

**DRAFT  
DISTRICT  
PLAN**

**2018**

**HE ARA TĀMATA  
CREATING GREAT PLACES**  
*Supporting our people*



**HE WHENUA RANGATIRA**  
A DISTRICT OF SUSTAINABLE PROSPERITY & WELL-BEING



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*Te Kaunihera o Tai Tokerau ki te Raki*

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# CONTENTS

## PART A: OVERVIEW

Overview .....	3
Significant Resource Management Issues .....	5
Tangata Whenua .....	7

## PART B: DISTRICT WIDE PROVISIONS

<b>Natural Environments</b> .....	11
Indigenous Biodiversity .....	12
Outstanding Natural Landscapes and Features .....	14
Coastal Environment .....	18

<b>Environmental Risk</b> .....	22
Natural Hazards .....	23
Hazardous Substances .....	27
Activities on the Surface of Water .....	28

<b>Community Environments</b> .....	30
Historic Heritage .....	31
Public Access Corridors .....	34

<b>District Wide Activities</b> .....	36
Genetically Modified Organisms .....	37
Airports .....	39
Earthworks .....	41
Mineral Extraction (including quarrying) .....	43
Access, Parking and Traffic .....	45
Energy Efficiency .....	47
Infrastructure .....	49
Signs and Light SPill .....	52
Noise .....	54

## PART C: ZONE PROVISIONS

<b>Urban Zones</b> .....	57
Residential .....	58
Mixed Use .....	61
Light Industrial .....	64
Heavy Industrial .....	67

<b>Open Space Zones</b> .....	70
Conservation .....	71
Open Space .....	73
Sport and Recreation .....	75

<b>Rural Zones</b> .....	78
Rural Settlement .....	79
Rural Residential .....	81
Rural Production .....	84
Horticulture .....	87

<b>Special Purpose Zones</b> .....	89
Moturoa Island .....	90
Horticulture Processing .....	92
Point Veronica .....	94
Carrington Estate .....	96
Kauri Cliffs .....	98
Orongo Bay .....	100
Quail Ridge .....	102
Russell Township .....	105
Māori Purpose .....	107
Treaty Settlement Land .....	109



# PART A DISTRICT PLAN OVERVIEW



## OVERVIEW

The District Plan controls the way land is used, developed and subdivided and is a requirement under the Resource Management Act 1991 (the Act). The purpose of the Act is to promote the sustainable management of natural and physical resources.

The District Plan helps determine where activities can take place, and how land can be used and developed. It seeks to manage natural and physical resources that are important in the District and to ensure that environmental qualities and values are safeguarded for future generations to enjoy. It also assists the Council to manage noise.

The District Plan determines what you can do as of right, what requires resource consent and what you cannot do.

District Plans are important as they identify key resource management issues, what the community wants to be done about the issues and ways to achieve the outcomes the community wants. The Council is required to review its District Plan every 10 years.

### PLAN STRUCTURE

This draft policy framework for a new District Plan is an important step in the way we organise our district's resources in a broader regulatory context. It also marks a shift in the structure of the District Plan from a pure 'effects' based format to one that has got greater focus on activities. This means a District Plan that will be better suited to promoting the right activities in the right places.

At this stage in the process, we do not have maps, definitions, appendices or a full set of rules. The National Planning Standards (NPS) that are being created by the Ministry for the Environment will be finalised in 2019. The National Planning Standards will include a standardised plan structure, definitions, zone and overlay names. The new District Plan will need to incorporate this new national direction and will be updated to further align once the NPS has been gazetted.

This is a draft document and offers an opportunity to test the new policy directions, strengthen the draft provisions and improve how the District Plan works. With your help, the new District Plan will better reflect community aspirations, environmental bottom-lines and overall take an integrated approach to managing the District's resources. In this regard, we look forward to working with our communities.

### STRATEGIC DIRECTION/VISION

The strategic direction is informed by the Spatial Plan, Our Voices Our Vision and the Sustainable District Strategy.

### SIGNIFICANT RESOURCE MANAGEMENT ISSUES

Significant Resource Management Issues have been identified through a combination of statutory requirements, community consultation and a review of the current District Plan.

### DISTRICT WIDE PROVISIONS

The district wide provisions relate to special areas, landscapes, features, the coastal environment and other particular environmental issues that occur across the district, which are not zone specific. Special areas, landscapes, features and the coastal environment will be identified with overlays in the planning maps and specific provisions will apply to these overlays. A number of these overlays relate to matters of national importance under the Act.

### ZONE PROVISIONS

Zones manage the way in which areas of land are to be used, developed or protected. The zone provisions recognise the spatial differences between different types of land uses and environments within the district. In order to identify and provide for these differences and to ensure compatible activities are located together and that the character and amenity values of different parts of the district are maintained, the Draft District Plan adopts a zone-based approach. Different areas will be identified as different zones on the planning maps and are linked to objectives, policies and rules, which are relevant to each zone and manage the land use, subdivision and development that can occur within each zone.

### **OVERLAYS**

Overlays manage the protection, maintenance or enhancement of particular values associated with an area or resource. Overlays can apply across zones and do not follow zone boundaries. Overlays generally apply more restrictive rules than the district wide or zone provisions that apply to a site, but in some cases they are more enabling. Overlay rules apply to all activities on the part of the site to which the overlay applies unless the overlay rule expressly states otherwise.

### **DESIGN GUIDES**

Design Guides will be provided following feedback on the draft district plan and further review of district plan provisions.

### **APPENDICES**

Appendices may be identified through the provisions of the draft District Plan but will not be provided at this juncture.

### **PLANNING MAPS**

Planning maps will be provided following feedback on the draft district plan and further review of district plan provisions, electronic planning maps including overlays, zones and designations.

# SIGNIFICANT RESOURCE MANAGEMENT ISSUES



## TANGATA WHENUA PARTNERSHIP

A lack of resources, awareness, education, and capacity has created difficulties in establishing strong partnerships between the Council and tangata whenua as per the principles of Te Tiriti o Waitangi/The Treaty of Waitangi. There is a limited understanding and use of tikanga, matauranga māori, and traditional māori concepts, values and processes to express kaitiakitanga in the management of resources. The difficulties associated with developing Māori freehold and Treaty Settlement land include constraints represented by planning tools such as zoning and overlays, multiple ownership, no governance structure, financing and complex processes involving multiple agencies. All of these issues diminish opportunities for tangata whenua to utilise land in a manner which exercises their kawanatanga and rangatiratanga.



## AFFORDABLE INFRASTRUCTURE

The ability to provide the infrastructure expected by our communities is limited by our low population density, socio-economic constraints, the impacts of natural hazards and climate change, and incompatible land uses. This has resulted in parts of our District having limited access to efficient, resilient and affordable infrastructure and services. A lack of consolidated and coordinated development has resulted in inefficient use of existing infrastructure and has compromised the affordability of future infrastructure provision. There are costs associated with not protecting infrastructure from incompatible land uses and adapting to climatic and technological changes. This can limit infrastructure providers in what they provide, where, and at what cost.



## HERITAGE MANAGEMENT

The Far North has a wealth of historic heritage that contributes to its economic, social and cultural well being and this needs to be recognised through the District Plan. Insufficient protection of heritage resources is resulting in cultural, social, environmental and economic costs to our communities. A number of our historic buildings, objects, trees, archaeological sites, cultural heritage and sites of cultural significance to Maori, which tells our story, have either not yet been identified or are not adequately protected. Consequently, they are either being damaged or lost.



## HAZARD RESILIENCE AND CLIMATE CHANGE

Our communities are vulnerable to a number of natural hazards. A history of settlement on floodplains and cultural associations to areas close to the coast has exacerbated our vulnerability to the risk of climate change and existing natural hazards. Inadequate identification and controls have resulted in a greater exposure to risk from the effects of natural hazards and climate change. Existing infrastructure due to its location is at risk of hazard events, impacting on the health, safety and resilience of our communities.



## RURAL SUSTAINABILITY

There are competing demands for a range of land use activities in our Rural Environment. A permissive planning framework has led, in some areas, to incompatible land uses and significant adverse effects on rural character, amenity and indigenous biodiversity. In some areas, the fragmentation and sterilisation of productive land and highly versatile soils is undermining the future viability of primary production activities, infrastructure and services. Applying the Rural Production zone across the majority of the District with a single set of provisions has not appropriately responded to issues faced by our different areas and communities. It is also important that our District Plan acknowledges and reflects that our rural settlements differ in their ability to access the infrastructure and services available in urban centres.



## INDIGENOUS BIODIVERSITY

There is inadequate legal protection and active management of the District's significant areas of indigenous biodiversity, resulting in part from a lack of sufficient information on its location and quality. There is tension between the public benefit provided by indigenous biodiversity and the private cost of its protection and active management. Insufficient information and resources limits the ability of private landowners to manage indigenous biodiversity. Similarly there are significant areas of indigenous biodiversity on Maori land, which has resulted in restrictions in how Maori can enjoy their relationship with their ancestral lands.





**COASTAL MANAGEMENT**

There is a conflict between the need to preserve and protect the natural character of the coastal environment and provide for appropriate access and development. A continued pattern of settlement near the coast has placed additional pressure on coastal resources and amenity. Development in coastal areas has exacerbated the risk to people, property, and infrastructure, particularly from the effects of natural hazards and climate change.



**OUTSTANDING NATURAL LANDSCAPES AND FEATURES**

There is a conflict between the requirement to protect outstanding natural landscapes and features and providing landowners with the ability to develop their land. There is also a tension between protecting these landscapes and features from inappropriate subdivision, use and development while enabling Māori to continue to enjoy the relationship they have with their ancestral lands.



**URBAN SUSTAINABILITY**

A permissive approach to development has led to adverse impacts on urban character, amenity and infrastructure provision and created incompatible land uses. In the District, there are a number of commercial and industrial activities on unserviced rural land which have located there due to lower costs and minimal regulation. This has resulted in an inefficient use of existing infrastructure and has made infrastructure planning and deployment difficult to forecast and undertake. Some urban zoned land (commercial, mixed-use, industrial, and residential) in our District is not currently serviced by infrastructure. An urban zoning leads to an expectation that services are either already available or will be provided to enable development to occur. However, demand for urban infrastructure must be balanced against what our communities can afford. Consideration should be given to the provision of on-site infrastructure to promote community resilience to climate change. The National Policy Statement on Urban Development Capacity 2018 has emphasised the need for the Council to coordinate land for growth and infrastructure.





## TANGATA WHENUA

Our District is socially and culturally unique. The west is home to Hokianga-whakapau-karakia, the landing place of Kupe, a celebrated tupuna attributed with the discovery of Aotearoa, New Zealand. In the north, Te Ara Wairua (the spirits pathway) and Te Rerenga Wairua (the leaping off place of spirits) where according to Māori tradition, spirits travel after death and depart to the spiritual homeland of Hawaiki-a-nui. In the east sits Waitangi, considered to be the "Birthplace of the Nation" where Te Tiriti o Waitangi / Treaty of Waitangi was first signed in 1840. Ruapekapeka Pā, in the south, is home to the site of the last battle of the Northern Wars.

Māori make up more than 40% of our District's population with 17% of the land within Māori land tenure. A number of Iwi and Hapū have lodged Iwi/Hapū Environmental Management Plans with Council. Some Iwi in our District have had their Treaty of Waitangi claims settled. Other Iwi and numerous Hapū have entered into a Treaty of Waitangi Tribunal process and are at the beginnings of the settlement process.

We have responsibilities under the Treaty, the Act and the Regional Policy Statement to recognise the complex and important role tangata whenua play as partners, kaitiaki, landowners and developers.

### OBJECTIVES

#### TW-01

Tangata whenua and Council have a strong, high trust and enduring partnership based on the principles of Te Tiriti o Waitangi / The Treaty of Waitangi.

#### TW-02

Tangata whenua actively participates as kaitiaki in resource management processes.

#### TW-03

Historic heritage, which includes sites of significance to Māori and cultural resources are managed to ensure their long-term protection for future generations.

#### TW-04

Tangata whenua maintain mana whenua in their rohe through strong and enduring relationships with their culture and traditions, ancestral lands, water, sites, waahi tapu, and other taonga.

#### TW-05

Tangata whenua economic, social and cultural well being is enhanced by the development of Maori land administered under Te Ture Whenua Māori Act 1993 and land returned in the Treaty settlement process.

### POLICIES

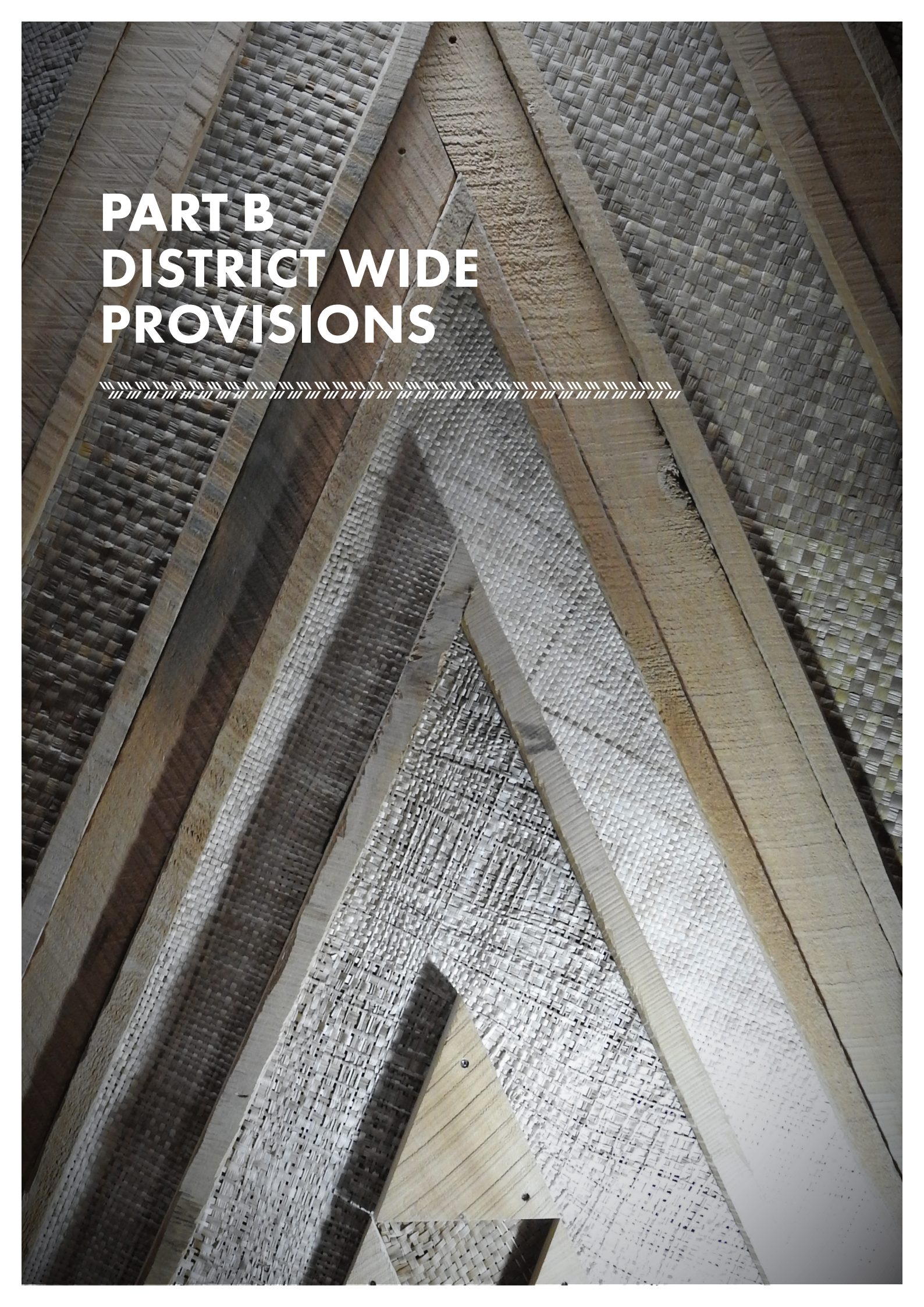
#### TW-P1

Work proactively with Iwi and hapu to identify, and where agreed to, implement:

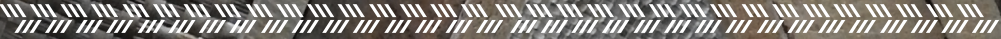
- Mana Whakahono a Rohe / Iwi participation arrangements;
- joint management agreements under section 36B of the Act;
- other arrangements as agreed.

- 
- TW-P2** Ensure that tangata whenua can actively participate in resource management processes which involve ancestral lands, water, sites, wāhi tapu and other taonga, including through:
- recognition of the holistic nature of the Māori worldview;
  - the exercise of kaitiakitanga;
  - the acknowledgement of matauranga Māori;
  - regard to iwi/hapū environmental management plans;
  - any other agreements.
- 
- TW-P3** Protect the values of Māori historic heritage, cultural resources, wāhi tapu and other taonga by:
- collaborating with iwi and hapū identify significant sites and cultural resources;
  - scheduling significant sites and landscapes.
- 
- TW-P4** Enable tangata whenua economic, social and cultural well being to use and develop land administered under Te Ture Whenua Māori Act 1993 and returned under treaty settlement while managing adverse effects on the environment.
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- TW-P5** Recognise tangata whenua as specialists in the tikanga of their hapū or iwi when preparing or assessing a cultural impact assessment.
- 
- TW-P6** Consider the following when assessing applications for land use and subdivision that may result in adverse effects on the relationship of tangata whenua with their ancestral lands, water, sites, wāhi tapu and other taonga:
- any consultation undertaken with iwi, hapū or marae with an association to the site or area;
  - any iwi and or hapū management plans lodged with Council;
  - any identified sites of cultural significance to Māori;
  - whether a cultural impact assessment has been undertaken by a suitably qualified person who is acknowledged/endorsed by the iwi, hapū or relevant marae;
  - any protection, preservation or enhancement proposed;
  - any relevant treaty settlement legislation;
  - any relevant statutory acknowledgement area identified in Appendix X;
  - the Te Oneroa-a-Tohe beach management plan;
  - any relevant relationship agreements or arrangement between council and any iwi authority or hapū.
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**PART B  
DISTRICT WIDE  
PROVISIONS**



# NATURAL ENVIRONMENTS

## INDIGENOUS BIODIVERSITY

Our District is home to a wide diversity of indigenous ecosystems and a high number of regionally endemic species, including a number that are of cultural significance to tangata whenua, including food gathering and rongoa. The protection, maintenance and enhancement of indigenous biodiversity contributes to the District’s unique scenery, its natural character and economic opportunities, such as tourism and recreation.

Approximately 40% of our District is covered in indigenous vegetation, around 50% of which is on private land. Vegetation clearance, fragmentation, and the introduction of pest plants and species that have the potential to be

pests can diminish the quality and extent of indigenous ecosystems.

We have responsibilities under the Act, the New Zealand Coastal Policy Statement and the Northland Regional Policy Statement to identify and protect areas of significant indigenous biodiversity and maintain indigenous biodiversity. Where areas have been identified as containing significant areas of indigenous biodiversity there will be greater control over land use and subdivision. There may be tension between public benefit in protecting, maintaining or enhancing indigenous biodiversity and the associated private costs.

### OBJECTIVES

**IB-O1**

Areas of significant indigenous biodiversity are identified and managed to ensure their long-term protection for future generations.

**IB-O2**

Indigenous biodiversity is identified and managed to maintain its extent and diversity.

**IB-O3**

Indigenous biodiversity is enhanced where it is practicable.

### POLICIES

<b>IB-P1</b>	Identify areas of significant indigenous biodiversity (Significant Natural Areas) using the assessment criteria in Appendix X of the Plan.
<b>IB-P2</b>	Avoid adverse effects of land use and subdivision on Significant Natural Areas located within the coastal environment.
<b>IB-P3</b>	Avoid, remedy or mitigate adverse effects of land use and subdivision on Significant Natural Areas outside of the coastal environment.
<b>IB-P4</b>	Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on indigenous biodiversity located within the coastal environment.
<b>IB-P5</b>	Avoid, remedy or mitigate adverse effects of land use and subdivision on indigenous biodiversity located outside the coastal environment.
<b>IB-P6</b>	Provide for biodiversity offsetting outside of the coastal environment or outside a Significant Natural Area where adverse effects cannot be reasonably avoided, remedied or mitigated.
<b>IB-P7</b>	Encourage active management of pest plants and pest animals.
<b>IB-P8</b>	Support the voluntary efforts of property owners, community groups, iwi and hapū carrying out ecological restoration, enhancement and education projects.
<b>IB-P9</b>	Promote the protection of species that are endemic to Northland by: <ul style="list-style-type: none"> <li>a. eco-sourcing plants from within the ecological district;</li> <li>b. avoiding the keeping of cats, dogs and mustelids in areas that have acutely or chronically threatened species;</li> <li>c. requiring responsible pet ownership in kiwi present areas.</li> </ul>

- IB-P10** Enable the clearance of indigenous vegetation where it is for:
- a. the maintenance and repair of legally established activities;
  - b. the removal of biosecurity threats;
  - c. non-commercial harvest for tikanga Māori practices.
- 
- IB-P11** Protect indigenous biodiversity by considering the following matters when assessing proposals for land use and subdivision:
- a. the temporary or permanent nature of any adverse effects;
  - b. cumulative effects of activities that may result in loss or degradation of habitats, species populations and ecosystems;
  - c. the extent of any vegetation removal;
  - d. the effects of fragmentation;
  - e. linkages between indigenous ecosystems and habitats of indigenous species;
  - f. the potential for increased threats from pest plants and animals;
  - g. downstream effects on wetlands, rivers, streams and lakes from hydrological change in catchments;
  - h. whether the indigenous vegetation meets the criteria for a Significant Natural Area;
  - i. the location, scale and design of any proposed development;
  - j. the functional need of regionally significant or critical infrastructure;
  - k. any positive contribution the development has on the indigenous biodiversity, where located outside of the coastal environment.

**RULES**

**IB-P1 PERMITTED OR CONTROLLED ACTIVITIES:**

**For all indigenous vegetation clearance including Significant Natural Areas the repair and maintenance of existing:**

- roads
- fences
- utilities
- driveways and access to a dwelling
- cleared areas or a curtilage of 20 metres of an existing dwelling
- walking tracks
- cycling tracks
- farming track

Where the size, scale and materials are 'like for like'.

- Indigenous vegetation clearance including within Significant Natural Areas where:
  - it is required to provide for safe and reasonable clearance of existing overhead power lines.
  - it is necessary to ensure the health and safety of the public.
  - it is for biosecurity reasons.
  - the sustainable non-commercial harvest of plant material for rongoa Māori.

**Clearance of manuka and kanuka outside of a Significant Natural Area that is less than 25 years old**

**IB-R2 RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:**

- Vegetation clearance within a Significant Natural Area unless provided for as a permitted activity.
- Clearance of manuka or kanuka 25 years or older.
- Vegetation clearance not complying with the permitted or controlled standards.
- Subdivision of land containing a Significant Natural Area where it meets the controlled standard for the underlying zone outside of the coastal environment.

**IB-R2 NON-COMPLYING ACTIVITIES:**

- Subdivision of land containing a Significant Natural Area within the coastal environment.



# OUTSTANDING NATURAL LANDSCAPES AND FEATURES

Our District has an extensive coastline with many harbours, large tracts of indigenous vegetation and a wide variety of natural processes that operate at varying scales. This has created a District rich in unique landscapes and features. In many instances, they are celebrated by cultural associations and stories. Modification of these places has been minimal largely due to their remote locations, historic heritage and in some cases challenging topography and geomorphology.

Outstanding natural landscapes (ONLs) account for approximately 20% of our District’s land area. Outstanding natural features (ONFs) account for approximately 1.5% of our District’s land area. A schedule outlining the characteristics and qualities attributed to the ONLs and ONFs identified in the Far North District and protected in the District Plan is provided in Appendix X.

ONLs and ONFs provide significant public benefit for the District, including the economic benefits of tourism, recreational use, as well as providing and protecting aesthetic and cultural values. It is challenging to recognise and protect the characteristics, qualities and values of ONLs and ONFs while providing for appropriate use and development and enabling the use of Māori land.

We have responsibilities under the Act, the New Zealand Coastal Policy Statement and the Northland Regional Policy Statement to protect ONLs and ONFs from inappropriate land use and subdivision. As a result, there is greater control over land use and subdivision in identified areas of ONL or ONF. There may be tension between the public benefit in protecting, maintaining or enhancing landscapes and features and the associated private costs.

## OBJECTIVES

### ONL-O1

Outstanding natural landscapes and outstanding natural features are identified and managed to ensure their long-term protection for future generations.

### ONL-O2

Any land use and subdivision in outstanding natural landscapes and on outstanding natural features is consistent with and does not compromise the characteristics and qualities identified for that landscape or feature.

