

Proposed Plan Change 2 Amendments to District Plan Text

This attachment contains a track change version of the proposed Plan Change 2 provisions.

Where additions or deletions are proposed to existing operative provisions as part of the Section 32 Report the additions are marked in blue with underlining, in bold, and yellow highlight, and the deletions are marked in ~~blue with strikethrough, in bold, and yellow highlight~~.

The red underlined words are the existing defined terms in the district plan. Any defined terms within the text that have been added as part of the recommendations of the Section 32 Report have not yet been identified with the red underlining.

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Purpose

Overview

The Whangarei District Plan (the District Plan) is the primary document that manages land use and development within the Whangarei District Council's territorial boundaries. The Whangarei District Council is required to prepare a District Plan under the Resource Management Act 1991, specifically having regard to Part 2 of the Resource Management Act 1991 focusing on the sustainable management of land and other natural and physical resources. It includes Objectives, Policies and Rules to achieve the sustainable management of these resources within the Whangarei District. This may involve their use, development, or protection.

The District Plan is only a small part of the process that focuses on achieving sustainable management of the Whangarei District. The District Plan forms part of a group of interrelated planning and policy initiatives and is developed with consideration to other statutory requirements. Policy development is influenced by and must be consistent with direction given in the National Policy Statements, National Environmental Standards and Regulations, Regional Policy Statements and Regional Plans. Relationships also exist between the Resource Management Act 1991 and other legislation such as the Building Act, the Treaty of Waitangi, the Forestry Act and the Historic Places Act.

The District Plan has been prepared as a single document which addresses the resource management issues facing the Whangarei District. It is important that the document be viewed as a whole, so that the common themes and inter-relationships between the various sections can be understood. The District Plan is an important document that is designed to enable the Council, and the community to work towards its long-term vision for the Whangarei District.

The District Plan is an enabling document, designed to minimise rules and regulations, and encourage innovation and diversity in the use of the Whangarei District's resources. In preparing the District Plan the Council has been careful to ensure that the community has played a significant role in shaping the direction of the document. The Objectives, Policies and Rules reflect the Council's (roles in establishing leadership for its community through the District Plan), response to the interests and concerns of the community, and meets the legislative requirements of the Resource Management Act 1991, within which the District Plan operates.

The District Plan Team reviews and makes changes to the District Plan on a continual basis. For further information or enquiries regarding the District Plan contact Council on (09) 430 4200.

Statutory Context

Description and Expectations

A statutory acknowledgement is a formal acknowledgement from the Crown of the mana of **tangata whenua** in relation to a special area.

It recognises the particular cultural, spiritual, historical and traditional association of an iwi or hapū with the site, which is identified as a statutory area. In some instances, there may be more than one hapū or iwi who is recognised as having an association with a given area.

Statements of association within a statutory acknowledgement/area are set out in Treaty of Waitangi settlement legislation.

While there may be minor variations in the legislation for each settlement, the purposes of a statutory acknowledgement will generally include the following:

- Notification of resource consent applications.
- Environment court regard to statutory acknowledgement in determining whether or not iwi or hapū have an interest greater than the general public.
- Consent authorities are required to forward summaries of resource consent applications to the relevant iwi or hapū for activities within or adjacent to or impacting directly on the statutory area.
- The relevant iwi or hapū may cite a statutory acknowledgement as evidence of association with a statutory area in submissions to and proceedings before Council.
- Recording of the statutory acknowledgement in the district plan.

Pakikaikutu Coastal Statutory Area

Location

As shown on OTS-060-009 (refer Figure 1, Appendix 1 of this chapter).

In accordance with Section 38 of the Ngāti Pūkenga Claims Settlement Act 2017 the statutory acknowledgement

1. applies, and is limited, to an area 100m wide on the seaward side of, and adjoining, the line of mean high water springs; but
2. does not of itself constitute, and may not be relied upon as, evidence that Ngāti Pūkenga is an iwi whose territory abuts Whangārei Harbour for the purposes of section 143 of the Māori Fisheries Act 2004.

Statements of Association

Ngāti Pūkenga, also known as Te Tāwera, settled the Pakikaikutu block near Pārua Bay in 1838. The area is more commonly known as Tamaterau today. The **land** was 'tuku whenua' due to the killing of a Ngāti Pūkenga chief at the place.

According to tribal history, Te Tāwera were on their way north in canoes to trade for firearms. On the way one of the crew members, Te Kohupō wished to visit with his sister who had married an important chief of the area. Disembarking near Whangārei Heads he made his way around the coast, passing through Parua Bay. Unbeknown to him, he was being stalked by a local warrior and when he took rest near a small **stream** he was surprised and killed at Pakikaikutu.

News of Te Kohupō's murder soon reached Te Tāwera in the Bay of Islands. Ready and arming themselves with their recently acquired firepower they set forth heading southwards towards Whangārei Harbour where they entered intent on 'utu'. Arriving at Pārua Bay they spied a

large contingent of people on the shore, and emissaries issued forth carrying with them terms of peace.

The canoes were drawn up on the beach and the entire retinue made their way up from Pārua Bay over to Pakikaituku. The Whāngarei chiefs pointed out the place where Te Kohupō had met his end, rituals were enacted and in recognition of the unwarranted taking of his life, the land was given over to Te Tawera.

The coastal areas, particularly from Waiakaraka to Parua Bay (where the canoes landed), was incredibly important to Ngāti Pūkenga, more so because of the steep nature of the Pakikaikutu block, and the challenges these presented when food needed to be grown, dwellings built, or game taken. The ‘kāpata kai’ as expressed by elders was the moana itself. There were oyster reefs at Tamaterau and Pārua that were utilized by the locals, spots where kina, scallops and mussels could be harvested. Every type of fish imaginable could be caught according to its own season in the shallows and deeper channels around the coast. When transport by water was the main mode of travel, the beaches and small coves provided safe anchorages, and canoes could ply this area taking aboard large seine nets to encircle large schools of herrings, kahawai, parore, snapper and myriad of other species.

The shallows along this coastal strip abounded in various types of pipi, a staple for the people living there, as these could be taken at almost any time of the year regardless of the weather, dried and stored for leaner times, or gathered in quantities to supply the many gatherings, mourning ceremonies or taken as gifts for other iwi and hapū. Indeed, all of the marine life mentioned and more, when presented to other tribal groups in the quantities required helped to balance the delicate inter-tribal relationships and ensure the mana of Ngāti Pūkenga was upheld and enhanced.

Sections 29 – 33, 35 and 36 of the Ngāti Pūkenga Claims Settlement Act 2017

In accordance with Section 34 of the Ngāti Pūkenga Claims Settlement Act 2017, Sections 29 – 33, 35 and 36 of the Act are recorded:

29 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association for the statutory areas.

30 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are—

1. to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with sections 31 to 33; and
2. to require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees in accordance with sections 34 and 35; and
3. to enable the trustees and any member of Ngāti Pūkenga to cite the statutory acknowledgement as evidence of the association of Ngāti Pūkenga with a statutory area, in accordance with section 36.

31 Relevant consent authorities to have regard to statutory acknowledgement

1. This section applies in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

2. On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management [Act](#) 1991, whether the trustees are affected persons in relation to the activity.
3. Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management [Act](#) 1991.

32 *Environment Court to have regard to statutory acknowledgement*

1. This section applies to proceedings in the Environment Court in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
2. On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 274 of the Resource Management [Act](#) 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public.
3. Subsection (2) does not limit the obligations of the Environment Court under the Resource Management [Act](#) 1991.

33 *Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement*

1. This section applies to an application made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an [archaeological site](#) within a statutory area.
2. On and from the effective date, Heritage New Zealand Pouhere Taonga must have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the application.
3. On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area—
 - a. in determining whether the trustees are persons directly affected by the decision; and
 - b. in determining, under section 59(1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, an appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application.
4. In this section, [archaeological site](#) has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

35 *Provision of summary or notice to trustees*

1. Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:
 - a. if the application is received by the consent authority, a summary of the application; or
 - b. if notice of the application is served on the consent authority under section 145(10) of the Resource Management [Act](#) 1991, a copy of the notice.
2. A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B of the Resource

- Management [Act](#) 1991 or as may be agreed between the trustees and the relevant consent authority.
3. The summary must be provided—
 - a. as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - b. before the relevant consent authority decides under section 95 of the Resource Management [Act](#) 1991 whether to notify the application.
 4. A copy of a notice must be provided under subsection (1)(b) no later than 10 working days after the [day](#) on which the consent authority receives the notice.
 5. The trustees may, by written notice to a relevant consent authority,—
 - a. waive the right to be provided with a summary or copy of a notice under this section; and
 - b. state the scope of that waiver and the period it applies for.
 6. This section does not affect the obligation of a relevant consent authority to decide,—
 - a. under section 95 of the Resource Management [Act](#) 1991, whether to notify an application:
 - b. under section 95E of that [Act](#), whether the trustees are affected persons in relation to an activity.

36 *Use of statutory acknowledgement*

1. The trustees and any member of Ngāti Pūkenga may, as evidence of the association of Ngāti Pūkenga with a statutory area, cite the statutory acknowledgement that relates to that area in submissions concerning activities within, adjacent to, or directly affecting the statutory area that are made to or before—
 - a. the relevant consent authorities; or
 - b. the Environment Court; or
 - c. Heritage New Zealand Pouhere Taonga; or
 - d. the [Environmental Protection Authority](#) or a board of inquiry under Part 6AA of the Resource Management [Act](#) 1991.
2. The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as fact on—
 - a. the bodies referred to in subsection (1); or
 - b. parties to proceedings before those bodies; or
 - c. any other person who is entitled to participate in those proceedings.
3. However, the bodies and persons specified in subsection (2) may take the statutory acknowledgement into account.
4. The content of a coastal statement of association is not, by virtue of the statutory acknowledgement, binding as fact on—
 - a. Te Ohu Kai Moana Trustee Limited for the purposes of determining coastline entitlements under section 11 and Schedule 6 of the Māori Fisheries Act 2004; or
 - b. the Māori Land Court or any person or body in the determination of a dispute under Part 5 of the Māori Fisheries Act 2004.
5. To avoid doubt, the content and existence of the statutory acknowledgement do not—
 - a. imply, and should not be treated as implying, that the association Ngāti Pūkenga has with a statutory area is exclusive; or

- b. preclude any iwi other than Ngāti Pūkenga from stating that they have, or from being treated as having, an association with, or an interest in, a statutory area; or
- c. preclude either the trustees or members of Ngāti Pūkenga from stating that Ngāti Pūkenga has an association with a statutory area that is not described in the statutory acknowledgement; or
- d. limit any statement made by Ngāti Pūkenga, other iwi, or their members.

Statutory Context Appendix 1 - Maps



Figure 1: Pakikaikutu coastal statutory acknowledgment area

General Approach

Introduction

The purpose of this chapter is to facilitate the on-going development and use of the District Plan. This section contains information about the use and implementation of the District Plan.

District Plan Rolling Review

Whangarei District Council intends to manage this Plan as a living document and to ensure its content is responsive to the performance of policies and methods in achieving anticipated environmental outcomes. Changes to the Plan will be sought when:

1. Plan effectiveness monitoring identifies the need to enhance progress toward achieving anticipated environmental results.
2. Major resource management developments arise such as significant amendments to the Resource Management Act 1991 or the adoption of national policy statements or national environmental standards by Government that have major implications for the contents of this Plan.
3. The results of new scientific work enhance this Plan and make plan provisions more certain for resource users.

The process used to review and change this Plan is set out in the First Schedule of the Resource Management Act 1991. Given the rapid pace of change in society today it is unrealistic to expect a document conceived and written today to accurately reflect the concerns of the future. The Council therefore proposes to continually review this document, particularly in light of its monitoring responsibilities. Limited resources and the Resource Management Act's approach mean that some issues need further work and refinement to match the community's expectations identified with the Long Term Council Community Plan. Council intends the Plan to be flexible enough to deal with issues that are raised in relation to new information that comes to light. To address these issues, Council is monitoring the performance of the District Plan.

The Council has identified a number of opportunities for further growth within the District through strategic planning documents such as the Urban Growth Strategy and Structure Plans. In particular the Structure Plans identify opportunities and constraints to growth of the District. These strategic planning documents will be used to guide the Council's evaluation of plan changes to re-zone land for future development.

The Council must also have regard to strategies prepared under other Acts which have relevance to the review of the District Plan.

Expectations

During the term of this rolling review Council will improve both the quantity and quality of information on resources and effects of activities. This will aid consultation and information sharing, and enable policies and rules to be more focused. This in turn will bring greater certainty and the potential for greater flexibility. The Plan can be changed to reflect these various needs for more effective and efficient resource management.

Outcomes Sought

- District Plan shall be streamlined and simplified.
- Policy and rules shall direct consenting process to provide certainty.
- Comprehensive policy and objectives shall reflect the sustainable management outcomes sought for the respective District Plan zones and District-Wide Matters.

- District Plan shall address resource management matters only and will cross reference to external legislation as required.
- Some methods shall only be utilised where expressly stated in the relevant Zone Rules Chapter.

District Plan Structure

Under the Rolling review, the District Plan structure will evolve as and when plan changes are made operative. Accordingly, as the rolling review progresses, some parts of the old District Plan structure will be deleted.

Currently, the District Plan contains the following Parts. When the plan changes progressed under the rolling review become operative, they will be located in one of these Parts.

Part 1 – Introduction and General Provisions:

These chapters provide the context for the District Plan and how it works, along with definitions on how to interpret the Plan.

Part 2 – District-Wide Matters

- Strategic Direction:
- District-Wide Matters:
 - i. Specific activities that occur across the district (e.g. [earthworks](#))
 - ii. Specific areas (e.g. Coastal Environment)

Part 3 – Area Specific Matters

- Zones: A zone spatially identifies and manages an area with common environmental characteristics or where environmental outcomes are sought, by bundling compatible activities or [effects](#) together, and controlling those that are incompatible. All [land](#) in the District has a Zone which are identified on the Planning maps.
- Precincts: A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s).
- Development Areas: A development area spatially identified and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future [land](#) use or development.
- Designations: Spatially identifies where a designation is included in a plan under section 168A or clause 4 of Schedule 1 of the Resource Management Act 1991.

Part 4 – Maps

These contain additional information referred to in the other Parts of the District Plan.

How to Use the District Plan

The District Plan is driven by the planning maps that shows where the different zones and district-wide matters apply. Not all district-wide matters are mapped.

There are different rules that will apply to these zones and district-wide matters that will tell you what activities you can do without a resource consent (e.g.: operate a business); and then how you can do it (e.g.: how tall can my [building](#) be? Can I subdivide?). A resource consent is required when what you want to do is not a permitted activity.

The activity status is a category that determines whether a resource consent is required and what will be considered when the Council decides if a resource consent application can be approved and what conditions should apply to an approval.

Planning Maps

The District Plan Maps are comprised of two series:

- District Wide Matters Maps
- Area Specific Matters Maps

Chapter Structure

The District Plan Chapters are generally structured in the following way:

Issues

Chapters will contain an “Issues” section with a high-level description of the Chapter/Zone.

Objectives

Chapters will contain objectives. Objectives are presented as “Chapter Acronym-O# – ‘Objective title’” with the Objective text below.

Policies

Chapters will contain policies. Policies are presented as “Chapter Acronym-P# – ‘Policy title’” with the Policy text below.

Rules

Where relevant, chapters will contain rules. Rules are presented as “Chapter Acronym-R# – ‘Rule title’” with the Rule text below. The ‘Rule Title’ forms part of the rule and should be read along with the Rule text.

Generally, **built form** rules are listed first with activity rules following. The Rule text uses the following format:

[Where relevant, insert zones that rule applies to]

Activity Status: [Insert activity status where the below rule details are complied with]

Where:

1. [Insert rule detail]

(e.g. The maximum **building height** is 8m)

Activity Status when compliance not achieved: [Where relevant, insert activity status where the rule details are not complied with.]

Information Requirement Rules

Where relevant, any information that is required to be provided along with a resource consent application will be contained in the information requirement rules.

Appendix

More detailed information referred to in the rules can be included as an appendix to the chapter.

Plan Provisions

The Plan uses five main types of plan provisions:

District-Wide Matters Rules

District-wide provisions, including the Urban form and Development and District Growth and Development objectives and policies, apply to the use and development of natural and physical resources across Whangārei District regardless of the zone in which they occur.

District-wide provisions cover natural resources, infrastructure, environmental risk, subdivision and temporary activity matters. District-wide provisions generally apply more restrictive rules than the zone or precinct provisions that apply to a site, but in some cases, they can be more enabling.

District-Wide Matters Overlay Rules

Overlays manage the protection, maintenance or enhancement of particular values associated with an area or resource. Overlays can apply across zones and precincts, and overlay boundaries do not generally follow zone or precinct boundaries. Overlays also manage specific planning issues, such as addressing reverse sensitivity effects between different land uses.

Overlays generally apply more restrictive rules than the District-wide, zone or precinct provisions that apply to a site, but in some cases, they can be 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.

Overlays are mapped areas or sites including:

- Sites of Significance to Maori
- Historic Heritage
- Notable Trees
- Esplanade Priority Areas
- Landscapes and Features
- Coastal Area

Zones

Zones manage the way in which areas of land are to be used, developed or protected. The spatial application of zones generally identifies where similar uses and activities are anticipated. Zones are identified on the planning maps.

Precincts

Precincts enable local differences to be recognised by providing detailed place based provisions which can vary the outcomes sought by the zone or District-wide provisions, and can be more restrictive or more enabling. In certain limited circumstances the rules in a precinct vary the controls of an overlay, either by being more restrictive or more enabling. However, the general approach is that overlays take precedence over a precinct.

Development Areas

A development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. Development areas may apply across multiple zones. The provisions for development areas are located in the development area chapter of the District Plan.

Guidelines and Standards

Standards and Guidelines provide supporting information to assist applicants. Documents containing guidance on topics such as urban design, landscape design or engineering practice and

design solutions may be considered to be acceptable means of compliance for relevant standards within the District Plan. In this context they may be used for setting conditions of resource consent for subdivision and development. The content may be amended from time to time to reflect best practice and new technologies, and where a more recent version has been adopted by Council this shall be referred to.

Activity Status

The Resource Management Act 1991 provides for activities to be classified as set out below. The classification of an activity is usually referred to as its activity status. The class or status of an activity determines the nature and extent of matters that must be considered for consenting. The class or status of an activity does not determine whether an application for consent will be notified or not.

There is a hierarchy of the classes in terms of both the basis for assessment and the nature of conditions that may be imposed on any grant of consent. The hierarchy runs from the most enabling permitted status to the most restrictive prohibited status. The Plan has been prepared on the basis of this classification and consenting hierarchy. The following statements are provided to assist users of the Plan to understand how this hierarchy has been applied.

Permitted Activity

No resource consent is required for a permitted activity and the activity is allowed as of right. The activity may be subject to permitted activity standards which must be objectively certain and not subject to a discretionary assessment. Exceedance of a permitted activity standard normally results in the activity being considered as a restricted discretionary activity.

Activities are classed as permitted where the character, intensity and scale of their effects are expected to be in keeping with the quality of the existing environment or the relevant objectives and policies of the relevant zone or precinct.

Controlled Activity

Resource consent is required for a controlled activity, but the Council must grant consent and only has power to impose conditions on the consent in relation to those matters over which control is reserved by the Plan or a national environmental standard. The activity may be subject to controlled activity standards. Exceedance of a controlled activity standard normally results in the activity being considered as a restricted discretionary activity.

Activities are classed as controlled where the activity is in keeping with the existing environment and the likely effects are well understood and able to be avoided, remedied or mitigated by conditions.

Restricted Discretionary Activity

Resource consent is required for a restricted discretionary activity. Consent may be either granted or refused, but only for reasons which are relevant to the matters stated in the Plan or a national environmental standard over which the discretion can be exercised. The activity may be subject to restricted discretionary activity standards. If consent is granted, then any conditions of consent may only be in relation to the matters stated in the Plan or a national environmental standard.

Activities are classed as restricted discretionary where they are generally anticipated in the existing environment and the range of potential adverse effects is able to be identified in the Plan, so that the restriction on the Council's discretion is appropriate.

Discretionary Activity

Resource consent is required for a discretionary activity and may be granted or refused for any relevant resource management reason. An application for resource consent for a discretionary

activity will be fully assessed in terms of the relevant provisions of the Plan, including all relevant objectives and policies, and the Resource Management Act 1991.

Activities are classed as discretionary where they are not generally anticipated to occur in a particular environment, location or zone or where the character, intensity and scale of their environmental effects are so variable that it is not possible to prescribe standards to control them in advance. A full assessment is required to determine whether the activity, subject to any conditions, would be appropriate in terms of the provisions of the Plan, the effects of the activity on the environment and the suitability of the proposed location.

Non-Complying Activity

Resource consent is required for a non-complying activity. As threshold matters, the proposal must be assessed to determine whether its adverse effects on the environment will be no more than minor or whether it will not be contrary to the objectives and policies of the Plan. If the proposal is found not to breach one or other of those thresholds, then its merits may be considered on a broadly discretionary basis and consent may be granted (with or without conditions) or refused. If it is found to breach both thresholds, then consent must be refused.

Activities are classed as non-complying where greater scrutiny is required for some reason. This may include:

- Where they are not anticipated to occur; or
- Where they are likely to have significant adverse effects on the existing environment; or
- Where the existing environment is regarded as delicate or vulnerable; or
- Otherwise where they are considered less likely to be appropriate.

Prohibited Activity

An activity which is classed as prohibited cannot be the subject of an application for resource consent. Any proposal for a prohibited activity must first be the subject of a plan change to change the activity status (either generally or in respect of a particular proposal) to one of the other classes of activity.

Activities are classed as prohibited where they are expected to cause significant adverse effects on the environment which cannot be avoided, remedied or mitigated by conditions of consent or otherwise where it may be appropriate to adopt a precautionary approach.

Cross Boundary Matters (CBM)

Issues

The consistent approach to, and management of:

- Infrastructure that crosses a territorial authority boundary;
- Significant natural features and natural resources that cross or border a territorial authority boundary;
- Activities which may have adverse effects that cross a territorial authority boundary;
- Activities that establish on or near jurisdictional boundaries that are sensitive to the surrounding environment;
- Resource consent applications that straddle the Coastal Marine Area boundary;
- Consultation with tangata whenua and iwi authorities.

The Whangarei District has common boundaries with the Kaipara District and the Far North District, and it is part of the Northland Regional Council's jurisdiction. Each District Council has responsibility for administration only within its own legal boundaries, but there are issues that cross these boundaries. To achieve integrated resource management, these issues need to be examined, and processes arranged between the local authorities to deal with them.

Cross boundary issues commonly arise in instances where an activity or development results in environmental effects that cross local authority boundaries, when activities or development require the use of natural and physical resources that cross local authority boundaries, or when an activity establishes on or near a local authority boundary. The provision of infrastructure that crosses local authority boundaries is one such instance where an integrated approach is required by neighbouring authorities.

Examples include the degree of consistency of the resource management approach by authorities in dealing with the effects of activities which straddle territorial boundaries.

Cross boundary effects also occur when the effects of activities impact on components of the environment under the jurisdiction of another authority. For example, while the control of subdivision is a land use activity controlled by the District Council, effects of increased run off affect the water quality of rivers and streams, which are managed by the Regional Council.

Of specific concern is the relationship between Regional Councils and territorial authorities, as to their respective roles under the Resource Management Act 1991. There are a number of cross boundary issues that arise in this regard. For example, land use activities administered by territorial authorities often result in discharges to air or water which are controlled by regional authorities. Integrated management of these activities requires coordination between the relevant authorities.

Many planning documents deal with cross boundary issues and have cross boundary implications. National and regional planning documents, such as the New Zealand Coastal Policy Statement, regional policy statements and regional plans, set the frameworks for integrated resource management, and District plans must not be inconsistent with them. These documents help to resolve cross boundary issues as well as influencing the objectives and policies of the neighbouring territorial authorities.

Objectives

CBM-01 Integrated Management of Natural and Physical Resources

The integrated management of natural and physical resources across local authority boundaries.

Explanation and Reasons: Resource management addresses numerous issues, which do not always fall within the legally defined territorial authority boundaries. An integrated approach on and across these boundaries, is the key to achieving the sustainable management of the natural and physical resources of each District.

Policies

CBM-P1 Regional and District Councils

To develop appropriate processes and protocols with which adjacent authorities and the Northland Regional Council may deal with cross boundary issues, with particular regard to the clarification of roles between Regional and District Councils. Such processes include:

- Combined approaches to resource consent processing through joint hearing procedures;
- Notification to other local authorities on applications with effects that may cross media and/or jurisdictional boundaries.
- Regular liaison at Council officer level with other local authorities on resource management issues.

Explanation and Reasons: The Resource Management Act 1991 requires the Plan to state the processes used to deal with issues or effects which cross the jurisdictional boundaries of the Council. Many resource management issues do not fall solely within the boundaries of one District Council. Therefore, it is important that processes continue to develop between District and Regional Councils so that cross boundary issues can be dealt with efficiently.

CBM-P2 Local Authority Boundaries

To develop processes for dealing with effects from subdivision, use or development that cross local authority boundaries, to achieve integrated resource management.

