

# PART 10

## RURAL

### 10.1 INTRODUCTION AND SIGNIFICANT RESOURCE MANAGEMENT ISSUES

- 10.1.1 Most of the land in the Rotorua district can be described as rural, with agriculture and forestry the two main land uses and among the biggest economic drivers for the district. While over 80% of the district's land surface 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.
- 10.1.2 Three rural zones are defined in the district – Working Rural, Rural Lifestyle and Rural Village. The Working Rural zone is the largest of the three rural zones and the largest of all the zones that make up the district. The Working Rural zone is not just about farming and forestry though, a broad range of activities take place including tourist attractions and tourist accommodation, transport and logistics, and renewable energy generation.
- 10.1.3 The Rural Lifestyle and Rural Village zones are where buildings are more concentrated, but in smaller areas compared to the suburbs around the City Centre. Generally, Rural Lifestyle-zoned areas occur on the edges of the residential areas - for example, the southern end of Clayton Road in Rotorua, and the western and northern edges of Ngongotaha. A large proportion of the Hamurana and Kaharoa area is zoned Rural Lifestyle, as is Brunswick Park on the eastern side of Lake Rotorua. There are Rural Villages throughout the district, with the largest being Mamaku and Reporoa. Smaller villages include Ngakuru, Broadlands and Golden Springs.
- 10.1.4 Most of the important landscapes and vegetation that contribute to the district's unique character are in the rural area. As discussed in Part 3 many of the important landscapes have a volcanic origin, some are lakes and some are forests. Although there is a concentration of 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.
- 10.1.5 Working Rural is one zone that never increases in size, but reduces to meet demand for other uses. Many of the rezoning's in the district are from a rural classification to a residential or commercial zoning. The ability of the land to revert back to a viable food production role is also changed, and increases the level of importance to such decisions.
- 10.1.6 How land is used in the rural areas is a major factor in the lake water quality that future generations will inherit. As in most parts of New Zealand, cows are part of the rural landscape in the Rotorua district, but whether this is the best use for land where runoff can influence the health of highly regarded lakes is one of the major issues this District Plan attempts to address. Giving people the ability to make informed decisions, with a number of viable options available to them, is one of the key methods this District Plan delivers.

10.1.7 The three rural zones are described further below:

Zone	Code	Description
Rural 1 Working rural	RR1	Productive rural land for agriculture and forestry. Features that contribute to the amenity of this zone include the open space, , large lot sizes, low traffic levels, its relative quietness and the low numbers of buildings. The main activities provided for within this zone involve agricultural practices such as farming and forestry. Moderate noise levels emitted from agricultural practices are an expected element of the working rural environment.
Rural 2 Rural lifestyle	RR2	Rural-residential living. Lots are smaller than the Rural 1 zone and provide for a higher number of dwellings within a confined area. Dwellings continue to be well spaced apart providing for large outdoor living and high levels of privacy. Due to this the zone continues to experience a relatively quiet environment. Small scale farming practices are carried out on site and low levels of hard surface and building coverage exists.
Rural 3 Rural village	RR3	A mix of housing and commercial uses in a rural setting that are generally small service centres for the surrounding working rural areas. Such settlements include Golden Springs, Reporoa, Ngakuru and Mamaku.

10.1.8 The issues detailed below have shaped the policy framework for the rural zones. While many issues have required consideration, and the objectives and policies are comprehensive, most are related to achieving one of the following major outcomes:

- Viable options for people wanting to change from high-nutrient activities to other land uses. The rural zones hold one of the keys to improving lake water quality in the district.
- Maintaining rural character and important landscapes in an environment where land uses may change quickly during the life of the District Plan.

Each issue is discussed in turn below.

#### 10.1.7 **WATER QUALITY**

Rural land use practices have the potential to contribute large amounts of nutrients into water catchments and water bodies these being a major contributor to declining water quality. Rural sources of nutrients are usually from diffuse sources such as animal waste and fertiliser application. Due to the type of soils present within the District the nutrients contained within these sources do not bind well with soil particles and diffuse directly into ground water and the Lake. The District Plan seeks to reduce the level of nutrient discharge through providing direction for changes in land use and land use practices that better manage nutrients and increase water quality outcomes.

#### 10.1.8 **PROTECTING PRODUCTIVE RURAL LAND**

Productive rural land is important to the economic future of Rotorua. Both land use and subdivision can reduce the amount of land available for primary production through increasing the area occupied by residential development and creating unsustainable intensive agricultural practices. It is important to retain lot sizes that provide for sustainable land use practices and provide a range of options for land uses by future generations.

#### 10.1.9 **RURAL CHARACTER AND AMENITY**

In Rotorua district 'rural character' largely means a mix of working landscapes and natural features that are not dominated by buildings. The undermining of the amenity of the landscape through urbanisation and changes in land use is one of the significant threats to the rural environment. Although land use has the ability to impact water quality the change needs to be balanced to ensure positive effects across the board. The main threat to rural character the cumulative effects of subdivision and development this causing the reduction in lot size and the level of dispersed dwellings/buildings in turn creating ribbon development whilst increasing traffic and noise levels. Protection of rural character and prominence of important features and landscapes is important culturally, and for residents and tourists.

## **REVERSE SENSITIVITY**

10.1.10 The rural area is a working environment, a place for primary production and associated industries. Environmental effects such as contaminants, noise, odour and traffic can result from these activities and are to be expected within the rural environment. Such industries are provided for by the plan within this area and for these reasons new rural living can be unsuitable or incompatible with the existing rural working environment. Residential development will need to mitigate the adverse effects created from reverse sensitivity through ensuring adequate setback from boundaries along with the location and orientation of the dwelling being taking into account.

Forestry is one of the three important economic drivers of the district and may increase as a result of the Central North Island Treaty settlements, the emissions trading scheme and regional council policies and rules for water quality. The impacts of this land use needs are taken into account within the District Plan and ensure that reverse sensitivity between forestry practices and other rural land use activities are reduced.

## 10.1.12 **RURAL SETTLEMENTS**

Within the district there are a number of small rural settlements ranging in size from areas such Mamaku, Reporoa, to the smaller settlements of Ngakuru and Golden Springs. These entail small isolated pockets of higher residential density with a small area of commercial activity, this servicing the rural village and industry. The district plan needs to recognise the unique character of each of the settlements and provide for these when managing the effects of activities.

## 10.1.13 **IMPORTANT NATURAL LANDSCAPES AND CULTURAL HERITAGE**

The rural environment contains a high number of the districts important natural landscapes and sites of cultural significance in comparison with other zones. These natural landscapes significantly contribute to the amenity and character of the rural environment and the District. Activities and development within or in close proximity to these sites needs to be undertaken in a manner that does not adversely affect the importance of these features. Part 3 outlines the suitable activities that are able to be undertaken in these areas or those activities that require consent.

## 10.1.14 **RENEWABLE ENERGY**

Geothermal and Hydro energy generates a significant portion of the electricity for the region and New Zealand. Given its level of national importance within the Resource Management Act territorial authorities need to have particular regard to the benefits that can be derived from the use and development of renewable energy. Rotorua has a significant amount of resources that have the potential to be utilised to develop renewable energy with the majority of these located within the Rural Zones. Although this activity is nationally significant the adverse effects generated on the resource and surrounding environment can be significant, the District Plan needs to control these activities whilst acknowledging this level of importance.

### **DRAFT POLICY FRAMEWORK – FEEDBACK SOUGHT**

**The performance standards of the Rural Zones have been altered to make them align better with anticipated lot size, and to ensure that rural amenity and character are maintained. Council is interested in gauging whether this makes the chapter easier to understand and navigate.**

**A key policy direction where feedback is sought relates to objectives and policies focussed on restricting high nutrient activities in the rural areas. It raises a number of questions:**

- 1. Is it appropriate for the district plan to require resource consent for new activities that produce high nutrient quantities, such as dairying?**
- 2. In attempting to improve lake water quality through land use change is the district plan blurring the responsibilities of local council and regional councils?**
- 3. Should lake water quality improvement measures be district-wide, or focussed at particular parts of the rural landscape?**
- 4. Are the incentives to assist improving lake water quality clear and easy to find in the chapter and through connections to Chapter 3 and 13?**

## **SPECIAL CONSIDERATION FOR THE RURAL, SUBDIVISION AND MATTERS OF NATIONAL IMPORTANCE CHAPTERS OF THE DRAFT DISTRICT PLAN**

Specific feedback is sought on a proposal that could incentivise land use change, natural heritage protection and lake water quality improvements in the Rotorua district.

We all know Activity Rules can be used to stop something from happening in a certain area.

But activity rules can also be used to incentivise and enable actions. Activity rules can be used to Target land use change

This concept is based on a public-private sector approach to the development of sustainable land use options for “strategic properties”, those properties where there is willingness, or where substantial gains can be made for water quality or broader environmental objectives.

What this entails is the development of concept plans, sponsored by Rotorua District Council or BOP regional council, for key properties. The development plans would be based on ecological, groundwater, landscape and sustainable infrastructure principles. The landowner would need to agree to the development plans and their outcomes. Concept plans could cover a range of land-use change options beyond common lifestyle lots such as forestry, tourist lodges, golf courses, industry and farm parks for example.

The concept plans would be incorporated into the district plan that is to be publicly notified. If a landowner then wishes to develop in accordance with the concept plan the activity would be a controlled activity – meaning that Council must approve the application subject to conditions, where one of the conditions would be to demonstrate a decrease in nutrients.

If a landowner wished to deviate from the concept plan then consent for a restricted discretionary/discretionary activity would be required, which Council can choose to approve or decline. Where a development that did not fit with the concept plan was suggested, where there would be an increase of nutrients discharged or where no benefit resulted, then the activity would be a discretionary or non-complying activity, which may or may not be approved.

A number of discussions are currently underway to see if at least one test-case can be formulated and reflected in the proposed, rather than the draft version of the district plan. Council would go as far as funding part of the ecological or landscape assessments during the scoping phase. In addition, landowners will be encouraged to provide the concept plans as submissions to the district plan.

**Please tell us what you think.**

## 10.2 OBJECTIVES AND POLICIES

### Water Quality

#### Objective 10.2.1

Rural land use practises that create a reduction in nutrient discharge and contribute to improving lake water quality.

#### Policy 10.2.1.1

Incentivise positive land use change that demonstrates a nutrient reduction from activities undertaken on the land through:

- Providing for a range of low nutrient land uses
- Promoting low nutrient agricultural practises.

#### Policy 10.2.1.2

Provide for and support land use change that results in a reduced nutrient output from activities undertaken on land in the rural environment through making consenting requirements less restrictive.