### ONL-O3

The ancestral relationship Tangata Whenua has with the land is recognised and provided for as a part of the characteristics and qualities of outstanding natural landscapes and outstanding natural features.

## POLICIES

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**ONL-P1** Identify outstanding natural landscapes and outstanding natural features and their values and characteristics using the assessment criteria in Appendix X of the Plan

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**ONL-P2** Avoid adverse effects of land use and subdivision on the characteristics and qualities of outstanding natural landscapes and outstanding natural features within the coastal environment.

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**ONL-P3** Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of outstanding natural landscapes and outstanding natural features outside the coastal environment.

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**ONL-P4** Enable primary production activities and other uses of land within outstanding natural landscapes and on outstanding natural features where:

- a. the use forms part of the values that established the landscape or feature; and
- b. the use is consistent with, and does not compromise, the identified characteristics and qualities.

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**ONL-P5** Enable the use of Māori Purpose zoned land and Treaty Settlement land in outstanding natural landscapes and on outstanding natural features where land use and subdivision is consistent with the ancestral use of that land and does not compromise the identified natural characteristics and qualities.

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**ONL-P6** Encourage the restoration and enhancement of outstanding natural landscapes and outstanding natural features where it is consistent with the identified characteristics and qualities.

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**ONL-P7** Prohibit land use and subdivision that would result in any loss of and/or destruction of identified characteristics and qualities of outstanding natural landscapes and outstanding natural features within the coastal environment.

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**ONL-P8** Protect outstanding natural landscapes and outstanding natural features by considering the following matters when assessing proposals for land use and subdivision:

- a. the presence or absence of structures, buildings or infrastructure;
- b. the temporary or permanent nature of any adverse effects;
- c. the fragmentation of the landscape or feature;
- d. the physical and visual integrity of the landscape or feature;
- e. the natural landform and processes of the location;
- f. the location, scale and design of any proposed development;
- g. the functional need of any regionally significant or critical infrastructure to be sited in the particular location;
- h. any viable alternative locations for the activity outside the landscape or feature;
- i. the identified characteristics and qualities;
- j. any historical, spiritual or cultural association held by tangata whenua;
- k. any potential means of integrating the activity within the surrounding landscape or feature;
- l. any positive contribution the development has on the identified characteristics and qualities.

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**RULES**

**ONL-R1**

**PERMITTED OR CONTROLLED ACTIVITIES:**

Within an outstanding natural landscape or on an outstanding natural feature the repair and maintenance of existing:

- a. roads
- b. fences
- c. utilities
- d. driveways and access
- e. walking tracks
- f. cycling tracks
- g. farming tracks
- h. Where the size, scale and materials are 'like for like'.

**Vegetation clearance in outstanding natural landscapes or on outstanding natural features where:**

- a. it is required to provide for safe and reasonable clearance for existing overhead power lines.
- b. it is necessary to ensure the health and safety of the public.
- c. it is for biosecurity reasons.
- d. the sustainable non-commercial harvest of plant material for rongoa Māori.

**Demolition of buildings or structures within outstanding natural landscapes or on outstanding natural features.**

**Buildings and structures within outstanding natural landscapes ancillary to primary production(excluding residential units) that:**

- e. are no more than 25m<sup>2</sup>
- f. do not exceed a maximum height of 5 metres
- g. do not exceed the height of the nearest ridgeline and/or headland
- h. have an exterior finish with:
  - i. a reflectance value of up to 30 per cent; and
  - ii. is within Groups A, B or C as defined within the BS5252 standard colour palette.

**Extension to an existing building (including residential units) not exceeding 20% of the gross floor area and the height of the existing building where located entirely within an outstanding natural landscape or on an outstanding natural feature.**

**Grazing of sheep and goats on an outstanding natural feature coded A, D, F and V.**

**Grazing of stock other than sheep and goats on an outstanding natural feature coded D or F.**

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**ONL-R2 RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES:**

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- Buildings and structures (including residential units) within outstanding natural landscapes, outside of the coastal environment, not provided for as a permitted activity.
- Extension to an existing building (including residential units) within an outstanding natural landscape or on an outstanding natural feature where it is not provided for as a permitted activity.
- A new residential unit within an outstanding natural landscape, inside the coastal environment, where there is no alternate location on the site outside the outstanding natural landscape.
- Papakainga and marae in outstanding natural landscapes inside and outside of the coastal environment.
- Buildings and structures on outstanding natural features, outside of the coastal environment, coded A, F or V.
- Grazing of animals on outstanding natural features not provided for as a permitted activity.
- Subdivision within outstanding natural landscapes and outstanding natural features that complies with the controlled minimum lot size for the underlying zone and is located inside and outside of the coastal environment.
- Buildings and structures (including residential units) inside and outside of the coastal environment not provided for as a permitted, restricted discretionary or discretionary activity within an outstanding natural landscape or on an outstanding natural feature.
- Plantation forestry within an outstanding natural landscape.
- Quarries within an outstanding natural landscape or an outstanding natural feature located outside the coastal environment.
- Landfills managed fills and clean fill within an outstanding natural landscape or on an outstanding natural feature outside the coastal environment
- Subdivision within outstanding natural landscapes and outstanding natural features not meeting the controlled or discretionary standards.

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**ONL-R4 NON-COMPLYING ACTIVITIES:**

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- Quarries within an outstanding natural landscape or on an outstanding natural feature located within the coastal environment.
  - Landfills, managed fills and clean fill within an outstanding natural landscape or on an outstanding natural feature within the coastal environment.
-

## COASTAL ENVIRONMENT

Our District has a vast and complex coastal environment with dynamic natural processes, unique natural and physical attributes and high cultural values. The coastal environment accounts for approximately 12% of the District’s total land area. The District Plan identifies areas in the coastal environment that have high and outstanding natural character, these have been scheduled and a description of the identified characteristics and qualities provided in Appendix X.

Much of our coastline is relatively undeveloped in the sense that there is limited built development and supporting infrastructure. The past couple of decades have seen an increasing pressure for development in coastal areas, particularly along the east coast. There is a continued pattern of settlement near the coast that has placed

additional pressure on coastal resources and amenity. It has also exacerbated the risk to people, property and infrastructure particularly in light of the effects of climate change. We need to strike a balance between the level of intervention to manage land use and subdivision, health and safety, provision of coastal access, and infrastructure that may have a functional need to be located in the coastal space.

We have responsibilities under the Act, the New Zealand Coastal Policy Statement and the Northland Regional Policy Statement to preserve and protect the natural character of the coastal environment from inappropriate land use and subdivision. There may be tension between public benefit in preserving and protecting the natural character of the coastal environment and the associated private costs.

### OBJECTIVES

#### CE-O1

The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection for future generations.

#### CE-O2

Land use and subdivision in the coastal environment within urban zones:

- a. is of a scale that is consistent with existing built development; and
- b. maintains and enhances public access to and along the coastal marine area; and
- c. demonstrates the risk to people, property and infrastructure from natural hazards is appropriately managed.

#### CE-O3

Land use and subdivision outside of outstanding natural character areas, outstanding natural landscapes, outstanding natural features and outside urban zones in the coastal environment.

- a. is consistent with the surrounding land use; and
- b. does not result in any urban sprawl occurring outside of urban zones; and
- c. is consistent and does not compromise the characteristics and qualities of the natural character of the coastal environment; and
- d. maintains and enhances public access to and along the coastal marine area; and
- e. demonstrates the risk to people, property and infrastructure from natural hazards is appropriately managed.

### POLICIES

**CE-P1** Identify areas of high and outstanding natural character of the coastal environment using the assessment criteria in Appendix X of the Plan.

**CE-P2** Avoid adverse effects of land use and subdivision on the identified characteristics and qualities of outstanding natural character areas.

<b>CE-P3</b>	Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of all areas of the coastal environment that are not identified as: a. outstanding natural character; b. outstanding natural landscapes; c. outstanding natural features. including those areas identified as having high natural character.
<b>CE-P4</b>	Preserve the visual qualities, amenity values and integrity of the coastal environment by: a. consolidating land use and subdivision around existing urban centres and rural settlements; b. avoiding sprawl or sporadic patterns of development.
<b>CE-P5</b>	Enable appropriate land use and subdivision in existing urban zones where Council approved wastewater reticulated services are available.
<b>CE-P6</b>	Enable the use of Māori Settlement zoned land and Treaty Settlement land in the coastal environment where land use and subdivision is consistent with the ancestral use of that land and does not compromise the identified natural characteristics and qualities.
<b>CE-P7</b>	Provide for appropriate public access to and along the coastal marine area at the time of land use or subdivision where the development; a. is adjoining the coastal marine area, an existing esplanade reserve or an esplanade strip; or b. has potential to contribute to connectivity or contiguous access; or c. is identified as an esplanade priority area.
<b>CE-P8</b>	Encourage the restoration and enhancement of the natural character of the coastal environment.
<b>CE-P9</b>	Prohibit land use and subdivision that would result in any loss of and/or destruction of identified characteristics and qualities in outstanding natural character areas.
<b>CE-P10</b>	Preserve and protect the natural character of the coastal environment by considering the following matters when assessing proposals for land use and subdivision: a. the natural character of the particular location; b. the visual qualities and amenity values of the receiving environment; c. the ability of the environment to absorb change; d. the identified characteristics and qualities; e. any historical, spiritual or cultural association held by tangata whenua; f. the presence or absence of structures, buildings or infrastructure; g. the location, scale and design of any proposed development; h. the temporary or permanent nature of any adverse effects; i. the need for and location of earthworks and vegetation clearance; j. the likelihood of the activity exacerbating natural hazards; k. the opportunity to enhance public access and recreation; l. the functional need for any regionally significant or critical infrastructure to be located within the coastal environment; m. any viable alternative locations for the activity; n. any potential means of integrating the activity within the coastal environment; o. any positive contribution the development has on the identified characteristics and qualities.

Rules

<b>CE-R1</b>	<b>PERMITTED OR CONTROLLED ACTIVITIES:</b>
<b>URBAN ENVIRONMENT</b>	<ul style="list-style-type: none"> <li>• Buildings, structures and infrastructure in the coastal environment are subject to controls that apply to the underlying zone.</li> <li>• Subdivision, density or residential intensity in the coastal environment is controlled by the underlying zone.</li> </ul>

**CE-R1 (continued)**

**NON-URBAN ENVIRONMENT**

**PERMITTED OR CONTROLLED ACTIVITIES:**

- Within all areas of the coastal environment the repair and maintenance of legally established:
  - a. roads
  - b. fences
  - c. utilities
  - d. driveways and access
  - e. walking tracks
  - f. cycling tracks
  - g. farming tracks

\*Where the size, scale and materials are 'like for like'.
- **Vegetation clearance in the coastal environment where:**
  - a. it is required to provide for safe and reasonable clearance of existing overhead power lines.
  - b. it is necessary to ensure the health and safety of the public.
  - c. it is for biosecurity reasons.
  - d. the sustainable non-commercial harvest of plant material for rongoa Māori.
- **Demolition or removal of buildings or structures within the coastal environment.**
- **Buildings and structures not within outstanding natural character areas that are ancillary to primary production (excluding residential units) that:**
  - a. are no more than 50m<sup>2</sup>; and
  - b. do not exceed a maximum height of 5 metres; and
  - c. do not exceed the height of the nearest ridgeline and/or headland; and
  - d. have an exterior finish with:
    - i. a reflectance value of up to 30 per cent; and
    - ii. is within Groups A, B or C as defined within the BS5252 standard colour palette.

*NOTE: There is no permitted activity control for residential units within the non-urban coastal environment.*

- **Extension to an existing building (including residential units) not exceeding 20% of the gross floor area and the height of the existing building within an area identified as having high or outstanding natural character.**

**CE-R2**

**RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:**

- **Buildings and structures (including residential units) within the coastal environment:**
  - a. where it is not identified as having outstanding natural character;
  - b. it is not provided for as a permitted activity.
- **Events located within the coastal environment not provided for as a permitted activity.**
- **Extension to an existing building (including residential units) within the coastal environment not provided for as a permitted activity.**
- **Repair and maintenance not provided for as a permitted activity.**
- **Papakāinga and marae within the coastal environment located on Māori Settlement zoned land or Treaty Settlement land.**
- **New plantation forestry over 2 hectares in area within the coastal environment where it is not identified as having outstanding natural character.**
- **Subdivision not within outstanding natural character areas where it is at the controlled standard for the underlying zone.**

**CE-R3**

**NON COMPLYING ACTIVITIES:**

- **Buildings and structures (including residential units) in the coastal environment:**
  - identified as having outstanding natural character; or
  - not provided for as a permitted, restricted discretionary or discretionary activity.
- **New plantation forestry identified in areas identified as having high or outstanding natural character.**
- **Landfills, managed fills and clean fill within areas identified as having high natural character.**
- **Subdivision within outstanding natural character areas.**

**CE-R4**

**PROHIBITED ACTIVITIES:**

- **Quarries within areas identified as having outstanding natural character.**
- **Landfills, managed fills and clean fill within areas identified as having outstanding natural character.**





# ENVIRONMENTAL RISK

# NATURAL HAZARDS

Our District is affected by natural hazards including those that occur frequently such as flooding, coastal erosion and inundation, freshwater erosion and land instability. Those natural hazards that occur less frequently are wild fires, tsunami, high winds and droughts. Sea level rise will contribute to coastal natural hazards over time.

These natural processes become known as natural hazards when they affect areas where people live or value (this may include structures and/or land) or affect the wider environment. Flooding is the most common natural hazard faced by the District. Many of the District’s settlements are also adjacent to the coast which exposes them to coastal hazard risks.

The potential impacts of natural hazard events range from general nuisance to creating significant damage, loss of

property and, in extreme cases, loss of life. Natural hazards and their associated impacts will likely increase with climate change. There are large areas of our District where we do not yet know the full extent of some hazards, and their potential risks. Due to these uncertainties we must take a precautionary approach when managing natural hazard risks.

We have responsibilities under the Act, the New Zealand Coastal Policy Statement and the Northland Regional Policy Statement to take a precautionary approach when managing natural hazard risks to provide for the health and safety of our communities. This can be achieved through avoidance, adaptive management and building community resilience. Tensions can occur when natural hazards reduce development opportunities.

## OBJECTIVES

**NH-O1**

The risks from natural hazards to people, infrastructure and property are managed to ensure the health, safety and resilience of our communities.

**NH-O2**

Land use and subdivision is avoided in areas prone to significant risks from natural hazards and managed where the risk is not significant and can be minimised.

**NH-O3**

Land use and subdivision are managed to ensure that existing natural hazards are not exacerbated.

**NH-O4**

Natural defences, such as natural features and natural buffers are protected and used in preference to hard protection structures to manage natural hazards.

**NH-O5**

The function of floodplains and overland flow paths is maintained.

## POLICIES

<p><b>NH-P1</b></p>	<p>Identify areas that may be subject to natural hazards, taking into account the effects of climate change, including:</p> <ul style="list-style-type: none"> <li>a. flooding;</li> <li>b. coastal erosion and inundation;</li> <li>c. land instability;</li> <li>d. wildfires.</li> </ul>
<p><b>NH-P2</b></p>	<p>Avoid land use and subdivision where the risk from natural hazards to the environment, people, property and infrastructure cannot be managed to an acceptable level.</p>
<p><b>NH-P3</b></p>	<p>Avoid land use and subdivision where it increases the natural hazard risk to neighbouring properties, infrastructure or the wider environment.</p>

<b>NH-P4</b>	<p>Manage land use and subdivision that occurs in natural hazard areas to mitigate against the potential effects of natural hazards by consideration of the following:</p> <ul style="list-style-type: none"> <li>a. erection and location of new buildings or structures;</li> <li>b. earthworks, including excavation and fill;</li> <li>c. location of landscaping;</li> <li>d. location and design of infrastructure;</li> <li>e. the establishment of residential, early childhood, retirement and education facilities;</li> <li>f. activities that involve the use and storage of hazardous substances;</li> <li>g. setbacks from water bodies and the coastal marine area; and</li> <li>h. designing for relocatable or recoverable structures.</li> </ul>
<b>NH-P5</b>	<p>Allow for operation, maintenance, upgrading and construction of nationally and regionally significant or critical infrastructure in natural hazard areas where:</p> <ul style="list-style-type: none"> <li>a. there is no reasonable alternative or that infrastructure is functionally or operationally required to locate in that area; and</li> <li>b. it has been designed to maintain its resilience, integrity and form during natural hazard events; and</li> <li>c. the natural hazard risks to people, property and infrastructure are appropriately avoided, remedied or mitigated.</li> </ul>
<b>NH-P6</b>	<p>Manage land use and subdivision to minimise risks from natural hazards by:</p> <ul style="list-style-type: none"> <li>a. using the best available information and formal risk management techniques (including the precautionary approach);</li> <li>b. addressing any increase in vulnerability due to residual risk;</li> <li>c. aligning with emergency management approaches (especially risk reduction);</li> <li>d. ensuring that vehicular access routes and building platforms are appropriate; and</li> <li>e. considering the duration of consent and how this may limit the exposure.</li> </ul>
<b>NH-P7</b>	<p>Determine the significance of risk from natural hazards by considering the following when assessing proposals for land use and subdivision:</p> <ul style="list-style-type: none"> <li>a. the type, frequency and scale;</li> <li>b. the temporary or permanent nature of any adverse effect;</li> <li>c. the type of activity being undertaken and its vulnerability to an event, including the effects of climate change;</li> <li>d. the consequences of an event in relation to the activity;</li> <li>e. the potential effects on public safety and property;</li> <li>f. any exacerbation or creation of a new risk;</li> <li>g. the design, location and construction of buildings and structures to manage the effects and whether relocation is appropriate;</li> <li>h. the site layout and management to avoid or mitigate the adverse effects, including access and exit during an event;</li> <li>i. the use of natural features and natural buffers to manage adverse effects;</li> <li>j. the likelihood of needing to undertake managed retreat.</li> </ul>
<b>NH-P8</b>	<p>Require climate change effects to be included in all natural hazard risk assessments using the latest national guidance and best information available.</p>
<b>NH-P9</b>	<p>Adopt an adaptive management approach to manage the risk of natural hazards on people, property, infrastructure and the environment of any 100-year coastal hazard event associated with coastal erosion or inundation.</p>
<b>NH-P10</b>	<p>Encourage the use, maintenance and enhancement of natural features and natural buffers to manage the risks of natural hazards on people, property and the environment.</p>

<b>NH-P11</b>	<p>Allow hard protection structures in the coastal environment where:</p> <ol style="list-style-type: none"> <li>the existing defences will not provide protection from the natural hazard; and</li> <li>enhancement of natural defences or adaptive management is not viable.</li> </ol> <p>Where a or b apply, the structure must be designed and located to:</p> <ol style="list-style-type: none"> <li>avoid restricting public access to and along the coastal marine area;</li> <li>avoid the risk of increased coastal hazard exposure elsewhere along the coastline;</li> <li>minimise adverse effects on natural character, indigenous biodiversity and amenity values;</li> <li>take into account the dynamic nature of coastal processes, including the effects of climate change and accelerated sea-level rise over a 100 year timeframe.</li> </ol>
<b>NH-P12</b>	<p>Ensure that earthworks (other than earthworks associated with flood control works) do not:</p> <ol style="list-style-type: none"> <li>divert flood flow onto surrounding properties; and</li> <li>deplete flood plain storage capacity within a 10 year flood hazard area.</li> </ol>
<b>NH-P13</b>	<p>Require minimum freeboard above a 100 year flood event of at least 500mm is provided for habitable buildings.</p>
<b>NH-P14</b>	<p>Require commercial and industrial buildings to be constructed to a standard so they will not be subject to material damage in a 100 year flood event.</p>
<b>NH-P15</b>	<p>Require subdivision applications to identify building platforms that will not be subject to inundation and/or material damage (including erosion) in a 100 year flood event.</p>
<b>NH-P16</b>	<p>Demonstrate that buildings within a 10 year flood hazard area can be designed to avoid material damage in a 100 year flood event.</p>
<b>NH-P17</b>	<p>Require storage methods that ensure hazardous substances will not be inundated within a 100 year flood event.</p>
<b>NH-P18</b>	<p>Avoid undertaking land use and subdivision in locations that could adversely affect or have a cumulative impact on the integrity of the following Regional and District Council flood schemes:</p> <ol style="list-style-type: none"> <li>Kaeo – Whangora</li> <li>Awanui – Kaitaia</li> <li>Kerikeri – Waipapa</li> </ol>
<b>NH-P19</b>	<p>Ensure that the function of floodplains and overland flow paths is maintained.</p>
<b>NH-P20</b>	<p>Ensure subdivision, as well as residential, early childhood, retirement and education facilities, take into account fire hazard, including the management of risk through vegetation control and removal.</p>

## RULES

<b>NH-R1</b>	<p><b>PERMITTED OR CONTROLLED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Operation, maintenance and removal of existing infrastructure, (including associated earthworks and vegetation clearance).</li> <li>• Demolition or removal of existing buildings or structures.</li> <li>• Internal alterations to existing buildings or structures which do not increase the building or structure envelope.</li> <li>• Maintenance of existing flood protection works, drains, structures and buildings.</li> <li>• Planting of trees and plants that to do exacerbate or create a new natural hazard.</li> <li>• Fire hazard rule - differentiating between the urban and rural environment.</li> </ul>
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**NH-R2**

**RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES:**

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- Flood protection and drainage works.
- Any building or structure within an identified natural hazard area.
- Any earthworks not complying with the permitted or controlled activity performance thresholds.
- Clearance of vegetation within an identified natural hazard area.
- Residential, early childhood, retirement and education facilities within an identified natural hazard area
- Subdivision in areas identified as being affected by a natural hazard

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**NH-R3**

**NON-COMPLYING ACTIVITIES:**

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- Activities involving the storage of hazardous substances within an identified natural hazard area.
  - Land use and subdivision occurring on sites affected by significant hazards
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# HAZARDOUS SUBSTANCES

There may be activities within our District that use hazardous substances that may pose a potential threat to the health and safety of our communities and the natural environment. Hazardous substances are defined in the Hazardous Substances and New Organisms Act 1996 and include substances with radioactive properties or high biological oxygen demand.

should only do so when these are not already managed through the Hazardous Substances and New Organisms Act 1996. Land use controls may relate to matters such as the location of hazardous facilities, their potential impacts on other land uses and the natural environment and the transport of hazardous substances that are undertaken as part of the hazardous facility's operation.

Substances fall within the definition if they have certain hazardous properties such as explosiveness, flammability or corrosiveness among other factors and must be managed, stored, used, transported and disposed of in a safe and secure manner. The Act does not prevent District Plans from managing any adverse effects of the storage, use, disposal and transport of hazardous substances, but

We have responsibilities under the Act to manage the adverse effects that may arise from hazardous facilities on sensitive activities, the coastal environment, historic heritage, public safety, the risks of natural hazards, cumulative effects (agglomeration of facilities) and reverse sensitivity issues.

## OBJECTIVES

### HS-O1

The risks associated with the storage, use or disposal of hazardous substances to people, property and the environment are minimised to acceptable levels while recognising the benefits of these facilities.

### HS-O2

The distances between hazardous facilities and activities sensitive to hazardous facilities are managed to control reverse sensitivity effects.

## POLICIES

### HS-P1

Manage the effects of hazardous substances by:

- a. locating, designing, constructing and managing hazardous facilities to avoid or mitigate adverse effects, including risks to people, property and the environment;
- b. identifying, assessing and managing effects, including cumulative effects, of hazardous facilities so they do not create unacceptable levels of risk to people, property and the environment;
- c. locating land use activities so that the adverse effects of the transport of hazardous substances on roading infrastructure and other land use activities are minimised.

### HS-P2

Require appropriate separation distances between hazardous facilities and activities sensitive to hazardous facilities to avoid or mitigate risk to people and property and to avoid reverse sensitivity effects.

## RULES

### HS-R1

#### PERMITTED OR CONTROLLED ACTIVITIES:

New hazardous facilities that comply with relevant performance standards and thresholds.

### HS-R2

#### RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:

New hazardous facilities that do not comply with all performance standards and thresholds.

## ACTIVITIES ON THE SURFACE OF WATER

Our District has many rivers, streams, lakes and wetlands. Our communities value these waterbodies for their important biodiversity, ecological, natural character, recreational, amenity, cultural and water quality values.

We have an obligation to manage any actual or potential effects of activities in relation to the surface of the water in rivers, streams, lakes and wetlands in our District.

We have responsibilities under the Act, the New Zealand Coastal Policy Statement and the Northland Regional Policy Statement to manage our District's waterbodies. We manage activities occurring on and adjacent to waterbodies and need to work collaboratively with Northland Regional Council who manage water quality, quantity and the ecosystems of the region's freshwater bodies.

### OBJECTIVES

#### WB-O1

Land use, subdivision and activities on the surface of, and around freshwater bodies, is managed to protect or improve the characteristics and qualities that make up their natural character.