Explanation and Reasons: To achieve integrated resource management and acceptable environmental outcomes across local authority boundaries, cross boundary issues need to be dealt with in a coordinated manner.

CBM-P3 Tangata Whenua

To consult with tangata whenua concerning cross boundary issues, and to provide for the consideration of iwi/hapū issues where these cross local authority boundaries.

Explanation and Reasons: There are iwi and hapū whose ancestral lands straddle local authority boundaries. Environmental concerns of some iwi and hapū will likewise straddle local authority boundaries. These concerns, as expressed by iwi/hapū, need to be considered by the relevant authorities, to ensure consistency of approaches to tangata whenua concerns across local authority boundaries.

Methods

Hold joint hearings of resource consents under section 102 of the Resource Management Act 1991, when appropriate, to address cross boundary effects of development (CBM-P1).

Other Plans and Legislation

- The New Zealand Coastal Policy Statement (CBM-P1 and P2).
- The Far North and Kaipara District Plans (CBM-P1 and P2).
- The Regional Policy Statement for Northland and Northland Regional Plans (CBM-P1 and P2).

- Hapū Environmental Management Plan (CBM-P3).

Information, Education and Advocacy

- Notification of local authorities of applications with effects that cross jurisdictional boundaries (CBM-P2).
- Liaison with the Northland Regional Council (CBM-P1).
- Liaison with adjacent territorial authorities (CBM-P2).
- Liaison with other organisations involved in resource management, for example: Transit New Zealand, Heritage New Zealand Pouhere Taonga, Transpower, Department of Conservation, Ministry of Agriculture and Forestry, Ministry of Fisheries (CBM-P2).
- Liaison with iwi authorities and tangata whenua (CBM-P3).
- Submissions on other local authority policy statements, plans and resource consents (CBM-P1 and P2).

Anticipated Environmental Results

The following results are expected to be achieved by the foregoing Objectives, Policies and Methods. The means of monitoring whether the Plan achieves the expected outcomes are set out in the Whangarei District Council Monitoring Strategy.

The integrated management of natural and physical resources across local authority boundaries, particularly in regard to:

- Infrastructure that crosses a local authority boundary;
- Significant natural features and natural resources that cross a local authority boundary;
- Activities which may have adverse effects that cross a local authority boundary;
- Iwi and hapū interests that cross a local authority boundary; and
- The coast.

Relationship between Spatial Layers (HPW)

General and Subdivision

HPW-R1 Applications on Sites with Multiple Zones, Overlays or Precincts or on Parts of Sites

1. Where a proposal will take place:
 - a. In two or more zones; or
 - b. Where two or more overlays apply to it; or
 - c. On a **site** which is partially affected by an overlay or a precinct;
then the proposal must comply with the overlay, zone and precinct rules applying to the particular part of the **site** in which the relevant part of the proposal is located.
2. When considering a proposal all relevant district-wide, overlay, zone and precinct provisions shall apply. When conflict exists between district-wide, overlay, zone and precinct provisions, the most restrictive provision shall apply, except as provided for in HPW-R1.3.
3. Where a proposal will take place in a precinct and a conflict exists between the precinct provisions and a district-wide or zone provision, then the provision (including any rule standards and activity status) in the precinct shall override the provision in the zone or district-wide matter chapters, whether that precinct provision is more or less restrictive. Precinct provisions do not override overlay provisions, unless it is stated otherwise in the rules.

HPW-R2 Applications for More than One Activity

Where:

1. A proposal:
 - a. Consists of more than one activity specified in the Plan; and
 - b. Involves more than one type of resource consent or requires more than one resource consent; and
 - c. The **effects** of the activities overlap;
the activities may be considered together.
2. Different activities within a proposal are subject to different parts of the Plan, each activity will be assessed in terms of the objectives, policies and rules which are relevant to that activity.
3. Where different activities within a proposal have **effects** which do not overlap, the activities will be considered separately.

HPW-R3 Rules to be Read in Conjunction with Headings and Tables

1. Each rule must be read, interpreted and applied in conjunction with the relevant heading, rule title and sub-heading under which is listed, and any associated table under those headings.
2. Each proposal must be assessed against all relevant rules and the associated headings(s) and tables(s).

HPW-R4 Numerical Limits

1. Where any rule specifies a numerical limit using the words “up to” or “greater than”, those words must be read to mean:
 - a. The words “up to” in relation to a number include that number; and
 - b. The words “greater than” in relation to a number do not include that number.

HPW-R5 Fractional Amounts

1. Where the calculation of any number, area or volume required by a rule results in a fractional amount:
 - a. Any fraction that is less than one-half will be disregarded and the amount of the number, area or volume will be rounded down; and
 - b. Any fraction of one-half or more will be counted as one and the amount of the number, area or volume will be rounded up.
2. If there are different activities within a single proposal and more than one activity requires, for the same purpose, the calculation of a number, area or volume, then all such activities must be taken together prior to any calculation and rounding.

HPW-R6 Zoning of Roads, Railways and Rivers

1. All public roads (including state highways), railways and rivers are zoned, although they are generally not coloured on the planning maps to avoid confusion.
2. Where roads, railways and rivers are zoned the same as the zoning of adjoining sites. Where a different zone applies on either side of the road, railway or river then the zoning will apply to the centreline of the road, railway or river.
3. Where a specific zoning that is not coloured white on the planning maps within a railway then that zoning applies.

HPW-R7 Application of Activity Definitions

1. Where an activity could be captured by more than one definition grouping classification, the most specifically defined activity and most specific rule shall over-ride the more general definition and rule.

HPW-R8 Assessment of Discretionary Activities

1. When assessing resource consent applications for discretionary land use and subdivision activities the assessment shall include (but is not limited to) the following matters (where relevant):
 - a. The potential for reverse sensitivity effects on existing lawfully established activities and any measures proposed to avoid remedy or mitigate those effects.
 - b. The nature and location of the activity, the type and frequency of use and hours of operation.
 - c. Effects on amenity values, existing residences, visual amenity, outlook and privacy, availability of daylight, and shading.
 - d. Effects of dust, odour and other nuisance.
 - e. Effects on natural character, landscape and historic heritage values, skylines and ridges, land stability and the natural functioning of ecosystems.
 - f. Visibility from the road, road frontage domination, location of buildings, scale and bulk in relation to the site, built characteristic of the locality, colour and design of buildings, major structures and landscaping.
 - g. The cumulative effects of signs and the orientation, strength, intensity, colour and frequency of flashing of signs.
 - h. The effects of land use and subdivision on the relationship of tangata whenua with their ancestral lands, sites, water, wāhi tapu and other taonga.
 - i. The number, need, availability, location, design and suitability of parking spaces, on-site manoeuvring, queuing spaces, loading areas and access ways.

- j. The safe and efficient movement of people and vehicles including traffic manoeuvring, pedestrians and cyclists, and the potential effects on the accessibility and safety of transport networks.
- k. The convenience and safety of disabled persons and consideration of alternative provision for disabled persons access to the site.
- l. The design, standard, lengths, distance between, number and construction of and alternative location of vehicle crossings, internal access and private access ways.
- m. Effects on the amenity of the locality, increase in exposure to noise, dust and stormwater runoff as a result of parking, access ways or road design.
- n. The need for forming or upgrading roads, level crossings and other traffic control measures in the vicinity due to increased traffic from the proposed land use or subdivision.
- o. The need for footpaths/cycleways and kerb and channel on roads, arising from a subdivision or land use.
- p. The necessity for street lights and the spacing and height of the lights.
- q. The efficient provision of services to the land being subdivided, and to nearby land that might be subdivided in future.
- r. The water system's ability to ensure an adequate supply of potable water and the ability to meet firefighting requirements, to accommodate anticipated flows, and withstand pressures and loads.
- s. The stormwater system's ability to protect property and the environment from the adverse effects of surface water and its ability to accommodate the anticipated flows and withstand the anticipated loads.
- t. The capacity, availability and accessibility of any Council wastewater system to serve the proposed subdivision and the proposed system's ability to treat sewage and the ability to accommodate anticipated flows and withstand the anticipated loads.
- u. The necessity, extent and location of earthworks, the proposed type of machinery to be used and the hours of operation, potential adverse effects to ecological, historic heritage and landscape values and effects on waterbodies including indigenous wetlands.
- v. The potential for reverse sensitivity effects on existing lawfully established activities and any measures proposed to avoid remedy or mitigate those effects.
- w. The effects of and functional need of places of assembly and emergency services to locate within the Rural Production Zone.
- x. The impact on the transport network, taking into account the two-tier transport network hierarchy.

HPW-R9 Additional Matters Over Which Control Has Been Reserved or Discretion Restricted

- 1. The following matters shall apply in addition to any matters of control or matters to which discretion is restricted in the Subdivision Chapter:
 - a. Financial contributions in the form of money or land, or a combination of these
 - b. Bonds or covenants, or both, to ensure performance or compliance with any conditions imposed.
 - c. Works or services to ensure the protection, restoration or enhancement of any natural or physical resource, including (but not limited to) the creation, extension or upgrading of services and systems, planting or replanting, the protection of Significant Ecological

- Areas or any other works or services necessary to ensure the avoidance, remediation or mitigation of adverse environmental effects.
- d. Administrative charges to be paid to the Council, in respect of processing applications, administration, monitoring and supervision of resource consents, and for the carrying out of the Council's functions under Section 35 of the Resource Management Act 1991.
 - e. The duration of a resource consent, under Section 123 of the Resource Management Act 1991.
 - f. Lapsing of a resource consent, under Section 125 of the Resource Management Act 1991.
 - g. Change and cancellation of a consent, under Sections 126 and 127 of the Resource Management Act 1991.
 - h. Notice that some, or all conditions, may be reviewed at some time in the future, under Section 128 of the Resource Management Act 1991.
 - i. Whether any subdivision consent should attach to the land to which it relates, and be enjoyed by the owners and occupiers for the time being, under Section 134 of the Resource Management Act 1991.
 - j. The matters on which conditions can be imposed under Section 220 of the Resource Management Act 1991. These include: esplanade reserves and strips, amalgamation of land, holding parcels in same ownership, design of structures, protection against natural hazards, filling and compacting of land, and creation or extinguishing of easements.
 - k. Consent notices to secure compliance with continuing conditions, under Section 221 of the Resource Management Act 1991.
 - l. The design, size, shape, gradient and location of any site allotment.
 - m. The location of vehicle crossings, accessways or rights-of-way and proposed site allotment boundaries so as to avoid ribbon development.
 - n. Location of existing buildings, accessways and manoeuvring, and private open space.
 - o. The location of proposed site allotment boundaries and building areas so as to avoid potential conflicts between incompatible land use activities, including reverse sensitivity effects.
 - p. The location of proposed site allotment boundaries, building areas and accessways or rights-of-way so as to avoid sites of historic heritage including Sites of Significance to Māori.
 - q. The provision, location, design, capacity, connection, upgrading, staging and integration of infrastructure, and how any adverse effects on existing infrastructure are managed.
 - r. In the Future Urban Zone, the protection of land within the proposed sites allotments to allow access and linkages to adjacent sites allotments for future infrastructure.
 - s. The provision of reserves, including esplanade reserves and strips.
 - t. Avoidance or mitigation of natural or man-made hazards.
 - u. The extent to which the subdivision avoids adverse effects on significant flora and fauna habitats, including methods of weed and pest management and measures to control cats and dogs.
 - v. Those matters described in sections 108 and 220 of the Resource Management Act 1991.

- w. The safe and efficient movement of people and vehicles including traffic manoeuvring, pedestrians and cyclists, and the potential effects on the accessibility and safety of transport networks.
- x. The potential for reverse sensitivity effects on existing lawfully established activities and any measures proposed to avoid remedy or mitigate those effects.
- y. The impact on the transport network, taking into account the two-tier transport network hierarchy.

HPW-R10 Cross Leases, Company Leases and Unit Titles

1. Any subdivision of land by way of cross lease, company lease or unit title shall comply with the relevant zone provisions. In all staged cross-lease subdivisions, provision shall be made for servicing the building or buildings, subject to the cross-lease application and all possible future buildings on the site.

HPW-R11 Limited Access Roads

1. Approval will be required from either the Council or the New Zealand Transport Agency, for a subdivision or new land uses proposing access to any road, including a state highway declared as a limited access road pursuant to the provisions of the Local Government Act 1974 or the Government Roding Powers Act 1989. An indication in writing, of any restrictions or conditions, from either the Council or the New Zealand Transport Agency, as relevant, should be obtained before an application for subdivision or land use consent is lodged with the Council.

Financial Contributions (FC)

Issues

Subdivision, use and development of land creates demand for water supply, wastewater disposal, stormwater disposal, road access and public reserves and community facilities. In the absence of intervention through the Plan, the costs of providing services and of avoiding, mitigating or remedying other adverse effects will fall on the community.

The use, subdivision and development of land may impose costs on the community in a number of ways. Significant costs arise from providing works and services such as water supply, wastewater, stormwater, roads, reserves and community facilities, for the benefit of land that is used, subdivided or developed. The community, through the Council, has paid a substantial part of these costs in the past, particularly the costs that arise off-site, for example, the costs of expanding the wastewater treatment system to keep pace with the increasing number of houses connected to the system.

The sustainable, efficient and effective provision of these services is not totally achieved through market mechanisms, especially as long-term cumulative effects and off-site effects are not fully recognised in the market for subdivided or developed land. Any subsidy on subdivision, use and development will tend to distort private resource management decision-making, and may compromise other objectives and policies of the Plan and the statutory purpose of sustainable management.

Financial contributions are a means, provided for in the Resource Management Act 1991, of reallocating these costs. A financial contribution may be in the form of money or land, or a combination of these. The money may be required to be paid (or land transferred) by subdividers or developers to the Council or a third party. The Resource Management Act 1991 requires the Plan to state the purposes of financial contributions, and the manner of determining the level of the contribution.

This chapter contains general Objectives, Policies and Methods relating to financial contributions. These provisions are applicable to the entire Plan. Other chapters contain material relevant to financial contributions in specific circumstances.

Objectives

FC-01 Development Costs

All of the costs arising from land subdivision and development are identified and recognised.

Explanation and Reasons: Not all costs of development are allocated to developers through market forces. This objective is intended to ensure that resource management decisions are not distorted through hidden subsidies. Costs that particularly need to be identified are those that arise through demands for servicing, and impacts on amenities, heritage and ecosystems.

FC-02 Costs Allocation

The sustainable and efficient allocation of costs and resources in the delivery of services to new development.

Explanation and Reasons: The efficient use of existing and future services and infrastructure will reduce the environmental costs of development, and sustain the future potential of services. There may be occasions where this objective is best met by the community accepting development costs, but in most cases the costs of avoiding, remedying or mitigating the adverse effects on the environment arising from new activities will be charged to the subdivider or developer. Consequently, the wider community will not have to pay for effects that result in private benefit.

Policies

FC-P1 Effects

To ensure that the reasonable costs of, and responsibility for, avoiding, remedying and mitigating the adverse effects of activities are borne by the person carrying out the activity.

Explanation and Reasons: The effects of activities on, and adjacent to, land where new activities are established, are considered to be a cost (whether in money or land) only on the person establishing the activity. The person profiting from the activity should meet the costs.

FC-P2 Burden of Payment

To ensure that subdividers and developers:

- Meet the total costs of on-site services within a subdivision or development site to the extent this is required to service the subdivision or development site;
- Meet the total costs of any linkage or necessary expansion between the subdivision or land development and the service network, except to the extent that a demonstrated community benefit occurs;
- Meet the cost of constructing or upgrading of services necessary to avoid, remedy, mitigate or offset the adverse effects on the environment of the subdivision or development;
- Contribute towards costs incurred by the Council in providing excess capacity of services where that excess capacity is utilised.

Explanation and Reasons: The provision of adequate public utility services is an essential part of the development process. Such services include roads (including footpaths, kerb and channel and street lighting), systems, stormwater systems, solid waste disposal, reserves and wastewater community facilities and water supply systems (including collection, reticulation, treatment and disposal, where applicable).

Such services are broken into three distinct categories:

1. *On-Site Services: These are the facilities and services internal to the development or subdivision. These are provided by the developer, at their cost, to an acceptable standard. Generally, these facilities will be vested in the Council and will be required as a condition on resource consents.*
2. *Link Services: These are the facilities required to connect the site to the public services. Generally these will be paid for by the developer, except to the extent that there are community benefits from outside the new area being serviced. This contribution will be required as a condition on resource consents.*
3. *Community Services - These are the facilities remote from the site, such as sewage treatment plants, water treatment plants and the road network. The costs of community services will be recovered through a financial contribution in money, payable to the Council, and imposed as a condition on resource consents.*

FC-P3 New Development

To ensure that a financial contribution, in the form of money, is paid by developers on the creation of new activities, including new allotments and new development, for the purpose of avoiding, remedying, mitigating or offsetting any actual and potential adverse effects of such activities on the environment, that are not addressed by way of other conditions of consent.

Explanation and Reasons: As well as having direct effects on the immediate environment, the establishment of new activities places demands on existing infrastructure and results in the need for its expansion or upgrading. The community infrastructure (including water supply, wastewater, roads, reserves and community facilities) provides the efficient means of avoiding, remedying and

mitigating some of the adverse effects of activities off-site, which otherwise would have to be met on-site. The community infrastructure thus allows the efficient and intensive use of the land resource to take place. In the past, a disproportionate share of costs of expansion and upgrading has been borne by the wider community. The policy will ensure that when new activities take place, particularly subdivision and development, a reasonable proportion of the environmental costs (including the community costs) associated with such activities, is recovered by the community at the time that the activity obtains relevant consents.

FC-P4 Additional Services

To use financial contributions in money to provide additional capacity, and to meet the need for services and infrastructure within the District arising from the activity, and to avoid, mitigate or remedy any adverse effects arising from new activities. These services and infrastructure shall include the road network, water supply, wastewater, and stormwater and the provision and development of reserves and community facilities.

Explanation and Reason: The community provides and maintains most of the essential infrastructure services which underpin existing and new activities, and which avoid, remedy or mitigate actual and potential adverse effects. Money paid to the Council by means of financial contributions for permitted activities for which consents are obtained, will be applied by the Council to capital works associated with the provision of infrastructure and services or their expansion.

FC-P5 Contribution by Payment

To ensure that a financial contribution in the form of money is paid to off-set actual or potential adverse effects of an activity, when the effects cannot be addressed in terms of any of the other financial contributions policies.

Explanation and Reasons: In general, the Council will only take money in relation to activities in terms of the above policies. However, it may sometimes be appropriate to accept or require a financial contribution in order to offset an adverse effect. Such circumstances may arise where effects cannot be directly addressed on-site (for example, where a development has an adverse effect on a habitat but the effect can be off-set by creation of a replacement habitat elsewhere, or the improvement of an existing degraded habitat). Appropriate circumstances for financial contributions to off-set such effects may be suggested by a consent applicant, or by the community. For such contributions to be acceptable, a clear relationship will need to be demonstrated between the effect for which the contribution is being made and the remedy or off-setting benefit that can be achieved.

FC-P6 Calculating Contributions

To calculate financial contributions using a formula that correctly allocates the reasonable costs of avoiding, remedying or mitigating adverse effects on the environment, and that ensures double charging does not occur.

Explanation and Reasons: Rates paid to the Council following development may contain some component for the payment towards new infrastructure. This policy is intended to ensure that allowance is made for this in the calculation of the financial contribution.

FC-P7 Recognition of Positive Effects

To ensure that the calculation of financial contributions takes into account the positive effects of a development where services are to be provided, in agreement with Council, that are in excess of those required to service the development.

Explanation and reasons: The provision of services in accordance with a development can be of benefit to the community and/or the environment. Where services are provided in agreement with Council that are in excess of those required to adequately service the development, the value of the excess will be taken into account in the calculation of the financial contributions to be paid.

Rules

FC-R1 Conditions on a Subdivision Resource Consent

1. Notwithstanding any other provision of the Plan, the Council may impose on every subdivision consent a condition that a financial contribution in money, shall be paid to the Council for:
 - a. The purposes, and the parts of the District, and of the amounts set out in FC-Table 1 – Financial Contributions on Subdivision; or
 - b. The purposes, and the part of the District, as set out in FC-Table 1 – Financial Contributions on Subdivision and according to the formula set out in FC-R2.1;
Provided that the amount to be paid shall be the lesser amount of the two methods of calculation, as determined by the Council.

Table 1: Financial Contributions on Subdivision

Item	Purpose	Part of District	Contribution per Allotment excl. GST
1	Reserves and community services	Whole District.	\$1,600.00
2	Sewerage	Whole District where a <u>reticulated</u> system is available, except Langs Beach, McLeods Bay to Urquharts Bay, and Waikaraka to Parua Bay.	\$1,000.00
3	Sewerage	Area covered by Langs Beach.	\$2,280.00
4	Sewerage	McLeods Bay to Urquharts Bay Scheme: Area 1.	\$3,121.00
5	Sewerage	Waikaraka to Parua Bay Scheme: Area 2.	\$3,146.00
6	<u>Stormwater</u>	Whole District where a <u>reticulated</u> system is available.	\$1,000.00
7	<u>Water</u> supply	Whole District where a <u>reticulated</u> system is available.	\$1,000.00
8	<u>Road</u> network	Whole District.	\$1,000.00

FC-R2 Financial Contributions

1. Formula for Financial Contributions

Step 1:

Calculate costs of project (service upgrade) attributable to new growth and subdivision.

From total cost of works, deduct the portion of the capital cost that benefits existing residents.

Remainder = costs attributable to new growth and subdivision.

Step 2:

Calculate number of additional residential units that can be serviced within the design capacity of the works.

From design capacity of completed work (e.g. house equivalents), deduct existing houses to be serviced.

Remainder = number of additional residential units that can be serviced.

Step 3:

Calculate cost of growth per additional house.

Divide costs attributable to new growth and development by the number of additional residential units that can be serviced.

Quotient = the financial contribution per lot.

2. The financial contributions paid, pursuant to FC-R1 and Table 1 – Financial Contributions on Subdivision, shall be used by the Council for the following purposes:
 - a. Reserves and community facilities: the provision of active and passive open space in the service network;
 - b. Wastewater: the provision of wastewater services in the service network;
 - c. Stormwater: the provision of stormwater services within the service network;
 - d. Water supply: the provision of water supply services in the service network;
 - e. Road network: the provision of roading within the service network.
3. The financial contributions in Table 1 – Financial Contributions on Subdivision and FC-R2 shall be paid in respect of each allotment created by the subdivision. No financial contribution shall be payable in respect of:
 - a. The existing number of allotments in the land being subdivided;
 - b. Any allotment to be vested in the Council or the Crown;
 - c. Any allotment to be used exclusively for utility, road, reserve or access purposes.
4. The contribution is only payable where the relevant service is available to the land being subdivided, and is within the part of the District indicated in Table 1 – Financial Contributions on Subdivision.
5. 'Whole District' means the area within the Whangarei District boundary. Other localities specified in Table 1 – Financial Contributions on Subdivision, are defined by reference to the availability and practical catchment areas of the relevant service in that locality.
6. In assessing the contributions payable under FC-R1 – R2, the Council, in setting the contribution, shall take into account the value of any works or services already made under FC-R4, while ensuring that adverse effects on the environment are avoided, remedied or mitigated.

FC-R3 Contributions in Land for Reserves

1. The Council may impose on every subdivision consent, where the subdivision will produce 2 or more allotments, a condition requiring a financial contribution in land within the subdivision, for reserve purposes.
2. The land comprising the financial contribution shall contain a maximum area equivalent in value to \$1,600.00, multiplied by the number of allotments in the subdivision, excluding allotments mentioned in FC-R2.3.

The value of any land vested as reserve under FC-R3 may be deducted from the assessment of the financial contributions to be made under FC-R1 – R2 for reserves and community services, and where the value of land vested under FC-R3 exceeds the financial contribution payable under Table 1 – Financial Contributions on Subdivision "Reserves and community services", the Council will reimburse the subdivider for the difference.

FC-R4 Conditions on a Land Use Resource Consent

1. Where any resource consent is granted, a condition imposing a financial contribution may be imposed according to Section 108(2) of the Resource Management Act 1991, to make provision for associated infrastructure and services, including reserves and community infrastructure. Where a land use resource consent imposes a condition requiring a financial

contribution, Council will account for contributions already made under FC-R1 and FC-R2 for the purpose of avoiding, remedying or mitigating potential adverse affects arising from insufficient infrastructure or services, with respect to the proposed development.

The following are purposes for which a financial contribution may be imposed:

- a. The form or upgrade roads and associated services, including traffic control systems in the vicinity of the proposed development, to the extent required due to the projected increase in traffic.
- b. To develop or upgrade the water supply, stormwater drainage and wastewater systems to the boundary of the development site.
- c. To provide for other works or services provided by Council that would otherwise have been required to be provided by the consent holder as a condition of resource consent associated with the development site.
- d. To offset the cost of future capital works, reserves acquisition and anticipated community infrastructure necessitated by and directly associated, with effects of the proposed development, other than financial contributions provided by condition of a subdivision consent.
- e. To offset the cost of capital works, reserves acquisition and community infrastructure necessitated by, and directly associated with, the effects of the proposed development that has been incurred in anticipation of proposed development other than financial contributions provided by condition of subdivision consent.