#### Policy 10.2.1.3

Encourage revegetation, retirement and legal protection of land and riparian areas that are:

- Susceptible to erosion
- Along lakeshore and other riparian margins
- In areas adjoining already protected features
- In areas where positive gains can be made in improving biodiversity and ecological corridors in rural areas.

#### Policy 10.2.1.4

To re-vegetate gullies to assist both in filtering runoff from more elevated rural lands in the catchment behind and in reducing the nutrient level of stormwater before it enters the lakes.

#### Policy 10.2.1.5

To promote a change from animal grazing on pastoral land to indigenous vegetation so as to mitigate the adverse effects of land use activities on lake water quality where additional rural-residential development is contemplated.

#### Policy 10.2.1.6

Require the on-going management of retirement areas so vegetation is established, well maintained, and pest plants are well managed.

#### Policy 10.2.1.7

Restrict new land use activities within lakes catchments that may increase nutrient inputs into streams, rivers, and lakes.

## Protecting productive rural land

### Objective 10.2.2

Maintenance of the productivity and usability of rural land through;

- Development that enables a range of future land uses
- Land use activities that do not reduce soil health and land stability

### Policy 10.2.2.1

Ensure the location of buildings or activities do not exacerbate land instability by managing the location of activities on site and requiring stabilisation measures where required.

### Policy 10.2.2.3

Control the level of development onsite and maintain suitable lot sizes to ensure sufficient land area is provided to enable a range of different options for land uses by future generations.

## Retention of rural character and amenity

### Objective 10.2.3

Maintenance of the character enjoyed in the rural areas of the district, where the character is defined by:

- Diversity of land use, varying from pastoral uses, indigenous vegetation, and exotic forestry.
- Diversity in landscape type varying from flat and undulating land, to rolling hills, caldera terraces, and landscape features recognisable as unique to Rotorua
- Large separation distances between dwellings and structures
- Buildings that are subordinate to the surrounding landscape
- View shafts gained from the road reserve that are not reduced by ribbon development.
- Moderate levels of noise and traffic associated with a working environment
- Low levels of glare and lightspill from adjoining activities
- Minimal signage that is in keeping with activities undertaken on-site

### Policy 10.2.3.1

Provide for a range of signage to meet the need of activities in rural areas while ensuring that signs do not individually or cumulatively have adverse effects on:

- The character and amenity of the locality in which the sign/s are proposed or established
- Cultural, landscape and heritage values
- The safe and efficient functioning of the road network
- The health and safety of road users and pedestrians.

### Policy 10.2.3.2

Ensure that land use change intending to improve lake water quality does not create significant adverse effects on rural amenity.

### Policy 10.2.3.3

Recognise the nature of the working rural environment and ensure adverse emissions are avoided by residential development through appropriate location and design.

### Policy 10.2.3.4

Manage the effects of activities in rural areas so that the character of the rural environment is maintained through;

- Well spaced buildings, with sufficient setbacks from legal boundaries
- Building designed to be subordinate to the rural landscape and maintained viewshafts gained from road reserves
- Low noise and traffic levels

## Reverse sensitivity

### Objective 10.2.4

A working rural environment where issues of reverse sensitivity are considered when undertaking land use and subdivision activities.

### Policy 10.2.4.1

Manage the location of residential activities in rural areas where they locate in the vicinity of lawfully established rural industries.

### Policy 10.2.4.2

Ensure that where residential activities locate in the rural zone, there is an awareness of the amenity and character of the zone, which would include noise, vibration, lightspill, glare, odour, or dust emissions from rural production activities.

### Policy 10.2.4.3

Require industrial and commercial activities to provide mitigation measures to ensure that established residential activities are able to enjoy the qualities and character of the rural environment such as:

- Significant boundary setbacks
- Acoustic treatment to reduce noise emissions
- Containment of noise, dust and odour emissions to be within the site boundaries
- The provision of landscaping to reduce viewshafts of the activity
- Managing hours of operation to reduce conflict with adjoining land uses.

## Rural settlements

### Objective 10.2.5

The rural villages of the rural settlements of Mamaku, Reporoa, Ngakuru, Broadlands, Rerewhakaaitu and Golden Springs maintain their rural settlement character.

### Policy 10.2.5.1

Manage the effects of activities in the rural settlements so that the character of the area is reinforced and enhanced

### Policy 10.2.5.2

Manage the noise effects generated by activities to ensure that residential amenity is safeguarded.

### Policy 10.2.5.3

Require commercial activities adjoining rural-residential sites in rural settlements so that effects in relation to :

- noise
- vibration
- glare and light spill
- Service and storage area management
- building bulk and shadowing are avoided or mitigated.

## Rural lifestyle

### Objective 10.2.6

Opportunities for rural lifestyle living provided where supported by appropriate services and infrastructure.

### Policy 10.2.6.1

Encourage and provide for rural lifestyle living in close proximity to established urban areas for consolidation of service provision, and to ensure that the working rural environment is not fragmented by rural lifestyle activity

### Policy 10.2.6.2

Manage the effects of rural lifestyle living where it is dispersed throughout the working rural area where it achieves:

- High separation distances between dwellings and structures
- Servicing through connecting to existing reticulation.
- Vegetative or other screening to ensure rural character is maintained
- Visual effects of bulk and location of houses
- A reduction in nutrient discharge

## Maintenance of natural and cultural landscapes

### Objective 10.2.7

Rotorua caldera landscape continuing to provide a prominent rural and open space visual backdrop to the urban area of Rotorua city and wider Rotorua basin.

### Objective 10.2.7.1

Reinforce the distinctive landscape feature of the Rotorua caldera through:

- Setting the upper limit of development at the 385 metre contour.
- Confining buildings and structures predominantly to lake terraces
- below the 385 metre contour.
- Minimising the visual impact of built form when viewed from within the Rotorua Urban Area.
- Integrating built form so that it nestles within the landform and indigenous vegetation.

### Objective 10.2.7.2

Restrict activities that have the potential to adversely impact the Rotorua caldera landscape, such as tracking, mining, quarrying, and the location of buildings that will have a high degree of prominence

## Renewable energy

### Objective 10.2.8

Exploration, development and use of geothermal and hydro systems for the purpose of electric generation in a manner that avoids, remedies or mitigates any significant adverse effects on the environment.

### Policy 10.2.8.1

Enable the efficient operation, maintenance, and upgrading of existing thermal and hydro electricity generating infrastructure and activities.

### Policy 10.2.8.2

Control the exploration, development, construction and operation of new or extensions to geothermal electricity generating infrastructure and related activities.

**Policy 10.2.8.3**

Manage the effects of the hydro and geothermal systems to ensure that rural amenity and natural character of the environment is maintained through:

- Requiring rehabilitation of areas effects by exploration and earthworks
- Requiring mitigation measures in regard to noise, traffic, dust
- Requiring significant containment, storage and, if required, treatment of stormwater, tailings, and hazardous substances

**Policy 10.2.8.3**

Restrict the location of new land uses that may potentially conflict with, restrict or compromise the existing operation of electricity generating infrastructure and activities.

## 10.3 RULES FOR ACTIVITIES IN THE RURAL ZONES

Activities undertaken within each Rural Zones of the District are classified in Table 10.3. The Rural Zones in Table 10.3 are:

<b>Rural 1</b>	<b>Working Rural</b>
<b>Rural 2</b>	<b>Rural Lifestyle</b>
<b>Rural 3</b>	<b>Rural Village</b>

10.3.1 The activity types in Table 10.3 are explained below:

<b>P=Permitted activities</b>	Where activities in 10.3 are stated as Permitted Activities, <b>AND</b> where they comply in all respects with the Performance Standards in 10.4, resource consents will not be required.
<b>C= Controlled activities</b>	Where activities are expressly stated in 10.3 as Controlled Activities, or are classed as Controlled Activities in accordance with 10.3(2), they shall comply with the Performance Standards of the relevant rural zone. The matters over which Council shall rural its control are stated in Rule 10.6. Council can not refuse a resource consent for a controlled activity but can grant the resource consent subject to conditions relating to those matters over which Council has reserved control.
<b>RD=Restricted discretionary</b>	Where activities are expressly in 10.3 as Restricted Discretionary Activities, or are classed as Restricted Discretionary Activities in accordance with 10.3(3), the Performance Standards stated in 13.5 may be modified by means of a resource consent. The matters over which Council shall restrict its discretion are stated in Rule 10.7. Council can choose to grant or refuse a resource consent for a Restricted Discretionary Activity. If Council grants a resource consent for a Restricted Discretionary Activity it can be granted subject to conditions relating only to those matters over which Council has restricted the exercise of its discretion.
<b>D= Discretionary activities</b>	Where activities are expressly stated in 10.3 as Discretionary Activities, or are Discretionary Activities in accordance with Rule 10.3(4), 10.3(5) the activity shall be assessed against those matters in Rule 10.8. Council can choose to grant or refuse a resource consent for a discretionary activity. If Council grants a resource consent it can be granted subject to conditions.
<b>NC=Non-complying activities</b>	Where activities are expressly stated in 10.3 as Non-complying Activities, or are non-complying Activities in accordance with 10.3(6) they shall be assessed against those matters in Rule 10.9. Council can choose to grant or refuse a resource consent for a non-complying activity. If Council grants a resource consent it can be granted subject to conditions.
<b>Pro=Prohibited activities</b>	Where activities are expressly stated as being prohibited and are described in the District Plan no resource consent shall be applied for. Consent to undertake such activities will require a Plan Change to be approved by Council.
<b>NA= Non Applicable</b>	Where an activity is stated as being non applicable it indicates that these activities are not likely to occur within that particular zone.

Meanings for the terms used below can be found in **Part 1 Definitions**.