#### WB-O2

Public and customary access to freshwater bodies is provided where cultural, heritage, recreation, scenic, ecological or amenity values are present and can be maintained.

#### WB-O3

The implementation of riparian and coastal margins will contribute to freshwater quality, the habitat of indigenous fauna, ecosystem health values, public and customary access, recreation and natural hazard management.

### POLICIES

#### WB-P1

Provide for land use on and around freshwater bodies where:

- a. there is a functional need to locate on or in close proximity to the surface of the waterbody;
- b. the land use or activity can be reasonably anticipated in this location; and
- c. the land use or activity is consistent with the characteristics and qualities of the waterbody and adjacent zone.

#### WB-P2

Provide for the protection of indigenous biodiversity and water quality of freshwater bodies by:

- a. requiring esplanade reserves, esplanade strips or access strips;
- b. requiring minimum setbacks;
- c. requiring the retention, enhancement or creation of riparian margins; and
- d. managing earthworks.

#### WB-P3

Recognise tangata whenua's relationship with and cultural practices associated with freshwater bodies, including the ability to undertake customary activities.

**RULES**

**WB-R1**

**PERMITTED OR CONTROLLED ACTIVITIES:**

- Buildings, structures and impermeable surfaces are exempt:
  - a. in Marine Exemption Areas
  - b. associated with river crossings
  - c. pump house associated with a water supply (needs threshold)
  - d. maintenance, replacement (like for like) and repair of existing utilities
- Complies with setback controls.
- Motorised crafts are permitted on lakes and rivers, except:
  - a. Lake Ngatu
  - b. Lake Owhariti
  - c. Lake Heather
  - d. Lake Rotorua
  - e. Far North Dune Lakes
  - f. Waitangi River (above Haruru Falls)
  - g. Waingaro Reservoir
  - h. Manuwai Reservoir
- Customary activities
- Recreation activities on the surface of waterbodies

**WB-R2**

**RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES:**

- Buildings, structures and impermeable surfaces that do not comply with the permitted standards.
- Motorised crafts that do not comply with the permitted or controlled activity standards
- Reduction or a waiver of esplanade reserve, esplanade strip or access strip



# COMMUNITY ENVIRONMENTS

# HISTORIC HERITAGE

Our District has a lengthy history of both Māori and European Settlement, resulting in a legacy of nationally, regionally and locally important historic heritage. Heritage values range in significance from the Treaty House at Waitangi, the Stone Store at Kerikeri to the Ruapekapeka Pā, middens and early settler gardens throughout the District. Due to the scale of our historic heritage, it is not financially viable to identify all historic heritage resources and for cultural reasons some resources should not be formally identified (e.g. burial grounds).

Council has worked with other government agencies (e.g. Heritage New Zealand Pouhere Taonga), tangata whenua and the public to identify valued historic heritage resources

and scheduled them in the District Plan. The schedule identifying these historic heritage resources is in the District Plan in Appendix X. Non scheduled historic heritage is managed at the time of land use or subdivision.

We have responsibilities under the Act, the New Zealand Coastal Policy Statement and the Northland Regional Policy Statement to protect historic heritage. This will ensure that land use and subdivision will be managed to ensure our rich historic history is saved for future generations to enjoy and learn the story each historic heritage resource has to tell. There may be tension between public benefit in protecting historic heritage and the associated private costs.

## OBJECTIVES

### HH-O1

Historic heritage is identified and managed to ensure its long-term protection for future generations.

### HH-O2

Land use and subdivision does not result in the loss or degradation of historic heritage.

### HH-O3

Tangata whenua have an ongoing relationship with sites and areas of spiritual, cultural or historical significance.

### HH-O4

The community is aware of, appreciates and celebrates its historic heritage and the sense of place it fosters.

### HH-O5

Repurposing and adaption of historic heritage resources consistent with heritage values is enabled.

## POLICIES

<b>HH-P1</b>	Identify and schedule historic heritage resources using the assessment criteria in Appendix X of the Plan.
<b>HH-P2</b>	Prohibit the demolition or removal of Category A historic heritage resources.
<b>HH-P3</b>	Protect scheduled historic heritage resources by avoiding their removal, demolition or destruction unless: <ul style="list-style-type: none"> <li>a. it can be demolished in part without adversely affecting the heritage values for which it was scheduled;</li> <li>b. there is a serious risk to safety or property;</li> <li>c. it is in a significant state of disrepair;</li> <li>d. the cost of remedying the risk or disrepair is prohibitive;</li> <li>e. the resource cannot be restored;</li> <li>f. must be moved to facilitate its ongoing use or protection, measures are in place to minimise the risk of damage to the building, and the heritage values of the building or structure in its new location are not significantly diminished.</li> </ul>

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- HH-P4**      **Enable the use and adaptation of scheduled historic heritage resources where:**
- a. it will not result in adverse effects on the recognised values;
  - b. it will contribute to the ongoing maintenance and enhancement of the recognised values;
  - c. it is in accordance with best practice conservation principles and methods;
  - d. it will support the long-term viability, retention or ongoing use; and
  - e. it will not lead to significant adverse effects on identified heritage areas and resources.
- 
- HH-P5**      **Enable maintenance and repair; and support modifications or restoration of scheduled historic heritage resources where it:**
- a. is consistent with the heritage values of the resource and any surrounding heritage values; and
  - b. is undertaken in accordance with best practice heritage conservation principles and methods;
  - c. recovers or reveals heritage values of the resource;
  - d. supports seismic strengthening;
  - e. removes features or additions that compromise the heritage values of the resource; or
  - f. secures the long-term viability and retention of the resource.
- 
- HH-P6**      **Protect historic heritage resources by:**
- a. avoiding significant adverse effects and avoiding, remedying or mitigating any other adverse effects on the recognised heritage values of the area or resource.
  - b. undertaking land use and subdivision in accordance with:
    - i. any recognised heritage guidelines for that resource;
    - ii. any iwi / hapū management plan lodged with Council.
  - c. **retaining buildings, structures or resources that contribute to the identified values.**
  - d. **restricting activities that compromise important spiritual or cultural values held by tangata whenua and/or the wider community.**
- 
- HH-P7**      **Encourage maintenance and repair and support the use and adaptation appropriate to historic heritage resources, including through:**
- a. reducing or waiving consent application costs;
  - b. providing funding, grants and other incentives;
  - c. obtaining, recording and sharing information about historic heritage;
  - d. encouraging matauranga māori, tikanga and kaitiakitanga to manage and maintain waahi taonga.
- 
- HH-P8**      **Provide for modifications to, or restoration of historic heritage resources where these changes:**
- a. minimise the loss of historic fabric that contributes to the heritage values and level of significance of the resource;
  - b. do not compromise the ability to interpret the resource and the relationship to other heritage resources;
  - c. complement the form, fabric and setting which contributes to, or is associated with, the heritage values of the resource;
  - d. retain and integrate with the heritage values of the resource;
  - e. avoid significant adverse effects, including from loss, destruction or subdivision that would reduce or destroy the heritage values of the resource; and
  - f. avoid, remedy or mitigate adverse effects on the heritage values of the resource.
- 
- HH-P9**      **Require activities adjacent to or affecting sites of significance to Māori and/or archaeological sites where they are scheduled or where there is a reasonable cause to suspect there is an archaeological site, to demonstrate the activity is appropriate having regard to:**
- a. the outcomes of consultation with tangata whenua;
  - b. any assessments or advice from a suitably qualified and experienced archaeological expert; and
  - c. the outcomes of consultation with Heritage New Zealand Pouhere Taonga and the Department of Conservation.
- 
- HH-P10**      **Enable the operation, maintenance, repair and minor upgrading of network utilities and small-scale electricity generation facilities, and connections to buildings for network utilities within scheduled historic heritage resources in a manner that avoids, remedies or mitigates adverse effects on the heritage values.**
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<b>HH-P11</b>	<p>Enable the establishment of new network utilities and small-scale electricity generation facilities within a scheduled historic heritage resource or historic heritage area, where; all of the following apply:</p> <ol style="list-style-type: none"> <li>there is a functional need;</li> <li>there is no practicable alternative;</li> <li>the infrastructure will provide a significant public benefit that could not otherwise be achieved; and</li> <li>the adverse effects on the heritage values of a place are minimised.</li> </ol>
<b>HH-P12</b>	<p>Provide for landowners to protect and enhance historic heritage resources where there is significant public benefit in permanently protecting the resource.</p>
<b>HH-P13</b>	<p>Ensure historical and cultural heritage values at a local, regional and national level are identified, assessed and protected for the well being of existing communities and future generations.</p>
<b>HH-P14</b>	<p>Protect notable trees from inappropriate land use and subdivision while taking into account: the imminent risk to people and property;</p> <ol style="list-style-type: none"> <li>practicable alternatives that would retain or enhance their protection;</li> <li>the extent to which any trimming, alteration or removal is necessary to accommodate efficient operation of a road network or network utilities;</li> <li>whether the values that would be lost can be adequately mitigated;</li> <li>whether the proposal is consistent with best arboricultural practice.</li> </ol>

**RULES**

<b>HH-R1</b>	<p><b>PERMITTED OR CONTROLLED ACTIVITIES:</b></p> <p>Internal alterations to buildings in historic heritage areas that are not scheduled buildings.</p> <ul style="list-style-type: none"> <li>Repair and maintenance of historic heritage buildings (for the purpose of the Heritage provisions, repair and maintenance will be defined).</li> <li>Trimming and maintenance of a notable tree identified in Appendix X (trimming to be defined).</li> <li>Limbing or felling a notable tree identified in Appendix X for emergency work (limbing, felling and emergency works to define).</li> <li>Earthworks and vegetation clearance that comply with the underlying zone or other wider environment provisions, except in the Strand, Pouerua and Kerikeri Basin Heritage areas. In these areas, earthworks and vegetation clearance will be permitted to a lower threshold.</li> <li>Building, earthworks, planting or clearance of vegetation within any site of cultural significance to Māori identified in Appendix X if the activity is undertaken by the requesting party.</li> </ul>
<b>HH-R2</b>	<p><b>RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>External alterations to buildings in heritage areas.</li> <li>Maintenance or alteration of historic heritage buildings that do not comply with the permitted activity standards.</li> <li>New buildings in historic heritage areas or a heritage place.</li> <li>Removal or demolition of scheduled historic heritage resources, unless specified as a prohibited activity.</li> <li>Felling of a notable tree identified in Appendix X that does not comply with permitted activity</li> </ul>
<b>HH-R3</b>	<p><b>NON-COMPLYING ACTIVITIES:</b></p> <p>Activities that do not comply with the discretionary activity standards, except where it relates to the prohibited activity standards.</p>
<b>HH-R4</b>	<p><b>PROHIBITED ACTIVITIES:</b></p> <p>Demolition or removal of Category A Scheduled resources identified in Appendix X, for example, stone store.</p>

## PUBLIC ACCESS CORRIDORS

Our District has extensive coastline and many rivers, streams and lakes with high recreational and amenity values. Our communities value access to these resources.

The maintenance and enhancement of public access to the coast and waterbodies is recognised as a matter of national importance in the Act. This public access may include the ability to walk, cycle or drive to or along these reserves, strips and accessways. It may also include other supporting facilities such as restrooms and parking facilities.

Council will consider the opportunity at the time of land use and subdivision to take land adjacent to the coastal marine area or waterbodies for an esplanade strip, reserve or access strip. The requirements for esplanade strips, reserves or access strips will be implemented in accordance with section 77 and Part 10 of the Act.

We have responsibilities under the Act, the New Zealand Coastal Policy Statement and the Northland Regional Policy Statement to manage public access to the coastal marine area and waterbodies.

### OBJECTIVES

#### PA-O1

Public and customary access to and along the coastal marine area and waterbodies is maintained and enhanced for future generations.

#### PA-O2

Public access to the coastal marine area and waterbodies does not exacerbate natural hazards or compromise the natural character, indigenous biodiversity, historic heritage, cultural or landscape values.

### POLICIES

#### PA-P1

Protect and enhance public and customary access by:

- a. managing land use and subdivision in a manner that is consistent with the values of the surrounding environment;
- b. requiring land use and subdivision activities to provide esplanade reserves and strips along water bodies, particularly in locations where council has identified access as being a priority; and
- c. utilising access strips, designation and any other mechanisms available to secure land for public access where not otherwise achieved through esplanade requirements.

#### PA-P2

Require the creation of esplanade reserves, esplanade strips or access strips to and along the coastal marine area and waterbodies when considering an application for land use or subdivision where it:

- a. maintains or enhances existing ecological and/or natural values;
- b. maintains or enhances the landscape values;
- c. enables public access;
- d. enables public recreation;
- e. assists in the mitigation of risks associated with natural hazards;
- f. provides for the protection or access to historic heritage or cultural sites of significance to tangata whenua;
- g. it is identified as a priority area.

<b>PA-P3</b>	<p>Allow a reduction in the required width of an esplanade reserve, esplanade strip or access strip, or a waiver of any requirement only where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>at Council discretion, safe and reasonable public access or recreational use already exists and can be maintained for the future, while considering the potential effects of climate change, including sea level rise;</li> <li>providing access will be detrimental to land and water-based habitats of indigenous fauna within, and adjoining the margin;</li> <li>providing access will be detrimental to any historic heritage place or sites of significance to tangata whenua;</li> <li>restrictions on public access are necessary to ensure public health and safety.</li> </ol>
<b>PA-P4</b>	<p>Enable activities to locate within or adjacent to public access corridors where:</p> <ol style="list-style-type: none"> <li>it compliments the public access corridors intended use;</li> <li>it does not impede or restrict the purpose of the public access corridor;</li> <li>it improves recreational and tourism opportunities;</li> <li>it is consistent with cultural values.</li> </ol>
<b>PA-P5</b>	<p>Ensure that any activities that impede or restrict a public access corridor demonstrate that:</p> <ol style="list-style-type: none"> <li>it is anticipated by the underlying zone;</li> <li>there is a functional need for the location;</li> <li>the extent to which public access will be restricted is minor;</li> <li>it does not compromise the corridor’s natural character, indigenous biodiversity, historic heritage or landscape values;</li> <li>there is no practicable alternative location.</li> </ol>

**RULES**

<b>PA-R1</b>	<p><b>PERMITTED OR CONTROLLED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>Sport and recreation activities.</li> <li>Customary activities.</li> <li>Formation of tracks.</li> </ul>
<b>PA-R2</b>	<p><b>RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>Buildings or structures within the public access corridor.</li> <li>Activities not provided for as a permitted or controlled activity.</li> </ul>

# DISTRICT WIDE ACTIVITIES

# GENETICALLY MODIFIED ORGANISMS

Genetic modification (GM) refers to a set of techniques that alter genetic makeup by adding, deleting or moving genes (within or between species) to produce new and different organisms. Genetically modified organisms (GMOs) are products of genetic modification. Another term often used to refer to the same technique is genetic engineering (GE).

- that the risk could be substantial and potentially irreversible.
- This precautionary management of GMOs is consistent with the Whangarei District Plan and the Auckland Unitary Plan.

Our district has decided to take a precautionary approach which prohibits the release of any GMOs:

We have responsibilities under the Act and the Northland Regional Policy Statement to manage GMOs. There is diverse public opinion regarding GMOs in relation to their benefits and concerns over health and environmental harm.

- due to the scientific uncertainty of potential adverse effects on natural resources and ecosystems; and

## OBJECTIVES

### GMO-O1

The environment, including people and communities and their social, economic and cultural well being and health and safety, is protected from potential adverse effects associated with the outdoor use, storage, cultivation, harvesting, processing or transportation of GMOs through the adoption of a precautionary approach, including adaptive responses, to manage uncertainty and lack of information.

### GMO-O2

The sustainable management of the natural and physical resources of the district with respect to the outdoor use of GMOs, a significant resource management issue identified by the community.

## POLICIES

<b>GMO-P2</b>	To adopt a precautionary approach by prohibiting the general release of a GMO, and by making outdoor filed trialling of a GMO and the use of viable GM veterinary vaccines not supervised by a veterinarian a discretionary activity.
<b>GMO-P2</b>	To ensure that a resource consent granted for the outdoor field trialling of a GMO is subject to conditions that ensure the consent holder is financially accountable (to the extent possible) for any adverse effects associated with the activity, including clean-up costs and remediation, including via the use of bonds.
<b>GMO-P3</b>	To ensure that a resource consent granted for the outdoor field trialling of a GMO is subject to conditions that serve to avoid, as far as can reasonably be achieved, risk to the environment, the mauri of flora and fauna, and the relationship of mana whenua with flora and fauna from the use, storage, cultivation, harvesting, processing or transportation of a GMO.
<b>GMO-P4</b>	To ensure that a resource consent granted for the outdoor field trialling of a GMO is subject to a condition requiring that monitoring costs are met by the consent holder.
<b>GMO-P5</b>	To require consent holders for a GMO activity to be liable (to the extent possible) for any adverse effects caused beyond the site for which consent has been granted for the activity.
<b>GMO-P6</b>	To adopt an adaptive approach to the management of the outdoor use, storage, cultivation, harvesting, processing or transportation of a GMO in the district through periodic reviews of these plan provisions, particularly if new information on the benefits and/or adverse effects of a GMO activity becomes available.



**RULES**

**GMO-R1**

**PERMITTED ACTIVITIES:**

- Research within contained laboratories.
- Use of non-viable genetically modified veterinary vaccines.
- Use of viable genetically modified veterinary vaccines supervised by a veterinarian.
- Medical applications involving the manufacture and use of non viable products.

**GMO-R2**

**DISCRETIONARY ACTIVITIES:**

- Outdoor field trailing where the activities have the approval of the Environmental Protection Agency (EPA).
- Meeting bond and monitoring costs.
- Viable genetically modified veterinary vaccines not supervised by a veterinarian.

**GMO-R3**

**PROHIBITED ACTIVITIES:**

- Outdoor release of genetically modified organisms.

# AIRPORTS

Our district currently supports three airports located in Kaitaia, Kaikohe and Kerikeri. Of these, only Kaitaia and Kerikeri currently operate commercial flights and Kerikeri is the only airport that is designated in the District Plan. The airports all support multiple economic benefits such as tourism, movement of goods and services, domestic and international travel.

The operation of our airports needs to be protected from land use and subdivision that could potentially incur reverse sensitivity issues or land sterilisation making it difficult for airport operations to continue or expand.

We have responsibilities under the Act and the Northland Regional Policy Statement to protect regionally significant infrastructure as it is essential for the social and economic well being of the District.

## OBJECTIVES

### AZ-O1

The District’s airports function in a safe and efficient manner while managing the amenity of the surrounding area.

### AZ-O2

The District’s airports are managed to protect airport activities from:

- a. land fragmentation
- b. land sterilisation; and
- c. reverse sensitivity effects.

## POLICIES

<b>AZ-P1</b>	Avoid land use or subdivision in the Airport zone that would limit the current or future operation of airport activities.
<b>AZ-P2</b>	Provide for the continued use and operation of airport activities in the Airport zone, including: <ul style="list-style-type: none"> <li>• aircraft take-off and landing;</li> <li>• associated airport equipment and facilities;</li> <li>• maintenance and repair of aircraft.</li> </ul>
<b>AZ-P3</b>	Provide for the expansion of airport activities in the Airport zone where it does not compromise the amenity of the surrounding area and any effects can be avoided, remedied or mitigated.
<b>AZ-P4</b>	Manage the fragmentation of land within the defined Airport Buffer area to ensure the long-term viability of the airport and avoid potential reverse sensitivity effects that may arise from the use and development of that land.
<b>AZ-P5</b>	Manage residential, early childhood, retirement and education facilities within the Airport Buffer area in a way that avoids reverse sensitivity effects on an airport and avoids, remedies or mitigates the following effects: <ul style="list-style-type: none"> <li>a. noise;</li> <li>b. light spill or glare;</li> <li>c. obstructions within identified flight paths, including buildings, structures and vegetation; and</li> <li>d. the potential for bird strike.</li> </ul>
<b>AZ-P6</b>	Enable a limited range of non-aviation activities in the Airport zone, where these activities do not compromise the long term growth and development of the airport.

## RULES

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**AZ-R1**

**PERMITTED AND CONTROLLED ACTIVITY:**

- Buildings and structures that comply with maximum height performance standards in relation to identified flight paths.
- Residential, early childhood, retirement and education facilities within the Airport Buffer area that comply with specific design solutions and noise levels as measured inside of all habitable rooms.
- Alterations and additions to an existing building that is used for residential, early childhood, retirement and education facilities that comply with specific design solutions and noise levels as measured inside of all habitable rooms.

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**AZ-R2**

**RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES:**

- Buildings and structures that do not comply with the maximum height performance standards in relation to identified flight paths.
  - Residential, early childhood, retirement and education facilities that do not comply with the permitted or controlled activity standards.
  - Residential, early childhood, retirement and education facilities in the Airport zone.
  - Subdivision in the Airport buffer area and the Airport zone
-

# EARTHWORKS

Our District has a wide range of soil types that must be managed to control the loss of soil due to erosion, particularly in vulnerable hill country and in coastal areas. Earthworks and associated retaining structures can detrimentally affect the amenity of the landscape by causing scarring, vegetation removal and loss of natural character. Earthworks can also detrimentally affect outstanding natural landscapes and outstanding natural features. Cultural values and historic heritage are also at risk, especially when it is discovered at the time of undertaking earthworks.

We have responsibilities under the Act and the Regional Policy Statement to manage any effects from land use and subdivision, which includes the management of earthworks. The Regional Council also has responsibilities in relation to soil conservation, quality and quantity and the impact on water. It is important that we work collaboratively with Regional Council to avoid overlap of function in regards to the management of this resource.

## OBJECTIVES

### EW-O1

Earthworks are managed to preserve natural character, outstanding natural landscapes and outstanding natural features, historic heritage, cultural values, the life-supporting capacity of soils and amenity values.

### EW-O2

Earthworks are managed to prevent adverse effects downstream and on public safety, surrounding land and infrastructure.

## POLICIES

<b>EW-P1</b>	Require that earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land, buildings and structures.
<b>EW-P2</b>	Ensure that earthworks and any associated structures are designed: <ol style="list-style-type: none"> <li>to recognise existing site constraints, opportunities and specific engineering requirements;</li> <li>to be stable and control stormwater, erosion of sediment and runoff;</li> <li>to reflect natural landforms, and where appropriate introduce landscaping or screening to reduce and soften any adverse visual impact;</li> <li>using materials for retaining structures that are compatible with the visual amenity and the characteristics and qualities of the surrounding area.</li> </ol>
<b>EW-P3</b>	Ensure that earthworks undertaken at the time of land use and subdivision do not result in any adverse effects on historic heritage or cultural values.
<b>EW-P4</b>	Manage the impact on historic heritage and cultural values that may be discovered when undertaking earthworks by: <ol style="list-style-type: none"> <li>requiring a protocol for accidental discovery of archaeology, kōiwi and artefacts of Māori origin;</li> <li>undertaking appropriate actions in accordance with mātauranga and tikanga Māori when managing effects on cultural values.</li> </ol>
<b>EW-P5</b>	Avoid the adverse effects of earthworks on the characteristics and qualities of outstanding natural character, outstanding natural landscapes and outstanding natural features in the coastal environment and avoid significant adverse effects and avoid, remedy or mitigate other adverse effects where located outside of the coastal environment.
<b>EW-P6</b>	Enable earthworks to undertake the following activities where it is not contrary to any resource layers: <ol style="list-style-type: none"> <li>the establishment of urban development within their respective urban zones;</li> <li>primary production activities in the Horticulture or Rural Production zones;</li> <li>the maintenance or upgrading of network utilities.</li> </ol>

**EW-P7**

Consider the following when assessing the adverse effects of earthworks associated with land use and subdivision:

- a. the location, scale and volume;
- b. depth and height of cut and fill;
- c. the nature of filling material and whether it is compacted;
- d. the extent of exposed surfaces or stockpiling of fill;
- e. erosion, dust and sediment controls;
- f. the risks of natural hazards, particularly flood events;
- g. stormwater controls;
- h. overland flow paths and drainage patterns;
- i. impacts on natural coastal processes;
- j. the stability of land or buildings;
- k. natural character, landscape, historic heritage and cultural values;
- l. the life-supporting capacity of soils;
- m. the extent of indigenous vegetation clearance;
- n. outstanding natural character, outstanding natural landscapes and outstanding natural features;
- o. riparian margins;
- p. the location and use of infrastructure;
- q. temporary or permanent nature of any adverse effect.

**RULES**

**EW-R1**

**PERMITTED OR CONTROLLED ACTIVITIES:**

**ALL ZONES**

- Earthworks that comply with the relevant maximum area, volume and cut height thresholds specified for the zone and/or resource overlay and comply with the relevant performance standards.
  - Earthworks in all zones undertaken for the repair and maintenance of legally established:
    - a. farm tracks
    - b. walking tracks
    - c. cycling tracks
    - d. driveways and access
    - e. utilities
    - f. fences
    - g. dams
- \*Where the size, scale and materials are 'like for like'.*
- Earthworks for normal rural practices in the rural production and horticulture zone.
  - Earthworks for the establishment of urban development within their respective urban zones.
  - Burying of watertanks and on-site wastewater systems in all zones that comply with the performance standards.