In undertaking an assessment as to the quantum of any financial contribution that may be required to address the above matters, Council will apply the following principles:

- a. A financial contribution will only be required in circumstances where the proposed development does not effectively provide for development of infrastructure and services directly associated with the proposed development.
- b. A financial contribution will not be required in circumstances where the financial contribution provided for under FC-R1 and FC-R2 adequately provides for the purpose of avoiding, remedying or mitigating potential adverse effects arising from insufficient infrastructure, or services directly associated with, the proposed development.
- c. A financial contribution will only be used to provide for the provision or upgrading of infrastructure and services associated with effects or impact of that development site and proposed development.
- d. A financial contribution does not provide for the operation and maintenance of infrastructure after establishment.
- e. Financial contribution means a contribution of money or land (including an esplanade reserve or esplanade strip other than in relation to a subdivision consent), or combination of money and land, to an equivalent value.
- f. The calculation of any financial contribution will take into account the extent to which the Council service for which the contribution is being required is funded by other sources, including that required by condition of subdivision consent.
- g. Upon application, Council may waive or discount the financial contribution under this provision, in consideration of relevant matters including:
 - i. Where the infrastructure provided exceeds that required for the proposed development and this is of benefit to the local or wider community;
 - ii. Positive effects created by the enhancement of physical and/or natural environment;
 - iii. Where reserves' acquisition and anticipated community infrastructure is unnecessary or inappropriate.

Note:

1. In the event the proposed development does not proceed and the consent is cancelled or lapsed, Council shall refund to the consent holder the unspent component (if any) of the financial contribution (paid under this provision), according to Section 110(1) of the Resource Management Act 1991.

In a situation that Council is confident that a third party effectively providing, or will effectively provide payment towards, the financial contribution, then such payment will be deducted from the financial contribution required under this provision. Determination of the deduction will be established through a negotiated process between the applicant and Council. This determination will be made on a case-by-case basis and not determined retrospectively.

2. A financial contribution in money shall be paid to the Council where the Council will do some or all of the work or provide land. The amount will be determined as no more than the full cost to the Council to achieve the purpose of the financial contribution, and to the extent to which the works will be required to avoid, remedy or mitigate adverse effects of the subdivision or development on the environment.
3. A financial contribution in land shall be required where a consent holder is to vest land in a local authority, the Crown, a network utility operator or a heritage protection authority, for the purpose of the financial contribution. The amount and location of the land will be determined as follows:
 - a. The land necessary to construct, form, divert, widen or upgrade any new or existing road, where:
 - i. Roads are not available; or
 - ii. Existing roads are of an inadequate width or construction to cater for increased usage caused by the subdivision or development, or
 - iii. Alterations or works to existing roads are required for traffic safety or efficiency, as a consequence of the subdivision or development.
 - b. The land necessary to access any other land in the vicinity of the land being subdivided or developed, or adjacent to the road being constructed, widened or upgraded; to provide for the effective future development of the other land or practical access to the other land.
 - c. The land necessary for any segregation strips required for the purposes of the financial contribution.
 - d. The land required to site any utility required for the purpose of the financial contribution, such as a substation, pumping station or soil conservation reserve.
 - e. Any easements necessary to make services available to land within the subdivision or development, or to any land in the vicinity of the land being subdivided or developed; to provide for the effective future development of the other land.
 - f. Any land, or interest in land, necessary for the purposes of an esplanade reserve or esplanade strip or access strip.
 - g. Any land, or interest in land, necessary for the protection of Significant Ecological Areas.

FC-R5 Timing of Payment

1. Where payment of a financial contribution in money is required by a condition on a resource consent, or a rule, it shall be paid in accordance with that condition or rule, or if there is no specific requirement as to timing of the payment, it shall be paid:

- a. Prior to a certificate being issued pursuant to section 224(c) of the Resource Management Act 1991, in the case of a subdivision; or
- b. Prior to commencement of building work, in the case of a building activity; or
- c. Prior to a service connection being made to Council services, in the case of a contribution for water, wastewater or stormwater connection; or
- d. Prior to the commencement of the activity in the case of a contribution for parking.

FC-R6 Timing of Transfer of Land

1. A condition in respect of a financial contribution in land, shall be completed as required, by a condition on a resource consent or a rule. If the contribution is the vesting of land as part of a subdivision, this shall be shown on a plan of subdivision.

Principal Reasons for Rules

Payments on Subdivision

The purposes of financial contributions are described in the objectives and policies in general terms, (Chapter 9) and in the rules more specifically.

The manner of determining the level of contributions in FC-Table 1 is generally based on the capital works projects stated in the Council's Strategic Plan, which is part of the Council's Long Term Council Community Plan, required under the Local Government Act 2002. Where projects are not contained in the Strategy, then specific estimates of costs will be relied upon in costing the project. Only projects planned for the next 10 years are covered in FC-Table 1.

In most cases, the amount in FC-Table 1 is lower than the actual costs of providing services. This is because Council has decided to accept that part of the costs attributable to new growth should be met, in part, out of rates.

Every allotment on a subdivision is assumed to be capable of holding one new residential unit. Exceptions are provided in the rules for lots to be used for utility, road, reserve or access purposes, on the basis that these are unlikely to contain a dwelling unit. Commercial and industrial subdivisions will pay the same financial contribution, per lot, as residential subdivisions. However, additional payments to the Council for services may be required at the time of connection to services. The financial contribution, in some cases, has been reduced below the calculated level where the Council has decided to pay part of the costs of new growth from rates, for reasons of fairness or equity.

Contributions for Road Network

Rural subdivision affects roads in several ways. Increasing traffic creates demands for road widening, surface improvement, traffic signs and other works. Stormwater flows in water tables, sumps and culverts may increase significantly, as water from on-site drainage systems often finds its way onto roads following subdivision.

The purposes of the financial contribution are to pay the costs of upgrading the road network, including widening, surface and subsurface improvements, improvements to alignment, levels, sight lines and water control, land purchase and road legalisation.

Resource Consent Conditions

This rule covers activities or effects, within the scope of the objectives and policies, for which financial contributions cannot be quantified in advance. The level of contributions for these purposes will reflect the effects assessed on the environment.

Methods

Regulatory Methods

- Rules relating to the payment of financial contributions (Policies FC-P1 – P6).
- Subdivision rules relating to the provision of services (Policies FC-P2 and FC-P3).
- Resource consent conditions (Policies FC-P1 – FC-P6).

Economic Instruments

- Financial contributions in terms of this Chapter (Policies FC-P1 – P6).
- Annual Plan allocation for Council purchase of land (Policies FC-P1 – P6).

Council Works and Services

- Works and services relating to water supply, sewage and stormwater disposal (Policies FC-P1 – P6).

Anticipated Environmental Results

The following results are expected to be achieved by the foregoing Objectives, Policies and Methods. The means of monitoring whether the Plan achieves the expected outcomes are set out in the Whangārei District Council Monitoring Strategy.

- The efficient and timely provision and/or upgrading of infrastructure and services so as to enable the orderly and sustainable development of the District. This includes the provision of roading, footpaths, street lighting, water supply, wastewater and stormwater disposal, solid waste disposal, reserves and community facilities.
- The costs of providing and/or upgrading infrastructure and services to enable development are contributed to by those initiating such development.
- The costs of ameliorating adverse environmental effects resulting from development are borne by those initiating such development.

Definitions

Introduction

This chapter defines the meaning of words used in this Plan. Words defined in the Resource Management Act 1991 have the same meaning in this Plan, unless the context otherwise requires. Where a word is followed by an asterisk (*), the definition that follows is the meaning provided in the Resource Management Act 1991 and is repeated here to assist the readers. In the case of any inconsistency, the statutory definition prevails.

General Rules of Interpretation

1. Any term which is not defined in this section takes its common meaning from the Concise Oxford Dictionary (Ninth Edition) or the Williams Māori Dictionary (Seventh Edition).
2. Lists of items (for example, conditions, standards and terms in rules) and sub-paragraphs within paragraphs are to be read conjunctively, unless expressed as alternatives.
3. Singular includes plural and vice versa.
4. Cross references are for the assistance of the reader and are not necessarily exhaustive.
5. Definitions of Māori terms are necessarily a brief approximation of meaning and have to be expanded and understood in the context of the specific usage and local language differences.
6. Where a definition contains the word “includes” or “including” and is followed by a specific item or activity, or a list of specific items or activities, these shall be interpreted as falling within that definition.
7. There are five “definition groupings” which gather specific **land** use activities into similar categories. These include: **Rural Production Activities**, **Industrial Activities**, **Residential Activities**, **Commercial Activities** and **Community Activities**. Within each grouping, activities are listed with the more general term on the left of Figures 1-5 and the more specific term on the right of Figures 1-5. Where a District Plan rule manages a general activity, that general activity includes all the specific activities listed in the definition grouping unless otherwise specified in the rules. Each definition grouping activity must also comply with any **building** and **built form** rules that are relevant to the activity. The five definition groupings are detailed in Figures 1-5 below.

Rural Production Activities	Farming
	Plantation Forestry
	Intensive Livestock Farming
	Farm Quarrying

Figure 1: Rural Production Activities Definition Grouping

Industrial Activities	General Industry
	Manufacturing
	Repair and Maintenance Services
	Artisan Industrial Activities
	Marine Industry
	Waste Management Facility
	Landfill
	Storage

Figure 2: Industrial Activities Definition Grouping

Residential Activities	Residential Unit	Principal Residential Unit
		Minor Residential Unit
	Supported Residential Care	
	Retirement Village	

Figure 3: Residential Activities Definition Grouping

Commercial Activities	Retail Activity	Trade Retail	Marine Retail
			Hire Premise
			Motor Vehicle Sales
			Trade Suppliers
		Drive-Through-Facilities	
		General Retail	
		Grocery Store	
	Commercial Services		
	Food and Beverage Activity		
	Entertainment Facilities		
	Visitor Accommodation		
	Service Stations		
	Funeral Home		
	General Commercial		

Figure 4: Commercial Activities Definition Grouping

Community Activities	Place of Assembly	Community Corrections Activity
	Recreational Facilities	
	Emergency Services	
	Care Centre	
	Educational Facilities	
	Hospital	
	General Community	

Figure 5: Community Activities Definition Grouping

Definitions A-C

Term	Definition
Access	means the area of land over which a site or allotment obtains legal, vehicular and pedestrian access to a legal road.
Accessway	means the area of land within a site that is permanently formed or otherwise constructed for the use of access for motor vehicles from the road to the activity, parking, loading, or manoeuvring space on a site. Can be used by multiple activities or sites in some cases. Includes access lots.
Access Lot	means an <u>allotment</u> owned in common or undivided shares by the owners of two or more <u>allotments</u> , for the principal purpose of providing <u>road frontage</u> or <u>access</u> to those lots, where their interests in the <u>access lot</u> are recorded on the certificates of title.
Access Strip	means a negotiated agreement of easement between a landowner and a <u>territorial authority</u> to provide public <u>access</u> across private <u>land</u> . The <u>access strip</u> is surveyed and recorded on the title of <u>land</u> and ownership remains with the private landowner. An <u>access strip</u> can be used to link to an <u>esplanade reserve</u> or <u>esplanade strip</u> and includes <u>access strips</u> , as defined in the Resource Management Act 1991.
Accessory Building	means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on the same site, but does not include any minor residential unit.
Active Frontage	means <u>building frontages</u> which are designed to have a connection to the <u>road</u> allowing visual interaction between pedestrians and people within <u>buildings</u> .
Active Transport Modes	means non-motorised forms of transport involving physical activity, including walking and cycling.
Activities Ancillary to Farming or Forestry	means processing and packaging facilities for <u>farming</u> , and <u>plantation forestry</u> that is dependent primarily on the direct handling of raw produce, or that primarily supplies services to <u>farming</u> horticulture, or <u>plantation forestry</u> . Includes premises used for the manufacture of dairy products, abattoirs, timber processing, stock yards and sale yards, cool stores, pack houses and rural contractors depots.
Adaptive Re-use	<i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i> is a process that adapts <u>buildings</u> for new uses while retaining their <u>historic heritage</u> features.
Additions and Alterations	<i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i> means any work to existing scheduled <u>built heritage</u> resources which involves the addition, change, removal or replacement of walls, <u>fabric</u> , windows or features resulting in changes to external appearance or an increase in <u>gross floor area</u> or <u>building coverage</u> . It excludes demolition or destruction of a <u>building</u> , <u>structure</u> or feature.
Aerial	means a device being a rod, wire, dish or similar, anemometer or other meteorological equipment (but excluding a weather balloon) used for the purpose of measuring collecting and distributing meteorological information or the reception of transmission of radio, telephone or electromagnetic signals.
Aerial Support Structure	means a single supporting <u>structure</u> such as a tower, pole or mast, including guy wires, being permanent or temporary, and possibly extendable, used for the support of an <u>aerial</u> or <u>aerials</u> .
Air Noise Boundary	defines the area around Whangārei Airport within which the 24 hour daily aircraft <u>noise</u> exposure will be sufficiently high as to require appropriate <u>land</u> use controls or other measures to avoid, remedy or mitigate any adverse <u>effect</u> on the <u>environment</u> , including <u>effects</u> on community health and <u>amenity values</u> , whilst recognising the need to operate an airport efficiently. The average night-weighted sound exposure over a 24 hour period at the <u>air noise boundary</u> shall not exceed 65Ldn. The <u>air noise boundary</u> shall be established in accordance with NZS6805:1992.

Term	Definition
Air Noise Margin	means the area of <u>land</u> that lies between the <u>air noise boundary</u> and the <u>outer control boundary</u> , as identified on the Planning Maps.
Allotment*	<p><i>This definition has the same meaning as in section 218 of the Resource Management Act 1991.</i></p> <ol style="list-style-type: none"> in this <u>Act</u>, the term <u>allotment</u> means: <ol style="list-style-type: none"> any parcel of <u>land</u> under the Land Transfer Act 1952 that is a continuous area and whose <u>boundaries</u> are shown separately on a survey plan, whether or not: <ol style="list-style-type: none"> the <u>subdivision</u> shown on the survey plan has been allowed or <u>subdivision</u> approval has been granted, under another Act; or a <u>subdivision</u> consent for the <u>subdivision</u> shown on the survey plan has been granted under the Resource Management Act 1991; or any parcel of <u>land</u> or <u>building</u>, or part of a <u>building</u>, that is shown or identified separately: <ol style="list-style-type: none"> on a survey plan; or on a licence within the meaning of subpart 6 of Part 3 of the Land Transfer Act 2017; or any unit on a unit plan; or any parcel of <u>land</u> not subject to the Land Transfer Act 2017. for the purposes of subsection (1), an <u>allotment</u> that is: <ol style="list-style-type: none"> subject to the Land Transfer Act 2017 and is comprised in 1 record of title or for which 1 records of title could be issued under that Act; or not subject to that Act and was acquired by its owner under 1 instrument of conveyance shall be deemed to be a continuous area of <u>land</u> notwithstanding that part of it is physically separated from any other part by a <u>road</u> or in any other manner whatsoever, unless the division of the <u>allotment</u> into such parts has been allowed by a <u>subdivision</u> consent granted under this Act or by a subdivisional approval under any former enactment relating to the <u>subdivision</u> of <u>land</u>. for the purposes of subsection (1), the balance of any <u>land</u> from which any <u>allotment</u> is being or has been subdivided is deemed to be an <u>allotment</u>.
Alteration	means reconstruction, relocation or structural changes to a <u>building</u> or <u>major structure</u> (excluding <u>minor buildings</u>).
Amateur Radio Configuration	means an individual <u>structure</u> with antennas, <u>aerials</u> (including rods, wires and tubes) and/or associated support <u>structures</u> which are owned and used by licensed <u>amateur radio operators</u> for the reception or transmission of radio signals.
Amateur Radio Operator	means persons who have been granted a license under the Radiocommunications Act 1989 to operate an amateur radio station.
Amenity Values*	means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.
Ancillary Activity	means an activity that supports and is <u>subsidiary</u> to a primary activity.
Annual Exceedance Probability (AEP)	the probability of exceedance of an event (generally a rainfall storm) within a period of one year (1% <u>AEP</u> is equivalent to 1 in 100 year storm). Guidance on calculating <u>AEP</u> can be found in the Whangarei District Council Engineering Standards.
<u>Aquifer</u>	<u>means a permeable geological formation, group of formations, or part of a formation, beneath the ground, capable of receiving, storing, transmitting and yielding water.</u>
Archaeological Site	<p><i>As defined in the Historic Places Act 1993.</i></p> <p>means any place in New Zealand that:</p>

Term	Definition
	<ul style="list-style-type: none"> a. either: <ul style="list-style-type: none"> i. was associated with human activity that occurred before 1900; or ii. is the <u>site</u> of the wreck of any vessel where that wreck occurred before 1900; and b. is or may be able, through investigation by archaeological methods, to provide evidence relating to the history of New Zealand.
Archaeological Site	<p><i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i></p> <p>in terms of section 6 of the Heritage NZ Pouhere Taonga Act 2014, means any place in New Zealand (including <u>buildings</u>, <u>structures</u> or shipwrecks) that was associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods. Modifications to <u>archaeological sites</u> as defined above require consent from Heritage New Zealand.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. Under the Resource Management Act 1991 definition of '<u>historic heritage</u>' the term '<u>archaeological site</u>' is not limited to pre-1900 activity and may include evidence of archaeological significance such as sites of later activity of heritage interest (e.g. former World War II army camps). 2. Installing <u>signs</u> into pre-1900 <u>built heritage</u> sites may require an Authority from Heritage New Zealand. 3. Nineteenth Century <u>buildings</u> and <u>structures</u> above and below ground are <u>archaeological sites</u> and may require an Authority depending upon the nature of the works proposed.
Artificial Crop Protection Structures	<p>means open <u>structures</u> that are used to protect crops from damage:</p> <ul style="list-style-type: none"> a. including: <ul style="list-style-type: none"> i. bird netting; and ii. wind-break netting. b. excluding: <ul style="list-style-type: none"> i. greenhouses.
Artisan Industrial Activities	<p><i>This definition is included within the <u>industrial activities</u> definition grouping.</i></p> <p>means manufacture, repair, <u>storage</u> or maintenance associated with production of art, crafts or specialist foodstuffs.</p>
Bed*	<p>means</p> <ul style="list-style-type: none"> a. in relation to any <u>river</u>: <ul style="list-style-type: none"> i. for the purposes of <u>esplanade reserves</u>, <u>esplanade strips</u>, and <u>subdivision</u>, the space of <u>land</u> which the <u>waters</u> of the <u>river</u> cover at its annual fullest flow without overtopping its banks; ii. in all other cases, the space of <u>land</u> which the <u>waters</u> of the <u>river</u> cover at its fullest flow without overtopping its banks; and b. in relation to any <u>lake</u>, except a <u>lake</u> controlled by artificial means, <ul style="list-style-type: none"> i. for the purposes of <u>esplanade reserves</u>, <u>esplanade strips</u>, and <u>subdivision</u>, the space of <u>land</u> which the <u>waters</u> of the <u>lake</u> cover at its annual highest level without exceeding its margin; ii. in all other cases, the space of <u>land</u> which the <u>waters</u> of the <u>lake</u> cover at its highest level without exceeding its margin; and c. in relation to any <u>lake</u> controlled by artificial means, the space of <u>land</u> which the <u>waters</u> of the <u>lake</u> cover at its maximum permitted operating level; and d. in relation to the sea, the submarine areas covered by the internal <u>waters</u> and the territorial sea.
Bicycle Parking Spaces	<p>means parking spaces available for bicycle parking which enable a cyclist to manoeuvre and attach or secure a bicycle to each stand/space.</p>

Term	Definition
Bird Scaring Device	means a gas gun, avian distress alarm, firearm or other such device used primarily for the purposes of bird scaring.
Bore	<p>means any hole drilled or constructed in the ground that is used to:</p> <p>(a) investigate or monitor conditions below the ground surface; or</p> <p>(b) abstract gaseous or liquid substances from the ground; or</p> <p>(c) discharge gaseous or liquid substances into the ground;</p> <p>but it excludes test pits, trenches, soak holes and soakage pits.</p>
Boundary	<p>means:</p> <ol style="list-style-type: none"> in relation to fee simple titles, the site boundary. in relation to cross-lease titles, the boundary of any restrictive covenant area. in relation to unit titles, the boundary of the accessory unit associated with a particular principal unit.
Boundary Relocation	<p>means a subdivision in the Rural Production Zone that relocates an existing boundary between adjacent allotments where separate computer freehold registers (records of title as per Land Transfer Act 2017) has been issued for those allotments without:</p> <ol style="list-style-type: none"> altering the number of allotments; cancelling existing amalgamation conditions; creating additional capacity to subdivide as a controlled activity in accordance with the relevant subdivision rules; <p>for the purposes of this definition “adjacent allotments” means allotments that are:</p> <ol style="list-style-type: none"> part of a contiguous landholding; or separated only by a road, access allotment, railway, stream or river.
Boundary Adjustment	means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments.
Buffer Area	means that part of the Quarrying Resource Area which is outside of the Mining Area .
Building	<p>means a temporary or permanent moveable or immovable physical construction that is:</p> <ol style="list-style-type: none"> partially or fully roofed, and is fixed or located on or in land, but excludes any motorised vehicle or other mode of transport that could be moved under its own power.
Building Area	means an area of land on which a building could be accommodated. The building area does not include areas associated with minor buildings , parking, manoeuvring, landscaping , effluent treatment and disposal or private open space.
Building Coverage	means the proportion of the net site area which is covered by buildings and includes any part or overhangs or eaves in excess of 0.80m in width.
Building Frontage	means a side of a building that is facing the frontage of the site allotment .
Built Form	defined as (a) the general pattern of built form and development intensity and (b) the structural elements that define the District physically, such as natural features, transportation corridors, open space, public facilities, as well as activity centres and focal elements. Built form refers to the physical layout and design of the city.

Term	Definition
Built Heritage	<i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i> means physical or built forms of historic heritage predominantly comprising historic sites , structures , places, areas and associated settings/surroundings.
Business Net Floor Area	means the net floor area occupied exclusively for a single industrial activity , a single commercial activity or a single community activity .
Business Zones	means the City Centre, Town Centre, Mixed Use, Waterfront, Commercial, Shopping Centre, Local Centre, Neighbourhood Centre, Light Industrial and Heavy Industrial Zones.
Canopy Dripline	means the outermost circumference of the tree's canopy, from which water drips onto the ground.
Care Centre	<i>This definition is included within the community activities definition grouping.</i> means an activity used for any one or more of the following purposes: <ol style="list-style-type: none"> children, in addition to the children of the person in charge, aged six years or younger are cared for. children, in addition to the children of the person in charge, aged five years or older and are cared for out of school hours. elderly people are cared for during the day. people with disabilities (including mental health, addiction, illness or intellectual disabilities) are cared for during the day. excludes: <ol style="list-style-type: none"> supported residential care. care provided by family members within a residential activity. educational facilities.
Cleanfill Area	means an area used exclusively for the disposal of cleanfill material .
Cleanfill Material	means virgin excavated natural material including clay, gravel, sand, soil and rock that are free of: <ol style="list-style-type: none"> combustible, putrescible, degradable or leachable components; hazardous substances and materials; products and materials derived from hazardous waste treatment, stabilisation or disposal practices; medical and veterinary wastes, asbestos, and radioactive substances; contaminated soil and other contaminated materials; and liquid wastes.
Coastal Hazard Area	means an area of coastal land that is or is likely to be, subject to the effects of natural coastal hazards such as erosion, landslip and flooding over a defined planning horizon.
Coastal Hazard Area 1	means an area of coastal land bounded by the coastline and Coastal Hazard Area 2 that is at relatively high to extreme risk from the effects of coastal hazards, over a planning horizon of 50 years.
Coastal Hazard Area 2	means an area of coastal land , landward and adjacent to Coastal Hazard Area 1 , that is at relatively low to moderate risk from the effects of coastal hazards over a planning horizon of 100 years.
Coastal Marine Area*	means the foreshore, seabed, and coastal water , and the air space above the water : <ol style="list-style-type: none"> of which the seaward boundary is the out limits of the territorial sea: of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of: <ol style="list-style-type: none"> 1km upstream from the mouth of the river; or

Term	Definition
	ii. the point upstream that is calculated by multiplying the width of the <u>river</u> mouth by 5.
Coastal Water*	means seawater within the outer limits of the territorial sea and includes: <ol style="list-style-type: none"> seawater with a substantial <u>fresh water</u> component; and seawater in estuaries, fiords, inlets, harbours or embayments.
Commercial Activity	means any activity trading in goods, equipment or services. It includes any <u>ancillary activity</u> to the <u>commercial activity</u> (for example administrative or head offices).
Commercial Services	<i>This definition is included within the <u>commercial activities</u> definition grouping.</i> means businesses that sell services rather than goods. For example: banks, real estate agents, travel agents, dry cleaners, health care facilities and hairdressers. Includes offices conducting activities within a <u>building</u> and focusing on business, government, professional, IT or financial services and includes the personal service elements of these activities offered to consumers or clients where visits by members of the public are accessory to the main use.
Communal Open Space	means a quantity of outdoor area freely available to all residents on the <u>site</u> , exclusive of <u>accessways</u> <u>driveways</u> , <u>buildings</u> , <u>major structures</u> and private outdoor space of individual <u>residential units</u> .
Community Activities	means activities for recreational, sporting, cultural, safety, health, welfare, worship, educational or similar community and well-being purposes for members of the community. It includes provision for <u>ancillary activities</u> .
Community Corrections Activity	<i>This definition is included within the <u>community activities</u> and <u>place of assembly</u> definition groupings.</i> means the use of <u>land</u> and <u>building</u> for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community work groups.
Community Sign	means a <u>sign</u> displaying information relating to the location of public facilities, place-names, destinations of historical, cultural, spiritual, sporting, or scenic significance. The advertising of public, sporting, recreation, community, social or cultural events.
Conservation	<i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i> means all of the processes of understanding and caring for a <u>built heritage</u> item so as to safeguard its <u>historic heritage</u> values.
Consolidated Sign Installation	means a <u>sign</u> which identifies or advertises at least three different businesses, activities, or events (or a combination thereof) within a single permanent <u>structure</u> .
Contaminant*	includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding <u>noise</u>) or heat, that either by itself or in combination with the same, similar or other substances, energy, or heat– <ol style="list-style-type: none"> when discharged into <u>water</u>, changes or is likely to change the physical, chemical or biological condition of <u>water</u>; or when discharged onto or into <u>land</u> or into air, changes or is likely to change the physical, chemical or biological condition of the <u>land</u> or air onto or into which it is discharged.
Contaminated Land*	means <u>land</u> that has a <u>hazardous substance</u> in or on it that: <ol style="list-style-type: none"> has significant adverse <u>effects</u> on the <u>environment</u>; or is reasonably likely to have significant adverse <u>effects</u> on the <u>environment</u>.
Contaminated Site	means an area of <u>land</u> on which <u>hazardous substances</u> occur at concentrations above background levels, and where assessment indicates the substance poses, or is likely to pose an immediate or long term hazard to human health or the <u>environment</u> .