**Table 10.3 Activities in the Rural zones**

Activities	Rural Zones		
	1	2	3
<b>Activity classes</b>			
1. Any activity accessory to a permitted activity, where the accessory activity complies with all of the performance standards stated in <b>10.4</b> , and are activities not otherwise stated in <b>10.3</b> .	P	P	P
2. Any activity accessory to a controlled activity, where the accessory activity is not stated as being a restricted discretionary, discretionary, non-complying, or prohibited activity in <b>10.3</b> .	C	C	C
3. Any activity stated as a permitted activity that does not meet one of the performance standards for permitted activities stated in <b>10.4</b> .	RD	RD	RD
4. Any activity stated as a permitted activity that does not meet more than one of the performance standards for permitted activities stated in <b>10.4</b>	D	D	D
5. Any activity stated as a controlled activity that does not meet the performance standards for permitted activities stated in <b>10.4</b> .	D	D	D
6. Where an activity is not expressly stated in <b>10.3</b> then the activity shall be a Non-Complying Activity.	NC	NC	NC
<b>Airport noise contour controls</b>	<b>1</b>	<b>2</b>	<b>3</b>
7. Notwithstanding any other activity stated in <b>10.3</b> , any addition to an existing Activity Sensitive to Aircraft Noise within the Inner Noise Control Area as shown on the Planning Maps and subject to the standards and terms stated in <b>Part 9</b> .	RD	NA	NA
8. Notwithstanding any other activity stated in <b>10.3</b> , any new Activity Sensitive to Aircraft Noise within the Inner Noise Control Area as shown on the Planning Maps and subject to the standards and terms stated in <b>Part 9</b> .	D	NA	NA
9. Within the Air Noise Area as shown on the Planning Maps and not withstanding any other activity stated in <b>10.3</b> , any additions to an existing Activity Sensitive to Aircraft Noise	NC	NA	NA
10. Within the Air Noise Area as shown on the Planning Maps, and not withstanding any other activity stated in <b>10.3</b> , any new Activity Sensitive to Aircraft Noise	Pro	NA	NA
<b>District wide matters</b>	<b>1</b>	<b>2</b>	<b>3</b>
11. Activities involving the drainage or infilling of wetlands listed in Appendix 2	Please see part 3		
12. New buildings, structures or activities on or within the boundary of an important landscape as shown on the 300 and 500 series planning maps.	Please see part 3		
13. New buildings, structures or activities requiring earthworks or land clearance on or within the boundary of a nationally significant natural area (SNA) as shown on 300 and 500 series planning maps	Please see part 3		
14. New buildings, structures or activities requiring earthworks or land clearance on or within the boundary of a regionally or locally significant natural feature (SNA) as shown on the 300 and 500 series planning maps	Please see part 3		
15. Activities requiring the demolition or modification of an historic heritage item, archaeological site or notable tree listed in Appendix 1 and shown on the 300 and 500 series planning maps	Please see part 3		
16. Activities requiring the demolition or modification of a notable tree listed in Appendix 1 and shown on the 300 and 500 series planning maps.	Please see part 3		

<b>District wide matters</b>	<b>1</b>	<b>2</b>	<b>3</b>
17. New buildings or structures within an area of high land slip susceptibility as shown on Special Map 110	Please see part 14		
18. New buildings, structures or activities within 20 metres of a geothermal surface feature.	Please see part 3		
19. New buildings, structures or activities within an active fault buffer as shown on Special Map 107	Please see part 14		
20. New buildings, structures or activities within the Lake Rotorua flood level as shown on Special Map 109	Please see part 14		
<b>Primary rural industry</b>	<b>1</b>	<b>2</b>	<b>3</b>
21. Replacement of existing dairy sheds not within 20m of a lake, river, or stream	P	NA	NA
22. Herdhomes not exceeding 500m <sup>2</sup> in floor area and rural accessory buildings	P	NA	NA
23. Plantation forestry including harvesting unless specified within Part 3	P	NA	NA
24. Low nutrient output agricultural production activities	P	NA	NA
25. Conversion from a high nutrient output activity to a low nutrient output activity	C	NA	NA
26. Enclosure of livestock	D	NC	NC
27. High nutrient output agricultural production activities	NC	NA	NA
<b>Homes and Households</b>	<b>1</b>	<b>2</b>	<b>3</b>
28. Household units in accordance with performance standards of the Zone.	P	P	P
29. Sleep-outs, garages, carport, garden sheds	P	P	P
30. One subsidiary household unit, per established household unit	P	P	P
31. Community housing	P	P	P
32. Additional household units in accordance with performance standards of the Zone.	NA	C	C
33. Additional household unit for each 15 hectares by which the site exceeds 15 hectares, in the Rural 1 Zone	C	NA	NA
34. Development located within the Pukehangi Estate Development Plan or Whangamoia Development Concept Plan	NA	Refer to Appendix 5	NA
35. Kaumatua flats	Refer to Part 2		
36. Papakainga	Refer to Part 2.		
<b>Community Facilities</b>	<b>1</b>	<b>2</b>	<b>3</b>
37. Additions to, and upgrades of existing Marae and holiday parks	P	P	P
38. Additions to, and upgrades of existing holiday parks	P	P	P
39. Daycare centres	D	D	D

<b>District wide matters</b>	<b>1</b>	<b>2</b>	<b>3</b>
40. Educational facilities	D	D	D
41. Community facilities	D	D	D
42. Funeral homes	D	D	D
43. Holiday parks	D	D	D
44. Retirement homes and villages	NC	NC	D
45. Hospitals and medical centres	NC	NC	D
46. Marae	Refer to Part 2		
<b>Tourism and Recreation</b>	<b>1</b>	<b>2</b>	<b>3</b>
47. Bed and Breakfast within an established household unit	P	P	P
48. Tourist accommodation other than Bed and Breakfast within an established household unit	D	D	D
49. Destination and Resort Spas	D	D	D
50. Backpackers, hostels	D	D	D
<b>Retail and Commercial</b>	<b>1</b>	<b>2</b>	<b>3</b>
51. Home based business	P	P	P
52. Veterinary clinic	P	P	P
53. Additions or extensions to existing retail shops	C	C	P
54. Show homes	C	C	C
55. Retail shop	NC	NC	P
56. Office activities other than for home based business	NC	NC	C
57. Service stations, motor vehicle and machinery repair garages	NC	NC	D
<b>Temporary events, buildings, structures and signs</b>	<b>1</b>	<b>2</b>	<b>3</b>
58. Non motorised sporting events	P	P	P
59. Temporary signage meeting the performance standards in R10.4.4 and required for permitted temporary events as defined in Part 1	P	P	P
60. Temporary markets and expos	P	P	P
61. Motorised sporting events	C	D	NA
62. Concert involving amplified music	C	D	NC
<b>Industrial Activities</b>	<b>1</b>	<b>2</b>	<b>3</b>
63. Upgrade and maintenance of existing geothermal and hydro electricity generation stations.	P	P	P
64. Prospecting and exploration	C	C	NC
65. Rural contractors' depots and workshops	D	NC	NC

<b>District wide matters</b>	<b>1</b>	<b>2</b>	<b>3</b>
66. Industrial or trade processes	D	NC	NC
67. New Buildings, structures and extensions for the purposes of geothermal or hydro energy generation	D	NC	NC
68. Mining and quarrying	D	NC	NC
69. Offensive trades	NC	Pro	Pro

<b>Other activities</b>	<b>1</b>	<b>2</b>	<b>3</b>
69. Felling of indigenous vegetation not considered nationally, regionally or locally significant	P	P	P
70. Felling of exotic vegetation not considered nationally, regionally or locally significant	P	P	P
71. Planting for the purposes of amenity improvement, erosion control and riparian management	P	P	P
72. Remediation of a Contaminated Site	C	C	C
73. Parking of heavy vehicles on rural-residential sites.	NA	NA	D
74. Activities undertaken on a site of potential contamination without remediation	D	D	D
75. Signage not in accordance with the performance standards	D	D	D
76. Stockpiling of fill or other materials not otherwise associated with on-site general farming practices	D	NC	NC
77. Helicopter take-off and landing areas	D	NC	NC
78. Activities and assets necessary for spray irrigation within the identified area on Planning Maps 352, 353, 355 and 356.	P	NA	NA

## 10.4 RURAL ZONE PERFORMANCE STANDARDS

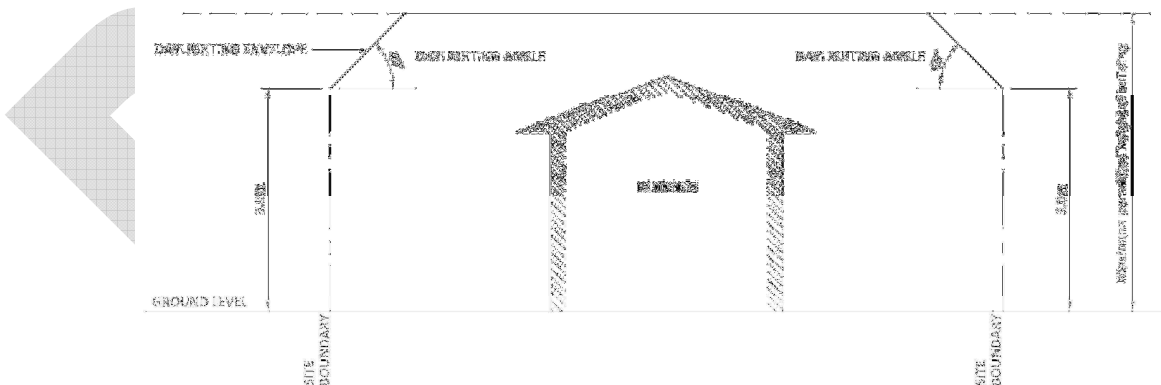
The specific performance standards for each of the rural zones are described in turn below. The performance standards for each zone should be read in conjunction with permitted activity standards applicable to all rural zones stated in 4.4.6.

### 10.4.1 RURAL 1 ZONE PERFORMANCE STANDARDS

Activities undertaken within the Rural 1 Zone shall comply with the performance standards below for the zone and the performance standards stated in 10.4.4 of the plan

#### Maximum height and daylighting

- 10.4.1.1 1. Any building located in the zone shall comply with the standards specified below.
- Any non-residential building shall be no more than 10.0 metres above the natural ground level.
  - Any residential building shall be no more than of 7.5 metres above the natural ground level.
  - The height in relation to the boundary standard is the maximum height on the boundary of 3.0 metres plus 1.0 metre for every 1.0 metre from that boundary.
  - Dwellings and buildings shall not be located above the 385 metre land contour of the Lake Rotorua Terraces.
  - Where the structure or building is located within the Rotorua Airport Limited Obstacle Limitation Surface Designation, the maximum height of 7.5m or 10.0m may be impacted, and further analysis in accordance with Rule 9.3.18 and 9.3.19 will be required.
  - No building or structure shall penetrate a height of 2.5m below the Obstacle Limitation Surface as defined by Rotorua Regional Airport Limited designation a3.12 in Appendix 3.
  - Any addition to an existing building or structure, or any new building or structure to be located within the Obstacle Limitation Surface buffer area as stated in Rule 10.4.1.1(c), shall provide Council with a detailed survey of the building undertaken by a Registered Surveyor. The survey shall include information in relation to:
    - building dimension
    - natural ground level
    - finished ground level
    - distance of the maximum height of the building in relation to the Obstacle Limitation Surface, and the Obstacle Limitation Surface buffer.