**EW-R2**

**RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:**

- Earthworks that do not comply with the permitted or controlled activity standards.

**EW-R3**

**NON-COMPLYING ACTIVITIES:**

- Earthworks in outstanding natural character, outstanding natural landscapes and on outstanding natural features in the coastal environment not meeting performance standards.

# MINERAL EXTRACTION (INCLUDING QUARRYING)

Mineral resources are of considerable social and economic importance to our District, the region and in some cases the nation. Access to these minerals can be constrained by conflicting land uses or the environment in which the resource is located.

The development and extraction of mineral resources have the potential to have significant adverse effects if not appropriately managed.

Minerals are expressly excluded from section 5(2)(a) of the RMA, which means we don't need to consider whether their potential is sustained in terms of "sustaining the potential of natural and physical resources to meet the needs of

future generations". However, minerals are included in 'sustainability' as it applies (in section 5(2)(c)) to avoiding, remedying or mitigating any adverse effects of activities on the environment. Therefore the District Plan should address and regulate the exploration, quarrying, mining and other disturbance associated with the extraction of minerals.

We have responsibilities under the Act and the Regional Policy Statement for Northland to manage the adverse effects that may result from mineral extraction as well as ensuring that land containing mineral resources is not sterilised and provide for the use and development of regionally significant mineral resources.

## OBJECTIVES

**ME-O1**

Mineral resources and extraction activities as well as processing activities, where they occur on the same site, are protected from land sterilisation and reverse sensitivity activities.

**ME-O2**

Mineral extraction, processing activities and any ancillary activities meet the District's needs for mineral resources while managing any significant adverse effects.

**ME-O3**

Ancillary activities, including sales of minerals and cement production, are co-located with mineral extraction activities.

**ME-O4**

Mineral extraction, processing and ancillary activities are managed to ensure the health and safety of our communities and our environment.

## POLICIES

**ME-P1**

Enable new and the ongoing use and development of mineral extraction and processing activities where identified in a Mineral Resource Overlay where significant adverse effects are avoided.

**ME-P2**

Provide for mineral extraction and processing outside a Mineral Resource Overlay where:

- a. there is a public benefit derived from the activity;
- b. the location is sufficiently away from urban zones or Rural Settlements;
- c. significant adverse effects are avoided; and
- d. other adverse effects are avoided, remedied or mitigated.

**ME-P3**

Enable small-scale mineral extraction in the Rural Production zone, where it will be used to support primary production activities and it has been extracted from the same site.

**ME-P4**

Avoid significant and avoid, remedy or mitigate other adverse effects from new and from the expansion of existing mineral extraction and processing activities within areas identified as outstanding natural landscapes, outstanding natural features and significant natural areas outside of the coastal environment.

<b>ME-P5</b>	Prohibit new and the expansion of existing mineral extraction and processing activities within areas of outstanding natural landscape, outstanding natural features, outstanding natural character and significant natural areas in the coastal environment.
<b>ME-P6</b>	Avoid significant and avoid, remedy or mitigate other adverse effects on historic heritage, cultural values and indigenous biodiversity from new and from the expansion of existing mineral extraction and processing activities within areas identified as outstanding natural landscapes, outstanding natural features and significant natural areas outside of the coastal environment.
<b>ME-P7</b>	Provide for activities ancillary to mineral extraction and processing where the raw material is being extracted or processed on the same site.
<b>ME-P8</b>	Avoid land use and subdivision activities where they could result in land sterilisation and/or reverse sensitivity effects of existing mineral extraction and processing activities and Mineral Resource Overlay areas.
<b>ME-P9</b>	Consider the following when assessing the adverse effects of mineral extraction, processing and associated ancillary activities: <ul style="list-style-type: none"> <li>a. the size and scale of extraction or processing activities;</li> <li>b. the size, scale and location of ancillary activities, buildings and structures;</li> <li>c. the expected length of operations of the extraction site;</li> <li>d. the design and layout of the site, access roads and supporting facilities;</li> <li>e. any reduced transport effects from having a mineral extraction site closer to the area of demand;</li> <li>f. noise, vibration, dust and light spill, particularly after daylight hours and on weekends;</li> <li>g. the surrounding road network and the safety of road users</li> <li>h. the natural environment including watercourses within the extraction site and the effects from the site on the surrounding environment;</li> <li>i. land stability and the risks of natural hazards;</li> <li>j. visual amenity, natural character and landscape values;</li> <li>k. historic heritage and cultural values;</li> <li>l. ecological values;</li> <li>m. the management of mining tailings and sediment controls;</li> <li>n. the adequacy of a quarry management plan which sets out how operational matters on the site and adverse effects are going to be managed;</li> <li>o. options anticipated for the rehabilitation of the site, either by a staged process or at the end of the economic life of the quarry, having regard to the expected life of the mineral extraction site.</li> </ul>

**RULES**

<b>ME-R1</b>	<p><b>PERMITTED OR CONTROLLED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• New and ongoing mineral extraction and processing within mineral extraction areas identified in the Mineral Resourced Overlay</li> <li>• Small-scale mineral extraction in the Rural Production zone subject to performance standards.</li> </ul>
<b>ME-R2</b>	<p><b>RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Activities ancillary to mineral extraction, processing and quarrying (e.g. cement works and associated retail) subject to performance standards</li> <li>• Mineral extraction and processing that does not comply with the permitted or controlled activity standards.</li> </ul>
<b>ME-R3</b>	<p><b>NON-COMPLYING ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Mineral extraction and processing within Outstanding Natural Features or within Outstanding Natural Landscapes and significant natural areas outside of the coastal environment.</li> <li>• Mineral extraction and processing within area identified as sites of cultural significance to Maori identified in Appendix X.</li> </ul>
<b>ME-R4</b>	<p><b>PROHIBITED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Mineral extraction and processing on Outstanding Natural Features, within Outstanding Natural Landscapes, Outstanding Natural Character areas and significant natural areas within the coastal environment.</li> </ul>

# ACCESS, PARKING AND TRAFFIC

Our District’s transport network includes over 2,507km of roads including, 1,648km of unsealed roads, 715 bridges and 1,682 street lights. This network facilitates the movement of communities and goods within and beyond the district and is central to community social and economic wellbeing. The predominant mode of transport across the district is the private motor vehicle with limited availability of public transport. This can put pressure on roads and car parking areas in our urban centres.

When undertaking development we need to ensure that it results in safe and connected communities. This can be achieved by requiring minimum design standards in respect of driveways, rights of way, vehicle access points, visibility, road widths and managing on-site car parking needs.

We have responsibilities under the Act and the Regional Policy Statement to ensure land use and subdivision promotes a regional form that contributes to an efficient and effective transport network.

## OBJECTIVES

### APT-O1

The transport network is safe, efficient, well-connected, supports existing infrastructure and has sufficient capacity to meet the needs of future generations.

### APT-O2

Parking provisions are paired to the character, scale and intensity of the land use it supports and is designed to ensure safe and efficient operation for users taking into account seasonal demand.

### APT-O3

Loading and access provisions are paired to the character, scale and intensity of the land use or subdivision it supports and is designed to ensure safe and efficient operation for users.

### APT-O4

The safe and efficient movement and circulation of vehicular, cycle and pedestrian traffic, taking into account the needs of those with disabilities and the ageing community.

## POLICIES

### APT-P1

Establish and maintain a roading hierarchy that:

- a. provides safe, efficient networks and connections;
- b. recognises the different functions and design requirements for each road classification; and
- c. makes effective use of existing infrastructure.

### APT-P2

Ensure the safe, efficient and well connected operation of the transport network through the management of:

- a. the location of buildings, structures and other potential visual obstructions that may impact on sightlines and the integrity of the road carriageway;
- b. the design of access, parking and traffic works;
- c. vehicular access to and from sites;
- d. the volume of traffic from land use activities;
- e. vehicular, pedestrians, and cyclists needs, including those with disabilities;
- f. the adverse and cumulative effects of land use and subdivision

### APT-P3

Manage the design, location and supply of parking to:

- a. ensure adverse effects on the safety and efficiency of the road network and on the character and amenity values of the local environment, including streetscape, are avoided, remedied or mitigated; and
- b. provide for existing and future transport links, accessible parking, and pedestrian and cycling pathways and future links.



<b>APT-P4</b>	<p>Encourage new land uses to support an integrated and diverse transport network by:</p> <ol style="list-style-type: none"> <li>promoting alternative transport modes;</li> <li>the provision of safe and secure parking facilities for bicycles and associated changing or showering facilities;</li> <li>allocation of parking facilities for mobility devices, motorcycles, bicycles, share vehicles and charging stations for electric vehicles.</li> </ol>
<b>APT-P5</b>	<p>Provide flexibility for a reduction in on-site parking where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>there are no adverse effects on public parking or the transport network;</li> <li>it can be demonstrated that there is a lower parking demand;</li> <li>alternative modes of transport are provided for, if appropriate;</li> <li>land will be used instead for low impact design principles, if appropriate;</li> <li>the reduction will protect cultural or heritage values.</li> </ol>
<b>APT-P6</b>	<p>Consider the following when assessing the adverse effects of land use and subdivision on the transport network:</p> <ol style="list-style-type: none"> <li>the type and level of traffic anticipated;</li> <li>the location of high traffic activities and their relationship to limited access, arterial and collector roads;</li> <li>low impact design principles, including green spaces;</li> <li>safety improvements;</li> <li>the management of stormwater;</li> <li>any natural hazards;</li> <li>any cumulative effects arising from legally established activities in the surrounding environment;</li> <li>current and future connectivity including pathway and parking, and open space networks;</li> <li>any traffic assessment prepared by a suitably qualified and experienced practitioner;</li> <li>impacts on any State Highway.</li> </ol>

**RULES**

<b>APT-R1</b>	<p><b>PERMITTED OR CONTROLLED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>Accessways, roads and vehicle crossing points designed to comply with relevant performance standards.</li> <li>Parking and loading spaces designed to comply with relevant performance standards (e.g. minimum number of car parks).</li> <li>On-site manoeuvring designed to comply with performance standards.</li> <li>Landscaping of parking areas designed to comply with performance standards.</li> <li>Traffic generation controlled by thresholds relative to the activity being undertaken.</li> <li>Accessible parking designed to comply with performance standards.</li> </ul>
<b>APT-R2</b>	<p><b>RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>New or alterations to a vehicle crossing that is accessed from the State Highway.</li> <li>Activities that do not comply with the permitted or controlled activity standards.</li> <li>Formation of a paper road</li> </ul>

# ENERGY EFFICIENCY

Our district relies on the safe and efficient delivery of infrastructure as it is integral to our economic and social well being. A secure, reliable and sustainable energy supply is vital to us achieving this outcome. The path to creating a more sustainable energy future is through using energy more efficiently, and by generating more energy locally from renewable sources. This will help communities move towards more self sufficiency and provide for economic opportunities that may not be achievable using conventional methods.

However, the construction and operation of renewable energy infrastructure can give rise to adverse environmental effects. Consideration must also be given to the operational requirements and public benefits of these facilities. Communities should be encouraged to conserve energy and design new land use and subdivision to be more energy efficient.

We have responsibilities under the Act and National Policy Statement for Renewable Electricity Generation to recognise and provide for the benefits from the use and development of renewable energy and electricity generation.

## OBJECTIVES

### EE-O1

Renewable energy resources are utilised where practicable in the generation of the District's energy requirements.

### EE-O2

Renewable electricity infrastructure will:

- a. contribute to the reduction in greenhouse gas emissions;
- b. increase the security of supply of energy for the District;

be located to minimise any adverse effects on our communities.

### EE-O3

Land use and subdivision is undertaken in a manner that achieves passive solar orientation to minimise the need to light and heat buildings, provides for ventilation and provides opportunities for renewable energy use and development.

### EE-O4

The distances between community, large-scale or commercial renewable electricity infrastructure to activities that may be sensitive to these facilities are managed to control reverse sensitivity effects.

## POLICIES

<b>EE-P1</b>	Provide for the continued operation, maintenance, upgrading and replacement of community, large-scale and commercial renewable electricity generation infrastructure.
<b>EE-P2</b>	Enable new or the continued operation, maintenance, upgrading and replacement of small-scale or domestic renewable electricity generation infrastructure.
<b>EE-P3</b>	Provide for new community, large-scale and commercial renewable electricity generation infrastructure where it can be demonstrated that there are benefits to the public, including: <ul style="list-style-type: none"> <li>a. improved quality of life and standard of living;</li> <li>b. public health and safety;</li> <li>c. the operation of businesses;</li> <li>d. growth and development.</li> </ul>
<b>EE-P4</b>	Manage any residual environmental effects of renewable electricity generation activities where that effect cannot be avoided, remedied or mitigated by: <ul style="list-style-type: none"> <li>a. by having regard to offsetting measures; or</li> <li>b. enabling environmental compensation that benefits the community affected.</li> </ul>
<b>EE-P5</b>	Encourage land use and subdivision to consider the benefits of orientation and renewable electricity generation infrastructure through the design and layout of the subdivision or buildings.

<b>EE-P6</b>	Require appropriate separation distances between community, large-scale or commercial renewable electricity infrastructure and residential, early childhood, retirement and education facilities to ensure reverse sensitivity effects on renewable electricity generation activities are avoided.
<b>EE-P7</b>	<p>Consider the following when assessing any adverse effects of renewable energy generation infrastructure when undertaking land use and subdivision:</p> <ol style="list-style-type: none"> <li>a. any locational, technical, and operational requirements;</li> <li>b. bulk, height and design of any associated buildings or structures;</li> <li>c. the extent of earthworks or indigenous vegetation removal;</li> <li>d. the degree to which the environment has already been modified;</li> <li>e. the nature, duration, timing and frequency of any adverse effects;</li> <li>f. any adverse effects on any resource layer or areas with significant cultural and recreational value;</li> <li>g. health, well-being and safety of people and communities, including nuisance from noise, vibration, dust and odour emissions and light spill;</li> <li>h. safe and efficient operation of other infrastructure;</li> <li>i. whether there is any regional or national benefit.</li> </ol>

**RULES**

<b>EE-R1</b>	<p><b>PERMITTED OR CONTROLLED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Small-scale or domestic renewable energy devices subject to performance standards and resource overlays</li> <li>• Installation, access to, maintenance, operation and upgrade of temporary monitoring masts subject to resource overlays area or urban environment</li> <li>• In-stream hydro or ocean energy investigation and electricity generation subject to performance controls</li> <li>• Installation, maintenance, operation and upgrade of free-standing renewable energy devices and associated structures subject to performance standards</li> <li>• Construction, operation, maintenance and upgrade of community-scale renewable electricity generation devices and associated structures in a Rural zone and subject to performance controls</li> </ul>
<b>EE-R2</b>	<p><b>RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Installation, maintenance, operation or upgrades to temporary monitoring masts or renewable energy devices that do not comply with permitted or controlled standards</li> <li>• Community, large-scale or commercial renewable electricity generation infrastructure.</li> </ul>

# INFRASTRUCTURE

Our district relies on the safe and efficient delivery of infrastructure as it is integral to our economic and social well being. However, the construction and operation of infrastructure can give rise to adverse environmental effects. We must also consider the realities of operational requirements and the public benefits of these facilities.

- f. structures for transport on land by cycleways, rail, roads, walkways, or any other means;
- g. facilities for the loading or unloading of cargo or passengers;
- h. airports;
- i. navigation installations.

Infrastructure is defined in the Act and may include the following:

- a. pipelines;
- b. telecommunications;
- c. radiocommunications;
- d. facilities for the generation of electricity, including lines and support structures;
- e. water supply, irrigation, drainage or sewerage systems;

We have responsibilities under the Act, the National Policy Statement on Electricity Transmission and the Regional Policy Statement to protect regionally significant infrastructure from inappropriate land use and subdivision which could undermine its security or future expansion. The National Environmental Standards for Telecommunication Facilities and Electricity Transmission also regulate telecommunication and energy infrastructure and provide a suite of rules to ensure a national standard across the country.

## OBJECTIVES

### I-O1

Our district has a safe, efficient and resilient infrastructure that services the future needs of our communities.

### I-O2

The economic and community benefits as well as the investment in infrastructure is recognised for its role in leading and supporting our District.

### I-O3

Infrastructure is protected from incompatible land use, subdivision and any reverse sensitivity effects to ensure continued use, maintenance or upgrading.

### I-O4

Any potential adverse effects on the environment are managed when considering the design and location of infrastructure.

### I-O5

The location of infrastructure does not constrain the ability for tangata whenua to occupy and develop land in the Maori Purpose zone or the Treaty Settlement overlay.

## POLICIES

### I-P1

Provide for the continued operation, maintenance, upgrading and replacement of existing infrastructure.

### I-P2

Allow infrastructure within the coastal environment where the following can be demonstrated:

- a. any adverse effects are avoided on the characteristics and qualities of:
  - i. outstanding natural landscapes;
  - ii. outstanding natural features;
  - iii. areas of outstanding natural character;
  - iv. significant natural areas.
- b. there is a functional need for that route or location;
- c. there is no practicable alternative route or location; and
- d. any significant adverse effects are avoided and any other adverse effects are avoided, remedied or mitigated.

<b>I-P3</b>	<p><b>Provide for infrastructure where there are benefits such as;</b></p> <ol style="list-style-type: none"> <li>a. improved:             <ol style="list-style-type: none"> <li>i. quality of life;</li> <li>ii. standard of living;</li> <li>iii. public health and safety;</li> <li>iv. access to latest technology e.g. fibre</li> <li>v. the functioning of businesses;</li> <li>vi. transportation of freight, goods, people;</li> </ol> </li> <li>b. growth and development for the District;</li> <li>c. a reduction in the operation and maintenance costs of infrastructure.</li> </ol>
<b>I-P4</b>	<p><b>Minimise the adverse visual amenity effects of infrastructure by:</b></p> <ol style="list-style-type: none"> <li>a. co-location or multiple use, where this is efficient and practicable;</li> <li>b. removing redundant facilities or structures;</li> <li>c. using landscaping and/or recessive colours and finishes;</li> <li>d. encouraging innovative design to integrate infrastructure within the site, existing built form, landform and to maintain the character and amenity of the surrounding area;</li> <li>e. requiring the undergrounding of services where this is deemed appropriate based on locating within the coastal environment, a resource overlay, heritage area or an area with high amenity value.</li> </ol>
<b>I-P5</b>	<p><b>Protect infrastructure from the effects of incompatible land use and subdivision, including reverse sensitivity effects, which may compromise the operation and capacity of infrastructure.</b></p>
<b>I-P6</b>	<p><b>Require the coordinated establishment, use and upgrading of infrastructure when undertaking land use or subdivision.</b></p>
<b>I-P7</b>	<p><b>Provide for resilient infrastructure that will meet the District’s needs by considering:</b></p> <ol style="list-style-type: none"> <li>a. the impact on the network and levels of service if the work is not undertaken;</li> <li>b. the need for the infrastructure in the context of the wider network;</li> <li>c. whether it is:             <ol style="list-style-type: none"> <li>i. critical infrastructure;</li> <li>ii. nationally significant infrastructure; or</li> <li>iii. regional significant infrastructure.</li> </ol> </li> </ol>
<b>I-P8</b>	<p><b>Encourage new linear infrastructure to be located within roads, and where practicable adjacent to the carriageway unless they create a health and safety issue.</b></p>
<b>I-P9</b>	<p><b>Provide for the operation, maintenance and removal of the National Grid while having regard to the extent to which adverse effects have been avoided, remedied or mitigated through route, site and method selection.</b></p>
<b>I-P10</b>	<p><b>Ensure roads and access ways are designed, located and constructed to:</b></p> <ol style="list-style-type: none"> <li>a. provide for the needs of all users and relevant modes of transport;</li> <li>b. provide for future linkages to enable improved connectivity where appropriate;</li> <li>c. avoid, remedy or mitigate any adverse effects on amenity values of adjoining properties;</li> <li>d. avoid, remedy or mitigate any adverse effects associated with construction and operations including effects of vibration, noise, glare, vehicle emissions and dust;</li> <li>e. avoid, remedy or mitigate any adverse effects on drainage patterns;</li> <li>f. consider the effects on resource overlays, heritage and cultural values;</li> <li>g. the natural character of the coastal environment; and</li> <li>h. maintain or enhance the safety and efficiency of the transport network.</li> </ol>
<b>I-P11</b>	<p><b>Avoid new infrastructure where it will compromise the ability to occupy, develop and use land in the Māori Purpose zone or in the Treaty Settlement overlay.</b></p>

<b>I-P12</b>	<p>Consider the following when assessing the effects of the location and design of infrastructure:</p> <ol style="list-style-type: none"> <li>a. any locational, technical, and operational requirements;</li> <li>b. bulk, height and design of any ancillary buildings or structures;</li> <li>c. the extent of earthworks and/or indigenous vegetation removal associated with the infrastructure or access to it;</li> <li>d. the degree to which the environment has already been modified;</li> <li>e. co-location of services;</li> <li>f. the nature, duration, timing and frequency of the adverse effects</li> <li>g. any adverse effects on resource overlays, zones, historic heritage or areas with significant cultural and recreational value;</li> <li>h. health, well-being and safety of people and communities, including nuisance from noise, vibration, dust, odour emissions, temperature and light spill;</li> <li>i. safe and efficient operation of other infrastructure;</li> <li>j. stormwater and overland flow path implications;</li> <li>k. the ability to safely access the infrastructure;</li> <li>l. the temporary or permanent nature of any adverse effects;</li> <li>m. whether it is critical, nationally significant or regionally significant.</li> </ol>
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**RULES**

<b>I-R1</b>	<p><b>PERMITTED AND CONTROLLED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Operation of existing infrastructure.</li> <li>• Minor upgrades and maintenance to infrastructure.</li> <li>• Underground network infrastructure.</li> <li>• Above ground infrastructure that complies with the relevant performance standards.</li> <li>• Removal of existing infrastructure that complies the with relevant performance standards.</li> <li>• Activities permitted by the National Environmental Standard for Telecommunications or the National Environmental Standard for Electricity Transmission Activities</li> <li>• Building and structures that comply with the relevant performance standards e.g. minimum separation distance.</li> </ul>
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<b>I-R2</b>	<p><b>RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Any new, extensions or upgrades to roads not designated.</li> <li>• Underground infrastructure not provided for as a permitted or controlled activity.</li> <li>• Above ground infrastructure not provided for as a permitted or controlled activity.</li> <li>• Building and structures that do not comply with the permitted activity performance standards.</li> <li>• New or extensions to existing infrastructure located within scheduled resource overlays.</li> <li>• New or extensions to existing infrastructure that does not comply with the permitted or controlled activity performance standards.</li> </ul>
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<b>NU-R3</b>	<p><b>NON-COMPLYING ACTIVITIES:</b></p> <p>New infrastructure that does not comply with the permitted, controlled, restricted discretionary or discretionary activity performance standards.</p>
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## SIGNS AND LIGHT SPILL

Signs have an important function as a communication tool within our District. They advertise goods and services, provide notice of forthcoming events, warning of hazards, identification of premises, direct and control traffic and pedestrians among other things. The number, size, location and visual prominence of signs need to be balanced against the potential impact they can have on infrastructure, health and safety and visual amenity.

Signs on land owned by the Council are controlled by the Council's bylaws.

Outdoor lighting may be needed for a number of reasons, such as supporting the use of sports grounds in the evening, providing for the security of business premises outside of normal trading hours and safety of pedestrians using footpaths. Such lighting can however adversely affect quality of life, visual amenity and traffic safety.

### OBJECTIVES

**SL-O1**

Signs and lighting solutions are consistent with the natural character, amenity, cultural and heritage values of the receiving environment.

**SL-O2**

Signs and lighting solutions promote health and safety and do not adversely affect infrastructure.

**SL-O3**

Signs and lighting solutions contribute to the social, cultural and economic well-being of the community.

### POLICIES

**SL-P1**

Allow the use of signs while avoiding, remedying or mitigating adverse effects on:

- a. clutter and proliferation;
- b. driver distraction;
- c. domination;
- d. natural character, amenity, cultural and heritage values;
- e. any impediment to the use of a public space.

**SL-P2**

Protect historic heritage and cultural values by requiring signs to be consistent with any identified and understood values.

**SL-P3**

Ensure that signs do not compromise the safe and unobstructed use of the transport network by managing:

- a. the type, scale, design, location and direction of signs having regard to the road type and speed environment;
- b. distraction or confusion for users through the control of proliferation, illumination, light spill, flashing and moving images and digital signage;
- c. any obstruction caused by signs projecting over the road boundary;
- d. historic heritage and cultural values by requiring signs to be consistent with any identified and understood values.