Term	Definition
Cooking Facilities	<p>means facilities that are able to be used for food preparation and/or cooking, including but not limited to:</p> <ul style="list-style-type: none"> • space for a refrigerator, or a perishable food storage area capable of being cooled and protected from vermin and insects. • means for food rinsing, utensil washing and wastewater disposal. • means for cooking food, including space for cooking appliances. • space and a surface for food preparation. • adequate energy supply. • space for non-perishable food items to be stored and protected from vermin and insects.
CPTED (Crime Prevention Through Environmental Design)	means a framework promoted by the Ministry of Justice Tāhū o te Ture for incorporating crime prevention within quality urban design by focusing on reducing the opportunity to commit crime, therefore lessening the motivation to offend.
Crop Support Structure	means open pervious, <u>structures</u> with the primary purpose to provide support for horticultural crops. <u>Crop support structures</u> are stand-alone unattached to any <u>building</u> or <u>major structure</u> .
Cultivation	means the <u>alteration</u> or disturbance of <u>land</u> (or any matter constituting the <u>land</u> including soil, clay, sand and rock), for the purpose of sowing, growing or harvesting of pasture or crops.

Definitions D-G

Term	Definition
Day	means the period 07:00 to 22:00 hours unless specified otherwise.
Demolition or Destruction	<p><i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i></p> <p>means any activity that destroys, damages or modifies in whole or in part the <u>fabric</u> of a <u>historic heritage</u> item and adversely affects the heritage values that contribute to its significance. The temporary dismantling of parts of a <u>building</u> or <u>structure</u> for the purposes of seismic upgrading does not constitute 'demolition or destruction'.</p>
Discharge*	includes emit, deposit, and allow escape.
Dominant Slope	<p>means the average slope of land above the level of annual fullest flow of a river or lake adjacent to the width or length of the proposed building or major structure. The dominant slope is determined by averaging measurements taken at 2m intervals above the Annual Fullest Flow between projections of the outer dimensions of the proposed building or major structure (see illustration below). When determining building and major structure setbacks from water bodies the dominant slope rule applies only to any river bed that has a width of less than 3m or the bed of a lake under 8ha. For the purposes of determining dominant slope, annual fullest flow in relation to a river is the highest point at which the river can rise without overtopping the bank and in the case of a lake the point at which the waters cover at the highest level without exceeding its margin.</p> <p><u>Note: Refer image in Definitions Appendix 1.</u></p>
Drain	means any artificial watercourse designed, constructed, or used for the drainage of surface or subsurface water, but excludes artificial watercourses used for the conveyance of water for electricity generation, irrigation, or water supply purposes.

Term	Definition
Drinking Water	means <u>water</u> intended to be used for human consumption; and includes <u>water</u> intended to be used for food preparation, utensil washing, and oral or other personal hygiene.
Drive-Through-Facilities	<i>This definition is included within the <u>commercial activities</u> definition grouping.</i> means any part of any fast food or restaurant activity where the product is sold directly to the customer while in their vehicle.
Dry Stone Wall	<i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i> means a wall that has been constructed by hand, without mortar, from locally sourced volcanic rocks, as opposed to man-made construction materials. Located primarily within the areas of Maungatapere, Maunu, Glenbervie, Three Mile Bush and Maungakaramea, these walls were generally constructed between the 1850's and World War II. Pre -1900 <u>dry stone walls</u> are also classed as ' <u>archaeological sites</u> '.
<u>Dust</u>	<u>means all non-combusted solid particulate matter that is suspended in the air, or has settled after being airborne. Dust may be derived from materials including rock, sand, cement, fertiliser, coal, soil, paint, animal products and wood.</u>
Earthworks	means the <u>alteration</u> or disturbance of <u>land</u> , including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the <u>land</u> including soil, clay, sand and rock); but excludes gardening, <u>cultivation</u> , and disturbance of <u>land</u> for the installation of fence posts.
Earthworks Associated with Subdivision	means <u>earthworks</u> undertaken in anticipation of, or as part of, the <u>subdivision</u> of <u>land</u> . includes <u>earthworks</u> for: <ol style="list-style-type: none"> the stripping of topsoil; <u>infrastructure</u> and services; <u>accessways</u> and <u>roads</u>; <u>building</u> platforms; <u>site</u> stabilisation; the compaction of fill material.
Eaves	means that portion of the roof extending beyond the exterior wall of a <u>building</u> having a maximum overhang of 800mm.
Educational Facility	<i>This definition is included within the <u>community activities</u> definition grouping.</i> means <u>land</u> or <u>buildings</u> used for teaching or training by <u>child care</u> services, schools, or tertiary education services, including any <u>ancillary activities</u> .
Effect*	includes: <ol style="list-style-type: none"> any positive or adverse <u>effect</u>; and any temporary or permanent <u>effect</u>; and any past, present or future <u>effect</u>; and any cumulative <u>effect</u> which arises over time or in combination with other <u>effects</u>, regardless of the scale, intensity, duration or frequency of the <u>effect</u>, and also includes: <ol style="list-style-type: none"> any potential <u>effect</u> of high probability; and any potential <u>effect</u> of low probability which has a high potential impact.
Electric Vehicle Charging Station	means a <u>structure</u> with the primary purpose of recharging an electric vehicle. The station must be available for use by electric vehicles.
Electric Vehicle Charging Station Parking Space	means a parking space of sufficient dimensions to accommodate <u>infrastructure</u> for an <u>electric vehicle charging station</u> .

Term	Definition
Electricity Infrastructure	means all transmission and distribution systems for electricity comprising of lines, cables, substations and switchyards and other paraphernalia provided by a <u>network utility operator</u> , but excluding generation facilities. <u>Electricity infrastructure</u> within the District is comprised of the <u>National Grid</u> and the Electricity Distribution Network.
Emergency Services	<i>This definition is included within the <u>community activities</u> definition grouping.</i> means the activities of authorities who are responsible for the safety and welfare of people and property in the community and include fire, ambulance and police services.
Emergency Tree Works	means the pruning or maintenance or removal of any tree or vegetation immediately necessary to avoid any actual and imminent threat to the safety of persons or of damage to property, or to maintain or restore power or <u>telecommunications infrastructure</u> .
End-of-trip Facilities	means facilities provided primarily for cyclists but also for walkers and runners at the end of their trip, and must include showers and changing areas.
Entertainment Facilities	<i>This definition is included within the <u>commercial activities</u> definition grouping.</i> means facility used for leisure or entertainment. includes: <ol style="list-style-type: none"> nightclubs; theatres; cinemas; concert venues.
Environment*	includes: <ol style="list-style-type: none"> ecosystems and their constituent parts, including people and communities; and all <u>natural and physical resources</u>; and <u>amenity values</u>; and the social, economic, aesthetic and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters.
Environmental Protection Authority and EPA*	means the <u>Environmental Protection Authority</u> established by section 7 of the <u>Environmental Protection Authority Act 2011</u> .
Equine Related Activities	means any activities within the Ruakaka Equine Zone that relate to the agistment (resting and grazing), training, housing and racing of horses. these activities include, but are not limited to: <ol style="list-style-type: none"> stabling and care of horses together with incidental <u>buildings</u> and <u>major structures</u>; equine training and <u>educational facilities</u>; accommodation for horse trainers, students and caretakers; car parking areas; broadcasting; TAB and related gaming facilities; grandstand/viewing areas; entertainment (related to race days); race meetings; racecourse administration with incidental <u>buildings</u> and <u>major structures</u>; sale and auction of race horses and stock; catering activities associated with racing days;

Term	Definition
	<p>m. pony clubs and riding schools;</p> <p>n. activities associated with horse breeding and training, including feed supplies, veterinary services, horse transport, riding schools, saddlery and farriers.</p>
Esplanade Reserve	means an area of <u>land</u> adjoining a <u>water body</u> and vested in the territorial or regional authority or the Crown, for the purposes of section 229 of the Resource Management Act 1991 (conservation, public <u>access</u> and recreational use). The <u>land</u> is surveyed and titled, and its <u>boundaries</u> do not alter with changes to the margins of the <u>water body</u> , and includes <u>esplanade reserves</u> , as defined in the Resource Management Act 1991.
Esplanade Strip	means an area of <u>land</u> adjoining a <u>water body</u> that complies with the purposes of section 229 of the Resource Management Act 1991, and ownership of the strip remains with the landowner with a note of interest expressed on the title. An <u>esplanade strip</u> is defined as an area of specified width from the margins of the <u>water body</u> , and also includes <u>esplanade strip</u> , as defined in the Resource Management Act 1991.
Existing Use Rights	<p>is the term that is commonly applied to the rights protected under section 10 and section 10A of the Resource Management Act 1991. A summary of the rights protected by those sections of the Resource Management Act 1991 follows. This summary is designed to assist understanding of the term, but is not a substitute for the statutory provisions.</p> <p><u>existing use rights</u> apply to the use of <u>land</u> or to activities that contravene a rule in a district plan or proposed district plan. The rights apply if:</p> <ul style="list-style-type: none"> the use or activity was lawfully established before the rule became operative or the proposed plan was notified; and the <u>effects</u> of the use or activity are similar in character, scale and intensity to those that existed before the rule became operative or the proposed plan was notified. <p><u>existing use rights</u> are extinguished if a use or activity is discontinued for a continuous period of more than 12 months after the rule in the plan became operative or the proposed plan was notified. However, an extension can be granted by the <u>territorial authority</u> on application up to two years after the use or activity is first discontinued.</p>
Exploration	means any activity undertaken for the purpose of identifying <u>mineral</u> deposits or occurrences, and evaluating the feasibility of mining particular deposits or occurrences of one or more <u>minerals</u> ; and includes any drilling, dredging or excavations (whether surface or sub-surface) that are reasonably necessary to determine the nature and size of a <u>mineral</u> deposit or occurrence; and "to explore" has a corresponding meaning.
Fabric	<p><i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i></p> <p>means all the physical material associated with a <u>built heritage</u> item, including <u>structures</u>, interior and exterior surfaces, fixtures and fittings.</p>
Farm Quarry(ies)	<p><i>This definition is included within the <u>rural production activities</u> definition grouping.</i></p> <p>means the extraction of <u>minerals</u> for uses ancillary to <u>farming</u>, horticulture, or <u>plantation forestry</u>, where:</p> <ol style="list-style-type: none"> the quarried material is used only on the property of extraction; no extracted material, including any aggregate is removed from the property of origin; and there are no retail or other sales of quarried material.
Farming	<p><i>This definition is included within the <u>rural production activities</u> definition grouping.</i></p> <p>means any agricultural or horticultural activity having as its primary purpose the commercial production of any livestock or vegetative matter for human or animal</p>

Term	Definition
	<p>consumption. The production of livestock or vegetative matter utilises the in situ production capacity of the soil, <u>water</u> and air as a medium for production.</p> <p>includes:</p> <ul style="list-style-type: none"> a. all types of livestock breeding, cropping, grazing, aquaculture; b. horticulture, including covered cropping as in greenhouses; c. apiaries; d. normal rural practices including associated <u>buildings</u> and <u>structures</u>; e. <u>crop support structures</u> and artificial crop protection; f. airstrips. <p>excludes:</p> <ul style="list-style-type: none"> a. <u>plantation forestry</u> and <u>intensive livestock farming</u>; b. <u>equine related activities</u>.
Fertiliser	<p><u>means a substance or biological compound or mix of substances or biological compounds in solid or liquid form, that is described as, or held out to be suitable for, sustaining or increasing the growth, productivity or quality of soils, plants or, indirectly, animals through the application to plants or soil of any of the following:</u></p> <p><u>(a) nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or</u></p> <p><u>(b) manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or</u></p> <p><u>(c) fertiliser additives to facilitate the uptake and use of nutrients; or</u></p> <p><u>(d) non-nutrient attributes of the materials used in fertiliser.</u></p> <p><u>It does not include livestock effluent, human effluent, substances containing pathogens, or substances that are plant growth regulators that modify the physiological functions of plants.</u></p>
Field Trials (Tests)	<p>means, in relation to a genetically modified organism, the carrying on of outdoor trials, on the <u>effects</u> of the organism under conditions similar to those of the <u>environment</u> into which the organism is likely to be released, but from which the organism, or any heritable material arising from it, could be retrieved or destroyed at the end of the trials.</p>
Financial Contribution	<p>means a contribution of:</p> <ul style="list-style-type: none"> a. money; or b. <u>land</u>, including an <u>esplanade reserve</u> or <u>esplanade strip</u> (other than in relation to a <u>subdivision</u> consent), but excluding Māori land within the meaning of the Māori Land Act 1993 unless that Act provides otherwise; or c. a combination of <u>land</u> and money.
Flood Susceptible Area	<p>means an area which has been assessed as being likely to experience <u>water</u> covering the surface of the <u>land</u> in a 1 in 50 year <u>stormwater</u> flood event. A <u>flood susceptible area</u> does not imply any particular duration or level of flood <u>water</u> but is generally part of a contiguous area of flood susceptibility. It includes areas likely to experience <u>surface water</u>, either ponding or flowing, from heavy rainfall and overflows from <u>rivers</u>, <u>streams</u>, and drainage channels. In areas adjacent to the coast, the <u>flood susceptible area</u> relates to areas which are or are likely to be, subject to permanent or temporary inundation from sea <u>water</u> due to sea level rise, storm tides or tsunami over a planning horizon of 100 years. In the coastal areas</p>

Term	Definition
	there is also the potential for inundation to occur as a result of the combination of <u>stormwater</u> and sea <u>water</u> flood events.
Food and Beverage Activity	<p><i>This definition is included within the <u>commercial activities</u> definition grouping.</i></p> <p>means activities where the primary business is selling food or beverages.</p> <p>includes:</p> <ul style="list-style-type: none"> a. restaurants and cafes; b. food halls; and c. takeaway food bars and bakeries. <p>excludes:</p> <ul style="list-style-type: none"> a. retail shops; and b. <u>grocery stores</u>.
Freestanding Sign	means a <u>sign</u> placed on or mounted or supported off the ground independent of any other <u>building</u> or <u>structure</u> for its primary support. Includes tower <u>signs</u> , pole <u>signs</u> , head post <u>signs</u> and goal post <u>signs</u> .
Fresh Water*	means all <u>water</u> except <u>coastal water</u> and geothermal <u>water</u> .
Frontage	means any <u>boundary</u> of a <u>site</u> abutting a legal <u>road</u> , or contiguous to a <u>boundary</u> of a <u>road</u> designation.
Funeral Home	<p><i>This definition is included within the <u>commercial activities</u> definition grouping.</i></p> <p>means an activity for holding funerals.</p> <p>includes:</p> <ul style="list-style-type: none"> a. mortuary facilities (excluding those ancillary to a <u>hospital</u>); and b. funeral chapels.
Garage	<p>means a <u>building</u> or part of a <u>building</u> that is principally used for the housing of vehicles and other miscellaneous residential items. Includes a carport/lean-to.</p> <p><i>Note:</i></p> <ul style="list-style-type: none"> 1. <u>Building</u> rules apply to any <u>garage</u> as well.
Gardening	means the planting, growing and tending of vegetation and the mowing of grass, but excludes the layout of paths, walls, fences and garden <u>structures</u> that are embedded in the soil. Gardening can include the use of driven stakes or poles to support <u>landscaping</u> above the soil.
Garden Centre	<p><i>This definition is included within the <u>commercial activities</u> definition grouping.</i></p> <p>means the sale of plants, trees or shrubs. Provided that the sale of the following is accessory to the sale of plants, trees or shrubs, it also includes the sale of:</p> <ul style="list-style-type: none"> a. <u>landscaping</u> supplies; b. bark and compost; c. statues and ornamental garden features.
General Commercial	<p><i>This definition is included within the <u>commercial activities</u> definition grouping.</i></p> <p>means any <u>commercial activity</u> which is not a <u>commercial service</u>, <u>entertainment facility</u>, <u>food and beverage activity</u>, <u>funeral home</u>, <u>retail activity</u>, <u>service station</u> or <u>visitor accommodation</u>.</p>
General Community	<p><i>This definition is included within the <u>community activities</u> definition grouping.</i></p> <p>means any <u>community activity</u> which is not a <u>care centre</u>, <u>educational facility</u>, <u>place of assembly</u>, <u>emergency service</u>, <u>hospital</u> or <u>recreational facility</u>.</p>
General Industry	<p><i>This definition is included within the <u>industrial activities</u> definition grouping.</i></p> <p>means any <u>industrial activity</u> which is not <u>manufacturing</u> and <u>storage</u>, <u>repair and maintenance services</u>, <u>artisan industrial activities</u>, <u>marine industry</u>, <u>waste management facilities</u>, or a <u>landfill</u>. It includes any research laboratories used for</p>

Term	Definition
	scientific, industrial or medical research, or any training facilities for an industrial activity .
General Public Amenities	<p>means facilities established by the Council, or their authorised representative, for the convenience and amenity of the public.</p> <p>includes:</p> <ol style="list-style-type: none"> landscaping and planting; public toilets; seating and picnic tables; bicycle stands and cycle parking structures; fountains; drinking fountains; rubbish bins; barbeques; footpaths and walking tracks. <p><i>Note:</i></p> <ol style="list-style-type: none"> All buildings subject to relevant building rules.
General Retail	<p><i>This definition is included within the commercial activities definition grouping.</i></p> <p>means any retail activity which is not motor vehicle sales, garden centres, trade suppliers, marine retail drive-through-facilities, grocery stores, or a hire premise.</p>
Genetically Modified Organism and GMO	<p>means, unless expressly provided otherwise by regulations, any organism in which any of the genes or other genetic material:</p> <ol style="list-style-type: none"> have been modified by in vitro techniques; or are inherited or otherwise derived, through any number of replications, from any genes or other genetic material which has been modified by in vitro techniques. <p><i>Note:</i></p> <ol style="list-style-type: none"> <i>For the absence of doubt, this does not apply to GM products that are not viable (and are thus no longer GM organisms), or products that are dominantly non-GM but contain non-viable GM ingredients (such as processed foods).</i>
Genetically Modified Veterinary Vaccine	means a veterinary vaccine that is a genetically modified organism as defined in this Plan.
Goat Resistant Fencing	<p>means a fence constructed so that the following requirements are met:</p> <ol style="list-style-type: none"> the line of the fence is bulldozed or cleared by some other method to ensure that the bottom wire is no more than 70mm from the ground. there is a minimum of 9 wires (kept tight at all times) such to meet the following standards: <ul style="list-style-type: none"> minimum high tensile 2.5mm diameter galvanized steel is used; the wires shall be spaced at the following intervals from the bottom – 100, 100, 100, 110, 120, 135, 150 and 165mm; the top wire shall be approximately 50mm below the top of the post; the bottom wire shall be barbed wire instead of high tensile wire where the fence is situated on land subject to erosion. there are no internal stays. all posts are at the following spacings: <ul style="list-style-type: none"> less than 30° ground slope – 5m; 30° to less than 45° ground slope – 4m;

Term	Definition
	<ul style="list-style-type: none"> • more than 45° ground slope—3m e. all battens are at 1m intervals. f. where a water body crosses the boundary of the area to be fenced, either one or both of the following requirements shall be adhered to in order to maintain the integrity of the area to be fenced to prevent stock escape: <ul style="list-style-type: none"> • fences which meet the above specifications shall be constructed alongside waterways with an appropriate setback to avoid the possible effects of bank erosion and slumping which may cause a breach of the fencing standard; and/or • fences across water bodies, shall require a floodgate to be constructed of H3 treated 100mm x 50mm timber suspended from an overhead wire or rail in such a way that it will allow the passage of water but will not cause a breach of the fence by stock escaping up or down the watercourse. Wire netting is not to be used in floodgate construction. Floodgates across culverted water bodies shall be on the downstream side of the culvert.
Green Infrastructure	<p>means a natural or semi-natural area, feature or process, including engineered systems that mimic natural processes, which are planned or managed to:</p> <ol style="list-style-type: none"> provide for aspects of ecosystem health or resilience, such as maintaining or improving the quality of <u>water</u>, air or soil, and habitats to promote biodiversity; and provide services to people and communities, such as <u>stormwater</u> or flood management or climate change adaptation.
Greywater	<p>means liquid waste from domestic sources including sinks, basins, baths, showers and similar fixtures, but does not include <u>sewage</u>, or <u>industrial and trade waste</u>.</p>
Grocery Store	<p><i>This definition is included within the <u>commercial activities</u> definition grouping.</i></p> <p>means a self-service <u>retail activity</u> selling mainly food, beverages and small <u>household</u> goods.</p>
Gross Floor Area (GFA)	<p>means the sum of the total area of all floors of a <u>building</u> or <u>buildings</u> (including any void area in each of those floors, such as service shafts, liftwells or stairwells), measured:</p> <ol style="list-style-type: none"> where there are exterior walls, from the exterior faces of those exterior walls; where there are walls separating two <u>buildings</u>, from the centre lines of the walls separating the two <u>buildings</u>; where a wall or walls are lacking (for example, a mezzanine floor) and the edge of the floor is discernible, from the edge of the floor.
Ground Level	<p>means:</p> <ol style="list-style-type: none"> the actual finished surface level of the ground after the most recent <u>subdivision</u> that created at least one additional <u>allotment</u> was completed (when the record of title is created; if the <u>ground level</u> cannot be identified under paragraph (a), the existing surface level of the ground; if, in any case under paragraph (a) or (b), a retaining wall or retaining <u>structure</u> is located on the <u>boundary</u>, the level on the exterior surface of the retaining wall or retaining <u>structure</u> where it intersects the <u>boundary</u>.
<u>Ground Water</u>	<p><u>means water occupying openings, cavities, or spaces in soils or rocks beneath the surface of the ground.</u></p>

Definitions H-M

Term	Definition
Habitable Room	means any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.
Hapū Environmental Management Plan (Iwi Management Plan)	means a plan prepared by an iwi, hapū, or whanau for management of resources within its rohe.
Hazardous Substance*	includes, but is not limited to, any substance defined in section 2 of the <u>Hazardous Substances and New Organisms Act</u> 1996 as a <u>hazardous substance</u> . The <u>Hazardous Substances and New Organisms Act</u> 1996 defines <u>hazardous substances</u> as meaning, unless expressly provided otherwise by regulations or an <u>EPA</u> notice, any substance – <ul style="list-style-type: none"> a. with 1 or more of the following intrinsic properties: <ul style="list-style-type: none"> i. explosiveness: ii. flammability: iii. a capacity to oxidise: iv. corrosiveness: v. toxicity (including chronic toxicity): vi. ecotoxicity, with or without bioaccumulation; or b. which on contact with air or <u>water</u> (other than air or <u>water</u> where the temperature or pressure has been artificially increased or decreased) generates a substance with any 1 or more of the properties specified in paragraph (a).
Hazardous Substances and New Organisms Act and HSNO	means the <u>Hazardous Substances and New Organisms Act</u> 1996.
Heavy Vehicle	means any vehicle exceeding 3,500kg gross laden weight.
Height	means the vertical distance between a specified reference point and the highest part of any feature, <u>structure</u> or <u>building</u> above that point.
Height in Relation to Boundary	means the <u>height</u> of a <u>structure</u> , <u>building</u> , or feature, relative to its distance from either the <u>boundary</u> of a: <ul style="list-style-type: none"> a. a <u>site</u>, or b. another specified reference point.
High Noise Area	means an area where the average background sound level (L_{A90}) is greater than 45 dB L_{A90} between 06:30 and 21:30 hours; or greater than or equal to 35 dB L_{A90} between 21:30 and 06:30 hours.
Highly Erodible Land	means Land Use Capability Classes 6e17, 6e19, 7e1-7e10, 8e1-8e3 and 8s 1 as mapped in the New Zealand Land Resource Inventory.
Highly Versatile Soils	means Land Use Capability Classes 1c1, 2e1, 2w1, 2w2, 2s1, 3e1, 3e5, 3s1, 3s2, 3s4 as mapped in the New Zealand Land Resource Inventory.
Hire Premise	<i>This definition is included within the <u>commercial activities</u> definition grouping.</i> means an activity for the hiring of machinery and equipment. includes: <ul style="list-style-type: none"> a. servicing and maintenance of hire equipment; and b. storing hire equipment. excludes:

