct: WHPR-MC1 to WHPR-MC6.

## Matters of Discretion

The following matters of discretion apply where listed in the rule table for the relevant activity.

### **SUB-MD1 General assessment criteria**

*[13.18(1), 13.5]*

1. The level of compliance with the performance standards in this chapter. The application shall also be assessed against the general matters of discretion for restricted discretionary activities for the relevant underlying zone.
2. The following matters:
  - a. How the activity achieves the objectives and policies of this part, the relevant zone and/or development area, and the district wide chapters.
  - b. The degree of connectivity to open space, services and facilities.
  - c. Accessibility by all modes of transport, including for cyclists and pedestrians.
  - d. The degree of accordance with the principles of CPTED.
  - e. The design and layout of lots to enable siting of a household residential unit with good solar access.
  - f. The retention and enhancement of existing landform and landscape features.
  - g. The retention and enhancement of vegetation.
  - h. Whether opportunities for re-vegetation have been taken.
  - i. Whether opportunities for retirement of pasture from grazing have been taken.
  - j. The extent to which the character and amenity values are maintained and enhanced.
  - k. Whether a financial contribution is required under the provisions of FC – Financial Contributions
  - l. Wharenui Road Precinct: WHPR-MD1 to WHPR-MD6.

### **SUB-MD2 Areas susceptible to inundation**

- a. The appropriateness of the proposed building locations and the extent to which the proposal minimises the risks to people and property on the site from flooding;
- b. The extent to which development of the site will increase risks from flooding to people and property on other sites or infrastructure; and the extent to which the proposal mitigates this effect;
- c. Whether the development of the site will reduce the carrying capacity and storage capacity of any river corridor or major overland flowpath; and
- d. Where overland flowpaths affect the site:
  - a. the extent to which the development of the site will provide for the continued conveyance of water;
  - b. whether the development of the site will change the entry and/or exit points of the overland flowpaths and the impact on other sites and infrastructure;
  - c. management of any potential erosion caused by any overland flowpaths; and
  - d. provision for access and maintenance to the overland flowpaths.

## Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

### **SUB-AC1      General assessment criteria**

*[13.19(1), 13.5]*

1. Council may impose conditions in relation to:
  - a. The degree of connectivity to open space, services and facilities.
  - b. Accessibility by all modes of transport, including for cyclists and pedestrians.
  - c. The degree of accordancy with the principles of CPTED.
  - d. The design and layout of lots to enable siting of a household residential unit with good solar access.
  - e. The retention and enhancement of existing landform and landscape features.
  - f. The retention and enhancement of vegetation.
  - g. Whether opportunities for re-vegetation have been taken.
  - h. Whether opportunities for retirement of pasture from grazing have been taken.
  - i. The extent to which provision is made for the protection and enhancement of indigenous biodiversity.
  - j. The extent to which the character and amenity values are consistent with the planned character of the zones maintained and enhanced.
  - k. The extent to which adverse reverse sensitivity effects can be avoided, remedied or mitigated.
  - l. Potential for the activity to adversely affect the safe and efficient operation of strategic infrastructure. Regard should be had to the outcome of any consultation with the infrastructure operator.
  - m. The assessment criteria for development and activities that affect a Significant Geothermal Feature, as set out in NFL - Natural Features and Landscapes.
  - n. Whether a financial contributions is required under the provisions of FC- Financial Contributions.
2. Applications for subdivision within the Sensitive Rural Area of the Rotorua Caldera Rim will be assessed against the following criteria:
  - a. The extent of compliance with performance standards for subdivision.
  - b. The location of buildings, works and structures.
  - c. The height of buildings taking into account the surrounding landscape and the ridgeline of the caldera.
  - d. Whether proposed roads and access ways cut across a hillside or into a prominent slope.
  - e. The extent of earthworks and modification of the landform and the extent to which the finished landform appears natural and maintains the character and amenity of the rural area.

- f. The extent of vegetation removal.
- g. The mitigating effects of the proposed landscape scheme.
- h. The guidelines in the Boffa Miskell Ltd report 'Rotorua Caldera Rim- Caldera Rim Rural Character Design Guideline, September 2012', that manages built change in the rural landscape.
- i. The ability to service the subdivision without adverse effects from necessary infrastructure located on the caldera ridgeline or prominent upper slopes of the caldera.