**SL-P4**

Recognise and provide for artificial outdoor lighting for night time activities and safety while managing its scale, timing, duration, design and direction in a way that:

- a. avoids, remedies or mitigates adverse effects on adjacent residents, or any areas of natural, historic or cultural significance;
- b. does not interfere with the safe operation of the transport network or aircraft;
- c. minimises unnecessary light spill into the night sky.

<b>SL-P5</b>	<p>Consider the following when assessing the adverse effects of signs and lighting:</p> <ol style="list-style-type: none"> <li>a. bulk and size;</li> <li>b. number and location;</li> <li>c. type, including whether they are flashing or three-dimensional;</li> <li>d. orientation;</li> <li>e. duration, whether the sign is temporary or permanent;</li> <li>f. hours of use;</li> <li>g. materials, to ensure public health and safety;</li> <li>h. glare;</li> <li>i. lux.</li> </ol>
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**RULES**

<b>SI-R1</b>	<p><b>PERMITTED OR CONTROLLED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Artificial outdoor lighting that complies with the relevant performance standards.</li> <li>• Signs that comply with the relevant performance standards.</li> <li>• Signs adjacent to the national grid that comply with the relevant performance standards.</li> <li>• Any road safety or directional signage erected by the Council or New Zealand Transport Agency.</li> <li>• Temporary community event signs that comply with the maximum duration and performance standards.</li> </ul>
<b>SI-R2</b>	<p><b>RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Signs and lighting that do not comply with the permitted or controlled activity standards.</li> </ul>
<b>SI-R3</b>	<p><b>NON-COMPLYING ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Signs located near the national grid that do not comply with the performance standards.</li> </ul>



# NOISE

Our District has diverse environments with large tracts of rural land and urban areas. Noise emissions are an intrinsic part of the operation and function of our District's economy with a range of activities and industry. Noise and vibration have the potential to cause annoyance, adversely affect community health, wellbeing and the quality of living environments. It is important that noise generating activities are managed to a level that is appropriate and of a level that is generally acceptable.

Background noise levels vary between the rural and urban environments. Urban environments can have a higher

background noise level, while rural environments can have lower background noise levels; however, it needs to be acknowledged that normal farming and forestry practices can generate noise and these do form part of the normal rural environment. Regard must also be given to whether noise is temporary or permanent such as the construction of buildings or the use of a lawnmower.

We have responsibilities under the Act to manage noise, however, this is not only controlled through the District Plan. There is a general duty of care under the Act in relation to sections 16 and 17.

## OBJECTIVES

### N-O1

The amenity values and our communities are protected from unreasonable noise, particularly at night.

### N-O2

Existing and lawfully established land use and infrastructure, which generate high levels of noise, are appropriately protected from reverse sensitivity effects.

### N-O3

Noise sensitive activities minimise any potential conflict with land use anticipated by the respective zone.

## POLICIES

<b>N-P1</b>	Manage any adverse effects of noise by setting appropriate day and night noise standards that reflect the function and character of each zone.
<b>N-P2</b>	Require residential, early childhood, retirement and education facilities proposing to locate near an airport or in the mixed-use zone to be designed, constructed and operated in a way that avoids, remedies or mitigates adverse noise effects to an acceptable standard.
<b>N-P3</b>	Recognise that temporary events may generate high levels of noise and ensure that adverse effects are avoided, remedied or mitigated having regard to the sensitivity of the receiving environment.
<b>N-P4</b>	Recognise that noise and vibration from construction, maintenance and demolition activities may generate high levels of noise and ensure that adverse effects are avoided, remedied or mitigated having regard to the sensitivity of the receiving environment.
<b>N-P5</b>	Consider the following when assessing the adverse effects of noise generating activities: <ol style="list-style-type: none"> <li>whether an acoustic report has been provided;</li> <li>type, scale and location of activity;</li> <li>hours of operation and duration of activity;</li> <li>temporary or permanent effects;</li> <li>activities anticipated in the zone;</li> <li>residential, early childhood, retirement and education facilities in the surrounding environment;</li> <li>noise mitigation proposed.</li> </ol>

**RULES**

**N-R1**

**PERMITTED OR CONTROLLED ACTIVITIES:**

- All activities that comply with the noise performance standards.
- Residential, early childhood, retirement and education facilities (sensitive activities) within the airport buffer area that comply with specific design solutions and noise levels as measured inside of all habitable rooms.
- Alterations and additions to an existing building that is used for sensitive activities that comply with specific design solutions and noise levels as measured inside of all habitable rooms.
- New sensitive activities within the mixed-use zone that comply with specific design solutions and noise levels as measured inside of all habitable rooms.
- Alterations and additions to an existing building that is used for sensitive activities within the mixed-use zone that complies with specific design solutions and noise levels as measured inside of all habitable rooms.
- Temporary military training activities that comply with the relevant noise emission performance standard.
- Temporary events that comply with the temporary event performance standards (temporary events to be defined with relevant performance standards).
- Construction noise that complies with the relevant noise emission performance standard.
- Noise emissions from primary production activities.

**N-R2**

**RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:**

- All activities that do not comply with the permitted or controlled noise emission standards.



# PART C ZONE PROVISIONS



# URBAN ZONES

# RESIDENTIAL

Our District contains a number of diverse communities and urban centres. The Residential zone represents those areas where we expect to see a higher density of residential development and that generally provide a higher level of services including footpaths, street lighting, rubbish collection and are walkable to urban centres.

There has been a global trend of people moving back into and around urban centres because of the convenience of access to services, reduced reliance on motor vehicles and less maintenance associated with smaller sections. The consolidation of residential zoned land around our urban centres and the provision for a variety of housing typologies will contribute to the vibrancy and viability of those centres. Growth in our urban centres will make the investment in three waters infrastructure more affordable for the community and an efficient use of ratepayer money. It will also help protect our surrounding rural environments from fragmentation and use for non-productive rural activities.

A number of our centres are currently and will continue to experience growth, while others may experience a decline. Growth has been constrained in a number of our centres due to the lack of provision of or capacity in three waters

infrastructure. To make infrastructure more efficient and affordable we need to provide for growth within those areas serviced by infrastructure and prevent sprawl into the unserviced and arable land. To provide for growth over the next 20 years we may need to look at a combination of 'up-zoning' (providing for more density within the existing Residential zone) and/or 'rezoning' (changing the zoning of other land to residential).

All land zoned Mixed use or Residential in the District Plan either has current access to a reticulated wastewater scheme or have been identified in the 30 year infrastructure strategy for infrastructure delivery. Where Residential zoned land is not currently serviced by three waters infrastructure a density commensurate with the Rural Residential zone can be expected as these sites will need to address these services on-site.

We have a responsibility under the Act, the National Policy Statement on Urban Development Capacity and the Northland Regional Policy Statement to ensure that there is sufficient land for housing available to meet the future demands of the District and that this development is in the right location and appropriately serviced.

## OBJECTIVES

### RZ-01

The Residential zone provides a variety of densities, housing types, sizes and tenures that respond to:

- a. housing needs and demand;
- b. the availability of infrastructure;
- c. the amenity and character of the residential environment.

### RZ-02

The Residential zone consolidates our communities around existing infrastructure to reduce urban sprawl and inefficient use of our rural land resources.

### RZ-03

Non-residential activities contribute to the function and well-being of the community while complementing the scale, character and amenity of the Residential zone.

### RZ-04

Land use and subdivision in the Residential zone is supported by appropriate infrastructure.

### RZ-05

Land use and subdivision in the Residential zone provides communities with functional and high amenity living environments.

### RZ-06

Residential communities are resilient to changes in technology and sustainable development techniques.

## POLICIES

<b>RZ-P1</b>	<p><b>Enable land use and subdivision in the Residential zone where:</b></p> <ul style="list-style-type: none"> <li>a. there is infrastructure to support residential development and intensification or additional infrastructure capacity or coverage is signalled in the 30 Year Infrastructure Strategy;</li> <li>b. it is consistent with the scale, design and character anticipated in the residential environment.</li> </ul>
<b>RZ-P2</b>	<p><b>Require all subdivision in the Residential zone to provide the following reticulated services to the boundary of each lot:</b></p> <ul style="list-style-type: none"> <li>a. telecommunications: <ul style="list-style-type: none"> <li>i. fibre where it is available;</li> <li>ii. copper where fibre is not available;</li> <li>iii. copper where the area is identified for future fibre deployment.</li> </ul> </li> <li>b. grid power supply;</li> <li>c. wastewater, potable water supply and stormwater where it is available.</li> </ul>
<b>RZ-P3</b>	<p><b>Enable a variety of housing types at higher densities in the Residential zone, including terraced housing, apartments and retirement villages:</b></p> <ul style="list-style-type: none"> <li>a. at the interface of Mixed Use zone or Open Space zones; and</li> <li>b. where the land is adequately serviced by infrastructure.</li> </ul>
<b>RZ-P4</b>	<p><b>Provide for non-residential activities that:</b></p> <ul style="list-style-type: none"> <li>a. do not detract from the vitality and viability of the Mixed Use zone;</li> <li>b. supports the social and economic well-being of the community;</li> <li>c. is of a residential scale; and</li> <li>d. avoids, remedies or mitigates adverse effects on residential amenity and function of the Residential zone.</li> </ul>
<b>RZ-P5</b>	<p><b>Encourage and support the use of on-site water storage in conjunction with Council's reticulated water supply.</b></p>
<b>RZ-P6</b>	<p><b>Promote energy efficient design and the use of domestic-scale renewable energy in the construction of residential development.</b></p>
<b>RZ-P7</b>	<p><b>Consider the following effects when assessing proposals for non-residential activities in the Residential zone:</b></p> <ul style="list-style-type: none"> <li>a. residential amenity and function;</li> <li>b. ambient noise;</li> <li>c. reduced privacy;</li> <li>d. shadowing and visual domination;</li> <li>e. light spill;</li> <li>f. traffic;</li> <li>g. hours of operation;</li> <li>h. community well-being, health and safety</li> <li>i. number of people on-site.</li> </ul>
<b>RZ-P8</b>	<p><b>Consider the following when assessing proposals for land use and subdivision in the Residential zone:</b></p> <ul style="list-style-type: none"> <li>a. the protection of: <ul style="list-style-type: none"> <li>i. identified historic heritage;</li> <li>ii. the natural character of the coastal environment;</li> <li>iii. sites of cultural significance to Māori and cultural values;</li> <li>iv. identified public access corridors.</li> </ul> </li> <li>b. the adequacy of infrastructure available;</li> <li>c. consistency with the scale, density, design, amenity and character of the residential environment.</li> </ul>

**RULES**

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**RZ-R1**

**PERMITTED OR CONTROLLED ACTIVITIES:**

- One or more residential unit that complies with performance standards.
- Home occupation – home business does not include bed and breakfast or air b n b;
- Papakainga housing.
- Subdivision where the minimum site size is 3,000m<sup>2</sup> (unsewered) or 500m<sup>2</sup> (sewered)

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**RZ-R2**

**RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:**

- Education facilities, including day-cares;
- Retirement villages;
- Visitor accommodation (e.g. motels / hotels)
- Multi-unit developments, including terraced housing or apartments (e.g. three or more residential units per site that are subject to performance standards and availability of infrastructure, adjacent to Mixed Use or Open Space zones).
- Subdivision that does not comply with the controlled activity standards.

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**RZ-R3**

**NON-COMPLYING ACTIVITIES:**

- Retail activities;
  - Commercial activities not provided for as a permitted, controlled, restricted discretionary or discretionary activity (e.g. supermarkets, bars, taverns, movie theatres) other than those previously listed;
  - Light and heavy industrial activities;
  - Rural production activities unless existing use rights apply.
-

## MIXED USE

Our District’s urban centres have traditionally been zoned commercial and have consisted of retail, commercial services, food and beverage establishments as well as social and educational services, with limited residential activities.

The Mixed Use zone provides a framework in which commercial and residential activities can co-exist and enables a range of compatible activities with a focus on urban vitalisation that supports our business owners, residents and visitors, while also ensuring that associated

effects are appropriately managed. The Mixed Use zone will contribute to the vibrancy, safety and prosperity of our urban centres and will be serviced by infrastructure to support it.

We have a responsibility under the Act, the National Policy Statement on Urban Development Capacity and the Northland Regional Policy Statement to ensure that there is sufficient land for housing and business to meet the future demands of the District and that this development is in the right location and appropriately serviced.

### OBJECTIVES

#### MU-01

The Mixed Use zone is the focal point for the District’s commercial, community and civic activities and provides for residential development where it compliments these activities and is designed to manage any potentially incompatible land uses.

#### MU-02

Development in the Mixed Use zone is of a form, scale, density and design quality that contributes positively to the vibrancy, safety and amenity of the zone.

#### MU-03

Land use and subdivision in the Mixed Use zone is supported by appropriate infrastructure.

#### MU-04

Activities and development in the Mixed Use zone complement land use at the interface of Residential and Open Space zoned land.

#### MU-05

Residential activity in the Mixed Use zone is located above commercial activities to ensure active street frontages except in some instances where the interface is with the Open Space zone.

### POLICIES

#### MU-P1

Enable a range of commercial, community, civic and residential activities in the Mixed Use zone where:

- a. it supports the function, role, sense of place and amenity of the existing environment;
- b. there is infrastructure to support development and intensification or additional infrastructure capacity or coverage is signalled in the 30 Year Infrastructure Strategy.



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**MU-P2** Require all subdivision in the Mixed Use zone to provide the following reticulated services to the boundary of each lot:

- a. telecommunications:
  - i. fibre where it is available;
  - ii. copper where fibre is not available;
  - iii. copper where the area is identified for future fibre deployment.
- b. grid power supply;
- c. wastewater, potable water supply and stormwater where it is available.

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**MU-P3** Require development in the Mixed Use zone to contribute positively to:

- a. high quality streetscapes;
- b. pedestrian amenity;
- c. safe movement of people of all ages and abilities;
- d. community well-being, health and safety
- e. traffic, parking and access needs.

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**MU-P4** Require development in the Mixed Use zone that is adjacent to Residential and Open Space zones to maintain the amenity values of those areas, having specific regard to:

- a. visual dominance;
- b. privacy;
- c. shadowing;
- d. ambient noise;
- e. light spill.

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**MU-P5** Avoid activities that are likely to have an adverse effect on the function, role, sense of place and amenity of the Mixed Use Zone, including:

- a. residential activity, retirement facilities and visitor accommodation on the ground floor of buildings, except where a site abuts an Open Space zone;
- b. light or heavy industrial activity;
- c. storage and warehousing
- d. retail activity over Xm2
- e. trade suppliers over Xm2
- f. waste management facilities

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**MU-P6** Promote energy efficient design and the use of renewable energy in the construction of mixed use development.

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**MU-P7** Consider the following effects when assessing applications to establish residential, early childhood, retirement and education facilities:

- a. the level of ambient noise;
- b. reduced privacy;
- c. shadowing and visual domination;
- d. light spill.

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**MU-P8** Consider the following when assessing proposals for land use and subdivision in the Mixed Use zone:

- a. the protection of:
  - i. identified historic heritage;
  - ii. the natural character of the coastal environment;
  - iii. sites of cultural significance to Māori and cultural values;
  - iv. identified public access corridors.
- b. the adequacy of infrastructure available;
- c. consistency with the scale, density, design, amenity and character of the urban environment;
- d. the interface between commercial and residential activities.

---

**RULES**

**MU-R1**

**PERMITTED OR CONTROLLED ACTIVITIES:**

- Residential activities, retirement facilities and visitor accommodation above commercial activities.
- Offices.
- Retail (threshold to be confirmed).
- Cafes, bars, and restaurants.
- Medical facility.
- Cinemas.
- Small supermarkets with amenity controls (threshold to be confirmed).
- Trade suppliers (threshold to be confirmed).
- Subdivision where the minimum site size is 3,000m2 (unsewered) or 250m2 (sewered).
- Residential, retirement facilities and visitor accommodation at ground level where adjacent to the Open Space zone.

**MU-R2**

**RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:**

- Supermarkets not provided for as a permitted or controlled activity.
- Childcare facilities.
- Retirement village.
- Service stations.
- Education facilities.
- Motor vehicle sales.
- Additions and alterations to buildings that do not comply with the permitted activity standard.
- Subdivision where the controlled standards are not met.

**MU-R3**

**NON-COMPLYING ACTIVITIES:**

- Trade suppliers not provided for as a permitted activity
- Retail not provided for as a permitted activity
- Light and heavy industrial activities Storage/warehousing and lock up facilities
- Waste management facilities
- Residential activities, retirement facilities and visitor accommodation at ground level not provided for as a permitted/controlled activity

# LIGHT INDUSTRIAL

The District's Light Industrial zone compliments the Heavy Industrial zone and facilitates a range of activities which contribute to our economic well being. The Light Industrial zone provides for a range of industrial activities that are unlikely to produce objectionable environmental effects but there may be some adverse effects including those associated with odour, dust or noise.

Activities within this zone may include light manufacturing, contractors depots, automotive and marine repair and service industries, and some compatible commercial

activities. This zone will generally have a limited focus on pedestrians and the provision of public spaces. It may also provide a buffer between the Heavy Industrial zone and Residential or Mixed Use zones.

We have a responsibility under the Act, the National Policy Statement on Urban Development Capacity and the Northland Regional Policy Statement to ensure that there is sufficient business land available to meet the future demands of the District and that this development is in the right location and appropriately serviced.

## OBJECTIVES

### LIZ-O1

The Light Industrial zone is utilised for the efficient operation of light industrial activities and is managed to ensure its long-term protection, including from:

- a. land sterilisation; and
- b. reverse sensitivity issues.

### LIZ-O2

The Light Industrial zone accommodates a range of light industrial activities that:

- a. efficiently use the physical resources of the zone;
- b. are characterised largely by light manufacturing, contractor depots, automotive and marine repair and service industries.
- c. are not unreasonably constrained by surrounding activities.

### LIZ-O3

Land use and subdivision in the Light Industrial zone is supported by appropriate infrastructure.

### LIZ-O4

Built form integrates with the amenity of the receiving environment and the effects associated with light industrial activities are managed both within the Light Industrial zone and adjacent zones.

### LIZ-O5

The Light Industrial zone accommodates a limited range of commercial activities where it supports light industrial activities or is not anticipated in the Mixed Use zone.

## POLICIES

### LIZ-P1

Enable development and operation of light industrial activities in the Light Industrial zone.

### LIZ-P2

Require all subdivision in the Light Industrial zone to provide the following reticulated services to the boundary of each lot:

- a. telecommunications;
- b. fibre where it is available;
- c. copper where fibre is not available;
- d. copper where the area is identified for future fibre deployment.
- e. grid power supply;
- f. wastewater, potable water supply and stormwater where it is available.

- 
- LIZ-P3** Avoid the establishment of activities that do not support the function of the Light Industrial Zone, including:
- a. heavy industrial activities;
  - b. residential activities;
  - c. early childhood activities;
  - d. retirement villages;
  - e. education facilities;
  - f. outdoor recreation activities.
- 
- LIZ-P4** Allow commercial activities in the Light Industrial zone that:
- a. are complementary to and support the ongoing light industrial activities; or
  - b. require larger sites and may not accommodate amenity values anticipated in the Mixed Use zone.
- 
- LIZ-P5** Ensure that built form is of a scale and design that is:
- a. consistent with the amenity of the Light Industrial zone; and
  - b. complimentary to the character and amenity of the adjoining zone.
- 
- LIZ-P6** Consider the following when assessing proposals for land use and subdivision in the Light Industrial zone:
- a. the siting and design of buildings, structures, outdoor storage areas, parking and internal roading;
  - b. any fencing, screening or landscaping required to address any zone interface;
  - c. any adverse effects on the character and amenity of adjacent zones;
  - d. any reverse sensitivity effects on adjacent industrial activities;
  - e. the standard of the supporting roading network;
  - f. whether access is from a state highway;
  - g. the level of noise emissions and light spill;
  - h. the temporary or permanent nature of any adverse effects;
  - i. the need for and location of earthworks and vegetation clearance;
  - j. the provision of low impact design principles;
  - k. the management of three waters infrastructure;
  - l. the management of trade waste, such as industrial by-products;
  - m. the likelihood of the activity creating or exacerbating a natural hazard.
- 

**RULES**

- 
- LIZ-R1** **PERMITTED OR CONTROLLED ACTIVITIES:**
- Light industrial activities.
  - Automotive and marine repair and service industries.
  - Contractor depots.
  - Food bar.
  - Service stations.
  - Storage/warehousing and lock up facilities.
  - Subdivision where the minimum site size is 3,000m2 (unsewered) or 500m2 (sewered).
- 
- LIZ-R2** **RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:**
- Commercial activities that compliment Light Industrial use (on the same site).
  - Trade suppliers.
  - Motor vehicle sales.
  - Garden centres.
  - Indoor sport and recreation activities.
  - Waste management facilities.
  - Subdivision where the controlled activity standards are not met.
-

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**LIZ-R3**

**NON-COMPLYING ACTIVITIES:**

- Residential.
  - Early childhood.
  - Retirement facilities.
  - Education facilities.
  - Heavy industrial activities.
  - Outdoor sport and recreation.
-

# HEAVY INDUSTRIAL

The District’s Heavy Industrial zone provides for and accommodates a range of activities which contribute to our economic well being but are of a nature that is likely to produce objectionable environmental effects including those such as odour, dust or noise. Due to the nature of the effects associated with heavy industrial activities, this zone is located sufficiently away from sensitive activities, such as residential and early childhood activities, to ensure reverse sensitivity effects are managed.

pedestrians and the provision of public spaces. The Heavy Industrial zone is characterised by large-scale purpose built utilitarian buildings and large areas of car parking and/or outdoor storage. Further, there may also be the presence or use of hazardous substances.

This zone provides for activities such as manufacturing, production and logistics, some ancillary offices and retail. The Heavy Industrial zone only has a limited focus on

We have a responsibility under the Act, the National Policy Statement on Urban Development Capacity and the Northland Regional Policy Statement to ensure that there is sufficient business land available to meet the future demands of the District and that this development is in the right location and appropriately serviced.

## OBJECTIVES

### HIZ-O1

The Heavy Industrial zone is utilised for the efficient operation of heavy industrial activities and is managed to ensure its long-term protection, including from:

- a. land fragmentation;
- b. land sterilisation; and
- c. reverse sensitivity effects.

### HIZ-O2

The Heavy Industrial zone accommodates a range of industrial activities that:

- a. efficiently use the physical resources of the zone;
- b. are characterised by the use of large-scale purpose built utilitarian buildings and large areas of car parking and/or outdoor storage; and
- c. are not unreasonably constrained by other activities.

### HIZ-O3

Land use and subdivision in the Heavy Industrial zone is supported by appropriate infrastructure.

### HIZ-O4

Built form integrates with the amenity of the receiving environment and the effects associated with heavy industrial activities are managed both within the Heavy Industrial zone and adjacent areas.

### HIZ-O5

The Heavy Industrial zone accommodates a limited range of ancillary activities where it supports the on-site heavy industrial activity.

## POLICIES

<b>HIZ-P1</b>	Enable the development and operation of heavy industrial activities in this zone.
<b>HIZ-P2</b>	Require all subdivision in the Heavy Industrial zone to provide the following reticulated services to the boundary of each lot: <ul style="list-style-type: none"> <li>a. telecommunications:                         <ul style="list-style-type: none"> <li>i. fibre where it is available;</li> <li>ii. copper where fibre is not available;</li> <li>iii. copper where the area is identified for future fibre deployment.</li> </ul> </li> <li>b. grid power supply;</li> <li>c. wastewater, potable water supply, stormwater where it is available.</li> </ul>

<b>HIZ-P3</b>	<p>Avoid the establishment of activities that do not support the function of the Heavy Industrial Zone, including:</p> <ul style="list-style-type: none"> <li>a. residential activities;</li> <li>b. early childhood activities;</li> <li>c. retirement villages;</li> <li>d. education facilities;</li> <li>e. recreational activities; and</li> <li>f. commercial and light industrial activities not ancillary to the on-site heavy industrial use.</li> </ul>
<b>HIZ-P4</b>	<p>Require heavy industrial activities to contain and manage the adverse effects associated with built form and activities at the interface of surrounding zones.</p>
<b>HIZ-P5</b>	<p>Allow ancillary activities only where there is a direct relationship to the industrial activity on-site and where it does not compromise other activities in the Heavy Industrial zone.</p>
<b>HIZ-P6</b>	<p>Avoid the fragmentation of land that diminishes the ability for a site in the Heavy Industrial zone to accommodate a wide range of heavy industrial activities.</p>
<b>HIZ-P7</b>	<p>Consider the following when assessing proposals for land use and subdivision in the Heavy Industrial zone:</p> <ul style="list-style-type: none"> <li>a. the siting and design of buildings, structures, outdoor storage areas, parking and internal roading;</li> <li>b. any fencing, screening or landscaping required to address any zone interface;</li> <li>c. land fragmentation;</li> <li>d. any adverse effects on the character and amenity of adjacent zones;</li> <li>e. any reverse sensitivity effects on adjacent industrial activities;</li> <li>f. the standard of the supporting roading network;</li> <li>g. whether access is from a state highway;</li> <li>h. the level of noise emissions and light spill;</li> <li>i. the temporary or permanent nature of any adverse effects;</li> <li>j. the need for and location of earthworks and vegetation clearance;</li> <li>k. the provision of low impact design principles;</li> <li>l. the management of three waters infrastructure;</li> <li>m. the management of trade waste, such as industrial by-products;</li> <li>n. the likelihood of the activity creating or exacerbating a natural hazard.</li> </ul>

**RULES**

<b>HIZ-R1</b>	<p><b>PERMITTED OR CONTROLLED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Heavy industrial activities.</li> <li>• Ancillary commercial activities directly related to the heavy industrial activity.</li> <li>• Service stations.</li> <li>• Timber processing mill.</li> <li>• Dairy processing.</li> <li>• Boatbuilding.</li> <li>• Subdivision creating minimum lot sizes of 2 hectares.</li> </ul>
<b>HIZ-R3</b>	<p><b>NON-COMPLYING ACTIVITY:</b></p> <ul style="list-style-type: none"> <li>• Commercial activities not provided for as a permitted, controlled activity.</li> <li>• Light industrial activities.</li> <li>• Residential activities.</li> <li>• Early childhood.</li> <li>• Retirement villages.</li> <li>• Education facilities.</li> <li>• Recreational activities.</li> <li>• Subdivision that does not comply with the controlled activity standard.</li> </ul>





# OPEN SPACE ZONES

# CONSERVATION

Our District is home to a wide range of indigenous ecosystems and a high number of regionally endemic species, including a number that are of cultural significance to tangata whenua, including for food gathering and rongoa. Indigenous biodiversity contributes to our District’s unique scenery, its natural character, economic opportunities, such as tourism, and for recreation.