#### Maximum height and daylighting for sites within the Marae Protection Area located within the Rural 1 Zone, and for sites adjoining the Residential 3 Zone

- 10.4.1.3 1. For those properties located within the Rural 1 Zone that adjoin a Marae and for those sites adjoining the Residential 3 Zone, the following shall apply;
- 5.0 metres above the natural ground level at that point, provided that the height in relation to the boundary standard outlined below is complied with at all times.
  - The height in relation to the boundary standard is the maximum height on the boundary of 3.0 metres plus 1.0 metre for every 1.0 metre from that boundary.
  - Where the structure or building is located within the Rotorua Airport Limited Obstacle Limitation Surface Designation, the maximum height of 5.0m may be impacted, and further analysis in accordance with Rule 9.3.18 and 9.3.19 will be required.

**Yard requirements**

- 10.4.1.4 1. **Front yards**  
 The minimum front yard for buildings within sites under 4 hectares 10.0 metres  
 The minimum front yard for buildings within sites above 4 hectares 20.0 metres
2. **Side yards**  
 The minimum side yard for buildings within sites under 4 hectares 10.0 metres  
 The minimum side yard for buildings within sites above 4 hectares 20.0 metres
3. **Rear and rear site yards**  
 The minimum rear and rear site yard for buildings within sites under 4 hectares 10.0 metres  
 The minimum rear and rear site yard for buildings within sites above 4 hectares 20.0 metres
4. **Yards where the site adjoins a water body**  
 a. The minimum yard for Buildings adjoining a lake, river, or stream not identified for esplanade reserve acquisition the minimum yard shall be the yard stated above plus 10 metres.  
 b. The minimum yard for buildings that adjoin the Reserve 3 Zone where the site adjoins a lake, river, or stream identified for esplanade reserve acquisition, the minimum yard shall be the yard stated above plus 20 metres.  
 c. Where there exists a reserve between the water body and the site the distance of the yard required in **10.4.1.2.4(b)** above will be less the width of the reserve area.

**Site coverage**

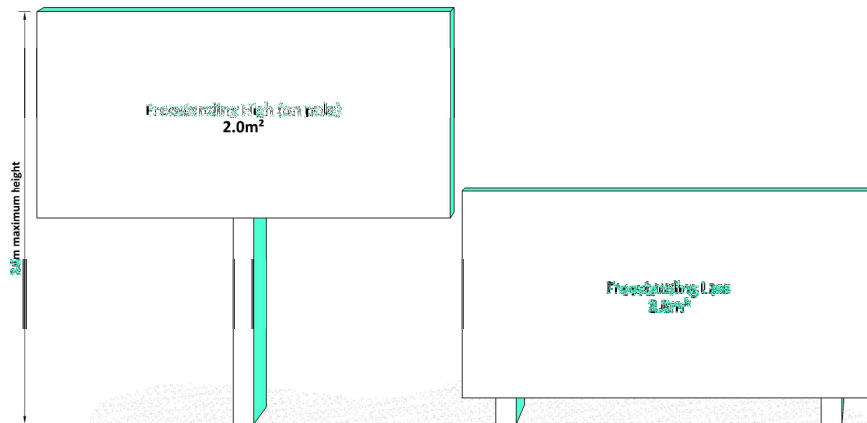
- 10.4.1.5 Site coverage for sites under 4 hectares in area shall not exceed 1000m<sup>2</sup>.  
 Site coverage for sites above 4 hectares in area shall not exceed 25% of the land area.  
 Impermeable surfaces shall not exceed 40% of the site

**Dwelling density**

- 10.4.1.6 No more than one dwelling per 15 hectares shall be constructed onsite  
 No more than one subsidiary unit per established dwelling shall be erected onsite.

**Signs**

- 10.4.1.7 1. The following signs are a permitted activity and shall be in accordance with the criteria listed under **10.4.4**
- a No more than 2 Attached rural trade and service signs shall be erected per site with these not exceeding a total of 0.15 m<sup>2</sup>
  - b No more than one freestanding sign or one attached sign may be erected per site.
  - c Any free standing sign shall not exceeding 2metres in height and 2.0m<sup>2</sup> in area.
  - d Attached signs shall not project beyond the confines of the external walls or fence on which the sign is located. Roof signage is not permitted.

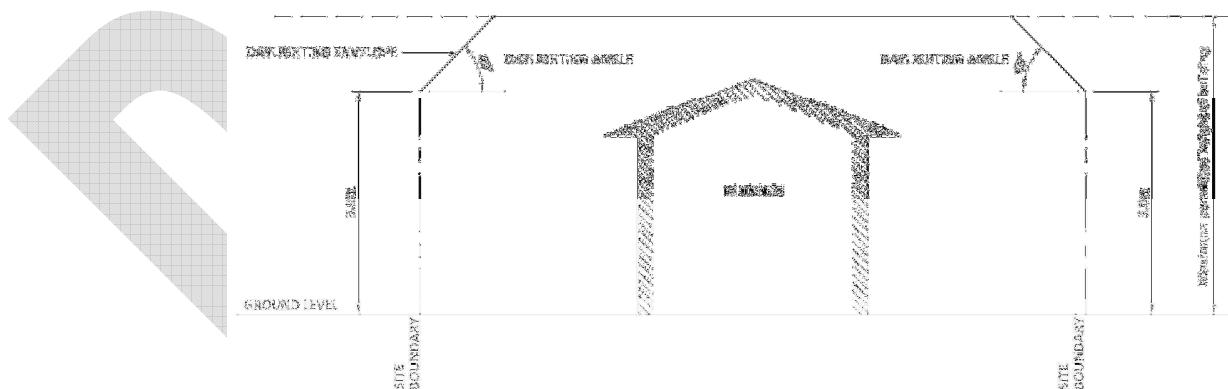


## 10.4.2 RURAL 2 PERFORMANCE STANDARDS

Activities undertaken within the Rural 2 Zone shall comply with the performance standards below for the zone and the performance activity standards stated in **10.4.4** of the plan.

### Maximum height and daylighting

- 10.4.2.1 1. Any building located in the zone shall comply with the standards specified below.
- The building shall not exceed 7.5 metres above the natural ground level at that point, provided that the height in relation to the boundary standard outlined below is complied with at all times.
  - The height in relation to the boundary standard is the maximum height on the boundary of 3.0 metres plus 1.0 metre for every 1.0 metre from that boundary.
  - Where the structure or building is located within the Rotorua Regional Airport Limited Obstacle Limitation Surface Designation the maximum height of 7.5m may be impacted, and further analysis in accordance with **Rule 9.3.18 and Rule 9.3.19** will be required.
  - No building or structure shall penetrate a height of 2.5m below the Obstacle Limitation Surface as defined by Rotorua Regional Airport Limited designation **a3.12** in **Appendix 3**.
  - Any addition to an existing building or structure, or any new building or structure to be located within the Obstacle Limitation Surface buffer area as stated in Rule **10.4.1.1.1(c)**, shall provide Council with a detailed survey of the building undertaken by a Registered Surveyor. The survey shall include information in relation to:
    - building dimension
    - natural ground level
    - finished ground level
    - distance of the maximum height of the building in relation to the Obstacle Limitation Surface, and the Obstacle Limitation Surface buffer.
  - Dwellings and buildings shall not be located above the 385 metre land contour of the Lake Rotorua Terraces.
  - Where the site is located within the Pukehangi Estate Area of the Rural 2 Zone, as identified in Appendix 5 shall be as follows:
    - The height for those buildings located in Area A shall be 5.0 metres above the finished ground level of the building platform
    - The height for those buildings located in Area B shall be 7.5 metres above the finished ground level of the building platform



### Maximum height and daylighting for sites within the Marae Protection Area

- 10.4.2.2 1. For those Rural 2 Zone properties located within the Marae Protection Area the following shall apply:
- The building shall not exceed 5.0 metres above the natural ground level at that point, provided that the height in relation to the boundary standard outlined below is complied with at all times.
  - The height in relation to the boundary standard is the maximum height on the boundary of 3.0 metres plus 1.0 metre for every 1.0 metre from that boundary.
  - Where the structure or building is located within the Rotorua Airport Limited Obstacle Limitation Surface Designation, the maximum height of 5.0m may be impacted, and further analysis in accordance with Rule **9.3.18** and **9.3.19** will be required.

## Yard requirements

- 10.4.2.3
1. **Front yards**

The minimum front yard for buildings	7.5 metres
Vegetation used for wind break purposes	20 metres
  
  2. **Side yards**

The minimum side yards for buildings	7.5 metres
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  3. **Rear and rear site yards**

The minimum rear yard for buildings	7.5 metres
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Provided that:  
Where the site is located within the Pukehangi Estate Area of the Rural 2 Zone, as identified in Appendix 5, the yard requirements stated in the Approved Development Plan shall be met.
  
  4. **Yards where the site adjoins a water body**
    1. The minimum yard for activities adjoining a lake, river, or stream not identified for esplanade reserve acquisition the minimum yard shall be the yard stated above plus 10 metres.
    2. The minimum yard for buildings within sites that adjoin the Reserve 3 Zone where the site adjoins a lake, river, or stream identified for esplanade reserve acquisition, the minimum yard shall be the yard stated above plus 20 metres.
    3. Where there exists a reserve between the water body and the site the distance of the yard required in **10.4.2.3.4(b)** above will be less the width of the reserve area.

## Site coverage

- 10.4.2.4 Site coverage not exceeding 1000m<sup>2</sup> or 25% which ever is the lesser.  
Provided that:  
Where the site is located within the Pukehangi Estate Area of the Rural 2 Zone, as identified in Appendix 5, the site coverage requirements stated in the Approved Development Plan shall be met.

## Reflectivity of buildings and structures

- 10.4.2.5 For buildings and structures located within the Pukehangi Estate Area of the Rural 2 Zone, as identified in Appendix 5, the reflectivity of buildings and structures requirements stated in the Approved Development Plan shall be met.

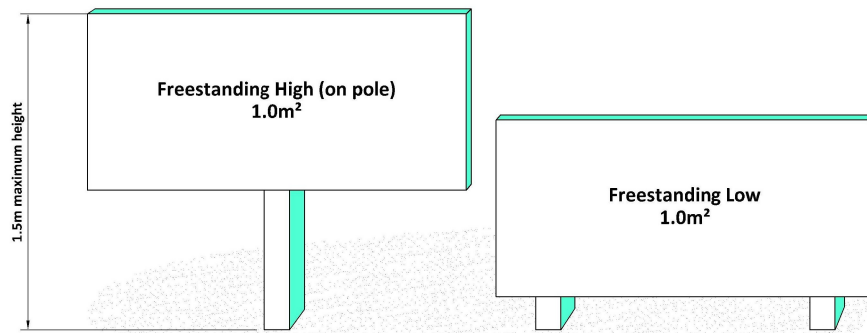
## Dwelling density

- 10.4.2.6
1. No more than one dwelling per 8,000m<sup>2</sup> shall be constructed onsite within areas not serviced by public reticulation for sanitary sewer provided that:
    - a. The requirements of the necessary regional council for the treatment and management of sanitary sewer, including any associated disposal field is met; and
    - b. All relevant performance standards associated with the location of buildings on site as stated in **10.4** can be met; and
    - c. Where sites contain existing buildings, it can be demonstrated that **13.4.7.7** is met.
  