Term	Definition
	<ul style="list-style-type: none"> a. premises for the hire or loan of books, videos, DVD, kayaks and other similar entertainment and tourist related items which are classified as general retail.
Historic Heritage*	<p>means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:</p> <ul style="list-style-type: none"> a. archaeological: b. architectural: c. cultural: d. historic: e. scientific: f. technological; and <p>includes:</p> <ul style="list-style-type: none"> a. historic sites, structures, places and areas; and b. archaeological sites; and c. sites of significance to Māori, including wāhi tapu; and d. surroundings associated with the natural and physical resources.
Historic Heritage Resources	<p><i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i></p> <p>means heritage items, features or components, (including archaeological features, buildings, objects or structures) that contribute to historic heritage as defined in the Resource Management Act 1991 and as adopted in the Proposed Regional Policy Statement.</p>
Historical and Cultural Heritage	<p><i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i></p> <p>as referred to in the Heritage NZ Pouhere Taonga Act 2014 is similar in meaning to the Resource Management Act 1991 definition of historic heritage.</p>
Hospital	<p>means any regionally significant infrastructure that provides for the medical, surgical or psychiatric care, treatment and rehabilitation of persons.</p>
Hospital Related Activities	<p>means activities associated with the provision of medical, surgical or psychiatric care, treatment and rehabilitation of persons within a hospital, including:</p> <ul style="list-style-type: none"> a. offices and administration facilities; b. pharmacies, food and beverage activities, bookstores, gift stores and florists; c. commercial services including banks and dry cleaners; d. ambulance facilities and first aid training facilities; e. conference facilities; f. helicopter facilities; g. hospices; h. hospital maintenance, operational and service facilities, including kitchens, storage facilities, waste processing and laundries; i. medical research and testing; j. mortuaries; k. rehabilitation facilities; l. training; and m. private specialist and general medical facilities, services and practices.
Hours of Darkness	<p>means that time between sunset and sunrise.</p>
Household	<p>means a person or a group who reside together and directly interact on a daily basis to maintain an independent and self-contained housekeeping unit.</p>

Term	Definition
Illuminated Sign	means any <u>sign</u> with a specifically designed means of illumination of the whole or any portion of its visible area. Includes internally illuminated and externally illuminated (floodlit) <u>signs</u> , reflective <u>signs</u> , digital <u>signs</u> , and <u>signs</u> that incorporate flashing, animation and variable message displays.
Impervious Area	<p>means an area with a surface which prevents or significantly retards the soakage of <u>water</u> into the ground.</p> <p>includes:</p> <ul style="list-style-type: none"> a. roofs; b. <u>swimming pools</u>; c. paved areas including driveways and sealed/compacted metal parking areas, patios; d. <u>sealed and metal accessways and parking areas</u> e. sealed tennis or netball courts; f. sealed and <u>compacted</u> metal <u>roads</u>; g. engineered layers such as compacted clay; h. artificial playing surfaces or fields; i. <u>permeable paving that is not installed and maintained by a suitably qualified and experienced professional</u>. <p>excludes;</p> <ul style="list-style-type: none"> a. grass and bush areas; b. gardens and other landscaped areas; c. <u>permeable paving and</u> green roofs; d. slatted decks.
'Inappropriate' Subdivision, Use and Development	<p><i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i></p> <p>includes inappropriate intensity, scale, character and design and inappropriate location.</p>
Indigenous Vegetation	means plants which belong naturally in the ecological locality and includes Manuka and Kanuka.
Indigenous Wetland	<p>means a naturally occurring <u>wetland</u> of 50m² or more (with a minimum width of 5m) which is permanently or seasonally wet (in that the <u>water</u> table is at or near the ground surface during high <u>water</u> table conditions), and which is dominated by <u>indigenous wetland</u> plant species including all or some of the following:</p> <ul style="list-style-type: none"> a. raupo; b. flax; c. sedge associations; d. kahikatea; e. cabbage tree; f. manuka/kanuka on peatlands; g. mangrove and saltmarsh; h. kuta <p>for the purposes of this Plan <u>indigenous wetlands</u> that have been created for conservation purposes, as a requirement of a resource consent, are included within the definition of "<u>indigenous wetland</u>".</p> <p>the definition excludes wetlands created and subsequently maintained principally for, or in connection with:</p> <ul style="list-style-type: none"> a. effluent treatment and disposal systems; or b. <u>stormwater</u> management; or c. <u>water storage</u>; or d. other artificial wetlands, watercourses or open drains.

Term	Definition
	<p>the definition also excludes:</p> <ol style="list-style-type: none"> trees with a pasture under storey; or exotic rush/pasture communities; or <u>land</u> which has been modified prior to the date of notification of this Plan, to the extent that it is no longer ecologically viable. <p><i>Note:</i></p> <ol style="list-style-type: none"> <i>This definition does not include <u>indigenous wetlands</u> which have been created voluntarily, that is not as a requirement of a resource consent. If you are unsure if an area is an <u>indigenous wetland</u> and is subject to rules in the Plan, contact the Whangarei District Council for advice.</i>
Industrial Activity	means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or good. It includes any <u>ancillary activity</u> to the <u>industrial activity</u> .
Industrial and Trade Waste	means liquid waste, with or without matter in suspension, from the receipt, manufacture or processing of materials as part of a commercial, industrial or trade process, but excludes <u>sewage</u> and <u>greywater</u> .
Infrastructure*	<p>means:</p> <ol style="list-style-type: none"> pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy; a network for the purpose of <u>telecommunication</u> as defined in section 5 of the Telecommunications Act 2001; a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989; facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support <u>structures</u> for lines used or intended to be used to convey electricity, excluding facilities, lines, and support <u>structures</u> if a person— <ol style="list-style-type: none"> uses them in connection with the generation of electricity for the person's use; and does not use them to generate any electricity for supply to any other person: <ol style="list-style-type: none"> a <u>water</u> supply distribution system, including a system for irrigation; a drainage or sewerage system; <u>structures</u> for transport on <u>land</u> by cycleways, rail, <u>roads</u>, walkways, or any other means; facilities for the loading or unloading of cargo or passengers transported on <u>land</u> by any means; an airport as defined in section 2 of the Airport Authorities Act 1966; a navigation installation as defined in section 2 of the Civil Aviation Act 1990; facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988; anything described as a network utility operation in regulations made for the purposes of the definition of <u>network utility operator</u> in section 166.
Integrity	<p><i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i></p> <p>is a term applied to heritage resources that retain a high proportion of their original characteristics or <u>fabric</u>.</p>
Intensive Livestock Farming	<p><i>This definition is included within the <u>rural production activities</u> definition grouping.</i></p> <p>means any intensive <u>farming</u> of animals and/or includes fungi (mushrooms), dependent on a high input of food or fertiliser from beyond the <u>site</u> and which is</p>

Term	Definition
	predominantly carried out in buildings or outdoor enclosures where the stocking density precludes the maintenance of pasture or ground cover and includes pig farming and cattle feedlots. Poultry farming is excluded if it is considered free range in accordance with the relevant minimum standards outlined in the Code of Welfare – Layer Hens 2018, MAF Animal Welfare (Layer Hens) Code of Welfare 2005 .
Intermittently Flowing River	means a river that is dry at certain times and has one or more of the following characteristics: <ol style="list-style-type: none"> appears on the NSMS260 1:50,000 map; or has stable pools in late summer; or supports species of plants and animals that are adapted to wet conditions, for example: <ol style="list-style-type: none"> native fish (bullies, kokopu, inanga); crayfish; aquatic snails or shrimp; mayflies, stoneflies or caddisflies.
Iwi Authority*	means the authority which represents an iwi, and which is recognised by that iwi as having authority to do so.
Kaitiaki	means, for the purpose of this Plan, those nominated by tangata whenua to exercise kaitiakitanga on their behalf.
Kaitiakitanga*	means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to a natural and physical resources , and includes the ethic of stewardship.
Kauri Dieback Disease Containment Area	means an area identified in a kauri dieback management plan within which soil organic material and surface water from works within a kauri hygiene area are contained and confined.
Kauri Hygiene Area	means the area within three times the maximum radius of the canopy dripline of a kauri tree.
L _{A90}	has the same meaning as 'Background sound level' in New Zealand Standard 6801:2008 Acoustics-Measurement of Environmental Sound.
L _{AE} (Sound Exposure Level)	means the sound level of one second duration which has the same amount of energy as the actual noise event measured. This is usually used to measure the sound energy of a particular event, such as a train pass-by or an aircraft flyover.
L _{Aeq}	has the same meaning as 'time-average A-weighted sound pressure level' in New Zealand Standard 6801:2008 Acoustics- Measurement of Environmental Sound.
L _{AF(max)}	has the same meaning as the 'maximum A-frequency weighted, F-time weighted sound pressure level' in New Zealand Standard 6801:2008 Acoustics-Measurement of Environmental Sound.
L _{dn}	has the same meaning as the ' day night level, or day average sound level' in New Zealand Standard 6801:2008 Acoustics- Measurement of Environmental Sound.
L _{peak}	has the same meaning as 'Peak sound pressure level' in New Zealand Standard 6801:2008 Acoustics- Measurement of Environmental Sound.
Lake*	means a body of fresh water which is entirely or nearly surrounded by land .
Land*	<ol style="list-style-type: none"> includes land covered by water and the airspace above land; and in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or river; and

Term	Definition
	c. in a national environmental standard dealing with a <u>territorial authority</u> function under section 31 or a district rule, includes the surface of <u>water</u> in a <u>lake</u> or <u>river</u> .
Land Disturbance	means <u>alteration</u> or disturbance of <u>land</u> , (or any matter constituting the <u>land</u> including, soil, clay, sand and rock), that does not permanently alter the profile, contour or <u>height</u> of the <u>land</u> .
Land Preparation	means the disturbance of the soil by machinery in preparation for planting or replanting crops or pasture grasses or trees, and includes blading, contour ploughing and ripping.
Landfill	<i>This definition is included within the <u>industrial activities</u> definition grouping.</i> means an area used for, or previously used for, the disposal of solid waste. It excludes <u>cleanfill areas</u> .
Landscaping	means <u>land</u> which is planted in lawns, trees, shrubs or gardens.
Live/Work	means a residential and work format entailing the establishment of <u>residential units</u> above work units such as office, retailing, <u>manufacturing</u> and services.
Living Accommodation	includes <u>visitor accommodation</u> for up to six people.
Living Areas	means a living room, lounge, family room or dining room.
Low Noise Area	means an area where the average background sound level (<u>L_{A90}</u>) is less than or equal to 45 dB <u>L_{A90}</u> between 06:30 and 21:30 hours; or less than or equal to 35 dB <u>L_{A90}</u> between 21:30 and 06:30 hours.
Maintenance	<i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i> means regular and ongoing protective care of a <u>built heritage</u> item to prevent deterioration and to retain its <u>historic heritage</u> value. Maintenance differs in meaning from 'repairs'.
Major Roading Alteration to an Existing Public Road	includes: a. <u>road</u> widening, realignment or extensions that take place outside the existing legal <u>road</u> reserve over an area greater than 500m ² . excludes: a. routine maintenance for the safe operation of the transport network; b. maintenance and minor upgrade works necessary to keep <u>transport infrastructure</u> in good condition or restore <u>transport infrastructure</u> to a good condition; c. installation, maintenance and replacement of <u>road signs</u> , street lighting, <u>landscaping</u> , parking meters and other ancillary transport network <u>structures</u> or features; d. activities required by by-law or for public health and safety; e. construction works associated with installation/alterations to network utilities or <u>vehicle crossings</u> ; f. temporary traffic management.
Major Structure	means any: a. vehicle used as <u>residential activity</u> , excluding <u>temporary activities</u> . b. <u>network system</u> exceeding 1.5m in <u>height</u> above <u>ground level</u> or 3m ² ground coverage; c. fence or wall, or combination of either, greater than 2m in <u>height</u> above <u>ground level</u> . Where there is less than a 1m separation distance between any separate fence or wall, or combination of either then their <u>height</u> shall be measured from the lowest <u>ground level</u> of either to the highest point of either;

Term	Definition
	d. tank or pool exceeding 35,000 litres; e. <u>structure</u> greater than 2.2m in <u>height</u> above <u>ground level</u> or greater than 9m ² ground coverage, including outdoor stockpiles or areas of <u>storage</u> , but excluding <u>amateur radio configurations</u> .
Mana Whenua*	means customary authority exercised by an iwi or hapū in an identified area.
Manufacturing	This definition is included within the <u>industrial activities</u> definition grouping. means activities involving: <ul style="list-style-type: none"> a. making items by physical labour or machinery. includes: <ul style="list-style-type: none"> a. assembly of items. excludes: <ul style="list-style-type: none"> a. retail; b. <u>service stations</u>.
Marine Industry	<i>This definition is included within the <u>industrial activities</u> definition grouping.</i> means manufacture, repair, <u>storage</u> or maintenance, including their facilities associated with production or processing of boats, accessory goods or seafood, marine scientific and research.
Marine Retail	<i>This definition is included within the <u>commercial activities</u> definition grouping.</i> means the sale or hire of boats, wholesale and retail sale of fish, and accessory goods and services.
Marsden Technology Park Industrial Activity	means any of the following activities within the Marsden Technology Park Precinct: <ul style="list-style-type: none"> a. communications technology; b. computer and information technology; and c. associated <u>manufacturing</u>, electronic data storage and processing, and research and development.
Mineral	means a naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under <u>water</u> ; and includes all metallic <u>minerals</u> , non-metallic <u>minerals</u> , fuel <u>minerals</u> , precious stones, industrial rocks and <u>building</u> stones, and a prescribed substance within the meaning of the Atomic Energy Act 1945.
Mineral Extraction	means the excavation of <u>minerals</u> from the ground, including: <ul style="list-style-type: none"> a. the removal of overlying earth and soil; b. the stacking, crushing, storing, depositing, treatment, transportation and sale of excavated materials; c. the placement of <u>overburden</u>; d. the removal of unwanted material and the rehabilitation of the <u>site</u>; e. the works, machinery and plant used to undertake the activities above.
Mining Area	means that part of the Quarrying Resource Area which is owned by or under the control of the quarry operator at the time the Quarrying Resource Area is established or extended. It is where the full range of <u>mineral extraction</u> activities may occur.
Mining Hazard Area	means an area which is subject to possible subsidence due to past coal mining activities undertaken on the <u>land</u> .
Mining Hazard Area 1	indicates the area where there is a possibility of crown-holing and major subsidence due to there being less than 10.t cover (t being seam thickness).
Mining Hazard Area 2	indicates: <ul style="list-style-type: none"> a. areas where there is up to 100m of cover and "medium" subsidence is possible; and

Term	Definition
	b. areas where there has been 2 seam pillaring and greater than 100m of cover exists.
Mining Hazard Area 3	indicates areas where there is greater than 100m of cover. Although this is a low risk zone, it is possible for buildings to be affected by mining.
Minor Building	means: <ul style="list-style-type: none"> a. a network system which is 1.5m or less in height above ground level and which has 3m² or less ground coverage; b. any tank or pool not exceeding 35,000 litres; c. any tent or marquee erected on a temporary basis; d. any structure 300mm or less in height above ground level; e. any structure which is 2.2m or less in height above ground level and which has 9m² or less ground coverage.
Minor Residential Unit	means a self-contained residential unit that is ancillary to the principal residential unit , and is held in common ownership with the principal residential unit on the same site .
Minor Upgrading	means an increase in the carrying capacity, efficiency or security of any network utility operation utilising the existing support structures or structures with the effects of a similar scale, character, bulk and form. It includes, in regard to electricity, telecommunication and radio-communication services: <ul style="list-style-type: none"> • the addition of circuits and conductors; • the reconductoring of the line with higher capacity conductors; • the resagging of conductors; • the addition of longer and more efficient insulators; • the addition of earth wires (which may contain telecommunications lines), earth peaks and lightning rods; • additional telecommunication lines; • the replacement of existing cross arms with cross arms of an alternative design; • the replacement or alteration of existing antennas; • the replacement or alteration of existing masts, poles and associated structures in the same or similar location and in accordance with the relevant New Zealand Standard. minor upgrading shall not include: <ul style="list-style-type: none"> • additional structures or the replacement of structures with the effects that are not of a similar scale, character, bulk and form.
Mixed-Use	means development that integrates compatible land uses such as commercial, residential and retail.
Motor Vehicle Sales	<i>This definition is included within the commercial activities definition grouping.</i> means the sale or hire of motor vehicles and caravans.
Multi Title Site	means a site where an activity is situated on two or more separate certificates of title and is indicated on the planning maps as a “Multi Title Site”
Multi Unit Development	means development of three or more residential units on a site within the General Residential Zone and the Medium Density Residential Zone.

Definitions N-R

Term	Definition
National Grid	means part of the National Grid of transmission lines and cables (aerial , underground and undersea, including the high-voltage direct current link), stations

Term	Definition
	and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand. <u>National Grid</u> means the assets used or owned by Transpower NZ Limited.
National Grid Corridor	means an area of 12m from the outer edge of a support <u>structure</u> and 12m from the centreline of the <u>National Grid</u> shown on the planning maps while they are owned or operated by Transpower NZ Limited.
Natural and Physical Resources*	includes <u>land</u> , <u>water</u> , air, soil, <u>minerals</u> and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all <u>structures</u> .
Natural Hazard*	means any atmospheric or earth or <u>water</u> -related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire or flooding) the action of which adversely affects, or may adversely affect, human life, property or other aspects of the <u>environment</u> .
Net Environmental Benefit	<p>means an activity where it is demonstrated that the benefits of environmental protection and on-going management are greater than the adverse <u>effects</u> created by <u>subdivision</u> and associated <u>land</u> development. The benefits achieved through environmental protection and on-going management do not include:</p> <ul style="list-style-type: none"> a. with respect to the area to be protected: <ul style="list-style-type: none"> i. requirements of a condition of a prior consent, unless the prior consent has not been implemented and will be surrendered on the grant of a <u>subdivision</u> that proposes environmental protection and on-going management of an environmental protection area; ii. requirements of existing legal mechanism such as a covenant, easement, designation or private agreement / contract; iii. the level of protection provided under regional or district plan rules. b. methods required to avoid, remedy or mitigate adverse <u>effects</u> of the <u>sites</u> <u>allotments</u> being created (such as planting to integrate <u>sites</u> <u>allotments</u> into their surroundings, and control of cats and dogs).
Net Floor Area	<p>means the sum of any <u>gross floor area</u>; and</p> <ul style="list-style-type: none"> a. includes: <ul style="list-style-type: none"> i. both freehold and leased areas; and ii. any stock <u>storage</u> or preparation areas; but b. excludes: <ul style="list-style-type: none"> i. void areas such as liftwells and stair wells, including landing areas; ii. shared corridors and mall common spaces; iii. entrances, lobbies and plant areas within a <u>building</u>; iv. open or roofed outdoor areas, and external balconies, decks, porches and terraces; v. off street loading areas; vi. <u>building</u> service rooms; vii. parking areas and basement areas used for parking, manoeuvring and <u>access</u>; and viii. non-habitable floor spaces in rooftop <u>structures</u>.
Net Site Area	<p>means the total area of the <u>site</u>, but excludes:</p> <ul style="list-style-type: none"> a. any part of the <u>site</u> that provides legal <u>access</u> to another <u>site</u>; b. any part of a <u>rear site</u> that provides legal <u>access</u> to that <u>site</u>; c. any part of the <u>site</u> subject to a designation that may be taken or acquired under the Public Works Act 1981.
Network System	means any <u>building</u> or <u>major structure</u> owned or operated by a <u>network utility operator</u> whose purpose is to provide reticulation from a <u>network system</u> to and

Term	Definition
	from individual properties and <u>structures</u> , including all <u>structures</u> and equipments owned or used by a <u>network utility operator</u> .
Network Utility Operator*	<p>means a person who:</p> <ul style="list-style-type: none"> a. undertakes or proposes to undertake, the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel or geothermal energy; or b. operates or proposes to operate a network for the purpose of: <ul style="list-style-type: none"> i. <u>telecommunication</u> as defined in section 5 of the Telecommunications Act 2001; or ii. radiocommunication, as defined in section 2(1) of the Radio Communications Act 1989; or c. is an electricity operator or electricity distributor, as defined in section 2 of the Electricity Act 1992, for the purpose of line function services as defined in that section; or d. undertakes or proposes to undertake the distribution of <u>water</u> for supply (including irrigation); or e. undertakes or proposes to undertake a drainage or sewerage system; or f. constructs, operates, or proposes to construct or operate, a <u>road</u> or railway line; or g. is an airport authority as defined by the Airport Authorities Act 1966 for the purposes of operating an airport as defined by that Act; or h. is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or i. undertakes, or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under this Act. <p>and the words network utility operation have a corresponding meaning.</p>
Night	means a period 22:00 to 07:00 hours unless specified otherwise.
Noise*	includes vibration.
<u>Noise Rating Level*</u>	<u>means a derived noise level used for comparison with a noise limit.</u>
Noise Sensitive Activities	means those activities that involve habitation of people within which concentration (of thoughts) is required and includes <u>residential activities</u> , marae, <u>hospitals</u> and education facilities, excluding Airport staff and aviation training facilities or aero clubs (other than airport staff training facilities).
Notional Boundary	means a line 20m from any side of a <u>residential unit</u> or other <u>building</u> used for a <u>noise sensitive activity</u> , or the legal <u>boundary</u> where this is closer to such a <u>building</u> .
Official Sign	means all <u>signs</u> required or provided for under any statute or regulation, or are otherwise related to aspects of public safety.
Open Space and Recreation Zones	means the Open Space, Natural Open Space and Sport and Active Recreation Zones.
Outdoor Living Court	means an area of outdoor open space which may be either permeable or impervious or a combination of both and includes balconies, recessed balconies, decks and roof terraces, available for the exclusive use of the occupants of the <u>residential unit</u> to which the space is allocated, that has direct <u>access</u> to a main living area and that does not contain <u>structures</u> that would impede its use for outdoor living purposes.
Outdoor Living Space	means an area of open space for the use of the occupants of the <u>residential unit</u> or units to which the space is allocated.

Term	Definition
Outer Control Boundary	defines an area outside the <u>air noise boundary</u> within which there shall be no further incompatible <u>land</u> uses. The predicted 3 month average <u>night</u> -weighted sound exposure at or outside, the <u>outer control boundary</u> shall not exceed 55 dB Ldn.
Overburden	means clay, soil, vegetation and rock associated with <u>mineral extraction</u> activities.
<u>Parent Lot</u>	<u>means land held in one certificate of title or land held by the same owner in adjoining certificates of title, separated by no more than a (formed or unformed) legal road.</u>
Pedestrian Arcade	means an area with a minimum dimension of 5m and minimum area of 30m ² between a <u>building</u> and a <u>public place</u> that provides visual and pedestrian <u>access</u> onto the <u>site</u> and can be used for activities such as outdoor dining or informal leisure or recreation space.
Permanent All Weather Surface	means a pavement which is dust free and is trafficable under all weather conditions, with a sealed surface <u>of concrete, asphalt, bitumen or similar</u> .
Place of Assembly	<p><i>This definition is included within the <u>community activities</u> definition grouping.</i></p> <p>means facilities for the wellbeing of the community, generally on a not for profit basis.</p> <p>includes:</p> <ul style="list-style-type: none"> a. arts and cultural centres (including art galleries and museums); b. places of worship; c. community centres; d. halls; e. libraries; f. marae; g. citizens advice bureau; h. justice facilities (including <u>community corrections activities</u>); and i. visitor information centres. <p>excludes:</p> <ul style="list-style-type: none"> a. <u>entertainment facilities</u>; and b. <u>care centres</u>.
Plantation Forestry	<p><i>This definition is included within the <u>rural production activities</u> definition grouping.</i></p> <p>means the ongoing management of trees or stands of trees, for the production of timber or timber related products, and includes planting, pruning, felling, and removal of trees from the <u>site</u> but does not involve the processing of timber.</p>
Port Activities	<p>means the use of <u>land</u> and/or <u>building</u> within the Port Zone for port related activities, including but not limited to:</p> <ul style="list-style-type: none"> a. port and ancillary <u>port activities</u>; b. cargo handling, including the loading, unloading, <u>storage</u>, processing and transit of cargo; c. debarking; d. fumigation; e. transport, <u>storage</u> and goods handling activities; f. maritime passenger handling/services; g. construction, maintenance and repair of port operations and facilities; h. port administration; i. refuelling/fuel handling facilities; j. activities associated with surface navigation, berthing; k. maintenance or repair of a reclamation or drainage system; l. marine and port accessory <u>structures</u> and services.