The Conservation zone applies to public land that is administered by government agencies and includes a variety of parks and historic reserves. These areas generally have a high degree of biodiversity requiring active management. These are spaces the community values and some are open to the public for limited use where people can relax and enjoy recreation and customary activities such as gathering mahinga kai. Some of this land is subject to treaty settlement claims and may be returned to tangata

whenua. If this occurs Council will initiate a plan change to amend the zoning.

Some of these areas are used for cultural activities and are rich in historic heritage and cultural values. The zone anticipates a low level of development to retain the natural/ biodiversity values within natural open spaces and where development occurs, it is limited to such things as Department of Conservation huts, kauri dieback cleaning stations and walking tracks.

We have responsibilities under the Act and the Northland Regional Policy Statement to protect areas of significant indigenous biodiversity, historic heritage, cultural values, outstanding natural landscapes, outstanding natural features and the natural character of the coastal environment.

## OBJECTIVES

### CON-O1

The natural, ecological, historic heritage, cultural and natural character values of Conservation zoned land are managed to ensure their long-term protection for future generations.

### CON-O2

Land use is of a scale and type that complements and is consistent with the characteristics and qualities of the zone.

## POLICIES

<b>CON-P1</b>	Enable land use that conserves, protects and does not compromise the natural, ecological, historic heritage, cultural and natural character values of the zone, and in relation to significant indigenous biodiversity protect those values and enhances them where practicable.
<b>CON-P2</b>	Provide for land use that supports recreation, leisure, education and customary activities that are complementary, consistent with and protect the values of the zone.
<b>CON-P3</b>	Avoid land use and subdivision that is incompatible with the natural, ecological, historic heritage, tangata whenua and natural character values of the zone.
<b>CON-P4</b>	Provide for small-scale visitor accommodation and ranger facilities that compliment the function and use of the Conservation zone.
<b>CON-P5</b>	Consider the following when assessing proposals for land use and subdivision in the Conservation zone: <ol style="list-style-type: none"> <li>whether the activity is complimentary, consistent with and will protect the values of the zone;</li> <li>whether the effects are temporary or permanent;</li> <li>the location, scale and design of the proposed activity;</li> <li>the disturbance to the existing landform, flora and fauna;</li> <li>any natural character, outstanding natural landscapes or outstanding natural feature values;</li> <li>any historic heritage and cultural values;</li> <li>any public benefit.</li> </ol>

## RULES

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**CON-R1**

**PERMITTED OR CONTROLLED ACTIVITIES:**

- Repair and maintenance of existing roads, fences, utilities, accessways, parking, walking tracks and cycleways.
- Customary activities.
- Kauri dieback stations.
- Buildings and structures consistent with the purpose of the zone subject to performance standards.

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**CON-R2**

**RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITY:**

- New walking tracks and cycleways.
- Buildings and structures not provided for as permitted or controlled activity.
- Department of Conservation ranger accommodation.
- Establishing new plantation forests.
- Small-scale commercial activities e.g. cafes and small food vendors.
- Small-scale visitor accommodation.

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**CON-R3**

**NON-COMPLYING ACTIVITIES:**

- Commercial and visitor accommodation that does not comply with the restricted discretionary or discretionary activity standard);
  - Subdivision;
  - Industrial activities;
  - Residential activities.
-

## OPEN SPACE

Our District has a range of open spaces including large and small neighbourhood parks and esplanade areas. These spaces are primarily used for passive leisure activities, some active recreation and provide opportunities for relaxation and socialising. Some of these open spaces are located near the coast, lakes, rivers and streams and play a key role in both providing ecological protection as well as access to and along these areas. These public open spaces generally have less built features and are less developed than areas designated for sport and recreation. They may have natural, ecological, cultural and historic heritage

values and form an important part of the District’s walking and cycling network.

Buildings and structures are limited to those that support the enjoyment of the open space for informal recreation and modest community buildings and structures.

We have responsibilities under the Act and the Regional Policy Statement to provide for the social and cultural wellbeing and the health and safety of the community.

### OBJECTIVES

#### OSZ -O1

An Open Space zone that is predominantly used for informal leisure activities.

#### OSZ -O2

Land use compliments and is consistent with the open space, ecological, historic heritage and cultural values of the zone and provides for social and cultural wellbeing.

### POLICIES

#### OSZ-P1

Avoid land uses that would result in the exclusive use of areas and compromise public access, use and enjoyment of the Open Space zone.

#### OSZ-P2

Enable a variety of informal leisure activities and customary activities that are compatible with the values of the zone.

#### OSZ-P3

Provide for activities and their associated buildings or structures where they:

- a. are compatible with the values of the zone;
- b. provide for the social well-being and benefit of the community;
- c. provide for the cultural well-being of tangata whenua; and
- d. manage effects on the character and amenity of adjacent residential zones.

#### OSZ-P4

Consider the following when assessing proposals for land use and subdivision in the Open Space zone:

- a. the siting and design of buildings, structures, outdoor areas and parking areas;
- b. stormwater management;
- c. noise emissions and light spill;
- d. hours of operation and duration;
- e. effects on public access and use;
- f. effects on the character and amenity of adjacent residential zones;
- g. the functional and operational need for the location, and any suitable alternative locations;
- h. temporary or permanent nature of any adverse effects;
- i. the open space, ecological, historic heritage and cultural values of the zone;
- j. reverse sensitivity effects;
- k. any reserve management plan;
- l. any lodged iwi/hapū management plan;
- m. any confirmed community development plan

## RULES

### OSZ-R1

#### PERMITTED OR CONTROLLED ACTIVITIES:

- Leisure activities e.g. walking, picnicking and playgrounds.
- Customary activities.
- Temporary events.
- Public toilets, picnic tables, water fountain.
- Helicopter landings for medical emergencies.

### OSZ-R2

#### RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:

- Buildings and structures.
- Earthworks not meeting permitted standards.
- Community facilities.
- New sports and recreation facilities.
- Food and beverage facilities.

### OSZ-R3

#### NON-COMPLYING ACTIVITIES:

- Subdivision.
- Light and heavy industrial activities.
- Residential activities.
- Commercial activities not provided for as a restricted discretionary or discretionary activity.

## SPORT AND RECREATION

Our District has a range of dedicated indoor and outdoor organised sports and active recreation facilities. This zone includes sports fields, hard-court areas, recreational and sporting facilities, and associated buildings. The level of development anticipated in the Sport and Recreation zone is expected to be higher than the Open Space zone. Most of these areas are also available for informal leisure and recreation activities such as walking, jogging and non-organised sports when these facilities are not in use.

activities associated with sport and recreation, such as the retail of merchandise and equipment and providing food and beverages to players and supporters. However, the intensive use of these sites can attract large numbers of people and may generate high levels of traffic, noise, light spill and other adverse effects that need to be managed.

We have responsibilities under the Act and the Northland Regional Policy Statement to provide for the cultural and social well-being and the health and safety of the community.

The Sport and Recreation zone may also include commercial

### OBJECTIVES

#### SRZ-O1

A Sport and Recreation zone that is predominantly used for active sport and recreation activities, as well as informal leisure activities.

#### SRZ-O2

Buildings and structures in the Sport and Recreation zone complement and are consistent with the purpose of the zone and provide for social and cultural wellbeing.

### POLICIES

#### SRZ-P1

Enable indoor and outdoor activities that are compatible with the function and predominant character of the Sport and Recreation zone, including;

- a. Sport, recreation and leisure activities; and
- b. Temporary events.

#### SRZ-P2

Provide for single and multi-sport facilities and commercial activities ancillary to sport and recreation activities, and their associated structures or buildings, where these:

- a. enhance the use and enjoyment of and are consistent with the purpose of the Sport and Recreation zone;
- b. avoid, remedy or mitigate any adverse effects on the character and amenity of adjacent residential zones;
- c. provide community benefit;
- d. can be supported by the roading network; and
- e. can provide for either on-site or Council's reticulated three waters infrastructure.

#### SRZ-P3

Avoid land use and subdivision in the Sport and Recreation zone that would compromise the establishment and continuing use land for sport and recreation purposes.

- SRZ-P4** Consider the following when assessing proposals for land use and subdivision in the Sport and Recreation zone;
- a. bulk, scale and location of built form;
  - b. site coverage;
  - c. setbacks from boundaries;
  - d. noise, signage and light spill effects;
  - e. traffic, vehicle access and parking effects;
  - f. landscaping and screening;
  - g. effects on the character and amenity of adjacent residential zones;
  - h. any reverse sensitivity effects;
  - i. the capacity of infrastructures such as wastewater, stormwater and potable water; and
  - j. temporary or permanent effects.

**RULES**

- SRZ-R1** **PERMITTED OR CONTROLLED ACTIVITIES:**
- Sport, recreation and leisure activities.
  - Temporary events subject to performance standards.
  - Single and multi-sport facility buildings and structures subject to performance standards.

- SRZ-R2** **RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:**
- Single and multi-sport facility buildings and structures not meeting the permitted or controlled standards.
  - Commercial facilities ancillary to the on-site sport or recreation activity.
  - Buildings and structures ancillary to the sport and recreation use on the site.

- SRZ-R3** **NON-COMPLYING ACTIVITIES:**
- Light and heavy industrial activities
  - Residential activities
  - Subdivision





# RURAL ZONES

## RURAL SETTLEMENT

Our District has a number of settlements which have historically been given an urban zone but are neither presently supported nor plan to be supported by a Council reticulated wastewater network. The lack of a Council reticulated wastewater network means that the land cannot be developed to accommodate a density that would be anticipated in an urban environment. Council does not plan to create any additional wastewater schemes or connect any of the identified rural settlements to a scheme that would enable a higher level of development to occur. If this stance changes Council will look to initiate a plan change process to change the zone.

The Rural Settlement zone primarily provides for a mixture of residential, commercial, community and some light industrial activities located within rural areas that support a small settlement and surrounding rural area. Rural settlements need to be managed to ensure the viability of our urban environments are not compromised and that development matches the capacity of the land to absorb it.

We have a responsibility under the Act and the Northland Regional Policy Statement to ensure that there is sufficient land for housing and business to meet the expected demands for the District. Further, that land is to be integrated with infrastructure networks and compliments the rural environments.

### OBJECTIVES

#### RSZ-O1

Land use and subdivision is located within an existing Rural Settlement and does not adversely affect:

- a. the viability and vitality of nearby urban centres;
- b. other activities within the zone;
- c. the ability of adjacent zones to be effectively and efficiently used for appropriate activities; and
- d. the ongoing operation and maintenance of existing infrastructure.

#### RSZ-O2

Residential activities in the Rural Settlement zone are of a scale and intensity in keeping with the character and amenity of that settlement and capable of providing on-site infrastructure unless a reticulated service is available.

#### RSZ-O3

Non-residential activities in the Rural Settlement zone, including community facilities:

- a. are in keeping with the scale, intensity, character and amenity of the settlement;
- b. provide for the community's social, economic and cultural well-being;
- c. are capable of providing on-site infrastructure; and
- d. avoid, remedy or mitigate any adverse effects.

#### RSZ-O4

Land use and subdivision in the Rural Settlement zone is managed to control any reverse sensitivity issues that may occur within the zone and at the zone interface.

### POLICIES

#### RSZ-P1

Enable residential and non-residential activities that support the role and function of the Rural Settlement zone.

#### RSZ-P2

Require land use and subdivision in the Rural Settlement zone associated with non-residential activities to support the function of the zone by:

- a. being of a scale, intensity, character and amenity that compliments the residential activities in the zone;
- b. provides a community benefit;
- c. demonstrates the ability to provide for on-site infrastructure.

#### RSZ-P3

Require land use and subdivision in the Rural Settlement zone associated with residential activities to demonstrate the ability to provide for on-site infrastructure unless a reticulated service is available.

<b>RSZ-P4</b>	Avoid land use and development in the Rural Settlement zone that could incur reverse sensitivity effects either within the zone or on adjacent zones.
<b>RSZ-P5</b>	<p>Consider the following when assessing proposals for land use and subdivision in the Rural Settlement zone:</p> <ol style="list-style-type: none"> <li>a. the ability to accommodate on-site infrastructure;</li> <li>b. the scale, character and amenity of the existing rural settlement;</li> <li>c. siting and design;</li> <li>d. any risks from natural hazards;</li> <li>e. any historic heritage, cultural values or ecological values;</li> <li>f. any scheduled outstanding natural landscapes or outstanding natural features;</li> <li>g. cultural and social well-being, including health and safety;</li> <li>h. potential reverse sensitivity effects both within the settlement and on adjacent zones;</li> <li>i. its location within or adjoining to the existing rural settlement;</li> <li>j. the vitality and viability of nearby urban environments.</li> </ol>

**RULES**

<b>RSZ-R1</b>	<p><b>PERMITTED OR CONTROLLED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• One residential unit per site subject to performance standards.</li> <li>• One minor residential unit where the site size is 4,000m<sup>2</sup> or greater subject to performance standards.</li> <li>• Community facilities where infrastructure can be provided subject to performance standards.</li> <li>• Home occupation.</li> <li>• Visitor accommodation with a maximum of up to 10 persons accommodated per night.</li> <li>• Subdivision where the minimum site size is 3,000m<sup>2</sup></li> </ul>
<b>RSZ-R2</b>	<p><b>RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Commercial and light industrial activities.</li> <li>• Visitor accommodation that does not comply with the permitted or controlled activity standard.</li> <li>• Education facility.</li> <li>• Retirement village.</li> <li>• Subdivision that does not comply with the permitted or controlled standard.</li> <li>• Rural industry activities.</li> </ul>
<b>RSZ-R3</b>	<p><b>NON-COMPLYING ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Intensive farming activities.</li> <li>• Heavy industrial activities.</li> </ul>

# RURAL RESIDENTIAL

Our District’s Rural Residential zone provides an opportunity for people to enjoy a spacious living environment while being close to an urban centre. The Rural Residential zone is located on the fringe adjoining our urban centres and provides a transition to the surrounding Rural Production and Horticulture zones. In addition, the Rural Residential zone applies to those areas that were formerly zoned Coastal Living, Rural Living or Coastal Residential that does not fit the criteria to be a Rural Settlement. As such, the Rural Residential zone does not anticipate community, commercial or industrial activities but does retain the ability to undertake primary production activities.

providing for on-site infrastructure servicing. The Rural Residential zone is appealing for peri-urban living within a reasonable distance from an urban centre. It also identifies where an urban centre may grow and where land may be re-zoned for urban development when demand requires it.

We have a responsibility under the Act, the National Policy Statement on Urban Development Capacity and the Northland Regional Policy Statement to ensure that there is sufficient land available for housing to meet the future demands of the District and that this development is in the right location and appropriately serviced. As a transition zone that allows residential and primary production activities to co-exist there is potential for tensions to arise from reverse sensitivity.

The Rural Residential zone is identified through smaller lot sizes of approximately 4,000m<sup>2</sup> that are capable of

## OBJECTIVES

### RLZ-O1

The Rural Residential zone enables rural residential living and provides for primary production activities while containing any adverse effects from those activities on-site.

### RLZ-O2

The Rural Residential zone principally adjoins the Residential zone and helps meet the demand for growth while ensuring residential development is in the right location and can be appropriately serviced by infrastructure.

### RLZ-O3

Land use and subdivision in the Rural Residential zone:

- a. maintains the rural or coastal character and amenity values, including low-density environments;
- b. supports a range of residential and primary production activities;
- c. is managed to control any reverse sensitivity issues that may occur within the zone and at the zone interface;
- d. retains the ability of the land to be used for more dense residential or other urban purposes in the future.

## POLICIES

### RLZ-P1

Provide for Rural Residential land where:

- a. it adjoins existing urban zoned land and is not arable land suitable for horticultural use; or
- b. it was previously zoned rural or coastal living; or
- c. It was previously zoned residential or coastal residential but was not connected to a Council reticulated wastewater network and there is no plan to do so in the 30 Year Infrastructure Strategy.

### RLZ-P2

Enable rural residential development and primary production activities that support the function of the Rural Residential zone where these:

- a. maintain the low density rural or coastal character and amenity of the zone and wider rural environment;
- b. utilise low impact design principles for managing stormwater;
- c. are able to be appropriately serviced by infrastructure, including the consideration of the roading network;
- d. contains adverse environmental effects on site.

<b>RLZ-P3</b>	<p>Provide for limited small-scale commercial activities where these:</p> <ol style="list-style-type: none"> <li>are compatible with the scale and rural or coastal character of the Rural Residential zone;</li> <li>utilise low impact design principles for managing stormwater;</li> <li>provide community benefit; and</li> <li>can be served by on-site infrastructure, or reticulated infrastructure where available;</li> <li>can be supported by the roading network.</li> </ol>
<b>RLZ-P4</b>	<p>Avoid intensive primary production, rural industry and heavy industrial activities that are incompatible with the surrounding low density rural or coastal character and amenity of the Rural Residential zone.</p>
<b>RLZ-P5</b>	<p>Require all subdivision in the Rural Residential zone to provide the following reticulated services to the boundary:</p> <ol style="list-style-type: none"> <li>telecommunications:             <ol style="list-style-type: none"> <li>fibre where it is available;</li> <li>copper where fibre is not available;</li> <li>copper where the area is identified for future fibre deployment.</li> </ol> </li> <li>grid power supply;</li> <li>wastewater, potable water supply and stormwater where it is available.</li> </ol>
<b>RLZ-P6</b>	<p>Manage land use and subdivision to avoid or mitigate any potential adverse incompatibility and reverse sensitivity effects within or on adjacent zones.</p>
<b>RLZ-P7</b>	<p>Consider the following when assessing proposals for land use and subdivision in the Rural Residential zone:</p> <ol style="list-style-type: none"> <li>the ability to accommodate on-site infrastructure;</li> <li>the scale, rural or coastal character and amenity of the Rural Residential zone;</li> <li>siting and design;</li> <li>any significant risk from natural hazards;</li> <li>any historic heritage, cultural or ecological values, rural character or scheduled landscapes or features;</li> <li>cultural and social well-being, including health and safety;</li> <li>stormwater effects, including impacts on Council's reticulated network, flooding hazards, overland flow paths and surrounding catchments;</li> <li>potential reverse sensitivity effects within and on adjacent zones and on existing infrastructure; and</li> <li>the potential for the land to be used for urban development in the future.</li> </ol>

**RULES**

<b>RLZ-R1</b>	<p><b>PERMITTED AND CONTROLLED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>One residential unit per site subject to performance standards.</li> <li>Home occupation subject to performance standards.</li> <li>Visitor accommodation with a maximum of up to 10 persons accommodated per night.</li> <li>Primary production activities excluding intensive primary production activities.</li> <li>Subdivision where the minimum site size is 4,000m<sup>2</sup> (excluding land in the Coastal Environment).</li> </ul>
<b>RLZ-R2</b>	<p><b>RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>Commercial and light industrial activities subject to performance standards.</li> <li>Residential unit that does not comply with the permitted or controlled activity standard.</li> <li>Visitor accommodation that does not comply with the permitted or controlled activity standard.</li> <li>Education facility.</li> <li>Retirement village.</li> <li>Community facilities.</li> <li>Subdivision where the minimum site size is 3000m<sup>2</sup> (excluding the Coastal Environment).</li> </ul>

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**RLZ-R3**

**NON-COMPLYING ACTIVITIES:**

- Intensive Primary Production.
  - Heavy Industrial activities.
  - Rural Industry activities.
  - Subdivision that does not meet the controlled or discretionary activity standard.
-

## RURAL PRODUCTION

Our District's Rural Production zone is the largest zone in the District and accounts for approximately 78% of all land. The Rural Production zone is a dynamic environment, influenced by changing farming and forestry practice and by a wide range of productive activities. The purpose of this zone is to provide for primary production activities including non-commercial quarrying, farming (including intensive farming), plantation forestry activities and horticulture. There is a need to accommodate recreational and tourism activities that may occur in the rural environment, subject to them being complementary to the function, character and amenity values of the surrounding environment. This zone includes land in the coastal environment which is identified by an overlay and provisions protecting its natural character.

Rural land is an important resource as it underpins the social, economic and cultural well-being of our District. The historic fragmentation of rural production land has undermined the integrity of the zone and the ability for it to function for its intended purpose. It is important to protect this resource from inappropriate uses to ensure it can be used for its intended purpose without incurring risks of reverse sensitivity issues from anticipated effects such as noise, dust, heavy traffic and light spill, which may be temporary or seasonal in nature. This is particularly pertinent around our larger urban areas which are subject to growth pressures. Forcing rural production activities to locate further away from urban centres adds to the cost for transporting primary products, and can result in rural production

activities needing to move on to less suitable soils or topography and require people to travel further to work.

While people may move to this district for lifestyle choices, it is important to differentiate this zone from the Rural Residential zone. There is also demand for larger lifestyle sections where people want to be more self-sufficient and potentially run stock or have horses. This demand is provided for in the Rural Production zone but must ensure a level of spaciousness and must not compromise the ability for that land to be used for productive purposes again in the future.

Industrial and commercial activities, including retail, are not anticipated in the Rural Production zone unless they are ancillary to the principal primary production activity, such as timber, horticulture, apiculture and dairy processing.

We have a responsibility under the Act and the Regional Policy Statement to protect highly versatile soils, prevent land fragmentation and land sterilisation (including reverse sensitivity). While there may be tensions with landowners wanting to subdivide and/or use the land for purposes other than rural production, a case needs to be made that this is the appropriate location for that use. It is also recognised that this zone contains many of our ecological, historic heritage, cultural values and high value landscapes and features. The protection of this resource must be managed in conjunction with the ability to undertake activities anticipated in this zone.

### OBJECTIVES

#### RPZ-O1

The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for future generations.

#### RPZ-O2

Primary production activities and activities ancillary to the productive intent of the Rural Production zone are enabled while containing adverse environmental effects on site.

#### RPZ-O3

Land use and subdivision in the Rural Production zone:

- a. avoids land sterilisation as a result of the reduction in the potential for highly versatile and arable soils to be used in a primary production activity;
- b. avoids land fragmentation;
- c. avoids any reverse sensitivity issues that may occur within the zone and at the zone interface;
- d. does not exacerbate any natural hazards;
- e. maintains the rural or coastal character and the amenity of the zone;
- f. is able to be serviced by on-site infrastructure.

#### RPZ-O4

The Rural Production zone accommodates recreation and tourism activities that support the function, well being, character and amenity of rural communities.