  2. No more than one dwelling per 4,000m<sup>2</sup> shall be constructed onsite within areas serviced and connected to public reticulation for sanitary sewer provided that:
    - a. All relevant performance standards associated with the location of buildings on a site, as stated in **10.4**, can be met; and
    - b. Where sites contain existing buildings, it can be demonstrated that **13.4.7.7** is met.
  
  3. No more than one subsidiary unit per established dwelling shall be erected onsite.
  
  4. These rules do not apply to the area comprising of Brunswick Park where no more than one dwelling per 8000m<sup>2</sup> shall be constructed onsite.

## Signs

- 10.4.2.7 The following signs are a permitted activity and shall be in accordance with the criteria listed under **10.4.4**
1. No more than one freestanding sign or one attached sign may be erected per site.
  2. Any free standing sign shall not exceeding 1.5m in height and 1.0m<sup>2</sup> in area.

- Attached signs shall not project beyond the confines of the external walls or fence on which the sign is located. Roof signage is not permitted



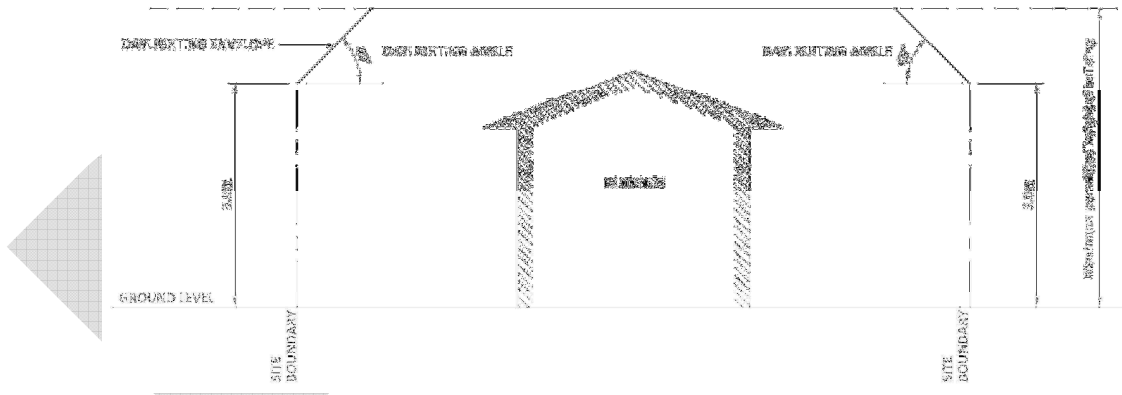
### 10.4.3 RURAL 3 ZONE PERFORMANCE STANDARDS

Activities undertaken within the Rural 3 Zone shall comply with the performance standards below for the zone and the performance standards stated in **10.4.4** of the plan.

#### Maximum height and daylighting

10.4.3.1 Any building located in the zone shall comply with the standards specified below.

- The building shall be 7.5 metres above the natural ground level at that point, provided that the height in relation to the boundary standard outlined below is complied with at all times.
- The height in relation to the boundary standard is the maximum height on the boundary of 3.0 metres plus 1.0 metre for every 1.0 metre from that boundary.



#### Maximum height and daylighting for sites within the Marae Protection Area

10.4.3.2 For those Rural 3 Zone properties located within the Marae Protection Area, the following shall apply:

- The building shall not exceed 5.0 metres above the natural ground level at that point, provided that the height in relation to the boundary standard outlined below is complied with at all times.
- The height in relation to the boundary standard is the maximum height on the boundary of 3.0 metres plus 1.0 metre for every 1.0 metre from that boundary.

#### Yard requirements

- Front yards**  
The minimum front yard for buildings 5.0 metres  
Vegetation used for wind break purposes 20 metres
- Side yards**  
The minimum side yards for buildings 2.5 metres
- Rear yards**  
The minimum rear yard for buildings 2.5 metres

### Yards where the site adjoins a water body

- 10.4.3.3 1. The minimum yard for activities adjoining a lake, river, or stream not identified for esplanade reserve acquisition the minimum yard shall be the yard stated above plus 10 metres.
2. The minimum yard for sites that adjoin the Reserve 3 Zone where the site adjoins a lake, river, or stream identified for esplanade reserve acquisition, the minimum yard shall be the yard stated above plus 20 metres.
3. Where there exists a reserve between the water body and the activity site the distance of the yard required in 10.4.3.3.2 above will be less the width of the reserve area.

### Site coverage

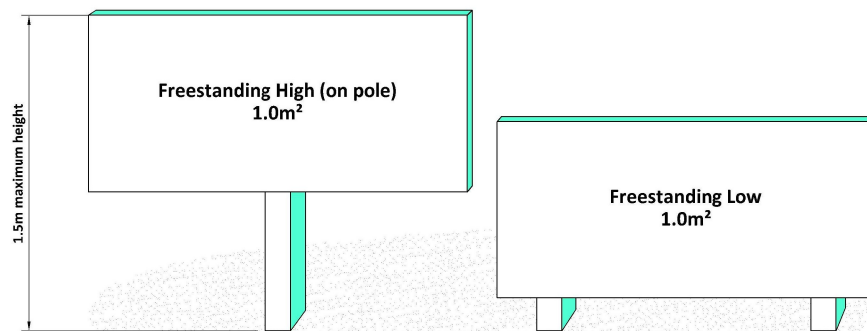
- 10.4.3.4 The maximum site coverage for activities 40% of the site

### Dwelling density

- 10.4.3.6 1. No more than one dwelling per 1,500m<sup>2</sup> net site area shall be constructed onsite within areas not serviced by public reticulation for sanitary sewer provided that
  - a. The requirements of the necessary regional council for the treatment and management of sanitary sewer, including any associated disposal field is met; and
  - b. All relevant performance standards associated with the location of buildings on site as stated in **10.4** can be met; and
  - c. Where sites contain existing buildings, it can be demonstrated that **13.4.7.7** is met.
2. No more than one dwelling per 1000m<sup>2</sup> shall be constructed onsite within areas serviced and connected to public reticulation for sanitary sewer
  - a. All relevant performance standards associated with the location of buildings on a site, as stated in **10.4**, can be met; and
  - b. Where sites contain existing buildings, it can be demonstrated that 13.4.7.7 is met.
3. Each dwelling shall have an exclusive area of 20m x 20m this being free of yards.
4. No more than one subsidiary unit per established dwelling shall be erected onsite.

### Signs

- 10.4.3.7 The following signs are a permitted activity and shall be in accordance with the criteria listed under **10.4.4**
1. No more than one freestanding sign or one attached sign may be erected per site.
  2. Any free standing sign shall not exceeding 1.5m in height and 1.0m<sup>2</sup> in area.
  3. Attached signs shall not project beyond the confines of the external walls or fence on which the sign is located. Roof signage is not permitted.



## 10.4.4 PERMITTED ACTIVITY STANDARDS APPLICABLE TO ALL RURAL ZONES

### Parking and turning

#### 10.4.4.1 On-site provisions for parking and turning

The following requirements in relation to parking and turning in the residential zones shall be met:

1. Parking and on-site turning of vehicles shall be provided in accordance with the provisions of **Appendix 4**
2. Carparking and turning areas provided to comply with **Appendix 4** shall be separate to those areas provided on-site for outdoor space and privacy.

### Noise

#### 10.4.4.2 Noise levels on rural sites

Noise from any activity within any Rural Zone, shall not exceed the following limits when measured at the boundary of the receiving site:

Daytime	7am to 10pm, any day except public holidays	50L <sub>Aeq</sub>
Night-time	and at all other times	40L <sub>Aeq</sub> and 75L <sub>Amax</sub>

### Glare and light

#### 10.4.4.3 Management of glare and light spill

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

Provided that:

For buildings and structures located within the Pukehangi Estate Area of the Rural 2 Zone, as identified in Appendix 5, the lighting and glare requirements stated in the Approved Development Plan shall be met.

### Signs

#### 10.4.4.4 1. Permitted signage in Rural zones

- a. Any sign advertising intention to sell, let or lease the land or premises on which it is situated,
- b. Any sign displayed on construction sites denoting owner and professional and construction firms associated with an active building project on that site.
- c. Signs required for or established by official statute, rule or regulation.
- d. Signs displayed for the direction or convenience of the public not exceeding 0.5 square metres and relating to the site on which it is situated.

#### 2. Sign Design and Location

- a. Attached signs must not be on or above roof height and shall not project beyond the confines of the external walls or fence on which the sign is located.
- b. All signs must directly relate to activities undertaken on the site.
- c. Signs shall be sited such that they do not restrict visibility to and from intersections and property access.
- d. Signs shall not contain any moving or flashing parts, be illuminated or use electronic screens for displaying digital media.
- e. Freestanding signs that comply with the specified performance standards shall be exempt from the yard performance standards.
- f. Additional provisions relating to signs located on City Gateways as shown on Planning Map 108 and State Highways are listed in Part 16 Infrastructure.

#### 3. Sign Calculation

- a. All single sided and two dimensional signs whether painted, attached to a structure or freestanding shall be included.
- b. The area of a double sided sign shall only be calculated once. Any 'V' shaped sign shall have both sign faces included in the calculation.
- c. Support structures including poles shall not be included in the area calculation.

### Plantation forestry setbacks

- 10.4.4.5 Upon establishment or replanting of plantation forest no area shall be closer than 30metres from;
1. Any dwelling or building
  2. Boundary of any Residential Zone
  3. Boundary of Rural 2 and 3 Zone.
  4. Public road areas where;
    - a. Vegetation could shade a paved road between the hours of 10am and 2pm on the shortest day of the year this being deemed to be complied with where:
    - b. Topography is already preventing the direct access of sunlight onto the road;
    - c. The road is a private road, an unsealed road (which is not programmed to be sealed within the lifetime of this Plan) or the vegetation existed at the time of notification of the Proposed Plan;
    - d. The written consent of the relevant road controlling authority is obtained, and submitted to the Rotorua District Council, prior to the commencement of planting, which clearly shows the location of the vegetation, and confirms that the road controlling authority is satisfied that the vegetation does not pose a safety risk having had regard to:
      - i. The physical characteristics of the road;
      - ii. The degree of potential shading of the road;
      - iii. The nature and extent of the vegetation;
      - iv. The surrounding topography;
      - v. Potential weather effects on the road.
    - e. Upon establishment or replanting of plantation forest no area shall be closer than;
      - i. 5metres from any perennial river and stream with a channel width less than 3 metres
      - ii. 10 metres from any perennial rivers and streams with a channel width greater than 3 metres
      - iii. 10 metres from lakes
      - iv. Any plantation forestry located within Significant Natural Areas, Features or Cultural sites shall be in accordance with the provisions of Part 2 and/or 3.
    - f. No proposed dwelling or building shall be located within 30 metres from the edge of any established plantation forest.