A landscape and visual assessment shall be provided with the subdivision consent application. This assessment shall consider the nature and scale of the proposed subdivision in the context of the sensitive rural area and the affected landscape elements applicable to the development site and the immediate surrounding area.

The landscape assessment shall; Identify and describe the landscape character of the site including any significant or prominent features, its location within the sensitive rural area including the upper slopes and ridgelines where the landscape is more sensitive to development.

3. Subdivision of sites containing Significant Natural Areas, Outstanding Natural Features and Landscapes, or Significant Geothermal Features:
  - a. Whether the subdivision layout has taken sufficient account of the topography of the site and surrounding land, through providing for house sites and the provision of access and services to the site that will, when built on, minimise the visual impact of buildings and the access (both individually and cumulatively) on the ONFL.
  - b. Whether consequential features of the subdivision including the intended location of residential activities and dwellings, design and location of access, stormwater and wastewater management, overhead service lines, the planting of trees and shrubs and earthworks avoids remedies or mitigates any adverse effect on identified SNA, ONFL and SGF.
  - c. Whether the lots created will be able to adequately accommodate onsite services for the disposal of stormwater and wastewater and other utilities such as power and telephone without the removal of indigenous vegetation or geothermal vegetation.
  - d. The extent to which future development would affect Significant Natural Areas and Significant Geothermal Features that have been identified as requiring protection.
4. The extent to which new activities will avoid, remedy or mitigate effects on the appearance and integrity of a heritage site or item, with particular regard to the:
  - a. Visual impact of buildings, structures, signs, and exterior lighting.
  - b. Visual connectivity of sites, including Marae to other sites, landmarks, landscapes or wāhi tapu, that contributes to its cultural importance.
  - c. Cumulative effects of built form and human presence.
  - d. Appropriate separation distance from the cultural site, archaeological site or wāhi tapu, from the proposed activity.
5. Wharenui Road Precinct: WHDA-AC1 to WHDA-AC6.

## Esplanade Requirements

In addition, to the above subdivision rules, Council will require the vesting of esplanade reserves or the creation of esplanade strips or access strips upon subdivision of sites, lease areas, or cross lease updates, where the subdivision site adjoins or is within 20m of a stream, river, or lake as defined in the Act, and in accordance with the Natural Environmental Values chapter of this plan.

### **SUB-R44 Esplanade Reserve and Esplanade Strip Provision**

1. Where the subdivision of land occurs and new sites are created the following shall apply;
  - a. An esplanade reserve or strip of 20m in width (unless otherwise waived in accordance with the provisions of SUB-R45) along the banks of the following water bodies shall be vested in council:
    - i. Lakes over 8 hectares; or
    - ii. Rivers with an average width of 3m or more
2. Where the subdivision of land occurs and new sites are created that exceed 4 hectares the following shall be assessed to determine if a greater width than 20m is required:
  - a. If topography, cultural values or ecological values makes access impracticable or undesirable within 20m of the water body.
  - b. If facilities will be required in conjunction with the esplanade reserve or strip, such as car parking, picnic, or recreation areas.
  - c. If an area is required for the avoidance, remediation or mitigation of adverse effects arising from the expected or likely use of the new sites where those adverse effects cannot be avoided, remedied or mitigated on-site.
  - d. Other situations where the subdividing owner offers a wider reserve or strip and particular features of the site make this desirable.

### **SUB-R45 Reduction or waiver of a 20m width for esplanade reserves or strips**

1. Applications to reduce or waive a 20m width for esplanade reserves or strips shall be assessed as a discretionary activity
2. Priorities for acquisition of an esplanade reserve are shown on the planning maps and in particular map 203. This will be considered in determining a reduction or waiver.
3. The width requirements for esplanade instruments as stated in SUB-R44 may be reduced to a width of no less than 5m if the following instances apply:
  - a. Topographical constraints on or adjacent to, the area in question are such that the full 20m width will lead to conflict with no practical resolution.
  - b. Existing permanent buildings such as dwellings (but excluding boat sheds, garages and garden sheds) are sited within 25m of the water body.
  - c. Existing access to adjacent allotments is sited within 20m of the water body and cannot be readily re-sited.
  - d. Topography adjacent to or within the proposed reserve requires that services such as a road or access must be placed within 20m of the water body.
  - e. Identified Māori historic heritage sites are within 20m of the water body.