**POLICIES**

<b>RPZ-P1</b>	Enable primary production and ancillary activities that support the function of the Rural Production zone.
<b>RPZ-P2</b>	<p>Enable rural industries in the Rural Production zone where:</p> <ol style="list-style-type: none"> <li>there is a functional need for that activity to be in that location;</li> <li>reverse sensitivity issues for adjoining properties can be avoided, remedied or mitigated;</li> <li>the roading network and site can cater for the volume and type of vehicles associated with the activity;</li> <li>the site can provide for any associated onsite infrastructure requirements.</li> </ol>
<b>RPZ-P3</b>	<p>Provide for recreation and tourism activities and cottage industries associated with on-site primary production in the Rural Production zone where:</p> <ol style="list-style-type: none"> <li>reverse sensitivity issues for adjoining properties are avoided, remedied or mitigated;</li> <li>the rural or coastal character of the zone is not compromised;</li> <li>adverse effects are contained onsite;</li> <li>public health and safety concerns are managed;</li> <li>the roading network and site can cater for the volume and type of vehicles associated with the activity;</li> <li>the site can provide for any associated onsite infrastructure requirements.</li> </ol>
<b>RPZ-P4</b>	Avoid land use and subdivision that is incompatible with the function of the Rural Production zone and may result in land fragmentation or sterilisation of land.
<b>RPZ-P5</b>	Avoid land use and subdivision that would result in the loss of highly versatile or arable soils unless it is demonstrated that the net public benefit is greater than the primary production potential.
<b>RPZ-P6</b>	<p>Consider the following when assessing proposals for land use and subdivision in the Rural Production zone:</p> <ol style="list-style-type: none"> <li>the ability of surrounding properties to undertake activities provided for by the underlying zone;</li> <li>the size, scale and location of any buildings or structures;</li> <li>potential reverse sensitivity effects on adjacent zones and on existing infrastructure;</li> <li>the potential for land sterilisation or fragmentation;</li> <li>the capacity of the site to cater for onsite infrastructure requirements and future buildings;</li> <li>any loss of highly versatile or arable soils;</li> <li>whether the site has access to a water source such as an irrigation network supply or an aquifer;</li> <li>any natural hazards;</li> <li>any historic heritage, cultural or ecological values, rural or coastal character;</li> <li>any outstanding natural landscapes or outstanding natural feature values.</li> </ol>

**RULES**

<b>RPZ-R1</b>	<p><b>PERMITTED OR CONTROLLED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>One residential unit per site subject to performance standards.</li> <li>One minor residential unit subject to performance standards.</li> <li>Primary production activities.</li> <li>Buildings ancillary to the primary production activity occurring on-site subject to resource overlays.</li> <li>Temporary events (to be defined with performance standards).</li> <li>Visitor accommodation with a maximum of up to 10 persons accommodated per night.</li> <li>Subdivision where the minimum site size is 40ha.</li> </ul>
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**RPZ-R2**

**RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:**

- Rural industry activities.
- Visitor accommodation that does not comply with the permitted or controlled activity standards (e.g. homestays, bed and breakfast and campgrounds).
- Temporary events not meeting the permitted or controlled activity standards.
- Cottage industry associated with the onsite primary production.
- Subdivision that does not comply with the controlled activity standard.

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**RPZ-R3**

**NON-COMPLYING ACTIVITIES:**

- Residential activities except the principal dwelling and minor residential unit provided for as a permitted or controlled activity.
- Early childhood, retirement and education facilities.
- Non-rural industry commercial and industrial activities.
- Cottage industry that does not comply with the restricted discretionary or discretionary activity standard.
- Subdivision that does not comply with the controlled, restricted discretionary or discretionary activity standards.

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**RPZ-R4**

**PROHIBITED ACTIVITIES:**

- Subdivision of a minor household unit.
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# HORTICULTURE

Our District’s subtropical climate, arable soils and access to water provide for a wide range of horticulture potential. Kerikeri and Waipapa both have highly versatile soils, access to irrigation networks and supporting horticultural infrastructure, which provides ideal conditions for undertaking intensive horticultural activities.

Kerikeri and Waipapa are experiencing growth in the horticulture sector with increased interest from growers across the country because of these characteristics and the comparative price of land per hectare. Land in the Horticulture zone is under pressure from fragmentation, a buoyant housing market and significant growth in this part of our District. This has a significant effect on the horticulture sector’s ability to grow and has resulted in the loss of existing horticulture activities.

Activities in the Horticulture zone provide a significant contribution to the District’s economic well-being both in terms of Gross Domestic Product and jobs. This zone will support the sustainable growth of this sector and ensure that Kerikeri and Waipapa’s arable and highly versatile soils and irrigation networks are protected unless it can be demonstrated the net public benefit will exceed the loss of productive potential.

We have a responsibility under the Act and the Northland Regional Policy Statement to protect highly versatile soils and prevent land fragmentation and sterilisation (including from reverse sensitivity). While there may be tensions with landowners wanting the ability to subdivide and/or use the land for purposes other than intensive horticulture, a case needs to be made that there is a greater public benefit in doing so.

## OBJECTIVES

### HZ-O1

The Horticulture zone is managed to ensure its availability for horticultural activities and its long-term protection for future generations.

### HZ-O2

The Horticulture zone enables horticultural and ancillary activities, while containing adverse environmental effects on site.

### HZ-O3

Land use and subdivision in the Horticulture zone:

- a. avoids land sterilisation as a result of the reduction in the potential for highly versatile and arable soils to be used in a horticulture activity;
- b. avoids land fragmentation;
- c. avoids any reverse sensitivity issues that may occur within the zone and at the zone interface;
- d. does not exacerbate any natural hazards;
- e. maintains the rural or coastal character and the amenity of the zone;
- f. is able to be serviced by on-site infrastructure.

## POLICIES

### HZ-P1

Identify Horticulture zoned land using the following criteria:

- a. versatile soils or arable land suitable for horticultural use; and
  - b. a water source, such as an irrigation scheme or aquifer able to support horticultural use;
- or, an existing pattern of horticultural activities and/or infrastructure supporting horticultural use.

### HZ-P2

Avoid land use and subdivision that would result in the fragmentation of and loss of land for horticultural activities in the Horticulture Zone.

### HZ-P3

Enable horticulture and associated ancillary activities that support the function of the Horticulture zone, where:

- a. the adverse effects are contained on site;
- b. they are able to be serviced by onsite infrastructure.

<b>HZ-P4</b>	<p>Provide for cottage industries associated with on-site horticulture production in the Horticulture zone where:</p> <ol style="list-style-type: none"> <li>reverse sensitivity issues for adjoining properties are avoided, remedied or mitigated;</li> <li>the rural or coastal character of the zone is not compromised;</li> <li>adverse effects are contained onsite;</li> <li>public health and safety concerns are managed;</li> <li>the roading network and site can cater for the volume and type of vehicles associated with the activity;</li> <li>the site can provide for any associated onsite infrastructure requirements;</li> <li>it does not undermine the on-site productive activity.</li> </ol>
<b>HZ-P5</b>	<p>Ensure residential activities are designed and located to avoid, remedy or mitigate potential adverse effects from horticulture activities, including those from dust, noise, spray drift and potable water collection.</p>
<b>HZ-P6</b>	<p>Manage the subdivision of land in the Horticulture zone to ensure:</p> <ol style="list-style-type: none"> <li>the long-term viability of the land resource to undertake a range of horticulture uses;</li> <li>a suitable building platform for a future residential unit; and</li> <li>the provision of adequate onsite infrastructure servicing.</li> </ol>
<b>HZ-P7</b>	<p>Encourage the amalgamation or the boundary adjustment of Horticulture zoned land to make horticultural activities more viable.</p>
<b>HZ-P8</b>	<p>Consider the following when assessing proposals for land use and subdivision in the Horticulture zone:</p> <ol style="list-style-type: none"> <li>the ability of the surrounding properties to undertake activities provided for by the underlying zone;</li> <li>the size, scale and location of any buildings or structures;</li> <li>potential reverse sensitivity effects on adjacent zones and on existing infrastructure;</li> <li>the potential for land sterilisation or fragmentation;</li> <li>the capacity of the site to cater for onsite infrastructure requirements and future buildings;</li> <li>any loss of highly versatile or arable soils;</li> <li>whether the site has access to a water source such as an irrigation network supply or an aquifer;</li> <li>any natural hazards;</li> <li>any historic heritage, cultural or ecological values, rural character;</li> <li>any outstanding natural landscapes or outstanding natural feature values.</li> </ol>

**RULES**

<b>HZ-R1</b>	<p><b>PERMITTED AND CONTROLLED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>Horticulture activities.</li> <li>Single residential unit subject to performance standards.</li> <li>Buildings and structures ancillary to horticulture activities on-site.</li> <li>Subdivision where the minimum site size is 10 hectares.</li> </ul>
<b>HZ-R2</b>	<p><b>RESTRICTED DISCRETIONARY ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>Industrial uses supporting horticulture uses.</li> <li>Buildings and structures not meeting the permitted or controlled standards.</li> <li>Cottage industry associated with onsite horticulture activities.</li> </ul>
<b>HZ-R3</b>	<p><b>NON-COMPLYING ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>More than one residential unit.</li> <li>Minor residential unit.</li> <li>Commercial activities.</li> <li>Industrial activities not supporting horticulture activities.</li> <li>Subdivision that does not comply with the controlled activity standard.</li> </ul>

# SPECIAL PURPOSE ZONES

# MOTUROA ISLAND

Moturoa Island is approximately 147 hectares and is managed as a company with multiple shareholders who obtain their shares through ownership of the Island. The Island has been developed by allowing controlled development (Residential and farming activities) on the western portion of the Island as well as the preservation and enhancement of identified conservation/wildlife areas on the eastern portion of the Island. The Island is subject to the Wildlife Act 1953 as it was created as a wildlife refuge in 1960. Over the ensuing decades, the owners/shareholders have re-introduced a number of avian species and maintain a pest management regime.

The commitment by the owners of the island to only undertake development in accordance with the Council approved Moturoa Island Development Plan and to actively support the restoration and enhancement of the conservation and wildlife values has negated Council's requirement or consideration of esplanade reserves or esplanade strips. This includes the understanding that subdivision will not be undertaken on Moturoa Island.

## OBJECTIVES

### MIZ-O1

Land use is undertaken on Moturoa Island in accordance with the Council approved Moturoa Island Development Plan.

### MIZ-O2

The natural characteristics and qualities of Moturoa Island are preserved and protected for future generations to enjoy and appreciate.

### MIZ-O3

The ecological quality of the conservation/wildlife areas identified on the Council approved Moturoa Island Development Plan are enhanced to improve the ecological qualities of the Island.

## POLICIES

<b>MIZ-P1</b>	Provide for the development of no more than 24 residential units (where each residence shall have available to it 3,000m <sup>2</sup> for stormwater and effluent disposal) in addition to the existing farmhouse and beach cottage, on the building sites defined on the Council approved Moturoa Island Development Plan.
<b>MIZ-P2</b>	Provide for additions and external alterations to residential units, ancillary buildings and facilities for the storage of pleasure craft where any significant adverse effects are avoided and any other adverse effects can be avoided, remedied or mitigated.
<b>MIZ-P3</b>	Avoid development that is not in accordance with the Council approved Moturoa Island Development Plan or diminishes the ecological quality of the conservation/wildlife areas.
<b>MIZ-P4</b>	Enable continued grazing activities on the eastern portion of Moturoa Island (approximately 100ha) where it does not compromise the conservation/wildlife areas.
<b>MIZ-P5</b>	Ensure that the areas on the Council approved Moturoa Island Development Plan identified as conservation/wildlife areas are continued to be used exclusively for conservation/wildlife activities.
<b>MIZ-P6</b>	Provide for built development on the eastern extent of Moturoa Island only where it is to support continued primary production activities or conservation/wildlife purposes.

**MIZ-P7 Consider the following when assessing proposals for land use in the Moturoa Island zone:**

- a. compliance with the Council approved Moturoa Island Development Plan;
- b. the natural character of the coastal environment;
- c. the presence or absence of structures, buildings or infrastructure;
- d. the location, scale and design of any proposed development;
- e. the temporary or permanent nature of any adverse effects;
- f. the need for and location of earthworks and vegetation clearance;
- g. effects from natural hazards;
- h. satisfactory disposal of wastewater and stormwater;
- i. the provision for a potable and firefighting water supply.

**RULES**

**MIZ-R1**

**PERMITTED ACTIVITY**

- 1. New buildings or structures, excluding residential units, with a gross floor area of less than 25m<sup>2</sup> subject to performance standards.
- 2. Extension to an existing building (including residential units) not exceeding 20% of the gross floor area and the height of the existing building.
- 3. Building height of new buildings no higher than 5 metres.
- 4. Buildings setback 30 metres from Mean High Water Springs.
- 5. The maximum total site coverage collectively of buildings associated with farming use is no more than 400m<sup>2</sup>.
- 6. Grazing of sheep and goats subject to performance standards.

**MIZ-R2**

**CONTROLLED ACTIVITY**

- 1. Building setback 26 metres from Mean High Water Springs.
- 2. New buildings, including residential units, with a gross floor area of more than 25m<sup>2</sup> or extension to an existing building (including residential units) not exceeding 40% of the gross floor area and the height of the existing building.

**MIZ-R3**

**NON-COMPLYING ACTIVITY**

- 1. Activities not provided for as a permitted or controlled activity (including bringing animals to the Island not part of the farming activity or for conservation purposes).
- 2. Residential units located outside of the buildings site identified on the Council approved Moturoa Island Development Plan.
- 3. Residential units, where there would be more than 24 on the Island (not including the cottage and the farm managers building)
- 4. All subdivision

## HORTICULTURE PROCESSING

The purpose of the Horticulture Processing zone is to provide solely for the operation of existing and future horticulture processing and storage facilities. These operations paired with the horticulture growing sector play an important role in the District to support the economy through contributions to our Gross Domestic Product and jobs.

Activities envisioned in this zone are for storage and/or processing produce, including cool stores, packing and distribution facilities as well as supporting administration. The characteristics of these operations are akin to heavy industry and have the potential to cause adverse noise, lighting, stormwater, traffic and amenity effects. Horticulture processing can operate 24 hours a day at certain times of

the year and generally require large-scale buildings.

This zone enables the future expansion of horticultural processing and/or storage facilities, provided that the adverse effects of these operations are managed onsite to maintain the character and amenity of the surrounding environment.

We have a responsibility under the Act, the National Policy Statement on Urban Development Capacity and the Northland Regional Policy Statement to ensure that there is sufficient business land available to meet the future demands of the District and that this development is in the right location and appropriately serviced.

### OBJECTIVES

#### HP-O1

The Horticulture Processing zone is made available for the efficient operation of horticulture processing activities and is managed to ensure its long-term protection, including from:

- a. land fragmentation;
- b. land sterilisation; and
- c. reverse sensitivity effects

#### HP-O2

The Horticulture Processing zone enables the storage, processing, packing and distribution of produce including ancillary facilities, while:

- a. containing adverse effects onsite;
- b. addressing the adverse effects on the supporting roading network.

#### HP-O3

Land use and subdivision in the Horticulture Processing zone is supported by appropriate infrastructure.

#### HP-O4

Land use and subdivision in the Horticulture Processing zone avoids any reverse sensitivity issues that may occur within the zone and at the zone interface.

#### HP-O5

The Horticulture Processing zone will be developed to avoid adverse effects on:

- a. overland flow paths and surrounding catchments;
- b. existing flooding hazards; and
- c. Councils reticulated networks.

### POLICIES

#### HP-P1

Enable buildings, structures and activities associated with the horticulture processing where any adverse effects are managed to protect the surrounding rural character and amenity.

#### HP-P2

Manage land use and any associated stormwater runoff by:

- a. utilising the principles of low impact design;
- b. determining the impacts on Councils reticulated networks;
- c. addressing the impacts on existing flood hazards, overland flows paths and the surrounding catchments.

<b>HP-P3</b>	Avoid land use that would compromise the function of the Horticulture Processing zone.
<b>HP-P4</b>	<p>Manage land use to ensure that the Horticulture Processing zone is appropriately serviced by infrastructure through:</p> <ol style="list-style-type: none"> <li>requiring connections to be provided where reticulated services are available;</li> <li>requiring onsite infrastructure to be provided where reticulated services are not available.</li> </ol>
<b>HP-P5</b>	<p>Provide for the removal of shelterbelt planting if it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>it is not required to screen the activities occurring on the site;</li> <li>it is not required to mitigate noise or light spill effects;</li> <li>the removal will not create an adverse effect on the surrounding character and amenity values of the area.</li> </ol>
<b>HP-P6</b>	<p>Consider the following when assessing proposals for land use and subdivision in the Horticulture Processing zone:</p> <ol style="list-style-type: none"> <li>the bulk and scale of buildings, structures, outdoor storage;</li> <li>level of noise emissions and light spill;</li> <li>hours of operation;</li> <li>character and amenity of surrounding environment;</li> <li>appropriate roading and access, including the type and volume of traffic;</li> <li>whether access is from a state highway;</li> <li>stormwater effects, including impacts on Council's reticulated network, flooding hazards, overland flow paths and surrounding catchments;</li> <li>stormwater, wastewater and water supply management, including firefighting supply;</li> <li>the temporary or permanent nature of any adverse effects;</li> <li>any provision of low impact design principles;</li> <li>the management of trade waste,</li> <li>public health and safety; and</li> <li>any natural hazards.</li> </ol>

**RULES**

<b>HP-R1</b>	<p><b>PERMITTED AND CONTROLLED ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>Buildings and structures for and ancillary to horticulture processing, distribution and storage.</li> <li>Amenity landscaping.</li> <li>Visual amenity and environmental protection performance standards.</li> </ul>
<b>HP-R2</b>	<p><b>RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>Removal of existing shelter belt planting.</li> <li>Activities that do not comply with the permitted or controlled activity standards.</li> </ul>
<b>HP-R3</b>	<p><b>NON-COMPLYING ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>Non-horticultural processing and storage activities.</li> </ul>



# POINT VERONICA

Point Veronica was developed in accordance with special development rights granted through the Bay of Islands Scheme back in 1980. Development since then has been controlled by the conditions of the development plan, and the Point Veronica zone reflects these controls.

The Point Veronica zone is a mix of provisions that reflect the surrounding land use but with extra controls to encourage the retention of bush cover and visual amenity through the imposition of building platforms and height restrictions.

## OBJECTIVES

### PV-O1

The Point Veronic zone is developed to create a rural residential environment with high design and amenity standards in accordance with the Council approved Point Veronica Development Plan.

### PV-O2

The ecological, landscape and coastal values of the Point Veronica zone are retained to enhance the characteristics and qualities of the environment.

### PV-O3

Development in the Point Veronica zone is undertaken to ensure slope stability and the preservation of views to and from the zone.

## POLICIES

### PV-P1

Provide for land use and subdivision in accordance with the Council approved Point Veronica Development Plan.

### PV-P2

Consider the following, in addition to any approved development plan, when assessing the proposals for land use and subdivision in the Point Veronica zone:

- a. the ability to accommodate on-site infrastructure;
- b. the siting, scale and design of any built form;
- c. the natural character of the coastal environment;
- d. any significant risk from natural hazards;
- e. any historic heritage, cultural values or biodiversity values;
- f. any scheduled outstanding natural landscapes or outstanding natural features;
- g. potential reverse sensitivity effects both within the zone and on adjacent zones.

## RULES

### PV-R1

#### PERMITTED AND CONTROLLED ACTIVITIES:

- Buildings and structures that comply with the Council approved Point Veronica Development Plan and performance standards.
- 1 minor household unit, not exceeding 65m<sup>2</sup> meeting the definition of a single bedroom unit used by a socially dependent relative of the household living in the principal dwelling of the site.
- Accessory buildings subject to performance standards.
- Home occupation.

### PV-R2

#### RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES:

- Buildings and structures that do not meet the permitted or controlled standard.
- Minor household units that do not meet the permitted or controlled standard.
- Accessory buildings that do not meet the permitted or controlled standard.
- Second residential unit subject to performance standards.
- Helicopter landing areas.

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**PV-R3****NON-COMPLYING ACTIVITIES:**

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- Subdivision not in accordance with the Council approved Point Veronica Development Plan.
  - Light and heavy industrial activities.
  - Commercial activities.
  - Factory farming.
  - Boarding kennels or a cattery.
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## CARRINGTON ESTATE

The land within the Carrington Estate zone is an area being developed for recreational and tourist facilities. i.e. golf course, country club, winery and accommodation, within a framework reflecting resource consents previously approved. The approved components of the development and the extent of the zone are defined on the Carrington Estate Development Plan (the Development Plan) and accompanying Schedule (the Schedule).

The conditions of the approved consents, therefore, form the basis for the provisions of the Carrington Estate zone.

These provisions provide for the existing and proposed future development of the zone, whilst retaining and enhancing extensive areas of open space and protecting coastal and cultural values.

The zone also ensures that any further development and activities not included in the Development Plan are to be carried out in a manner which retains the character, features and landscape of the environment plus recognising the contribution the properties make to the adjoining coastal features.

### OBJECTIVES

#### CAR-O1

Land use and subdivision of Carrington Estate is undertaken in general accordance with the conditions of consent granted for Carrington Estate, being RC1990481, RC1990480 and RC1990480/A.

#### CAR-O2

Land use and subdivision within the Carrington Estate zone is carried out in a manner that recognises and protects:

- a. any outstanding natural landscapes or outstanding natural features;
- b. the natural character of the coastal environment;
- c. historic heritage and cultural values;
- d. natural watercourses;
- e. existing vegetation.

### POLICIES

<b>CAR-P1</b>	Provide for land use and subdivision that is in general accordance with RC1990480, RC1990481 and RC1990480/A, except where development is inconsistent with the Carrington Estate zone provisions.
<b>CAR-P2</b>	Ensure those parts within the Carrington Estate zone identified for open space and recreation activities are retained for those purposes.
<b>CAR-P3</b>	Ensure minimal land disturbance when undertaking development or activities in the Carrington Estate zone to ensure the preservation of existing vegetation, character and natural landform.
<b>CAR-P4</b>	Protect the natural and cultural values within the Carrington Estate zone by locating buildings and impermeable surfaces no closer to the coastal marine area than identified on the approved Council development plan and schedule.
<b>CAR-P5</b>	Protect historic heritage and any sites of cultural significance to tangata whenua within the Carrington Estate zone by avoiding significant adverse effects and avoiding, remedying or mitigating any other adverse effects on the recognised heritage values or sites of cultural significance.

- CAR-P6** Consider the following, in addition to any approved Council development plan and schedule, when assessing proposals for land use and subdivision in the Carrington Estate zone:
- a. the ability to accommodate on-site infrastructure;
  - b. the siting, scale and design of any built form;
  - c. the natural character of the coastal environment;
  - d. any significant risk from natural hazards;
  - e. any historic heritage, cultural values or biodiversity values;
  - f. any scheduled outstanding natural landscapes or outstanding natural features;
  - g. cultural and social well-being, including health and safety;
  - h. potential reverse sensitivity effects both within the zone and on adjacent zones.
  - i. Environmental Defense Society and Te Rununga A Iwi O Ngati Kahu as affected parties.

**RULES**

- CAR-R1** **PERMITTED OR CONTROLLED ACTIVITIES:**
- Development in accordance with the RC1990480, RC1990481 and RC1990480/A subject to performance standards.
  - Up to 333 accommodation units in the Carrington Estate zone subject to performance standards.

- CAR-R2** **RESTRICTED DISCRETIONARY OR DISCRETIONARY ACTIVITIES:**
- Where development does not comply with the permitted or controlled standards.
  - Accommodation units in excess of 333 in the Carrington Estate zone.

- CAR-R3** **NON-COMPLYING ACTIVITIES:**
- Development that does not comply with restricted discretionary or discretionary standards

## KAURI CLIFFS

The Kauri Cliffs zone is located between Matauri Bay to the north and Takou Bay to the south and has been developed as a championship standard golf course, with an associated lodge and separate guest cottage accommodation. The complex is internationally recognised as a prestigious golfing facility and contributes to the economic growth of the District through tourism and employment opportunities.

The zone recognises and provides for the management and development of an international standard golfing facility, accommodation facilities, conference and eating/dining facilities, all with a focus on the protection and enhancement of the zone’s natural, conservation and environmental values. The development of the zone is

controlled by rules applying to four ‘environments’ within the zone. These are:

- Lodge subzone
- Golf playing subzone
- Golf living subzone
- Natural heritage subzone

These subzones provide specifically for development and activities, which are to be carried out in a manner that retains the character, features and landscape of the Kauri Cliffs zone, some of which are located within the coastal environment and are subject to the provisions in that chapter of the District Plan.

### OBJECTIVES

#### KC-O1

The Kauri Cliffs zone is developed to maintain and operate an international standard golfing facility, accommodation facilities, conference and eating/dining facilities.

#### KC-O2

The natural characteristics and qualities that contribute to conservation and environmental values in the Kauri Cliffs zone are protected when undertaking land use and subdivision.