### Temporary Activities/Events

- 10.4.4.6 In addition to the above performance standards temporary activities shall be in accordance with the following criteria;
1. Temporary activities of more than 3 consecutive days of duration unless otherwise specified.
  2. Individual carnivals, fairs, etc shall not remain on site for longer than a period of 7 days in a calendar year.
  3. Any temporary military training activity shall be permitted.
  4. Only 6 events per year using amplified sound in the same location are allowed
  5. Any noise from an amplification system shall not be used earlier than 10:00am and shall finish no later than 22:30pm (Sun to Thurs) or 23:00pm (Fridays and Sat). Testing shall not last more than 6 hrs between 9am and 7pm.
  6. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is retained or re-instated to its condition prior to the activity commencing;
  7. If the activity is located adjoining a State Highway or has access to the State Highway then New Zealand Transport Agency must be consulted with.
  8. The extent to which the proposal triggers the need for a traffic impact assessment as outlined under **Appendix 4.**

### Site Suitability and Infrastructure

- 10.4.4.7 Buildings constructed within the Rural Zones shall comply with the Performance standards listed **Part 13.5, Subdivision** of this Plan.

**Financial contribution for reserves and heritage purposes**

10.4.4.8 A financial contribution for reserves and heritage purposes shall be taken for those activities specified in **Part 15**. The contribution shall be taken in accordance with the provisions of **Part 15**, as if the activity was subject to an application for a resource consent.

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

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## 10.5 CONTROLLED ACTIVITIES

10.5.1 Where activities in **10.3** are stated as Controlled Activities the matters over which Council shall reserve its control are stated in **Rule 10.5.5**, and rules **10.5.6** and **10.5.7**.

10.5.2 Activities in **10.3** that are stated as controlled activities comprise:

ACTIVITY NUMBER	NAME	CRITERIA
10.3.2	Any activity accessory to a controlled activity, where the accessory activity is not ascribed a different activity status in <b>10.3</b>	10.5.5
10.3.25	Conversion from a High Nutrient Output Activity to a Low Nutrient Output Activity	10.5.8
10.3.32	Additional household units in accordance with performance standards of the Zone.	10.5.5
10.3.33	Additional household unit for each 15 hectares by which the site exceeds 15 hectares, in the rural 1 zone.	10.5.5
10.3.53	Additions or extensions to existing retail shops	10.5..5
10.3.54	Show homes	10.5.5
10.3.56	Office activities other than for home based business within Rural 3.	10.5.5
10.3.61	Motorised sporting events within Rural 1	10.5.5
10.3.62	Concert involving amplified music within Rural 1	10.5.5
10.3.64	Prospecting and exploration	10.5.10
10.3.73	Remediation of a contaminated site	10.5.7

10.5.3 The general assessment criteria for controlled activities are provided in **10.5.5**. Activities accessory to controlled activities shall be assessed against these provisions.

10.5.4 Controlled Activities shall comply with the Performance Standards for Permitted Activities in the Zone. In accordance with **10.3(5)** where a Controlled Activity cannot comply with the Performance Standards in **10.4** it shall be a Discretionary Activity and assessed in accordance with **10.7**.

### MATTERS OVER WHICH CONTROL IS RESERVED

10.5.5 In order to ensure that buildings and structures contribute to rural character, and to mitigate the effects of an activity on adjoining sites, the matters over which Council shall reserve control, and therefore are able to impose conditions, relate to:

#### 1. Building design and site layout

Council reserves its control and may impose conditions on the following matters;

- a. The specific design and orientation of buildings and structures to mitigate potential adverse cumulative effects on adjoining residences
- b. Location of activities, where practicable, away from abutting or adjoining activities so as to protect the privacy of those activities.
- c. Specific requirements in terms of site layout, orientation and design of buildings and structures
- d. Exterior finishing of buildings and structures to ensure that it complements adjoining activities, and has the look and feel of a rural property
- e. Yard requirements in excess of those than those required by rule **10.4**
- f. Vegetative screening, landscaping or hard screening within the site or with the yards
- g. Control of earthworks, landfilling and other soil retention or removal methods.

### **Parking, turning and on-site circulation**

- 10.5.5.2
1. Design, location, and surfacing of parking and vehicle circulation areas, including limitations on impermeable surface area
  2. The layout and internal circulation of the parking areas to ensure safe and efficient vehicle circulation on the site.
  3. Design and layout of the site to ensure adequate sight distances and prevent congestion caused by the ingress and egress of vehicles to and from sites.
  4. The extent to which the proposal triggers the need for a traffic impact assessment as outlined under **Appendix 4.**

### **Noise and hours of operation**

- 10.5.5.3
1. Potential adverse effects generated from noise associated with the congregation of people and vehicles
  2. Restriction on the hours of operation in order to maintain overall quietness, with special regard had to ensuring compliance with noise levels in the evening.
  3. Location of building containing activities in a location on the site to ensure reduced impact of noise on adjoining residential activities
  4. Methods employed to mitigate the adverse effects of noise and vibration

### **Occupancy and numbers of persons**

- 10.5.5.4
1. Restrictions on the occupancy numbers or persons allowed on a site at any one time may be imposed to ensure noise provisions and parking, turning and on-site circulation requirements are met.

### **10.5.6 MATTERS OVER WHICH CONTROL IS TO BE RESERVED FOR SPECIFIC ACTIVITIES**

The following assessment criteria shall apply to specific activities:

### **10.5.7 REMEDIATION OF CONTAMINATED SITES**

Conditions may be imposed to avoid, remedy or mitigate adverse effects on the environment and the intended future rural use, and in particular in respect of the following matters;

1. Methods of remediation for the entire site, and the ability to require heightened remediation for some parts of the site
2. Restrictions on the future use that the land is able to be put to
3. Duration, timing, and management of potential noise and dust effects arising from the remediation
4. Control and management of the transportation and disposal of contaminated material from the site
5. Re-contouring, re-vegetation, or impermeable surfacing of the site once remediation has occurred

### 10.5.8 **CONVERSION FROM A HIGH NUTRIENT OUTPUT ACTIVITY TO A LOW NUTRIENT OUTPUT ACTIVITY**

Conditions may be imposed to avoid, remedy or mitigate adverse effects on the environment and the intended future rural use, and in particular in respect of the following matters;

1. Degree to which the conversion to a low nutrient activity will have a positive effect on improving lake water quality
2. Building design and site layout matters stated 10.5.5.1, with particular emphasis on the maintenance of rural character, space about buildings, and density of residential activity
3. The protection of matters of national importance such as outstanding natural features and landscapes, wetlands, sites of historical or cultural importance
4. Ongoing programme of implementation and management to ensure that the activity continues over time to contribute to improving lake water quality
5. Annual report of land use activities undertaken on site and the contribution these have to improving lake water quality, where such matters as nutrient discharge are monitored and reported on
6. Restrictions on the type of future activities that are likely to occur on the site.

### 10.5.9 **PROSPECTING AND EXPLORATION**

These are to be confined to the following, in terms of activities and scale.

1. Existing published data collection and analysis, and remote sensing techniques;
2. Geological mapping;
3. Seismic surveys;
4. Geophysical surveys involving airborne techniques and/or ground surveys;
5. Geochemical surveys, including soil sampling, sediment stream sampling, rock sampling and vegetation or water sampling. Sampling methods are limited to hand held machinery, soil and rock samples not to exceed 5 kilograms per sample;
6. Gridding and line surveying, to a maximum of 1 metre width, with vegetation clearance only where essential;
7. Trenching and Costeaining, subject to a maximum depth of 10 metres and base width of 2 metres. Progressive rehabilitation of trenching is to be undertaken, such that no more than 50 metres of trenching is left open at any one time;
8. Exploration drilling, subject to a maximum drilling pad size of 200 square metres;
9. Bulk sampling, subject to a maximum of 500 square metres per site being undertaken;
10. Exploration tunnels, subject to compliance with all Performance Standards related to waste management and disposal, to health and safety legislative requirements, and to regional Rules relating to water use and discharge.
11. The maximum volume of excavated material is not to result in more than 500 square metres of surface area being covered, to a maximum height of 2 metres; and
12. Investigations related to old mine workings, including dewatering and gathering samples.

10.5.10 Conditions may be imposed to avoid, remedy or mitigate adverse effects on the environment and the intended future rural use, and in particular in respect of the following matters;

1. Any permits or consents required under legislation having been obtained.
2. Compliance with the provisions of the *Forest and Rural Fires Act 1977*
3. Fire fighting equipment and preventative measures such as exhaust discharge and spark emission controls made readily available
4. Location and direction of night lighting to not create a nuisance to adjacent residents, or cause a traffic hazard.
5. Restrictions on exploration exceeding a 10 metre radius of any trig station.
6. The design and location of fuel storage facilities to minimise the risk of contamination of water and soil.

#### **Environmental Impacts**

- 10.5.10.1
1. Level of environment disturbance and level of impact on flora and fauna and the extent of rehabilitation proposed on areas of the landscape impacted by the proposal.
  2. Disturbance created by new access tracks, and subsequent impact on erosion and water courses
  3. Location of access tracks within vicinity to waterbodies

4. The design of new access tracks not exceeding 4 metres in width, and gradients of 1:5.
5. Refuse and dangerous, unsightly or offensive matter being removed upon ceasing the activity and disposed of appropriately in a properly designated landfill.
6. Precautions taken to prevent damage to any trout and native fisheries, and aquatic life in general

#### Explosives and Blasting

- 10.5.10.2 1 Explosives shall be stored in accordance with the provisions of the Dangerous Goods Regulations.
2. The extent to which potentially affected residents are to be advised in writing, and a notice of blasting times erected at road entrances to the areas affected.
3. Times of day, airblast overpressure noise level and ground vibration peak particle velocity limits for those mining, quarrying and related operations which involve the repeated use of explosives in accordance with the below;

LIMITED CRITERIA FOR THE CONTROL OF BLASTING IMPACT AT RESIDENCES		
Time of Blasting	Blast Overpressure Level (dB[linear])	Ground Vibration, Peak Particle Velocity (mm/sec)
Monday – Friday 9.00am to 3.00pm	115	5
Monday – Friday 8.00am to 9.00am and 3.00pm to 6.00pm	105	2
Saturday midday onwards, Sunday, Public holidays - All day and any day, 6.00pm to 8.00am	Nil	Nil

- a. All measurements are to be taken at any affected residence.
- b. Specialised monitoring equipment is necessary since the energy content of noise and vibration is predominantly of ultra-low frequencies.
- c. airblast overpressure monitoring equipment should have a cut-off frequency of 2 Hz and cover range of at least 2 Hz to 250 Hz;
- d. ground vibration monitoring equipment should have a cut-off frequency of 4 Hz and cover a range of at least 4 Hz to 100 Hz.
- e. Temperature inversions and wind can enhance the overpressure noise levels by as much as 20dB at distances of 2km or more from the centre of the blast. When temperature inversion is present, blasting operations should be confined to the hours of 11.00am to 1.00pm.
- f. There could be some exceedance of the overpressure limit of 115dB(lin) on infrequent occasions. This should be limited to not more than 5% of the total number of blasts and should not exceed 120dB(lin) at any time.
- g. The ground vibration also may sometimes exceed the limit of 5 mm/sec on infrequent occasions. This should be limited to not more than 5% of the total number of blasts and should not exceed 10 mm/sec at any time.
- h. Experience indicates however, that ground vibration for mines and quarries can generally be maintained below 1mm/sec.