- f. If there is an existing esplanade reserve or strip depth that is adequate to achieve the purposes of the esplanade.
  - g. Whether a financial contribution is required in addition to an esplanade or reserve strip.
4. The requirements for esplanade instruments as stated in SUB-R44 may be waived if the following instances apply:
- a. Topographical constraints on, or adjacent to, the area in question has the potential to adversely affect public safety.
  - b. Access to the water body is limited.
  - c. It would be more beneficial for the land to remain with the owner than to vest in council.
  - d. The land has little or no value in terms of enhancing public access; there are no conservation benefits to be gained; or for reasons of public safety or security.
  - e. There are no conservation benefits to be gained.
  - f. For reasons of public safety or security.
  - g. Where the land is already protected under a QEII Trust Covenant, protective covenant under the Reserves or Conservation Act, or marginal strip under the Conservation Act.
  - h. Land administered under the Te Ture Whenua Māori Act 1993.
  - i. Other exceptional circumstances that are sufficient to justify a restriction.
5. Before considering any waiver under Council will consider and, where practicable, seek the provision of alternative access routes that are available to the public.

## Financial contributions

Advice Note:

### **Financial Contributions for Reserve Purposes**

Financial contributions for reserves are required for all new sites and will be levied in the manner detailed in FC - Financial Contributions. Financial contributions can be levied as cash or land. If the land to be taken as a financial contribution for reserve purposes is to be developed as part of the subdivision application then a development plan for the reserve shall be submitted to, and approved by council, prior to any works beginning on the land to be vested.

### **Financial Contributions for Transport Network and Servicing Works**

Financial contributions for subdivision may include works to avoid, remedy, or mitigate adverse effects of the subdivision, including the formation of an unformed road, the upgrading of a formed road, or the upgrading of an under capacity sanitary sewer, stormwater, or water services infrastructure. The financial contribution will be levied in the manner stated in FC - Financial Contributions.

### **Financial Contributions for Vesting of Service Lanes**

Council will require the vesting of land for service lanes upon subdivision of land containing service lanes as shown on the planning maps - city centre service lanes and in accordance with CCZ – City Centre Zones and FC – Financial Contributions. Where council requires land to be vested for service lane provision the maximum extent of land will be the financial contribution required. Survey and legal costs associated with the vesting of the service lane shall be met by the council. The costs of forming the service lane shall be met by council.

## ANTICIPATED ENVIRONMENTAL RESULTS

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:

<b>SUB-AER1</b>	An increase in sustainable subdivisions where new lots: <ol style="list-style-type: none"> <li>1. Are connected to public utility services;</li> <li>2. Are connected to the road network;</li> <li>3. Have reasonable access to services and facilities;</li> <li>4. Have reasonable access to a reserve used for recreation or amenity purposes; and</li> <li>5. Will not result in reverse sensitivity effects on existing lawfully established activities.</li> </ol>
<b>SUB-AER2</b>	An increase in subdivision that supports the improvement of water quality by: <ol style="list-style-type: none"> <li>1. Decreasing the area of vegetation that is removed in association with subdivisions;</li> <li>2. Reducing nutrient losses from rural land;</li> <li>3. Increasing the area retired from grazing; and</li> <li>4. Increasing the areas of land that is revegetated.</li> </ol>
<b>SUB-AER3</b>	An increase in the use of sustainable modes of transport including cycling and walking.
<b>SUB-AER4</b>	An increase of the area of land that has undergone a permanent definitive land use change to achieve significant reductions in nutrient losses.
<b>SUB-AER5</b>	Avoidance of reverse sensitivity effects.
<b><u>SUB-AER6</u></b>	<u><a href="#">An increase in the density and diversity of housing in the Residential 1 Zone and Residential 2 Zones.</a></u>