### POLICIES

<b>KC-P1</b>	Provide for development in the Kauri Cliffs zone where it maintains or enhances the purpose of the zone as an internationally recognised golfing facility.
<b>KC-P2</b>	Provide for the development of future golf courses within the ‘Golf playing sub-zone’ in the Kauri Cliffs zone while ensuring that any adverse effects of development are avoided, remedied or mitigated.
<b>KC-P3</b>	Ensure that land management practices in the Kauri Cliffs zone are undertaken in a manner that minimises adverse effects on the quality of soil and water resources.
<b>KC-P4</b>	Provide for the limited extension of the existing guest cottage accommodation in the Kauri Cliffs zone where the adverse effects can be avoided, remedied or mitigated.
<b>KC-P5</b>	Enable tourist and golf-related activities in the Kauri Cliffs zone in association with the existing Kauri Cliffs Lodge.
<b>KC-P6</b>	Provide for ‘golf living’ activities in the Kauri Cliffs zone, where it is consistent with an open rural landscape character and located more than 0.5km inland from the coast.
<b>KC-P7</b>	Ensure that the siting of buildings in the Kauri Cliffs zone is undertaken in a manner which minimises the impacts of activities and development in the coastal environment, including the provision for appropriate infrastructure servicing.
<b>KC-P8</b>	Ensure that any land use or development undertaken in the Kauri Cliffs zone maintains or improves road and air access to the zone.

**RULES**

**KC-R1**

**PERMITTED OR CONTROLLED ACTIVITIES:**

- Amenity controls addressed in the coastal environment chapter.

Lodge subzone

- Visitor accommodation and ancillary activities subject to performance standards
- Conferences
- Golf and ancillary recreational and retail activities
- Eating and dining facilities
- Golf tournaments
- Formation and upgrading of vehicle access, tracks and roads
- Landing and take off of helicopters at the existing helicopter landing area.

Golf playing subzone Golf and ancillary recreational activities

- Golf tournaments
- Facilities and buildings associated with golf playing and golf course maintenance subject to performance standards
- Establishing golf courses
- Formation and upgrading of vehicle access, tracks and roads
- Landing and take off of helicopters at the existing helicopter landing area.

Golf living subzone

- Accommodation and ancillary buildings located within approved building envelopes subject to performance standards
- Facilities associated with golf playing and golf course maintenance
- Golf tournaments
- Landing and take off of helicopters at the existing helicopter landing area
- Primary production
- Formation and upgrading of vehicle access, tracks and roads

Natural heritage subzone

- Complies with the provisions of the Conservation zone permitted standards

**KC-R2**

**RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES:**

Lodge subzone

- Activities and development that do not comply with the permitted or controlled standards

Golf playing subzone

- Activities and development that do not comply with the permitted or controlled standards

Golf living subzone

- rural residential lots subject to performance standards
- Activities and development that do not comply with the permitted or controlled standards

Natural heritage subzone

- Activities and development that do not comply with the permitted or controlled standards

# ORONGO BAY

The Orongo Bay Special Purpose zone was established to provide a limited range of service-oriented light industrial and commercial activities on suitable land, which is limited on the Russell Peninsula and largely incompatible with the historic characteristics of the Russell Township commercial areas.

Due to the surrounding lifestyle properties and sensitive coastal environment, the rules applying to this zone differ

from those that generally apply to the mixed-use zone elsewhere in the District. This zone recognises the need to ensure that the adjoining coastal environment, Orongo Bay and the integrity of the adjacent marine farming operations are not unduly compromised while providing for more business land in keeping with our responsibilities under section 31 of the RMA.

## OBJECTIVES

### OB-O1

The Orongo Bay zone enables service orientated industrial and mixed-use development while preserving the characteristics and qualities of the coastal environment.

### OB-O2

The heritage and amenity values of the Russell Township are protected by enabling service orientated industrial and mixed-use development in the Orongo Bay zone.

### OB-O3

Development in the Orongo Bay zone is undertaken on an integrated basis, including the ongoing arrangements for infrastructure and the maintenance of landscaping and restored ecological corridors.

## POLICIES

<b>OB-P1</b>	Provide for development and ongoing management of the Orongo Bay zone in accordance with the Council approved Concept Plan and any approved comprehensive development plan.
<b>OB-P2</b>	Preserve the characteristics and qualities of the coastal environment and ensure that any adverse effects of activities in the Orongo Bay zone are avoided, remedied, or mitigated.
<b>OB-P3</b>	Protect the visual amenity values in the Orongo Bay zone, adjacent zones and the coastal marine area by managing: <ul style="list-style-type: none"> <li>a. design, location and scale of buildings;</li> <li>b. design, location and scale of signs;</li> <li>c. location and scale of outdoor storage and car parking areas;</li> <li>d. earthworks and vegetation clearance;</li> <li>e. landscaping.</li> </ul>
<b>OB-P4</b>	Ensure that prior to any development in the Orongo Bay zone that a suitable bond arrangement for the implementation of the approved design for the restoration and ecological enhancement works is agreed to by Council.
<b>OB-P5</b>	Ensure that infrastructure for stormwater and sewerage is designed to ensure that any effects on the adjoining coastal environment, Orongo Bay and the integrity of the adjacent marine farming operations the coastal marine area are avoided, remedied or mitigated.
<b>OB-P6</b>	Ensure that appropriate provision for potable and firefighting water supply is provided as part of any development in the Orongo Bay zone.
<b>OB-P7</b>	Require the preparation of a comprehensive development plan prior to any land use or subdivision within the Orongo Bay zone.

- 
- OB-P8** Avoid any activity or development that cannot demonstrate that potential risks from hazardous material(s), including via leakage and/or spillage of hazardous material(s), can be appropriately managed to protect the surrounding coastal environment.
- 
- OB-P9** Prohibit land use that would result in the disposal of solid waste in the Orongo Bay zone.
- 

**RULES**

- 
- OB-R1** **PERMITTED AND CONTROLLED ACTIVITIES:**
- Buildings, structures and impermeable surfaces enabled by either the concept development plan or the comprehensive development plan and subject to performance standards.
  - Outdoor storage and car parking areas complying with the concept development plan subject to performance standards.
  - Landscaping in accordance with any comprehensive development plan and bond conditions.
  - Maintenance of landscaping.
  - Signs that comply with performance standards.
  - The following activities subject to performance standards:
    - garden centre
    - building supply centre
    - self-storage facilities
    - vehicle and boat display and sales
    - small-scale manufacturing
    - trade workshops and repair centres
    - general store
    - facilities associated with sports grounds
  - Underground utility services.
  - Riparian restoration and maintenance in accordance with the concept plan and any comprehensive development plan.
  - Artificial lighting subject to performance standards.
  - Access by way of a single entry/exit point on Aucks Road.
  - Residential activities above ground floor commercial or industrial activities where acoustic requirements can be met.
- 
- OB-R2** **RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES:**
- A comprehensive development plan subject to performance standards.
  - Any activities not listed as a permitted or controlled activity.
- 
- OB-R3** **NON-COMPLYING ACTIVITIES:**
- Hazardous substances or facilities.
  - Access and signage that does not comply with the permitted or controlled standards.
  - Residential activities not complying with the permitted or controlled standards.
- 
- OB-R4** **PROHIBITED ACTIVITIES:**
- Disposal of solid waste including sewage sludge or remnants.
-



## QUAIL RIDGE

The Quail Ridge zone covers an area of approximately 16.9ha at the southern end of Rainbow Falls Road and is adjacent to the Kerikeri River scenic reserve and walkway which is managed by the Department of Conservation. The Country Club, or village, will contain a mix of residential units including individual units, duplexes, small groups of townhouses, and multi-storey apartments which will be staged over a number of years and will be developed to a maximum of 273 units shown on the Concept Master Plan, if Council wastewater reticulation is provided. At the centre of the site will be a clubhouse, 40 bed care facility and

serviced apartments. All residential units will be held under licence to occupy arrangements and no subdivision other than possible boundary adjustments will occur.

A range of recreational facilities will be provided, along with a variety of landscaped areas. A pedestrian bridge will be provided across the Kerikeri River as a requirement of the development, which will link the village with the town centre and nearby golf course. It will also provide for enhanced public access to the adjacent scenic reserve and walkways.

### CONCEPT MASTER PLAN

The principal development components expected on the land, and its staging, are defined on the Quail Ridge Country Club Concept Master Plan, which comprises of the Master Plan, Site Staging, Setout Plan and the Landscape Enhancement Plan in Appendix X of the District Plan.

### ACCESS & SERVICES

Rainbow Falls Road will be widened by the developer with provision for a footpath to cater for the development at Stage 2. Secondary road access may be possible in the future as the land to the northeast is developed and connected to Waipapa Road and in turn the Heritage Bypass.

The village is connected to Council's reticulated water network and a private irrigation scheme. On-site storage tanks and ornamental ponds are also provided. Wastewater is treated and disposed of on-site and stormwater is collected in a network of piped and open swale drains on the site and after treatment discharged through the Department of Conservation controlled land to the Kerikeri River.

### OBJECTIVES

#### QR-O1

The Quail Ridge zone is developed in general accordance with the Quail Ridge Country Club Concept Master Plan, including the provision of a pedestrian bridge/walkways and roads/footpaths.

#### QR-O2

Development in the Quail Ridge zone is carried out in a manner that protects the ecological, heritage, landscape and amenity values on the site and surrounding area.

### POLICIES

#### QR-P1

Enable development that is in accordance with the Quail Ridge Country Club Concept Master Plan where it can be served by on-site infrastructure, or reticulated infrastructure where available.

#### QR-P2

Ensure that multi-storey buildings are generally confined to the locations shown in Stage 2 shown on the Quail Ridge Country Club Concept Master Plan.

#### QR-P3

Ensure that buildings, roads and other facilities are constructed and designed in a manner that recognises the zone purpose as a retirement village located in a rural residential area adjacent to a public reserve with high ecological, heritage, landscape and amenity values.

- QR-P4**            Ensure that significant areas of the site are retained as landscaped open space and for recreational activities in accordance with the Quail Ridge Country Club Concept Master Plan.

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- QR-P5**            Provide for the relocation of buildings, roads and other activities within the Quail Ridge zone provided:
  - a. the total number of buildings does not increase;
  - b. the same environmental outcomes are achieved as anticipated by the Quail Ridge zone and the Quail Ridge Country Club Concept Master Plan;
  - c. the timing of the pedestrian bridge/walkway and the upgrading of Rainbow Falls Road does not alter.

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- QR-P6**            Protect the ecological integrity of the surrounding public reserve by limiting the number of domestic pets and their access to the reserve by:
  - a. prohibiting the keeping of mustelids or operating a boarding or breeding kennel, a cattery or intensive farming;
  - b. creating a pets policy that is incorporated into the license to occupy for any residential activity;
  - c. erecting signage at the entry and exit points of the Department of Conservation managed reserves prohibiting dog entry.

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- QR-P7**            Prohibit subdivision within the Quail Ridge zone to avoid fragmentation of the site.

**RULES**

- QR-R1**            **PERMITTED AND CONTROLLED ACTIVITIES:**
  - Retirement village buildings and activities in general accordance with the Concept Master Plan.
  - Signage subject to performance standards.
  - Domestic pets in accordance with the approved Quail Ridge pets policy.
  - Residential units including the care facility shall not exceed 238 except where a Council supplied wastewater reticulation is available the number may increase to a maximum of 273.
  - Any residential unit, duplex or townhouse shown on the Concept Master Plan may be located elsewhere on the site and have an increased footprint area of up to 10% provided:
    - the new building footprint complies will all other controlled activity standards; and
    - the total number of units does not exceed 193; and
    - the new building footprint is within the are identified for these types of units on the Concept Master Plan.
  - Any pond, recreational facility and roads including service lanes may be located elsewhere on the site provided:
    - the activities are relocated no closer to any boundary; and
    - the impermeable surface standard and all other controlled activity standards are met; and
    - the location of such facilities or services are still in general accordance with the Concept Master Plan and the Landscape Enhancement Plan.
  - Siting is design controls subject to performance standards.
  - Landscaping and fencing subject to performance standards.
  - Off-site road improvements subject to performance standards.
  - Bush protection, weed and pest control subject to performance standards.

- QR-R2**            **RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES:**
  - Location and footprint changes to the clubhouse, buildings used for recreational purposes and accessory buildings provided the new building footprint adjoins the approved building footprint shown on the Concept Master Plan and the enlargement is no more than 10%.
  - Location and footprint changes to any apartment and care building provided the new building footprint adjoins the approved building footprint shown on the Concept Master Plan and the enlargement is no more than 10%.
  - Siting and design controls that do not comply with the permitted or controlled standards.
  - Fencing and landscaping that does not comply with the permitted or controlled standards.

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**QR-R3**

**NON-COMPLYING ACTIVITIES:**

- Boundary adjustment subdivision

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**QR-R4**

**PROHIBITED ACTIVITIES:**

- The keeping of mustelids or operating a boarding or breeding kennel, a cattery or intensive farming;
  - Subdivision excluding boundary adjustments.
-

# RUSSELL TOWNSHIP

Russell occupies a unique place in New Zealand's past. The Russell settlement has evolved into a popular tourist destination year round with significant historic heritage values as well as high cultural, ecological and amenity values.

In recognition of that significance, the Russell community requested a special zone to maintain and enhance the characteristics and qualities of the natural and physical resources in Russell. This zone extends beyond the Russell heritage overlay area as it is managing the overall urban area and its impacts on the surrounding environment.

## OBJECTIVES

### RT-O1

The Russell Township zone is developed in a manner that is consistent with its historic heritage, cultural and amenity values while protecting the surrounding ecological values.

## POLICIES

### RT-P1

**Enable land use and subdivision in the Russell Township zone where:**

- a. there is infrastructure to support residential development and intensification;
- b. it is consistent with the scale, design and character of existing development in the Russell township;
- c. impermeable surfaces are minimised to allow for open space and landscaping.

### RT-P2

**Require all subdivision in the Russell Township zone to provide the following reticulated services to the boundary of each lot:**

- a. telecommunications:
  - i. fibre where it is available;
  - ii. copper where fibre is not available;
  - iii. copper where the area is identified for future fibre deployment.
- b. grid power supply;
- c. wastewater, potable water supply and stormwater where it is available.

### RT-P3

**Provide for non-residential activities in the Russell Township zone that:**

- a. do not detract from the vitality and viability of the Mixed Use zone or the Orongo Bay zone;
- b. supports the social and economic well-being of the community;
- c. is of a residential scale;
- d. avoids, remedies or mitigates adverse effects on the historic heritage, cultural and ecological values as well as the amenity and function of the Russell Township zone.

### RT-P4

**Consider the following effects when assessing proposals for non-residential activities in the Russell Township zone:**

- a. residential amenity and function;
- b. ambient noise;
- c. reduced privacy;
- d. shadowing and visual domination;
- e. light spill;
- f. traffic;
- g. hours of operation;
- h. community well-being, health and safety
- i. number of people on-site.

- RT-P5** Consider the following when assessing proposals for land use and subdivision in the Russell Township zone:
- a. the protection of:
    - i. identified historic heritage;
    - ii. the natural character of the coastal environment;
    - iii. the ecological values of the surrounding area;
    - iv. sites of cultural significance to Māori and cultural values;
    - v. identified public access corridors.
  - b. the adequacy of infrastructure available;
  - c. consistency with the scale, density, design, amenity and character of the Russell township environment;
  - d. community well-being, health and safety, including potential threats from natural hazards

- RT-P6** Preserve the intrinsic historic values of Russell through the protection of its special character by:
- a. providing additional controls in areas of the Russell Township zone where groups of buildings, places or objects have significant historical associations or characteristics and protecting those buildings which are most important as examples of period styles;
  - b. retaining the visual dominance of natural landforms in the Russell Township zone and the Gateway area;
  - c. ensuring development in the Gateway area of Matauwhi Bay reflects its role as an entrance to Russell and that activities are of a scale and size that is consistent with that of Russell itself and appropriate to the character of the Bay.
  - d. maintaining as far as practicable the village atmosphere of the Russell Township zone;
  - e. protecting the pedestrian scale of the Russell Township zone; and
  - f. ensuring public works and the provision of utility services are carried out in a manner consistent with the existing characteristics of the Russell Township zone.

**RULES**

- RT-R1** **PERMITTED AND CONTROLLED ACTIVITIES:**
- Residential units that comply with performance standards.
  - Home occupation.
  - Subdivision where the minimum site size is 3,000m<sup>2</sup> (unsewered) or 1000m<sup>2</sup> (sewered).

- RT-R2** **RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES:**
- Education facilities including day care.
  - Retirement villages.
  - Visitor accommodation (e.g. motels / hotels).
  - Multi-unit developments, including terraced housing or apartments.
  - Subdivision that does not comply with the controlled activity standards.

- RT-R3** **NON-COMPLYING ACTIVITIES:**
- Retail activities.
  - Commercial activities not provided for as a permitted, controlled, restricted discretionary or discretionary activity (e.g. supermarkets, bars, taverns, movie theatres) other than those previously listed.
  - Light and heavy industrial activities.

# MĀORI PURPOSE

Our District contains a significant number of parcels of Māori freehold land, Māori customary land and general land owned by Māori, as defined in Te Ture Whenua Māori Act 1993 (TTWMA). It is recognised that this legal and governance framework for Māori land provides for a unique situation for tangata whenua.

range of activities to be undertaken, such as marae, papakāinga, and economic activities which reflect Māori customs and values, while enabling tangata whenua to exercise kaitiakitanga.

The Māori Purpose zone provides for the use and development of Māori land which can support the social, cultural and economic aspirations of tangata whenua and enable a

We have responsibilities under the Treaty, the Act, Te Ture Whenua Māori Act and the Northland Regional Policy Statement to provide for the on-going use and development of Māori land.

## OBJECTIVES

### MLZ-O1

The viability of the Māori Purpose zone is ensured for future generations.

### MLZ-O2

The Māori Purpose zone enables a range of social, cultural and economic development opportunities that support the occupation, use, development and ongoing relationship with ancestral land.

### MLZ-O3

Use and development in the Māori Purpose zone reflects the sustainable carrying capacity of the land and surrounding environment.

## POLICIES

### MLZ-P01

Provide for the use and development of ancestral Māori land administered under Te Ture Whenua Māori Act 1993.

### MLZ-P02

Enable a range of activities on Māori land in the Maori Purpose zone including marae, papakāinga, customary use, cultural and small-scale commercial activities where the adverse effects can be avoided, remedied or mitigated.

### MLZ-P03

Provide for industrial, larger-scale commercial development on Maori land where it can be demonstrated: it is compatible with surrounding activities;

- a. it will not compromise occupation, development and use of Maori land;
- b. it maintains character and amenity of surrounding area;
- c. it provides for community wellbeing, health and safety;
- d. it can be serviced by onsite infrastructure or reticulated infrastructure where this is available;
- e. that any adverse effects can be avoided, remedied or mitigated.

### MLZ-P04

Avoid land use and development in the Maori Purpose zone, including heavy industrial, light industrial and commercial activities, that compromise the ability of both the Maori Purpose zone and adjacent zones to be effectively and efficiently be used for their intended purpose.

**MLZ-PO5**

Consider the following when assessing proposals for land use and subdivision in the Māori Purpose zone:

- a. the ability of surrounding properties to undertake primary production activities in a rural environment;
- b. the capacity of the site to cater for onsite infrastructure requirements, future buildings and activities;
- c. any loss of highly versatile soils;
- d. any natural hazards;
- e. the siting, design and scale of buildings;
- f. any noise effects;
- g. whether the use or development supports an existing settlement;
- h. any reverse sensitivity effects;
- i. public health and safety;
- j. effects on the character and amenity of adjacent land;
- k. the adequacy of roading infrastructure to service the development;
- l. any historic heritage, cultural values, biodiversity, landscape, natural character of the coastal environment and rural character.

**RULES**

**MPZ-R1**

**PERMITTED OR CONTROLLED ACTIVITIES:**

Papakainga subject to performance standards.

- Marae.
- Customary activities such as rongoa and mahinga kai.
- Residential units subject to performance standards.
- One minor residential unit subject to performance standards.
- Primary production activities within a rural or coastal environment.
- Buildings ancillary to the primary production activity on-site in a rural environment subject to resource overlays.
- Temporary events.
- Visitor accommodation with a maximum of up to 10 persons accommodated per night.

**MPZ-R2**

**RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES:**

- Papakainga development that does not meet the permitted or controlled standards.
- Rural industry activities within a rural production environment.
- Visitor accommodation that does not comply with the permitted or controlled activity standards (e.g. homestays, bed and breakfast and campgrounds).
- Temporary events that do not comply with the permitted or controlled activity standards.
- Cottage industry.
- Commercial activities to certain thresholds in a non-urban zone.
- Light industrial activities to certain thresholds in a non-urban zone.

**MPZ-R3**

**NON-COMPLYING ACTIVITIES:**

- Heavy industry except where all boundaries adjoin the heavy industry zone.
- Commercial and light industrial activities not provided for as a discretionary activity.

## TREATY SETTLEMENT LAND

Our District has six Iwi Authorities (Te Roroa, Ngāti Kuri, Te Aupouri, NgaiTakoto, Te Rarawa and Ngati Kahu ki Whangaroa) who have reached treaty settlement with the Crown and for whom legislation has been enacted. The largest Iwi Authority, Ngāpuhi, is yet to settle.

The land included in this overlay has been returned through the settlement process either as cultural or economic redress. Land tenure is predominantly general title and is governed by a post-settlement governance entity which differs from Māori Purpose zoned land which is administered under Te Ture Whenua Māori Act 1993.

As part of the settlement process, iwi authorities may have

the first right of refusal on further land if it was specified in their settlement. Should further land need to be incorporated into this overlay, Council will initiate the plan change process to apply the Treaty Settlement Land overlay to the returned land. The underlying zone provisions apply to Treaty Settlement Land unless otherwise specified in these overlay provisions.

If economic redress land is sold post settlement then the overlay provisions and framework will no longer apply.

We have responsibilities under the Treaty, the Act and the Northland Regional Policy Statement to provide for the use and development of Treaty Settlement Land.

### OBJECTIVES

#### TSL-O1

The viability of Treaty Settlement Land is ensured for future generations.

#### TSL-O2

Treaty Settlement Land returned as commercial redress supports social, cultural and economic development.

#### TSL-O3

Treaty Settlement Land returned as cultural redress provides for the on-going relationship tanagta whenua has with their land.

#### TSL-O4

Use and development on Treaty Settlement Land reflect the sustainable carrying capacity of the land and surrounding environment.

### POLICIES

#### TSL-P1

Provide for the use and development of Treaty Settlement Land.

#### TSL-P2

Enable a range of activities on Treaty Settlement Land including marae, papakāinga, customary use, cultural and small-scale commercial activities where the adverse effects can be avoided, remedied or mitigated

#### TSL-P3

Provide for industrial, large-scale commercial development on Treaty Settlement Land where it can be demonstrated:

- a. it is compatible with surrounding activities;
- b. any values identified through cultural redress are maintained;
- c. it maintains character and amenity of surrounding area;
- d. it provides for community wellbeing, health and safety;
- e. it can be serviced by onsite infrastructure or reticulated infrastructure where this is available;
- f. that any adverse effects can be avoided, remedied or mitigated.

#### TSL-P4

Avoid land use and development on Treaty Settlement Land, including heavy industrial, light industrial and commercial activities, that compromise the ability of both the underlying zone and adjacent zones to be effectively and efficiently be used for their intended purpose.



**TSL-P5**

Consider the following when assessing proposals for land use and subdivision on Treaty Settlement Land:

- a. the outcomes sought for the underlying zone;
- b. the ability of surrounding properties to undertake primary production activities in a rural environment;
- c. the capacity of the site to cater for onsite infrastructure requirements, future buildings and activities;
- d. any loss of highly versatile soils;
- e. any natural hazards;
- f. the siting, design and scale of buildings;
- g. any noise effects;
- h. whether the use or development supports an existing settlement;
- i. any reverse sensitivity effects;
- j. public health and safety;
- k. effects on the character and amenity of adjacent land;
- l. the adequacy of roading infrastructure to service the development; and
- m. any historic heritage, cultural values, biodiversity, landscape, natural character of the coastal environment and rural character

**RULES**

**TSZLR1**

**PERMITTED OR CONTROLLED ACTIVITIES:**

- Papakainga subject to performance standards.
- Marae.
- Customary activities such as rongoa and mahinga kai.
- Residential units subject to performance standards.
- One minor residential unit subject to performance standards.
- Primary production activities within a rural or coastal environment.
- Buildings ancillary to the primary production activity on-site in a rural environment subject to resource overlays.
- Temporary events.
- Visitor accommodation with a maximum of up to 10 persons accommodated per night.

**TSZ-R2**

**RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES:**

- Papakainga development that does not meet the permitted or controlled standards.
- Rural industry activities within a rural production environment.
- Visitor accommodation that does not comply with the permitted or controlled activity standards (e.g. homestays, bed and breakfast and campgrounds).
- Temporary events that do not comply with the permitted or controlled activity standards.
- Cottage industry.
- Commercial activities to certain thresholds in a non-urban zone.
- Light industrial activities to certain thresholds in a non-urban zone.

**TSZ-R3**

**NON-COMPLYING ACTIVITIES:**

- Heavy industry, except where all boundaries adjoin the heavy industry zone.
- Commercial and light industrial activities not provided for as a discretionary activity.