#### Public access and safety

- 10.5.10.3 1. Any adverse impacts on existing private and public access over the area including the rights of the public for recreational activities such as fishing.
2. The level of temporary signs erected warning the public of any danger arising from exploration activities.
3. The design of activities to minimise the risk of danger to stock.
4. The storage location of topsoil removed for prospecting and/or exploration purposes ensuring that this cannot enter any watercourse

#### Rehabilitation

- 10.5.10.3 The use of stockpiled topsoil over disturbed areas, this contoured appropriately, and re-pastured or revegetated.
1. Maintenance and management of rehabilitated areas to a point where they will be able to support themselves

2. The requirement of a bond to guarantee the satisfactory implementation of rehabilitation with this required prior to the commencement of prospecting and/or exploration activities.

**Liability**

- 10.5.10.4 1. Prior to commencing of prospecting or exploration, the party responsible for the proposed activities shall effect and maintain during the currency of the activities public liability insurance for an amount determined by the District Council.
2. This amount shall be based on a consideration of the nature and scale of activities proposed and the likely and reasonable cost of the risk to the environment. The indemnity expressed in the insurance policy shall be sufficiently wide in its coverage so as to include claims arising from damage caused by or resulting from fire, and all fire fighting costs, resulting from the prospecting and/or exploration

**DRAFT**

## 10.6 RESTRICTED DISCRETIONARY ACTIVITIES

10.6.1 Where activities in **4.3** are stated as Restricted Discretionary Activities the matters over which Council shall restrict discretion are stated in **Rules 10.6.3, 10.6.4, 10.6.5 and 10.6.6**

10.6.2 Activities in **10.3** that are stated as Restricted Discretionary Activities comprise:

ACTIVITY NUMBER	NAME	CRITERIA
10.3.3	Any activity stated as a permitted activity that does not meet one of the performance standards for permitted activities stated in <b>10.4</b>	10.6.4
10.3.7	Notwithstanding any other activity stated in <b>10.3</b> , any addition to an existing Activity Sensitive to Aircraft Noise within the Inner Control Area and subject to the standards and terms stated in <b>Part 9</b>	10.6.5

10.6.3 The assessment criteria for permitted activities that do not meet one performance standard are provided in **10.6.4 and 10.6.5**. Specific assessment criteria for rule **10.3.7** is provided in **10.6.5**.

### 10.6.4 MATTERS OVER WHICH DISCRETION IS RESTRICTED FOR RESTRICTED DISCRETIONARY ACTIVITIES

#### Activities that do not meet one of the performance standards

- 10.6.4.1 1. Where a Permitted Activity does not meet one of the Performance Standards for permitted activities in **10.4**, and in accordance with Rule **10.3.3** the activity shall be a Restricted Discretionary Activity, where Council shall restrict the exercise of its discretion to the following matters:
- a. The degree, scale, or character of non-compliance and its effect on the surrounding environment,
  - b. The degree of non-compliance and its impact on the privacy and amenity of adjoining sites
  - c. The measures undertaken to mitigate the effects of the activity on adjoining sites, and the measures taken to mitigate the impacts of adverse cumulative effects on the amenity of the area
  - d. The design, location and surfacing of parking and turning areas to ensure safe and efficient vehicle circulation on the site.
  - e. The provision of adequate sight distances to prevent on-street congestion caused by the ingress and egress of vehicles to and from sites.
  - f. The extent to which the proposal triggers the need for a traffic impact assessment as outlined under **Appendix 4**.
2. **Noise**
- a. The sensitivity of the receiving environment to the effects of the noise and the effects on the receiver, especially where the affected activity has a component where people need to sleep or concentrate.
  - b. The nature of the locality or zone and the activities within it (including traffic and pedestrian activity) and level of background noise.
  - c. The location of the activity in relation to any nearby non- industrial zones and the extent to which the noise generated will affect the amenity values of the surrounding activities.
  - d. **Temporary Events**
  - e. The extent to which the proposed hours of operation for the event would detrimentally affect the amenity of surrounding areas.
  - f. The extent to which an extension of the permitted duration of the event will have an adverse effect on the amenity of the surrounding area.
  - g. Whether the scheduling of events and the time elapsed between them adequately avoids or mitigates possible cumulative adverse effects on amenity of the surrounding area.
  - h. The extent to which vehicular traffic and related parking generated by the activity is accommodated without loss of amenity, safety or causing traffic congestion.
  - i. The extent to which the siting of structures would result in adverse effects on adjoining properties.

3. **Financial contribution for reserves and heritage purpose**
  - a. A financial contribution for reserves and heritage purposes shall be taken for those activities specified in **Part 15**. The contribution shall be taken in accordance with the provisions of **Part 15**, as if the activity was subject to an application for a resource consent.
  - b. Where the existing Council services cannot sustain a proposed new activity, the applicant must demonstrate the new activity has the ability to meet its own servicing needs, or a condition may be imposed requiring the applicant to upgrade Council services. To enable this to occur, a condition may be imposed requiring a financial contribution up to the maximum of the actual cost of the necessary works

#### 10.6.5 **ASSESSMENT CRITERIA FOR SPECIFIC ACTIVITIES**

The following assessment criteria shall apply to specific activities;

##### **Any addition to an existing activity sensitive to aircraft noise within the inner noise control area**

10.6.5.1 Conditions may be imposed to avoid, remedy or mitigate adverse effects on the environment and the intended future use of the reserve, in particular in respect of the following matters:

1. The nature, size and scale of the proposed additions;
2. The application of the applicable acoustic performance standards listed under **9.4.3.5** and/or **9.4.3.6** to existing parts of the structure housing the activity sensitive to aircraft noise;
3. Whether a covenant should be registered on the title to secure any conditions of consent in accordance with **9.11**; and
4. The means of securing any conditions of consent;
5. Whether, having regard to all the circumstances (including location in relation to the Airport, likely exposure of the site to aircraft noise, noise attenuation and ventilation measures proposed, and the number of people to be accommodated) the nature, size and scale of the addition is likely to lead to potential conflict with and adverse effects upon airport activities;
6. Whether it is reasonable to require acoustic treatment measures (including measures for internal air quality purposes) in existing rooms, or whether such measures should be limited to the additions;
7. Any assessment criteria applicable to the activity under any other part of the District Plan.
8. Any particular issues of safety relating to occupants of the site, or aircraft, in relation to any proposed activities or buildings on the site;

## 10.7 DISCRETIONARY ACTIVITIES

10.7.1 Where activities in Table 10.3 are stated as Discretionary Activities, or are Discretionary Activities in accordance with Rule 10.3(4), 10.3(5), 10.3(8), the activity shall be assessed against those matters in Rules 10.7.4, 10.7.5 and 10.7.6. Council can choose to grant or refuse a consent for a discretionary activity. If Council grants consent it can be granted subject to conditions.

10.7.2 Activities in 10.3 that are stated as Discretionary Activities comprise:

ACTIVITY NUMBER	NAME	CRITERIA
10.3.4	Any activity stated as a permitted activity that does not meet more than one of the performance standards for permitted activities stated in 10.4	10.7.4, 10.7.5.1
10.3.5	Any activity stated as a controlled activity that does not meet the performance standards for permitted activities stated in 10.4	10.7.4
10.3.8	Not withstanding any other activity stated in 10.3, any new Activity Sensitive to Aircraft Noise within the Inner Noise Control Area	10.7.4, 10.7.6
10.3.26	Enclosure of livestock	10.7.4
10.3.39 to 10.3.45	Community facilities	10.7.4, 10.7.7
10.3.48	Tourist accommodation other than a bed and breakfast within an established household unit	10.7.4
10.3.49	Destination and resort spas	10.7.4
10.3.50	Backpackers, hostels	10.7.4
10.3.57	Service stations, motor vehicle and machinery repair garages	10.7.4
10.3.61	Motorised sporting events	10.7.4
10.3.62	Concert involving amplified music	10.7.4
10.3.65 to 10.3.68	Industrial activities	10.7.4
10.3.74	Parking of heavy vehicles on residential sites and adjoining roads, or within a residential area.	10.7.4
10.3.75	Activities undertaken on a site of potential contamination without remediation.	10.7.12
10.3.76	Signage not in accordance with the performance standards	10.7.4, 10.7.5.1
10.3.78	Helicopter and take-off landing areas	10.7.11

10.7.3 The general assessment criteria for Discretionary activities are provided in 10.7.4. In addition to the criteria listed in 10.7.4 specific criteria for the each of the activities listed above in 10.7.1 is provided from 10.7.5 to 10.7.11.

#### 10.7.4 GENERAL ASSESSMENT CRITERIA WHEN ASSESSING DISCRETIONARY ACTIVITIES

Council may decline the application, or grant it subject to conditions in consideration of the matters stated below;

##### Rural amenity and building design criteria

- 10.7.4.1 1. The position of all buildings within their respective sites not adversely affecting the amenity and privacy of neighbouring properties, avoids any adverse dominance effect at site boundaries or public space, and maximises the amenity and enjoyment of the residents.
2. Buildings should be rural in character and designed to blend in with the surrounding rural landscape.
3. Buildings should be well spaced and of low density to maintain the character of the rural zone.
4. The extent to which buildings are oriented to allow adequate daylight to buildings and sunlight to main living rooms, private outdoor spaces and balconies.
5. The extent to which the development of the proposal will detract from the efficient use or development of any other Zone or site.