Term	Definition
	m. <u>repair and maintenance services</u> and facilities ancillary to <u>port activities</u> .
PPV (Peak Particle Velocity)	measure of the vibration amplitude, zero to maximum. This parameter can be used for assessing building structural damage and also has application to human annoyance. means, to the extent used for the assessment of the risk of structural damage to a fixed structure, the instantaneous maximum velocity reached by a vibrating surface as it oscillates about its normal position.
Principal Residential Unit	<i>This definition is included within the <u>residential activities</u> definition grouping.</i> means a <u>residential unit</u> that is not ancillary to any other <u>residential unit</u> .
Public Tree	<i>This definition only applies to the Notable Trees Chapter of the District Plan.</i> means, any tree or trees located on a <u>road</u> reserve, park or reserve administered by Whangarei District Council (excluding any tree or trees within any designated State Highway) greater than 6m in <u>height</u> or with a girth (measured 1.4m above the ground) greater than 600mm except: <ol style="list-style-type: none"> pest species identified in the Northland Regional Council Pest Management Strategy and Surveillance list are not subject to general protection. any tree listed as an Environmental weed or National pest plant under an approved document prepared in accordance with the Biosecurity Act 1993. any tree subject to an order made under Section 129 of the Property Law Act 1952. any tree species grown for its edible fruit (except Walnut (<i>Juglans</i> spp.), Chestnut (<i>Castanea sativa</i>), Pecan nut (<i>Carya illinoensis</i>) and Carob (<i>Ceratinia siliqua</i>) which are protected). the following additional tree species are not subject to protection within a <u>road</u> reserve, park or reserve administered by Whangarei District Council: <ol style="list-style-type: none"> Acacia species – all except <i>Acacia melanoxylon</i>; <i>Eucalyptus cinerea</i> (silver dollar gum); <i>Acmena smithii</i> (acmena or lillypilly); <i>Casuarina</i> spp; <i>Phoenix canariensis</i> (Phoenix palm); <i>Ligustrum</i> spp (Privet).; <i>Salix</i> species (willow); <i>Hakea salicifolia</i>; <i>Archontophoenix cunninghamiana</i> (Bangalow palm); <i>Erythrina x sykesii</i> (Coral Tree – also referred to as Flame Tree); <i>Trachycarpus Fortunei</i> (Windmill palm); <i>Populus yunnanensis</i> (Chinese Poplar); <i>Cupressus macrocarpa</i> (Macrocarpa); <i>Pinus</i> spp; <i>Prunus campanulata</i> (Taiwan cherry); Bamboo (<i>Bambuseae</i>).
Public Place	means a place: <ol style="list-style-type: none"> that is under the control of the <u>territorial authority</u>; and that is open to, or being used by, the public, whether or not there is a charge for admission; and includes: <ol style="list-style-type: none"> a <u>road</u>, whether or not the <u>road</u> is under the control of a <u>territorial authority</u>; and any part of a <u>public place</u>.

Term	Definition
Quarry	means a location or area used for the permanent removal and extraction of aggregates (clay, silt, rock or sand). It includes the area of aggregate resource and surrounding land associated with the operation of a quarry and which is used for quarrying activities.
Quarrying Activities	means the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock, sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry.
Radio-Communication	means any transmission, emission or reception of signs , signals, writing, images, sounds or intelligence of any nature by electromagnetic waves of frequencies between 9 kilohertz and 300 gigahertz, propagated in space without artificial guidance.
Raft*	means any moored floating platform which is not self-propelled; and includes platforms that provide buoyancy support for the surfaces on which fish or marine vegetation are cultivated or for any cage or other device used to contain or restrain fish or marine vegetation; but does not include booms situation on lakes subject to artificial control which have been installed to ensure the safe operation of electricity generating facilities.
Rear Site	means a site with a frontage of less than 6m to a legal road , except that a site served by a service lane is not a rear site .
Reclamation	<p>means the manmade formation of permanent dry land by the positioning of material into or onto any part of a waterbody, bed of a lake or river or the coastal marine area, and:</p> <p>(a) includes the construction of any causeway; but</p> <p>(b) excludes the construction of natural hazard protection structures such as seawalls, breakwaters or groynes except where the purpose of those structures is to form dry land.</p>
Recognised Acoustician	means a recognised member of the Acoustical Society of New Zealand or equivalent as determined at Whangarei District Council's discretion.
Recreational Facilities	<p><i>This definition is included within the community activities definition grouping.</i></p> <p>means a facility where the primary purpose is to provide for sport and recreation activities.</p> <p>includes:</p> <ol style="list-style-type: none"> recreation centres; aquatic facilities, swimming pools, both indoor and outdoor; fitness centres and gymnasiums; indoor sports centres; and playgrounds.
Refinery Activities	<p>means the use of land, buildings and major structures within the Marsden Point Energy Precinct for activities associated with the production, import, refining, and/or distribution of energy products, including:</p> <ol style="list-style-type: none"> operation of storage and fuel tanks; refining and/or processing plants; distribution of products; electricity generation plants and associated transmission lines; ancillary offices; ancillary support and community activities;

Term	Definition
	<ul style="list-style-type: none"> g. visitor centres; h. canteens/cafes and residential dwellings associated with the refinery; and i. ancillary facilities catering to the needs of staff and visitors.
Regionally Significant Infrastructure	means the infrastructure listed in Appendix 3 of the Regionally Policy Statement for Northland 2016.
Release	<p>means to allow the organism to move within New Zealand free of any restrictions other than those imposed in accordance with the Biosecurity Act 1993 or the Conservation Act 1987.</p> <p>a release may be without conditions (s34, HSNO Act) or subject to conditions set out s38A of the HSNO Act.</p>
Repair and Maintenance Services	<p><i>This definition is included within the industrial activities definition grouping.</i></p> <p>means servicing, testing or repairing vessels, vehicles or machinery.</p> <p>includes:</p> <ul style="list-style-type: none"> a. articles or goods by traders; b. automotive mechanics; c. panel beating; and d. devanning, storage and testing of LPG cylinders.
Repair/s	<p><i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i></p> <p>means making good decayed or damaged material using the same or similar materials, colour, texture, form and design.</p>
Requiring Authority*	<p>means:</p> <ul style="list-style-type: none"> a. a Minister of the Crown; or b. a local authority; or c. a network utility operator approved as a requiring authority under section 167 of the Resource Management Act 1991.
Residential Activity	means the use of land and building(s) for people's living accommodation .
Residential Unit	<p><i>This definition is included within the residential activities definition grouping.</i></p> <p>means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.</p>
Residential Zones	means the Large Lot Residential, Low Density Residential, General Residential and Medium Density Residential Zones.
Residual Risk	<p><i>This definition only applies to the Hazardous Substances Chapter of the District Plan</i></p> <p>means any risk of an adverse effect after other industry controls, legislation and regulations, including the Hazardous Substances and New Organisms Act 1996, the Land Transport Act 1998, the Health and Safety at Work Act (2015) and regional planning instruments, have been complied with.</p>
Resource Area	means areas of the District which have characteristics, values and qualities that require special management to protect these features and control activities that would adversely affect them. These areas are listed in Part 4 of the District Plan.
Retail Activity	<p><i>This definition is included within the commercial activities definition grouping.</i></p> <p>means activities selling, exposing, displaying or offering: of goods, merchandise or equipment for sale or direct hire to the public.</p>
Reticulated	means, in respect of infrastructure , connection to a system of pipes and ancillary development owned and operated by a network utility operator for the purposes of

Term	Definition
	gas supply, <u>telecommunications</u> , power supply, <u>water</u> supply or <u>stormwater</u> or <u>wastewater</u> drainage.
Reticulated Stormwater Area	means any <u>site</u> within 200m of an existing public primary <u>reticulated stormwater</u> system that can accept gravity flow from the <u>site</u> .
Reticulated Wastewater Area	means any <u>site</u> : <ol style="list-style-type: none"> within the General Residential, Medium Density Residential, Business, Ruakaka Equine, Port, Airport or Hospital Zones; or within the Settlement Zone, Strategic Rural Industries Zone or the Future Urban Zone (except the ToeToe or Whau Valley areas of the Future Urban Zone) and within 150m of an existing public <u>reticulated wastewater</u> network (excluding rising mains).
Reticulated Water Supply Area	means any <u>site</u> : <ol style="list-style-type: none"> within the General Residential, Medium Density Residential, Business, Ruakaka Equine, Port, Airport or Hospital Zones; or within 135m of an existing public <u>reticulated water</u> supply distribution main as measured along <u>roads</u>, <u>right of ways</u> or <u>access ways paths</u>.
Retirement Village	<i>This definition is included within the <u>residential activities</u> definition grouping.</i> means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, <u>supported residential care</u> , welfare and medical facilities (inclusive of <u>hospital care</u>) and other non- <u>residential activities</u> .
Reverse Sensitivity	means the potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment of other activities which are sensitive to the pre-existing activity.
Right of Way	means an area of <u>land</u> over which there is registered a legal document giving rights to pass over that <u>land</u> to the owners and occupiers of other <u>land</u> and shall have the same meaning, as defined in Schedule 4 of the Land Transfer Regulations 2002.
River*	means a continually or intermittently, flowing body of <u>fresh water</u> ; and includes a <u>stream</u> and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, <u>water</u> supply race, canal for the supply of <u>water</u> for electricity power generation and farm drainage canal).
<u>RMS (Root Mean Square) Velocity</u>	<u>means the RMS averaged velocity of vibration, typically given in mm/s. RMS velocities are typically measured using single axis vibration transducers such as accelerometers.</u>
Road*	has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Government Roding Powers Act 1989. section 315 of the Local Government Act 1974 <u>road</u> definition: <u>road</u> means the whole of any <u>land</u> which is within a district, and which: <ol style="list-style-type: none"> immediately before the commencement of this Part was a <u>road</u> or street or public highway; or immediately before the inclusion of any area in the district was a public highway within that area; or is laid out by the council as a <u>road</u> or street after the commencement of this Part; or is vested in the council for the purpose of a <u>road</u> as shown on a deposited survey plan; or is vested in the council as a <u>road</u> or street pursuant to any other enactment; and includes:

Term	Definition
	<p>f. except where elsewhere provided in this Part, any access way or service lane which before the commencement of this Part was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this part or is declared by the Minister of Lands as an access way or service lane on or after 1 April 1988:</p> <p>g. every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;</p> <p>but, except as provided in the Public Works Act 1981 or in any regulations under that Act, does not include a motorway within the meaning of that Act or the Government Roading Powers Act 1989</p> <p>section 2(1) of the Government Roading Powers Act 1989 motorway definition motorway:</p> <p>a. means a motorway declared as such by the Governor-General in Council under section 138 of the Public Works Act 1981 or under section 71 of this Act; and</p> <p>b. includes all bridges, drains, culverts, or other structures or works forming part of any motorway so declared; but</p> <p>c. does not include any local road, access way, or service lane (or the supports of any such road, way, or land) that crossed over or under a motorway on a different level.</p> <p><i>Note:</i></p> <p>1. <i>Mapping of roads: A road in the context of this Plan means the entire road reserve between the boundaries of adjoining parcels of land, not just the formed carriageway.</i></p>
Road Sign	means any signs which is erected for the purpose of traffic control or public road safety, including illuminated and reflective signs where they are designed and operated in accordance with the requirements of the road controlling authority.
Root Zone	means the area of ground around a tree trunk created by taking a radius equal to the greatest radial spread of the canopy/foliage of the tree, measured from the trunk and rotating that radius in a full circle around the trunk. <i>Note: Refer image in Definitions Appendix 1.</i>
Rural Area	means the area of the District comprising the Rural Zones .
Rural Centre Service Activity	means the use of land and buildings within the Settlement Zone - Centre Zone for commercial and service activities including the sale or hire of goods, equipment or services, automotive service and repair, post boxes, service stations , shops, markets and takeaways.
Rural Production Activity	means the use of land and buildings for farming , intensive livestock farming , farm quarrying and plantation forestry .
Rural Zones	means the Rural Production Zone, Strategic Rural Industries Zone, Settlement Zone, Rural Lifestyle and Future Urban Zone.

Definitions S-Z

Term	Definition
Safe Potable Water Supply	means water that is fit for human consumption and may be supplied by rainwater collection, artesian bore, reticulated network or a natural water source.

Term	Definition
Scheduled Built Heritage	<i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i> means built heritage resources included in the Schedule of Built Heritage Items. Refer to 'HH-BH-SCHED1 – Group A Scheduled Built Heritage items' and 'HH-BH-SCHED2 – Group B Scheduled Built Heritage items' in the Historical Heritage Chapter of the District Plan.
Scheduled Historic Area	<i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i> means an area of land containing an inter-related group of historic heritage resources included in the Schedule of Historic Areas. Refer to HH-BH-SCHED3 – Scheduled Historic Areas in the Historical Heritage Chapter of the District Plan.
Sea-Farers Mission and Managers Accommodation	means Christian welfare centre located within the Port Zone providing communal facilities for transitional merchant seafarers. Includes a single residential unit to be used solely for the purpose of providing accommodation for the Manager/Pastor of the Sea Farers Mission and immediately family. Does not include motels or hotels, backpackers, bed and breakfast, farmstay or homestay accommodation, or any other types of accommodation.
Segregation Strip	means a strip of land vested (or upon subdivision to be vested) in the roading authority to limit or preclude legal access directly onto an adjoining street or road .
Seismic Upgrading	<i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i> means structural works required to meet relevant earthquake-prone buildings legislation and related Council Policy.
Sense of Place	<i>This definition only applies to the Historical Heritage Chapter of the District Plan.</i> generally means the attachments of people and communities to their land or special places, developed through experience and knowledge of an area. Sense of place may be experienced at an individual or personal level or by a group of people. It comprises two essential elements - the 'community' or those people who feel attachment or a sense of belonging to a particular place, and the physical, cultural and intangible elements of a place that contribute to its special character, familiarity, or sense of belonging.
Sensitive Activities	means, child care and education facilities , residential activity and hospitals .
Sensitive Environments and Areas	means: <ul style="list-style-type: none"> a. High Natural Character Areas. b. Outstanding Natural Character Areas. c. Outstanding Natural Landscapes. d. Outstanding Natural Features. e. Flood Hazard Areas. f. Coastal Hazard Areas. g. Mining Hazard Areas. h. Sites and Areas of Significance to Māori. i. Heritage Buildings, Sites and Objects. j. Northpower Critical Electricity Lines.
Service Lane	shall have the same meaning as defined in Section 315 of the Local Government Act 1974 and includes any shared private access way for non-residential developments that are not managed under TRA Appendix 2D of the Transport Chapter.
Service Station	means any site where the dominant activity is the retail of motor vehicle fuels (including petrol, LPG, CNG and diesel), and may include any one or more of the following: the sale of kerosene, alcohol based fuels, lubricating oil, tyres, batteries, motor vehicle spare parts and other accessories; retail premises; convenience food premises; mechanical repair and servicing of motor vehicles (including motor

Term	Definition
	cycles, caravans, boat motors, trailers) and domestic gardening equipment; warrant of fitness testing; trailer hire; and car wash facilities.
Setback	means the horizontal distance between a building and a water body , boundary or frontage of its site . For the purposes of this definition, intrusions of eaves or guttering of up to 800mm are excluded, except where an eave would overhang an easement or a boundary .
Sewage	means human excrement and urine.
Shared Access way	means any access way that is used by two or more sites lots , principal residential units or commercial activities or industrial activities and includes any access lot .
Showroom	means an area where merchandise can be displayed, but does not any include areas for customer self-service.
Sign	means any device, character, graphic or electronic display, whether temporary or permanent; which <ol style="list-style-type: none"> a. is for the purpose of: <ol style="list-style-type: none"> i. identification of or provision of information about any activity, property or structure or an aspect of public safety; ii. providing directions; or iii. promoting goods, services or events; and b. is projected onto, or fixed or attached to, any, structure or natural object; and c. includes the frame, supporting device and any ancillary equipment whose function is to support the message or notice.
Sign Area	means the entire area with a continuous perimeter enclosing the extreme limits of lettering, graphics or symbols, together with any material or colour forming an integral part of the display or used to differentiate such a sign from the background against which it is placed. Sign area in relation to a multiple-sided sign means the total signage area that may be viewed from every viewable perspective (including front and back, and inflatable or three dimensional signs). Structural supports and building surfaces are not included in the calculation of sign area , except where they form an integral part of the sign .
Site	means: <ol style="list-style-type: none"> a. an area of land comprised in a single record of title under the Land Transfer Act 2017; or b. an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the Council; or c. the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or d. despite paragraphs (a) to (c), in the case of land subdivided under the Unit Title Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease.
Site Surrounds	<i>This definition only applies to the Historical Heritage and Signs Chapters of the District Plan.</i> means all the curtilage (including trees, gardens, buildings and structures associated with a scheduled built heritage item that contributes to its significance, the removal of which would detract from the item's inherent heritage significance and value. Unless otherwise specified in the Schedule of Built Heritage, ' site surrounds ' includes all land within the title boundary .

Term	Definition
Special Audible Characteristics	has the same meaning as 'special audible characteristic' in section 6.3 of New Zealand Standard 6802:2008 Acoustics – Environmental Noise.
Standalone Car Parking Facility	means a building used for either indoor or outdoor on-site car parking which is not directly associated with any other activity within the site .
Statement of Significance	This definition only applies to the Historical Heritage Chapter of the District Plan. means a report from a recognised heritage expert, describing the heritage values of an historic heritage item, based on District Plan scheduling criteria.
Stone Wall	means a wall that has been constructed by hand, from locally sourced rocks, as opposed to man-made construction materials.
Storage	<i>This definition is included within the <u>industrial activities</u> grouping.</i> means activities involving: <ul style="list-style-type: none"> a. facilities used for the receipt, <u>storage</u>, handling and distribution of materials, articles or goods destined for a retail outlet, trader or manufacturer; b. business that provides facilities to the public for storing possessions; c. facility used for receiving, despatching or consolidating goods in transit by <u>road</u>, rail, air or sea. includes: <ul style="list-style-type: none"> a. direct collection of materials; b. articles or goods by traders; c. carriers' depots; d. courier services; e. mail distribution centres; f. trucking depots; and g. electronic data servers. excludes: <ul style="list-style-type: none"> a. composting plants; and b. <u>waste management facilities</u> and refuse transfer stations.
Stormwater	means run-off that has been intercepted, channeled, diverted, intensified or accelerated by human modification of a <u>land</u> surface, or run-off from the surface of any <u>structure</u> , as a result of precipitation and includes any contaminants contained within.
Strategic Rural Industries	means <u>industrial activities</u> that require a rural location because of factors such as <u>access</u> to resources or the large area of <u>land</u> required for the operation of the activity. <u>Strategic rural industries</u> are significant at a regional or national scale rather than solely at a district level due to the area they supply; the investment in <u>infrastructure</u> required for the establishment of the activity or their contribution of the economy. Within the District Plan the term is applied specifically to the Strategic Rural Industries Zone and does not include strategic industries located within <u>urban areas</u> with specialized business or industrial functions such as Port Marsden or the Marsden Point Energy Precinct.
Stream	refer to definition of <u>river</u> .
Structure*	means any <u>building</u> , equipment, device or other facility, made by people and which is fixed to <u>land</u> ; and includes any <u>raft</u> .
Subdivision	means: <ul style="list-style-type: none"> a. the division of an <u>allotment</u>: <ul style="list-style-type: none"> i. by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the <u>allotment</u>; or

Term	Definition
	<ul style="list-style-type: none"> ii. by the disposition by way of sale or offer for sale of the fee simple to part of the <u>allotment</u>; or iii. by a lease of part of the <u>allotment</u> which, including renewals, is or could be for a term of more than 35 years; or iv. by the grant of a company lease or cross lease in respect to any part of the <u>allotment</u>; or v. by (the deposit of a unit plan or) an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or b. an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226.
Subsidiary	means incidental <u>and serving to assist or supplement</u> and occurring within the same <u>site building</u> and being held in common ownership with the primary activity.
Supported Residential Care	<p><i>This definition is included within the <u>residential activities</u> definition grouping.</i></p> <p>means a <u>residential activity</u> of more than one <u>household</u> providing accommodation and fulltime care, support or supervision for aged or disabled people, or people receiving health support (including mental health, addiction, illness or intellectual disabilities) or people receiving reintegration or rehabilitation.</p> <p>excludes:</p> <ul style="list-style-type: none"> a. <u>hospitals</u>.
Surface Water	means all <u>water</u> , flowing or not, above the ground. It includes <u>water</u> in continually or intermittently flowing <u>rivers</u> , artificial watercourses, <u>lakes</u> and <u>indigenous wetlands</u> and <u>water</u> impounded by <u>structures</u> such as dams or weirs, but does not include <u>water</u> while in pipes, tanks, cisterns, nor <u>water</u> within the <u>coastal marine area</u> .
Sustainable Management*	<p>means managing the use, development, and protection of <u>natural and physical resources</u> in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:</p> <ul style="list-style-type: none"> a. sustaining the potential of <u>natural and physical resources</u> (excluding <u>minerals</u>) to meet the reasonably foreseeable needs of future generations; and b. safeguarding the life-supporting capacity of air, <u>water</u>, soil and ecosystems; and c. avoiding, remedying, or mitigating any adverse <u>effects</u> of activities on the <u>environment</u>.
Tangata Whenua*	means, in relation to a particular area, the iwi or hapū that holds <u>mana whenua</u> over that area.
Taonga	means treasure, or all that is held precious.
Telecommunication	<p><i>This definition has the same meaning as in section 2(1) of the Telecommunications Act 1987.</i></p> <p>means the conveyance from one device to another of any <u>sign</u>, signal, impulse, writing, image, sound, instruction, information, or intelligence of any nature, whether for the information of any person using the device or not.</p>
Temporary Activity	<p>Means:</p> <ul style="list-style-type: none"> 1. any <u>commercial activity</u> undertaken in a temporary or moveable <u>structure</u> within a <u>road</u>; or 2. any activity which is undertaken for a short term, not exceeding 3 days duration, either as an isolated event or as a series of events where the cumulative period of operation is less than 12 days in a calendar year, and includes any gala, sports event, festival, hui or other <u>community activity</u>; or

Term	Definition
	<u>3.</u> any <u>temporary military training activity</u> not exceeding 60 days duration.
Temporary Military Training Activity	<p>means a <u>temporary activity</u> undertaken for the training of any component of the New Zealand Defence Force (including with allied forces) for any defence purpose. Defence purposes are those purposes for which a defence force may be raised and maintained under s5 of the Defence Act 1990 which are:</p> <ol style="list-style-type: none"> the defence of New Zealand, and of any area for the defence of which New Zealand is responsible under any Act; the protection of the interests of New Zealand, whether in New Zealand or elsewhere; the contribution of forces under collective security treaties, agreements, or arrangements; the contribution of forces to, or for any of the purposes of, the United Nations, or in association with other organisations or States and in accordance with the principles of the Charter of the United Nations; The provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency; the provision of any public service.
Temporary Sign	<p>means any <u>sign</u>, whether portable or fixed which is placed to advertise or announce a specific event, or which pertains to a particular event or occurrence, or which is not designed or intended to be placed permanently. Examples of <u>temporary signs</u> include <u>signs</u> associated with; real-estate, election(s), construction or redevelopment.</p> <p><i>Note:</i></p> <ol style="list-style-type: none"> <i>Unless otherwise stated <u>community signs</u> will be considered as <u>temporary signs</u> where they are erected no more than 21 days prior to the event and are removed within two days after the event concludes.</i>
Territorial Authority	<p><i>This definition has the same meaning as in section 5 of the Local Government Act 2002.</i></p> <p>means a city council or a district council named in Part 2 of Schedule 2.</p>
Through-site-link	means a defined pedestrian <u>access</u> which is continuous and clearly identifiable and is designed specifically to traverse a <u>site</u> to connect <u>roads</u> or other <u>public places</u> or other <u>through-site-links</u> . A <u>through-site-link</u> provides a shorter and more convenient public pedestrian route than the existing alternative.
Tikanga Māori*	means Māori customary values and practices.
Trade Retail	means <u>motor vehicle sales</u> , <u>garden centres</u> , <u>marine retail</u> , <u>trade suppliers</u> and <u>hire premises</u> .
Trade Suppliers	<p><i>This definition is included within the <u>commercial activities</u> definition grouping.</i></p> <p>means an activity supplying one or more of the categories below, engaged in sales to businesses and institutional customers but may also include sales to the general public:</p> <ol style="list-style-type: none"> automotive suppliers; <u>building</u> suppliers; catering equipment suppliers; <u>farming</u> and agricultural suppliers; industrial clothing and safety equipment suppliers; landscape suppliers; and office furniture, equipment and systems suppliers.
Traffic Movement	means any movement of a motor vehicle to or from a <u>site</u> , whether the vehicle parks on or off the <u>site</u> or moves through the <u>site</u> without stopping. When a vehicle travels