##### Vehicle access and parking

- 10.7.4.2 1. The extent to which the development will result in street congestion and levels of traffic generation or pedestrian activity which are incompatible with the character of the surrounding residential area.
2. The extent to which proposal is in accordance with the provisions of **Appendix 4**
3. The location of the access way in relation to adjoining and adjacent land uses and adjacent residential units and the extent of mitigation undertaken to reduce adverse effects on these parties.
4. The extent to which car parking is safe and convenient whilst still maintaining aesthetic qualities from the road, in particular whether hard-paved areas associated with parking and garaging dominate the streetscape.
5. That the area set aside for car parking and turning shall not be the same as that set aside for outdoor space and amenity
6. The extent to which the proposal triggers the need for a traffic impact assessment as outlined under **Appendix 4.**

##### Landscaping

- 10.7.4.3. 1. Landscaping may be required to mitigate the adverse effects of an activity and ensure the amenity values and the character of the site and surrounding rural area are maintained.
2. The landscape design should include both soft and hard landscaping consistent with appropriate design themes.
3. The landscape design should be carefully considered to enhance the safety of public spaces and the privacy between adjoining private open spaces.

##### Dust mitigation

- 10.7.4.4 1. Mitigation of dust nuisance may be required to mitigate the adverse effects of dust on adjoining neighbours for activities that generate dust, particularly for motorised sporting events.
2. Mitigation measures maybe required on unformed roads to reduce the level of dust generated by the traffic travelling to the event and on site the event is to be located.

##### Noise

- 10.7.4.5. 1. The proximity to and impact on noise sensitive activities or facilities.
2. The extent of noise impacts from traffic, and operations from the activity on the surrounding environment.
3. The extent of noise mitigation measures proposed to reduce noise levels to a level compliant with Rule 10.4.4.2
4. The extent of any noise effects generated from the congregation of people on site and traffic associated with the facilities use.

##### Servicing

- 10.7.4.6 1. The ability to adequately service the proposal and connect to Council reticulation where available.
2. The extent to which the proposal complies with the performance standards of **Part 12.5**

### **Financial contribution for reserves and heritage purpose**

- 10.7.4.7 1. A financial contribution for reserves and heritage purposes shall be taken for those activities specified in **Part 15**. The contribution shall be taken in accordance with the provisions of **Part 15**, as if the activity was subject to an application for a resource consent.

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

### **10.7.5 ADDITIONAL ASSESSMENT CRITERIA FOR SPECIFIC ACTIVITIES**

In addition to the criteria specified in Rule **10.7.4** the following assessment criteria shall apply to specific activities;

#### **Permitted and controlled activities that do not meet one or more of the performance standards**

- 10.7.5.1 Council may decline the application, or grant it subject to conditions in consideration of the matters stated in **10.7.4**, and also the matters stated below;
1. The degree, scale, or character of non-compliance and its effect on the natural environment.
  2. The extent to which the activity is rural in character and its compatibility with other activities located on in the surrounding area.
  3. The adverse effects of the activity on adjoining sites and the measures taken to mitigate the impacts of adverse cumulative effects on the amenity values and character of the site and the surrounding area.
  4. The extent to which alternative practical locations are available on the site for the location of the activity have been considered.

### **10.7.6 ANY NEW ACTIVITY SENSITIVE TO AIRCRAFT NOISE, WITHIN THE INNER NOISE CONTROL AREA SUBJECT TO THE STANDARDS AND TERMS STATED IN PART 9.**

Council may decline the application, or grant it subject to conditions in consideration of the matters stated in **10.7.4**, and also the matters stated below;

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. Whether it is reasonable to require acoustic treatment measures (including measures for internal air quality purposes) in existing rooms, or whether such measures should be limited to the additions;
5. Whether a covenant should be registered on the title to secure any conditions of consent in accordance with 9.11; and
6. The means of securing any conditions of consent; and
7. Any assessment criteria applicable to the activity under any other part of the District Plan.
8. The extent of compliance with the applicable performance standards in **9.4.3.5 and/or 9.4.3.6** for any new activities.
9. The application of the applicable performance standards in **9.4.3.5 and/or 9.4.3.6** above to existing parts of the structure housing the activity sensitive to aircraft noise.

### **10.7.7 COMMUNITY FACILITIES AND DAYCARE FACILITIES**

Council may decline the application, or grant it subject to conditions in consideration of the matters stated in **10.7.4**, and also the matters stated below

### **Amenity**

- 10.7.7.1. 1 The extent of which the size of the site is suitable to cater for the type of activity and number of people cared for onsite.
2. The extent of which the hours of operation and scale of operation will adversely affect the amenity of the surrounding residential environment and reduce the health and social wellbeing of surrounding residents.
3. Potential future expansion of services provided on site.
4. The extent of the impact of any odour created from the facility and its impact on the surrounding environment.

### **Outdoor areas**

- 10.7.7.2. 1. The potential alternative locations available for the outdoor activities and facilities, which would be more compatible with the layout and use of the adjoining properties
2. The frequency and timing of the use of the outdoor areas and facilities and the extent to which these would not conflict with the pleasant use and enjoyment of adjoining properties.
3. The degree of provision that is made for the safe and efficient delivery and pick up of children attending the daycare or educational facility

### **10.7.11 HELICOPTER TAKE-OFF AND LANDING AREAS**

Council may decline the application, or grant it subject to conditions in consideration of the matters stated in **Rule 10.7.4**, and also the matters stated below;

1. The type and size of facility to be provided and whether it is a private or commercial operation.
2. The types of machines proposed to be used at the facility and their noise characteristics.
3. Approach paths to and from all helicopter facilities, other than for temporary or emergency purposes. These shall normally be located so that no Residential Zones are flown over at lower than 300m above ground level at that point.
4. Any topographical features and existing buildings and their likely effect on visual and noise impacts of the proposal.
5. The frequency of use with respect to the generation of noise nuisance as a distinct and separate issue from the requirement to meet specified noise performance standards.
6. The submitted proposals for the monitoring and regular audit of noise and other environmental impacts.
7. The proximity to and impact on activities sensitive to aircraft noise.
8. The hours of operation and any associated generated effect from lighting.
9. The extent of any cumulative effect resulting from the location of other helicopter facilities in the general vicinity.
10. The extent of any dust and litter associated with the operation of the facility.

### **10.7.12 ACTIVITIES UNDERTAKEN ON SITES OF POTENTIAL CONTAMINATION WITHOUT REMEDIATION**

Council may decline the application, or grant it subject to conditions in consideration of the matters stated in **10.7.4**, and also the matters stated below;

1. The extent of immediate and long term potential damage to property and the health of occupiers and users of the site
2. The nature and suitability of the activity onsite in relation to the levels of contamination present.
3. The proposed mitigation and remediation measures to be undertaken to ensure level of contamination are consistent with those recommended within national legalisation for each land use.
4. The proposed mitigation to internalise any adverse effects of contamination and halt any further discharge to the environment.

## 10.8 NON-COMPLYING ACTIVITIES

10.8.1 Where activities in **10.3** are stated as Non-complying Activities they shall be assessed against those matters in Rule **10.7.4** and the relevant objectives and policies of the district plan **10.2**. Council can choose to grant or refuse a consent for a non-complying activity. If Council grants a consent it can be granted subject to conditions.

10.8.2 Activities in **10.3** that are stated as Non Complying Activities comprise:

ACTIVITY NUMBER	NAME	CRITERIA
10.3.6	Activities not expressly stated in <b>10.3</b>	All activities to be assessed under the Resource Management Act 1991 and <b>10.8.4</b> of this Plan.
10.3.26	Enclosure of livestock	
10.3.27	High nutrient output agricultural production activities	
10.3.44	Retirement homes and villages	
10.3.45	Hospitals and medical centres	
10.3.55	Retail shop	
10.3.56	Office activities other than for home based business	
10.3.57	Service stations, motor vehicle and machinery repair garages	
10.3.55	Service stations, motor vehicle and machinery repair garages	
10.3.56	Office activities other than for home based businesses	
10.3.59	Temporary markets and expos	
10.3.62	Concert involving amplified music	
10.3.64	Prospecting and exploration	
10.3.65	Rural contractors' depots and workshops	
10.3.66	Industrial or trade processes	
10.3.67	New Buildings, structures and extensions for the purposes of geothermal or hydro energy generation	
10.3.68	Mining and quarrying	
10.3.69	Offensive trades	
10.3.77	Stockpiling of fill or other materials not otherwise associated with on-site general farming practices	
10.3.78	Helicopter and take-off landing areas	

10.8.3 Non Complying activities are considered to create adverse effects that are more than minor and will impact the amenity and character of the residential zone. Such activities may be suited to a different zone.

10.8.4 **GENERAL ASSESSMENT CRITERIA WHEN ASSESSING NON COMPLYING ACTIVITIES**

Council may decline the application, or grant it subject to conditions in consideration of the matters stated in 10.7.4, and also the matters stated below;

1. The extent to which the proposal promotes the Matters of National Importance held within Part 3 of this plan.
2. The extent to which the proposal will detract from the rural character and amenity of the environment.
3. The extent to which the adverse effects generated by the proposal can be reduced to a level consistent with the amenity and character of the rural environment.
4. The extent to which the proposal enforces the objectives and policies of the District Plan
5. The extent to which the activity is provided for within an alternative Zone, and its detraction from the amenity of this Zone.
6. The extent of cumulative effects generated by the proposal.
7. The extent of adverse effects generated by odour, noise, traffic, lighting and glare on the rural amenity and character.
8. The extent of reverse sensitivity impacts generated by the proposal on the surrounding rural environment.
9. The extent to which the proposal complies with the assessment criteria listed under **9.8.2** where applicable.
10. The extent to which the proposal triggers the need for a traffic impact assessment as outlined under **Appendix 4.**

## 10.9 SUBDIVISION AND DEVELOPMENT

10.9.1 Subdivisions complying with the provisions stated in **10.4** and with the provisions of **Part Thirteen** shall be a Controlled Activity. The criteria on which a subdivision application will be assessed, and any conditions that Council may impose, are included in **Part Thirteen**.

## 10.10 OTHER DISTRICT PLAN PROVISIONS

10.10.1 Reference should also be made the following sections of the plan for other matters that may determine the classification of an activity within the rural areas of the district:

- Part 1** Definitions
- Part 2** Issues of Importance to Maori
- Part 3** Matters of National Importance
- Part 4** Residential
- Part 11** Reserves and recreation
- Part 12** Infrastructure
- Part 13** Site suitability and subdivision
- Part 14** Natural hazards
- Part 15** Financial contributions
- Part 16** Hazardous substances

- Appendix 1.** Cultural Heritage Inventory
- Appendix 2.** Natural Heritage Inventory
- Appendix 3.** Designations
- Appendix 4.** Transport
- Appendix 5.** Approved Development Plans