Term	Definition
	to a <u>site</u> and subsequently leaves the <u>site</u> (or vice versa) this is counted as two <u>traffic movements</u> .
Transport Infrastructure	<p>means facilities, assets and <u>structures</u> that are necessary for the functioning of the transport network and that cater for the needs of all transport users (including <u>active transport modes</u> and public transport) including:</p> <ul style="list-style-type: none"> a. cycle facilities including cycleways, cycle parking, cycle hire stations and cycle maintenance stands; b. pedestrian facilities and access <u>ways</u>, including footpaths, footways and foot bridges; c. <u>roads</u> including carriageways, pavements, bridges, tunnels, retaining walls, underpasses, overpasses, verge and berms; d. lighting, signals, <u>signs</u> and control <u>structures</u> and devices associated with intelligent transport systems including vehicle detection systems (electronic vehicle identification and infra-red vehicle occupancy counters), incident detection, emergency telephones, cables and ducting; e. safety devices including handrails, bollards, cameras, <u>road</u> markings, rumble strips, barriers, fences, speed tables and speed cushions and traffic separators; f. other traffic control devices including traffic islands, level crossings, pedestrian crossings, roundabouts and intersection controls and traffic and cycle monitoring devices. g. parking control devices; h. <u>site access ways</u> including <u>vehicle crossings</u>; i. street and rail furniture, artworks, passenger shelters and ticketing/tolling facilities; j. ancillary equipment and <u>structures</u> associated with public transport systems including seats, shelters, real time information systems and ticketing facilities, bicycle <u>storage</u> and cabinets; k. <u>noise</u> attenuation walls or fences; l. <u>stormwater</u> management facilities, ventilation <u>structures</u>, drainage devices and erosion control devices.
Urban Area	means the area of the District comprising the <u>Urban Zones</u> .
Urban Environment Allotment*	<p>means an <u>allotment</u> within the meaning of section 218:</p> <ul style="list-style-type: none"> a. that is no greater than 4,000m²; and b. that is connected to a <u>reticulated water</u> supply system and a <u>reticulated</u> sewerage system; and c. on which there is a <u>building</u> used for industrial or commercial purposes or as a dwelling house; and d. that is not reserve (within the meaning of section 2(1) of the Reserves Act 1977) or subject to a conservation management plan or conservation management strategy prepared in accordance with the Conservation Act 1987 or the Reserves Act 1977.
Urban Zones	means the <u>Residential Zones</u> and <u>Business Zones</u> and includes the Airport, <u>Hospital</u> , Port and Ruakaka Equine Zones.
Vegetation Clearance	means any activity that results in the cutting, disturbance, removal or destruction of <u>indigenous vegetation</u> .
Vegetation Cover	means an area that is principally covered in <u>indigenous vegetation</u> .
Vehicle Crossing	means the formed and properly constructed vehicle entry or exit point <u>over a public road corridor that connects a formed road to a site boundary, from the carriageway of any road, up to and including that portion of the road</u>

Term	Definition
	boundary of the site across at which a vehicle entry or exit point occurs and includes any culvert, bridge or kerbing.
Verandah	means a weatherproof covering, substantially covering a footpath used by the public.
Versatile Soils	means those soils identified as Class I, II or III on the New Zealand Land Inventory Worksheets.
Veterinary Vaccine	means a biological compound controlled by the Agricultural Compounds and Veterinary Medicines Act that is used to produce or artificially increase immunity to a particular disease and has been tested and approved as safe to use by a process similar to that conducted for approval and use of medical vaccines.
Viable Genetically Modified Veterinary Vaccine	means a <u>genetically modified veterinary vaccine</u> that could survive or replicate in the <u>environment</u> or be transmitted from the inoculated recipient.
Visitor Accommodation	<i>This definition is included within the <u>commercial activities</u> definition grouping.</i> means <u>land</u> and/or <u>buildings</u> used for accommodating visitors, subject to a tariff being paid, and includes any <u>ancillary activities</u> .
Visual Permeability	means the amount of transparency through an object such as a screen, fence or wall.
Wāhi Tapu	means a place which is sacred or spiritually meaningful to <u>tangata whenua</u> .
Waste Management Facility	<i>This definition is included within the <u>industrial activities</u> definition grouping.</i> means an activity receiving waste for transfer, treatment, disposal, or temporary <u>storage</u> . includes: a. refuse transfer stations; and b. recycling. excludes: a. <u>landfills</u> .
Wastewater	means any combination of two or more of the following wastes: <u>sewage</u> , <u>greywater</u> , or <u>industrial and trade waste</u> .
Water*	a. means <u>water</u> in all its physical forms, whether flowing or not and whether over or under the ground: b. includes <u>fresh water</u> , <u>coastal water</u> and geothermal <u>water</u> : c. does not include <u>water</u> in any form while in any pipe, tank or cistern.
Water Body*	means <u>fresh water</u> or geothermal <u>water</u> in a <u>river</u> , <u>lake</u> , <u>stream</u> , pond, <u>wetland</u> , or aquifer, or any part thereof, that is not located within the <u>Coastal Marine Area</u> .
Wetland*	includes permanently or intermittently wet areas, shallow <u>water</u> , and <u>land water</u> margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.
Wind Turbine	means a <u>wind turbine</u> used to extract kinetic energy from the wind and having a swept area of greater than 200m ² .

Definitions Appendix 1 - Images

Dominant Slope

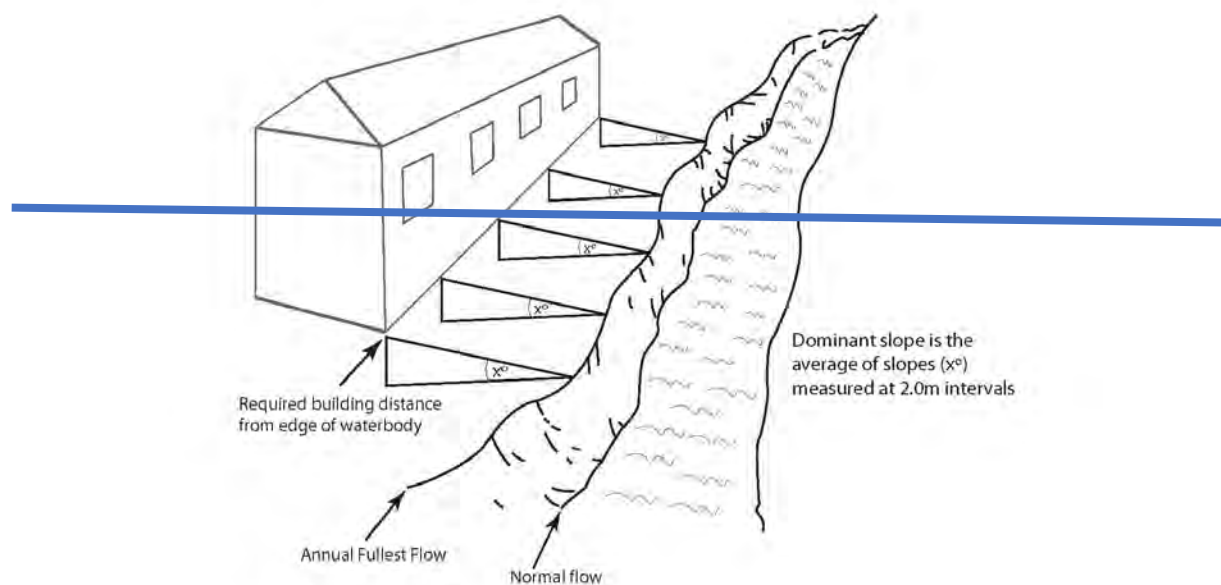


Figure 6: Illustration of Dominant Slope

Root Zone

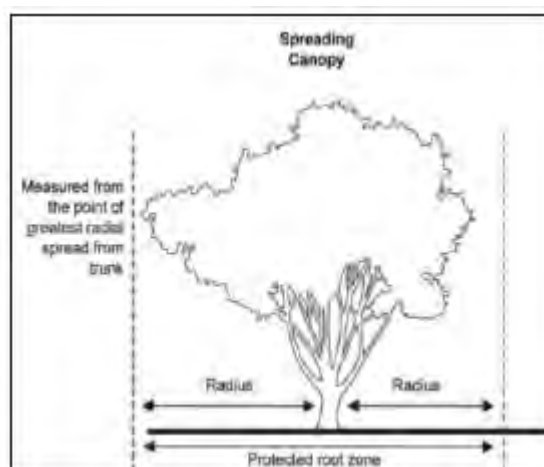


Figure 7: Illustration of Rootzone

Abbreviations

This chapter outlines the abbreviations and unique identifiers that are used throughout the Whangarei District Plan.

Table 1. Abbreviations

Abbreviation	Full Term
%	Percentage or percent
AEP	Annual Exceedance Probability
AIRPZ	Airport Zone
APP	Appendix
BH	Built Heritage
BNFA	Business Net Floor Area
CCZ	City Centre Zone
CE	Coastal Environment
CEL	Critical Electricity Lines
CL	Contaminated Land
CNZ	Chorus New Zealand
COMZ	Commercial Zone
CPTED	Crime Prevention through Environmental Design
DGD	District Growth and Development
EA	Esplanade Areas
EW	Earthworks
ECO	Ecosystems and Indigenous Biodiversity
EPA	Environmental Protection Authority
FGL	First Gas Limited
FUZ	Future Urban Zone
GFA	Gross Floor Area
GMO	Genetically Modified Organism
GRZ	General Residential Zone
HH	Historic Heritage
HIZ	Heavy Industrial Zone
HSNO	Hazardous Substances and New Organisms
HOSZ	Hospital Zone
HSUB	Hazardous Substances
KL	Kordia Limited
km	Kilometre
KRH	KiwiRail Holdings Limited
LCZ	Local Centre Zone
LIGHT	Lighting
LIZ	Light Industrial Zone

Abbreviation	Full Term
LLRZ	Large Lot Residential Zone
LRZ	Low Density Residential Zone
m	Metre
m ²	Square Metres
MCOR	Minister of Corrections
MCOU	Minister of Courts
MEDU	Minister of Education
MIN	Minerals
MPC	Marsden Primary Centre
MPOL	Minister of Police
MRZ	Medium Density Residential Zone
MSNZ	Meteorological Service of New Zealand
MUZ	Mixed Use Zone
NAV	Noise and Vibration
NCZ	Neighbourhood Centre Zone
NFA	Net Floor Area
NFL	Natural Features and Landscapes
NH	Natural Hazards
NOSZ	Natural Open Space Zone
NPL	Northpower Limited
NPT	Notable and Public Trees
NRC	Northland Regional Council
NTW	Network Utilities
OSZ	Open Space Zone
PDP	Papakāinga Development Plan
PKA	Papakāinga
PNDA	Port Nikau Development Area
PORTZ	Port Zone
PPV	Peak Particle Velocity
PREC	Precincts
RCM	Riparian and Coastal Margins
REZ	Ruakaka Equine Zone
RLZ	Rural Lifestyle Zone
RMA	Resource Management Act 1991
RMS	Root Mean Square
RNL	Radio New Zealand Limited
RPZ	Rural Production Zone
SARZ	Sport and Active Recreation Zone

Abbreviation	Full Term
SCHED	Schedule
SCZ	Shopping Centre Zone
SETZ	Settlement Zone
SIGN	Signs
SPK	Spark New Zealand
SRIZ	Strategic Rural Industries Zone
SSM	Sites of Significance to Māori
SUB	Subdivision
TPR	Transpower New Zealand Limited
TRA	Transport
TW	Tangata Whenua
TWM	Three Waters Management
UFD	Urban Form and Development
WB	Water Bodies
WDC	Whangarei District Council
WZ	Waterfront Zone

Referenced Documents

Description and Expectations

The District Plan shall primarily address resource management matters for the Whangārei District. Cross referencing of technical standards and regulations assists to maintain a streamlined District Plan.

The District Plan may incorporate by reference the following types of external documents:

- Standards, requirements, or recommended practices of international or national organisations; or
- Standards, requirements, or recommended practices prescribed in any country or jurisdiction; or
- Any other written material that deals with relevant technical matters.

External documents may be incorporated in whole or in part, any amendments, additions or variations specified.

Council shall follow the process specified in Part 3 Schedule 1 of the Resource Management Act 1991 when incorporating documents by reference in the District Plan.

Schedule of Referenced Documents

The following documents are incorporated by reference:

1. Coastal Hazard Identification:
 - a. NRC 1988: Coastal Hazard Identification. Whangārei County. Technical Publication No.1988/1, March 1988, held by Northland Regional Council.
 - b. Gibb, J.G. 1998a: Review of Coastal Hazard Zones for Eleven Selected Beaches in Whangārei District, Northland Region. Consultancy Report C.R. 98/4 prepared for and held by Northland Regional Council. July 1998.
 - c. Gibb, J.G. 1998b: Coastal Hazard Zone Assessment for the One Tree Point -Marsden Bay Area, Whangārei Harbour, Whangārei District. Consultancy Report C.R. 98/3 prepared for and held by Whangārei District Council.
 - d. Gibb, J.G. 1999: Coastal Hazard Risk Zone Assessment for Pātaua and Matapouri Bay, Whangārei District. Consultancy Report C.R. 99/7 prepared for and held by Whangārei District Council. December 1999.
 - e. IPCC 1996: Climate Change 1995. The Science of Climate Change. Summary for Policy Makers and Technical Summary of the Working Group 1. Report. Intergovernmental Panel on Climate Change. Cambridge University Press, Cambridge. Held by Northland Regional Council.
2. **Animal Welfare:**
 - a. **Code of Welfare: Layer Hens (2018)**
3. Artificial Lighting:
 - a. AS/NZS 1158.0:2005 Road Lighting – Introduction.
 - b. AS/NZS 1158.1.1:2005 Road Lighting – Vehicle traffic (Category V) lighting – Performance and design requirements.
 - c. AS/NZS 1158.1.2:2010 Road Lighting – Vehicle traffic (Category V) lighting – Guide to design, installation, operation and maintenance.

[PC 1 \(see current Plan Changes\)](#)

- d. AS/NZS 1158.2:2005 Road Lighting – Computer procedures for the calculation of light technical parameters for Category V and Category P lighting.
 - e. AS/NZS 1158.3.1:2005 Road Lighting – Pedestrian area (Category P) lighting - Performance and design requirements.
 - f. AS/NZS 1158.4:2015 Lighting for Roads and Public Spaces – Part 4: Lighting of pedestrian crossings.
 - g. AS/NZS 1158.5:2014 Lighting for Roads and Public Spaces – Part 5: Tunnels and Underpasses.
 - h. SA/SNZ TS 1158.6.2015 – Lighting for Roads and Public Spaces – Part 6: luminaires – Performance.
 - i. AS/NZS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting.
4. Noise:
- a. NZS 6801: 2008 New Zealand standard for Acoustics – Measurement of Environmental Sound
 - b. NZS 6802: 2008 New Zealand standard for Acoustics – Environmental Noise
 - c. NZ6809: 1999 New Zealand standard for Acoustic Port Management and Land Use Planning
 - d. NZ6803: 1999 New Zealand standard for Acoustics – Construction Noise
 - e. NZS 6808: 2010 New Zealand standard for Acoustics – Wind Farm Noise
 - f. NZS 6807: 1994 New Zealand standard for Noise Management and Land Use Planning for Helicopter Landing Areas
 - g. NZS 6805: 1992 New Zealand standard for Airport Noise Management and Land Use Planning
 - h. NZS 6806:2010 New Zealand standard for Acoustics – Road-traffic Noise – New and Altered Roads
 - i. AS2353: 1999 Australian Standard for Pedestrian Push-button Assemblies
 - j. AS2187.2:2006 Explosives – Storage and Use – Use of Explosives
5. Electromagnetic Radiation:
- a. NZS 2772.1:1999 New Zealand standard for Radio Frequency Fields Part 1: Maximum Exposure Levels 3 kHz – 300 GHz.
6. Vibration:
- a. (Deleted – refer to Noise and Vibration Chapter)
7. Engineering and Infrastructure:
- a. NZS 4121:2001 New Zealand standard Design for Access and Mobility Buildings and Associated Facilities
 - b. NZS 3604:2011 Timber-framed buildings
 - c. Waka Kotahi NZ Transport Agency guidelines: RTS 18: NZ on-road tracking curves for heavy vehicles (2007).
 - d. Firefighting Water Supplies Code of Practice SNZ 4509:2008
8. Electricity Transmission Lines:
- a. NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances
 - b. Electricity Act 1992
 - c. Electricity (Hazards from Trees) Regulations 2003
 - d. Electricity (Safety) Regulations 2011
 - e. International Commission for Non -Ionising Radiation Protection Guidelines (1998)

- f. National Environmental Standards for Electricity Transmission Activities 2009
- 9. Outstanding Natural Landscape:
 - a. WDC. 2016. Guidelines for managing change in Outstanding Natural Landscapes.
 - b. Littoralis Landscape Architecture & Simon Cocker Landscape Architecture. 2014. Northland Regional Council Northland Mapping Project: Outstanding Natural Landscapes – Mapping Methodology Report. Prepared for and held by Northland Regional Council.

National Policy Statements and NZ Coastal Policy Statement

Overview

National Policy Statements (NPSs) and the New Zealand Coastal Policy Statement (NZCPS) form part of the RMA's policy framework and are prepared by central government. NPSs and the NZCPS contain objectives, policies and methods that must be given effect to by policy statements and plans. NPSs and the NZCPS must also be given regard to by consent authorities when making decisions on resource consent applications, alongside other considerations.

The following table provides an overview of whether any relevant review(s) have been undertaken in relation to NPSs and the NZCPS. This is dictated with one of the following responses added to the "Status" column:

- i. The ['policy statement' or 'plan'] has been reviewed [insert any relevant review dates and references to relevant changes]
- ii. This national policy statement does not apply to the ['policy statement' or 'plan']
- iii. The ['policy statement' or 'plan'] has not yet been reviewed

Document	Status
National Policy Statement for Freshwater Management 2020	The policy statement has not yet been reviewed.
National Policy Statement on Urban Development Capacity 2016	The policy statement has been reviewed as a part of the Urban and Services plan changes.
National Policy Statement for Renewable Electricity Generation 2011	This policy statement does not apply to the District Plan.
New Zealand Coastal Policy Statement 2010	The policy statement has been reviewed as a part of the Coastal Environment plan changes.
National Policy Statement on Electricity Transmission 2008	This policy statement has been reviewed as a part of PC117 and PC123a (NorthPower Line Maintenance and National Grid).
National Policy Statement for Highly Productive Land 2022	The policy statement has not yet been reviewed.

National Environmental Standards

Overview

National Environmental Standards (NESs) are prepared by central government and can prescribe technical standards, methods (including rules) and/or other requirement for environmental matters throughout the whole country or specific areas. If an activity doesn't comply with an NES, it is likely to require a resource consent. NESs must be observed and enforced by local authorities.

The following NESs are currently in force:

[Resource Management \(National Environmental Standard on Plantation Forestry\) Regulations 2017](#)

[Resource Management \(National Environmental Standard for Telecommunication Facilities\) Regulations 2008](#)

[Resource Management \(National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health\) Regulations 2011](#)

[Resource Management \(National Environmental Standards for Electricity Transmission Activities\) Regulations 2009](#)

[Resource Management \(National Environmental Standard for Sources of Drinking Water\) Regulations 2007](#)

[Resource Management \(National Environmental Standards for Air Quality\) Regulations 2004 \(amended 2011\)](#)

[Resource Management \(National Standard for Freshwater\) Regulations 2020](#)

Regulations

Regulations

The regulations in this chapter come under the Resource Management **Act** 1991 (excluding the national environmental standards listed in the National Environmental Standards chapter). These regulations are:

[Resource Management \(Discount on Administrative Charges\) Regulations 2010](#)

[Resource Management \(Exemption\) Regulations 1996](#)

[Resource Management \(Exemption\) Regulations 2017](#)

[Resource Management \(Forms, Fees, and Procedure\) Regulations 2003](#)

[Resource Management \(Infringement Offences\) Regulations 1999](#)

[Resource Management \(Marine Pollution\) Regulations 1998](#)

[Resource Management \(Measurement and Reporting of Water Takes\) Regulations 2010](#)

[Resource Management \(Network Utility Operations\) Regulations 2016](#)

[Resource Management \(Transitional, Fees, Rents, and Royalties\) Regulations 1991](#)

District Growth and Development Chapter (DGD)

Issues

This chapter contains overarching objectives and policies in relation to growth and development in the District. The Urban Form and Development (UFD) chapter contains more detailed objectives and policies in relation to growth and development in Urban Areas.

The objectives and policies seek to address significant resource management issues for the Whangārei District including the following:

- Managing residential growth and development.
- Managing commercial, industrial and open space growth and development.
- Managing existing and future development in areas subject to natural hazards and environmental risks.
- Protection of natural heritage (landscapes, biodiversity and natural features).
- Issues of significance to mana whenua.
- Protection of built and cultural heritage.
- Fragmentation of the rural environment.
- The protection of and efficient development, operation and maintenance of infrastructure.
- The protection of strategic business and industry.
- The provision of land for open space and recreation.

The objectives and policies of this chapter guide decision making at the strategic level and apply in addition to the objectives and policies in other parts of the District Plan.

Objectives

DGD-01 Range of Zones

Provide for differing character and amenity values in a range of zones with differing expectations.

DGD-02 Rural Areas

Protect the range of amenity values and characteristics in the Rural Area.

DGD-03 Growth

Accommodate future growth by:

1. Enabling urban consolidation and intensification of Whangārei City, the Marsden City Precinct, existing Local Centre and Settlement Zones; while
2. Avoiding urban development sprawling into productive rural areas.

DGD-04 Historic Heritage and Sense of place

1. Identify and protect historic heritage resources.
2. Maintain and enhance other characteristics, qualities and features that are valued by the community and contribute to the District's unique identity and sense of place.

DGD-05 Incompatible Activities and Reverse Sensitivity

Avoid conflict between incompatible land use activities from new subdivision, use and development.

DGD-O6 Indigenous Biodiversity

Identify and protect the values and attributes of indigenous biological diversity (Significant Natural Areas) and maintain the extent and diversity of other indigenous biodiversity.

DGD-O7 On-site and Reticulated Infrastructure

Provide efficient and effective on-site and reticulated infrastructure in a sustainable manner and co-ordinate new land use and development with the establishment or extension of infrastructure and services.

DGD-O8 Cultural Values

Ensure that growth and development takes into account Māori cultural values.

DGD-O9 Land Use and Transport Planning

Maintain and enhance accessibility and safety for communities and integrate land use and transport planning.

DGD-O10 Hazards

Minimise the risks and impacts of natural hazard events, including the influence of climate change, on people, property and infrastructure.

Policies

DGD-P1 Range of Zones

To manage effects on character and amenity values by providing for a range of zones with differing expectations.

DGD-P2 Incompatible Land Uses and Reverse Sensitivity

To manage the establishment and location of new activities and expansion of existing activities to avoid conflicts between incompatible land uses.

DGD-P3 Natural Hazards

To manage the risk of natural hazards to people and property by:

1. Assessing the risk of coastal and flood hazards on subdivision, use and development over a 100-year timeframe.
2. Ensuring new subdivision, use and development does not increase the risk from coastal and flood hazards.
3. Ensuring measures to mitigate and adapt to the effects of climate change are provided for in development, growth and transport planning.
4. Ensuring that the risk of natural hazards is assessed when zoning new areas of land for more intensive development.
5. Avoiding locating regionally significant and critical infrastructure within identified hazard zones unless there is a functional or operational need for its location.

DGD-P4 Amenity

To ensure that the scale and nature of new land use activities are commensurate with the anticipated level of amenity and stated issues and objectives for the relevant zone.

[PC 1 \(see current Plan Changes\)](#)

[PC 1 \(see current Plan Changes\)](#)

DGD-P5 Sustainable Infrastructure

To avoid, remedy or mitigate adverse effects on the sustainable provision of infrastructure by ensuring that all subdivision and land use is served by infrastructure and services that are appropriately designed, located and constructed.

DGD-P6 Urban Expansion

To avoid inappropriate urban expansion by:

1. Ensuring that urban development occurs:
 - a. In a planned and coordinated manner.
 - b. Where appropriate infrastructure and services can be provided, including a range of transport choices.
2. Requiring new urban development to be consolidated within or adjacent to Urban Areas and rural settlements.
3. Avoiding urban development sprawling into the Rural Area.

DGD-P7 Transport System

To enable a safe, effective, efficient and accessible transport system by:

1. Integrating and coordinating transport and land use planning.
2. Improving access to alternative transport options.
3. Enhancing walkability and cycle connections within urban neighbourhoods and rural settlements.
4. Concentrating more intensive urban development in close proximity to public transport infrastructure.

DGD-P8 District-Wide Matters

To identify and protect biodiversity, outstanding natural features and landscapes, the natural character of the coastal environment, heritage features, and Sites of Significance to Māori from inappropriate subdivision and development by mapping District-Wide Matters, and applying rules to protect the values, attributes, characteristics and qualities of these areas.

DGD-P9 Special Purpose Zones

To provide for specific activities or areas where special circumstances apply by identifying and zoning areas as Special Purpose Zones.

DGD-P9A Minor Residential Units

To provide for a greater range of housing choices in specified zones by enabling minor residential units only where they are ancillary to the principal residential unit on site based on the size, design, and location of the residential units and their supporting infrastructure.

DGD-OSR – Provisions for Open Space and Recreation

Objectives

DGD-OSR-01 Sufficient Open Space

Provide sufficient quality open space for the social and cultural well-being of a growing population.

DGD-OSR-02 Range of Open Space

Provide a range of open space land in the District to enable recreational, cultural, community, conservation, and educational use.

Policies

DGD-OSR-P1 Open Space Linkages

To increase the functionality and effectiveness of the open space network by ensuring that linkages (including walking and cycling linkages) are created between new and existing areas of open space through subdivision design.

DGD-OSR-P2 Range of Open Space and Recreation Zones

To identify and manage the range of Open Space and Recreation Zones to provide for active sport and recreation, conservation and open space.

DGD-OSR-P3 Natural Open Space Zone

To protect and enhance natural, ecological, landscape, cultural and heritage values of the District by applying the Natural Open Space Zone in locations that are primarily publicly owned and operated and:

1. Are categorised as the following New Zealand Reserve Association Categories: unmanaged natural park areas, unmanaged recreation and ecological linkages, and unmanaged green space.
2. That play a special role in educating residents and visitors and providing recreation opportunities.
3. Where generally, the natural elements and unmodified nature of the area gives it a sense of wilderness and isolation.
4. That help to preserve and define Whangārei's natural character and provide a connection to our natural heritage.
5. Where the management emphasis for the area is the conservation and protection of natural resources.
6. Where levels of development, facilities and management range from none to medium.
7. Where there are minimal buildings and structures, ensuring a largely undeveloped area and open expanse of land.

DGD-OSR-P4 Sport and Active Recreation Zone

To provide for a range of sport and active recreation opportunities by applying the Sport and Active Recreation Zone in locations that are primarily publicly owned and operated and:

1. Are categorised as the following New Zealand Reserve Association Park Categories: sport and recreation, civic spaces, public gardens, and cultural heritage.
2. Are primarily used for organised activities including events and indoor and outdoor organised sports.
3. Contain cultural and historical buildings and major structures and provide for heritage conservation.
4. Are used for commemoration, mourning and remembrance.

5. Contain gardens developed to a high standard with collections of plants and landscaping for relaxation, contemplation, education, amenity/intrinsic value.
6. Are used by local, district and regional population and visitors, includes venues for regional and national events.
7. That have a medium to high levels of development, facilities and management.
8. That contain buildings and structures to support active recreation, and or civic recreation, such as grandstands, sports and community buildings, toilets and changing facilities.

DGD-OSR-P5 Open Space Zone

To establish a network of quality open spaces providing for informal recreation by applying the Open Space Zone in locations that are primarily publicly owned and operated and:

1. Are categorised as the following New Zealand Reserve Association Park Categories: neighbourhood green space, managed recreation and ecological linkages, and managed natural park areas.
2. Are primarily used for outdoor informal recreation and community use.
3. Are used predominately by local residents.
4. Where levels of development, facilities and management range from low to medium.
5. Feature limited buildings and structures that support the use of the public space, such as barbeques and picnic facilities, playgrounds, skate parks, informal hard courts, shelters, toilet and changing facilities, and small-scale community buildings.
6. Where expected social interaction within the area is medium levels.

DGD-RSI – Provisions for Regionally Significant Infrastructure

Objectives

DGD-RSI-01 Identification and Protection

Regionally significant infrastructure is identified and protected.

DGD-RSI-02 Recognised Benefits

The benefits of regionally significant infrastructure are recognised and provided for.

DGD-RSI-03 Adverse Effects

Avoid, remedy, mitigate or offset adverse effects arising from the development, operation, maintenance, and upgrading of regionally significant infrastructure.

Policies

DGD-RSI-P1 Benefits of Regionally Significant Infrastructure

To recognise and provide for the social, economic and cultural benefits of regionally significant infrastructure by enabling its ongoing operation, maintenance, development, and upgrading where adverse effects are managed.

DGD-RSI-P2 New Regionally Significant Infrastructure

Manage adverse effects created by new network utilities and regionally significant infrastructure by avoiding, remedying, mitigating, or offsetting (where offered or agreed to), while taking into account the following matters:

1. Benefits of the activity.

2. Any recognition within a national policy statement.
3. Constraints that limit the design and location of the activity.
4. Whether the proposal is a regionally significant infrastructure lifeline utility which meets the foreseeable needs of Northland.
5. The extent to which the adverse effects of the activity can be practicably reduced including any positive effects on the subject site or elsewhere (provided that the positive effects accrue to the community of interest and/or resource affected).
6. Any monitoring programme for identified significant adverse effects with uncertain outcomes which can be addressed by an adaptive management regime where the infrastructure assists in achieving efficient land use.
7. Whether the infrastructure proposal helps to achieve consolidated development and efficient use of land.
8. Ensuring damage to or loss of the relationship of iwi with ancestral sites, sites of significance, wāhi tapu, customary activities and/or taonga is avoided or otherwise agreed to by the affected iwi or hapū.

DGD-RSI-P3 Managing Adverse Effects of Existing Regionally Significant Infrastructure

To manage adverse effects created by the operation, maintenance and upgrading of existing network utilities and regionally significant infrastructure by:

1. Allowing adverse effects that are not significant while the maintenance or upgrading is being undertaken.
2. Allowing any adverse effects that, after the conclusion of the maintenance or upgrading, are the same or similar to the adverse effects that existed before the maintenance or upgrading was undertaken.
3. Avoiding, remedying, mitigating, or offsetting (where offered or agreed to) adverse effects, if DGD-P17.1 or DGD-P17.2 do not apply.
4. Taking into account the following matters:
 - a. Benefits of the activity.
 - b. Any recognition within a national policy statement.
 - c. Constraints that limit the design and location of the activity.
 - d. Whether the proposal is a regionally significant infrastructure lifeline utility which meets the foreseeable needs of Northland.
 - e. The extent to which the adverse effects of the activity can be practicably reduced including any positive effects on the subject site or elsewhere (provided that the positive effects accrue to the community of interest and/or resource affected).
 - f. Any monitoring programme for identified significant adverse effects with uncertain outcomes which can be addressed by an adaptive management regime where the infrastructure assists in achieving efficient land use.
 - g. Whether the infrastructure proposal helps to achieve consolidated development and efficient use of land.

DGD-RSI-P4 Airport Zone

To recognise and provide for Whangārei Airport as regionally significant infrastructure by applying the Airport Zone in locations where there is a functional need to support airport operations.

DGD-RSI-P5 Hospital Zone

To recognise the regionally significant nature of the Whangārei Hospital and provide for the wide range of existing and future medical facilities and supported activities by applying the Hospital Zone in the locations of Whangārei Hospital and associated medical facilities.

DGD-RA – Provisions for Rural Area

Objectives

DGD-RA-O1 Productive Functions

Protect the long-term viability of the productive functions of rural land in a manner that delivers economic benefit and sustains the environment.

DGD-RA-O2 Rural Area Land Uses

Provide for a range of appropriate land uses in the Rural Area, including rural production activities, residential, rural residential, rural lifestyle, commercial, industrial, strategic rural industries, activities ancillary to farming or plantation forestry and mineral extraction activities in appropriate areas.

DGD-RA-O3 Viability of Productive Functions

Avoid adverse effects on the viability of the productive functions of rural land and regionally significant mineral resources in the Rural Area resulting from ad hoc or scattered residential, rural residential and rural lifestyle subdivision and development.

DGD-RA-O4 Rural Living

Consolidate rural lifestyle subdivision and development by zoning appropriate areas as Rural Lifestyle Zone.

DGD-RA-O5 Rural Residential Development

Provide for areas of rural residential development on the fringe of Whangārei City while ensuring that these areas can accommodate future urban growth.

DGD-RA-O6 Rural Settlements

Provide for managed growth of rural settlements.

Policies – Rural Area

DGD-RA-P1 Residential Activities

To protect highly versatile soils from activities which would materially reduce the potential for soil-based rural production activities.

DGD-RA-P2 Development Scale and Design

To manage the cumulative effects of on-site wastewater discharge in the Settlement Zone Residential, Rural Lifestyle Zone and Future Urban Zone by requiring site specific design and any other evidence and/or mitigation measures necessary to demonstrate that the effects of wastewater disposal can be adequately addressed.

DGD-RA-P3 Rural Production Zone

To identify areas as Rural Production Zone to provide for the protection of productive rural land resources to enable a diverse range of rural production activities and activities that support rural production activities and rural communities, and to maintain biodiversity and rural character, where:

1. There is a prevalence of:

- a. Existing production land use.
- b. Significant ecological and biodiversity values, such as indigenous bush and wetlands.
2. Larger land parcels are prevalent and the area is not compromised by significant clusters of rural lifestyle built development.
3. An area is not:
 - a. Located on the fringe of Whangārei City between the urban and rural zones.
 - b. Suitable to provide for the future reticulated expansion of the Whangārei City Residential Zones.
4. The criteria for the Future Urban Zone and the Rural Lifestyle Zone are not met.

DGD-RA-P4 Rural Lifestyle Zone

To identify areas as Rural Lifestyle Zone to provide for a variety of rural lifestyle opportunities in the District without materially reducing the potential of the Rural Area for productive use of land by providing for the Rural Lifestyle Zone in locations that:

1. Have an existing average site allotment density between 2 and 4ha.
2. Demonstrate a predominantly rural living character.
3. Are not identified as hazard prone area.
4. Are not identified as an Outstanding Natural Landscape or Feature, Significant Indigenous Vegetation or Habitat, or an Outstanding Natural Character Area.
5. Do not gain direct access from an unsealed through road with significant volumes of traffic.
6. Are located within close proximity to community facilities, such as schools.
7. Are not located in close proximity to existing reticulated infrastructure.
8. Will not materially increase the potential for reverse sensitivity effects in the Rural Area.
9. Do not materially reduce the potential for soil-based rural production activities on land with highly versatile soils or land with established rural production activities.

DGD-RA-P5 Strategic Rural Industries Zone

To identify the Strategic Rural Industries Zone in locations where established Strategic Rural Industries operate and to limit the addition of new locations through the statutory plan change process where it can be demonstrated that activities:

1. Are consistent with the District Plan definition of 'Strategic Rural Industries'.
2. Have valid operational reasons to require a Strategic Rural Industries Zone.
3. Contribute positively to the economy of the District.
4. Provide local employment opportunities.
5. Can meet and fund local infrastructure requirements.
6. Incorporate appropriate mitigation and management methods designed to ensure environmental effects are acceptable in the area in which the activities are proposed to be located.

DGD-RA-P6 Settlement Zone

To identify areas suitable for consolidated residential (Settlement Zone Residential), commercial (Settlement Zone Centre) and industrial (Settlement Zone Industrial) development within rural settlements in locations that:

1. Are contiguous with existing Settlement Zone.
2. Are predominantly comprised of land uses and character consistent with the Settlement Zone.
3. Are not identified as hazard prone.

4. Do not comprise high Land Use Capability Class soils, Outstanding Natural Landscapes or Features, High or Outstanding Natural Character or significant indigenous vegetation.
5. Are located in close proximity to existing reticulated infrastructure.
6. Do not compromise the long-term development potential of the rural settlement.
7. Have an identified demand for residential and/or commercial land to meet the projected growth requirements over the lifespan of the District Plan.

DGD-RA-P7 Future Urban Zone

To identify areas as Future Urban Zone that:

1. Are contiguous with Residential Zones on the fringe of Whangārei City.
2. Are predominantly comprised of existing rural residential character.
3. Legitimise the zoning of existing clusters of rural residential development.
4. Are not identified as significantly hazard prone.
5. Do not comprise Outstanding Natural Landscapes or Features or significant indigenous vegetation.
6. Have existing site lot density of less than 2ha.
7. Are predominately suitable for future reticulated urban expansion of Whangārei City.
8. Do not compromise the future expansion of urban growth.
9. Will not materially increase the potential for reverse sensitivity effects in the Rural Area.

PC 1 (see
current Plan
Changes)

Urban Form and Development Chapter (UFD)

Issues

Urban form refers to the physical layout and design of the city. The way in which a district or city grows and its resulting urban form, can have significant impacts both positive and adverse, on its environment, the quality of life for its residents and the economic well-being of business.

The location and form in which urban development occurs in the District affects how efficiently services can be provided and amounts of energy consumed. Inefficient design in terms of lay-out and density can lead to an environment that is less sustainable in physical and social terms.

Energy efficiency and conservation measures can be implemented by residential activities, commercial activities and industrial activities, and will slow the depletion of non-renewable energy resources.

This chapter contains the policy direction for the Urban Areas of Whangārei District. The District Growth and Development Chapter contains policy direction for Regionally Significant Infrastructure, including the hospital and airport.

Objectives and policies have been included to assist in the management of urban growth that will enable a range of lifestyle options and types of buildings while recognising the constraints to development in the District. The aim of this chapter is to:

- Provide strategic direction on the appropriate location, shape and form of future urban development in the Whangārei District.
- Provide for a range of lifestyle choices and types of buildings whilst managing the impact of urban development on existing activities and valued resources.
- Enable appropriate residential growth and development that is consolidated, compact, feasible and well designed.
- Recognise the importance of liveability, connectivity and affordability.

The objectives and policies in this chapter guide decision making at the strategic level.

Objectives

UFD-O1 Residential and Business Demand

Ensure that there are sufficient opportunities for the development of residential and business land to meet demand.

UFD-O2 Urban Design

Promote high quality urban design that responds positively to the local context and the expected outcome for the zone.

UFD-O3 Range of Zones

Provide a range of zones in the Urban Area enabling appropriate use and development.

UFD-O4 Urban Amenity

Recognise that the planned urban built form may result in changes to the amenity values and characteristics of the Urban Area over time.

Policies

UFD-P1 Housing and Business Capacity

To ensure that there is sufficient residential and business development capacity by zoning land where development is feasible and:

1. Is serviced with development infrastructure; or
2. Funding for development infrastructure is identified in the Long Term Plan.

UFD-P2 Alternative Modes of Transport

To support alternative modes of transport by promoting higher residential densities around Local Centre Zones and public transport infrastructure.

UFD-P3 Urban Amenity

To manage change to urban character and amenity values by applying high quality urban design that demonstrates how the development will contribute to a compact, connected, distinctive, diverse, attractive, appropriate, sustainable and safe urban form.

UFD-P4 City Centre Zone

To ensure that the viability, vibrancy and activity of the City Centre is maintained and enhanced by applying the City Centre Zone to a limited area:

1. In the core of Whangārei City where a consolidated centre is maintained.
2. With high amenity values and active frontages at ground floor.
3. Where existing uses and development support a vibrant and pedestrianised environment.

UFD-P5 Shopping Centre Zone

To provide for compatible larger general retail activities by applying the Shopping Centre Zone where:

1. The combined existing net retail area exceeds 2,000m².
2. The net floor area for existing retail activities has a minimum average of 450m².
3. Three or more existing retailers are located at a single existing 'destination' shopping centre.
4. Multiple brands are present.
5. The shopping centre can be planned, managed and developed as a single facility.
6. Shared common public facilities (such as parking, restrooms, rest areas, pedestrian network) are provided.
7. The City Centre Zone is within 1km of the shopping centre.

UFD-P6 Commercial Zone

To provide for a mix of commercial activities, business and small scale industrial activities without materially reducing the economic potential of other Business Zones by applying the Commercial Zone in locations where:

1. There is a range of existing commercial activities, business and small scale industrial activities.
2. Good transport access is available.
3. The area is within 1km of the City Centre Zone or Town Centre Zone.
4. There is a low to moderate presence of active frontages at ground floor.
5. There is a low presence of residential activities and retail activities.
6. The criteria for other Business Zones are not met.

UFD-P7 Mixed Use Zone

To improve the amenity adjacent to the City Centre and Town Centre Zone and provide opportunities for residential activities while minimising potential reverse sensitivity conflicts by providing for the Mixed Use Zone in locations that:

1. Are adjacent to the City Centre Zone or the Town Centre Zone.
2. Are adjacent or in proximity to key arterial transport routes or the Waterfront Zone.
3. Have an existing presence of active frontages at ground floor.
4. Have an existing level of amenity that is compatible with residential activities.

UFD-P8 Light Industrial Zone

To provide for small scale industrial activities and larger scale trade retail activities by providing for the Light Industrial Zone in locations that:

1. Contain an existing range of industrial activities and large scale retail activities.
2. Are in proximity to major transport routes.
3. Enable adverse effects on proximate Residential Zones and Open Space and Recreation Zones to be avoided.
4. Have minimal existing active frontages at ground floor.
5. Have a supply of medium to large sized sites.
6. Are in proximity to key resources and infrastructure.

UFD-P9 Heavy Industrial Zone

To enable noxious and large scale industrial activities to operate, expand and establish by providing for the Heavy Industrial Zone in locations that:

1. Contain an existing presence of large scale industrial activities.
2. Are in proximity to major transport routes.
3. Are not adjacent to Residential Zones.
4. Have no existing active frontages at ground floor.
5. Have an existing supply of large sized sites.
6. Are in proximity to key resources and infrastructure.
7. Will not compromise significant natural, historical or cultural features.

UFD-P10 Local Centre Zone

To maintain the community focal point and provide convenient business and service activities by applying the Local Centre Zone in locations that:

1. Contain a range of existing small scale commercial activities and community activities to support the surrounding residential community.
2. Have predominately active street frontages and strong pedestrian networks.
3. Are not identified as hazard prone.
4. Are not located within 500m of the City Centre Zone and maintain the viability of the City Centre Zone.
5. Have an identified demand for business, service and community activities for the surrounding residential community.

UFD-P11 Neighbourhood Centre Zone

To maintain the community focal point and provide convenient business and service activities by applying the Neighbourhood Centre Zone in locations that:

1. Contain a range of existing small scale commercial activities and community activities to support the surrounding residential community.
2. Have predominately active street frontages and strong pedestrian networks.

UFD-P12 Waterfront Zone

To provide a mixed-use environment while protecting and promoting the maritime, open space, recreation and tourism themes of the Waterfront by applying the Waterfront Zone in locations:

1. Adjacent to the Open Space Zone, Hatea River or Waiarohia Stream.
2. In proximity to the Hatea Loop Walkway.
3. That are well connected to convenient transport routes and major facilities.

UFD-P13 Residential Zones

To provide for a range of residential activities to accommodate the population growth of Whangārei District by applying:

1. The General Residential Zone in locations that:
 - a. Are contiguous with existing Residential Zones in Whangārei City or Ruakaka/Marsden Point.
 - b. Feature sufficient, safe and accessible transport networks to accommodate increased development.
 - c. Are not identified as hazard prone.
 - d. Do not comprise highly versatile soils, Outstanding Natural Landscapes or Features, High or Outstanding Natural Character, significant indigenous vegetation or high concentrations of archaeological sites.
 - e. Are serviced by Council's reticulated three waters infrastructure with sufficient capacity available.
 - f. Will not materially increase the potential for reverse sensitivity effects in the Rural Area.
 - g. Will not compromise the rural character of an area.
2. The Medium Density Residential Zone in locations that:
 - a. Meet the criteria under UFD-13.1.
 - b. Are in proximity to commercial centres and sufficient Open Space and Recreation Zones.
 - c. Are feasible for higher density residential development.
 - d. Are well served by active transport and public transport modes.
3. The Low Density Residential Zone in locations that:
 - a. Are contiguous with existing Residential Zones on the fringe of Whangārei City.
 - b. Are not identified as significantly hazard prone.
 - c. Do not comprise highly versatile soils, Outstanding Natural Landscapes or Features, High or Outstanding Natural Character, significant indigenous vegetation or high concentrations of archaeological sites.
 - d. Do not compromise the future expansion of urban growth.
 - e. Will not materially increase the potential for reverse sensitivity effects in the Rural Area.
 - f. Will not compromise the rural character of an area.
4. The Large Lot Residential Zone in locations that:
 - a. Are contiguous with Residential Zones and Future Urban Zone on the fringe of Whangārei City.
 - b. Are predominantly of rural character.

PC 1 (see
current Plan
Changes)

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current Plan
Changes)

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Changes\)](#)

- c. Are not identified as significantly hazard prone.
- d. Do not comprise Outstanding Natural Landscapes or Features or significant indigenous vegetation.
- e. Have existing low density of clustered residential development with a rural outlook.
- f. Do not compromise the future expansion of urban growth.
- g. Will not materially increase the potential for reverse sensitivity effects in the Rural Area.
- h. Will act as a transition from the Urban Area to the Rural Area.

UFD-P14 Town Centre Zone

To ensure the development of a viable, vibrant and attractive town centre in the Marsden Point / Ruakaka area that protects the primary and function of the City Centre Zone by:

1. Applying the Town Centre Zone to the area of land defined in the Marsden City Precinct.
2. Ensuring that the size and nature of development in the Town Centre Zone does not compromise the role and function of the City Centre Zone.
3. Providing for a range of residential, commercial, retail and entertainment activities.
4. Ensuring that development establishes a high quality urban environment.

Transport (TRA)

Issues

The transport network in Whangārei is essential in facilitating the accessibility and efficient functioning of the District and the Region. The transport network includes public and private roads, railways, access ways, service lanes, active and public transport lanes and parking and loading areas. The network provides for the movement of people and goods throughout the District, creates a service corridor for network utility operators, and is a public space that people can identify with and use to interact. The transport vision for Whangārei is a safe and efficient transport network that promotes a range of transport choices and supports the vitality, liveability and connectivity of the District and its communities.

Historic scattered patterns of development have led to a high dependency on private motor vehicles for transportation needs and have caused inefficiencies in providing transport network improvements. Similarly, ad hoc development has often led to fragmented and inefficient transport infrastructure. The interrelationship between transport and land use planning is therefore fundamental to achieving Whangārei's transport vision.

Whangārei's future growth expectation is for consolidated and compact urban development. Planning for growth in a consolidated and compact manner allows transport priorities to be established and transport infrastructure to be more efficiently provided. Consolidated and compact development and responsible land use planning can also promote a variety of transport methods, including walking, cycling and public transport, and can help reduce the reliance on private motor vehicles within the District.

While the District Plan promotes alternative modes of transportation and reduced dependency on private motor vehicles, mobility through private motor vehicle usage will continue to be provided for. Therefore, it is important to establish clear standards and expectations for the transport network, and promote its safe, efficient, accessible and convenient use. Where potential future transport infrastructure needs are identified, indicative roads and strategic road protection areas are mapped to provide for and safeguard future transport needs.

The establishment, maintenance and use of transport network assets such as parking areas, footpaths, cycleways and roads can cause adverse effects on the surrounding environment such as reducing amenity values, increasing impervious surfaces and increasing noise levels. The transport network and transport infrastructure can contribute positively or negatively to an area. Therefore, urban design should be considered when constructing transport network assets while also balancing Whangārei's practical transportation needs.

The management of parking and loading is important to the safe and efficient functioning of the transport network. It is important that parking and loading are provided and managed in a manner that supports the efficient use of land and is compatible with surrounding amenity and is flexible for diverse living choices. Car parking can also be managed to have an influence on reducing private motor vehicle use.

The safe and efficient operation of the transport network can be adversely affected by adjacent land use activities, development and subdivision. Activities or subdivisions which may result in too many access wayses or may generate higher amounts of traffic than anticipated must be well integrated with the transport network to manage adverse effects.

Objectives

TRA-O1 Transport Network

Provide and maintain a safe, efficient, accessible and sustainable transport network while avoiding, remedying or mitigating adverse effects on the environment, adjoining land uses and the surrounding amenity and character.

TRA-O2 Integrate Transport and Land Use Planning

Integrate land use and transport planning to ensure that land use activities, development and subdivision maintain the safety and efficiency of the transport network.

TRA-O3 Active and Public Transport

Encourage and facilitate active transport and public transportation.

TRA-O4 Safety and Efficiency

Provide suitable and sufficient vehicle crossings, accessways, parking, loading and manoeuvring areas that minimise adverse effects on the safe, effective and efficient functioning of the transport network.

TRA-O5 Urban Design

Design and locate transport infrastructure in a manner that is consistent with the amenity and urban design outcomes anticipated for the zone.

TRA-O6 Future Growth

Ensure that future growth can be supported by appropriate transport infrastructure.

Policies

TRA-P1 Design, Construction and Maintenance

To design, construct and maintain roads, cycleways, walkways, public transport infrastructure, car parks and pedestrian access in a manner that:

1. Provides a safe and efficient transport network.
2. Enables the efficient provision of network utility infrastructure while providing for suitable streetscape amenity including lighting and landscaping.
3. Has regard to the future capacity and growth of the transport network.
4. Is multi-modal and provides for the needs of all users, as appropriate for the surrounding environment and the function of the road within the transport network hierarchy.
5. Avoids no exit roads where through roads and connected networks can be designed, particularly in commercial and industrial areas.
6. Provides pedestrian and cyclist access to connect roads and public spaces where they would offer a shorter route.
7. Ensures accessways to multiple sites allotments is are constructed to an acceptable standard and vested as a public road where appropriate.
8. Appropriately manages stormwater to ensure the risk of flooding is not increased and water quality is maintained.

TRA-P2 Roads

Allow new public roads or major roading upgrades to public roads where the location and design of the road:

1. Provides for the needs of all users, as appropriate for the surrounding environment and the function of the road within the transport network hierarchy.
2. Minimises adverse effects on surrounding sensitive activities, including severance effects and streetscape amenity.
3. Maintains or enhances the safety and efficiency of the transport network.
4. Does not compromise, and where possible provides, connections to surrounding areas, particularly for buses, pedestrians, and cyclists.
5. Provides sufficient area for landscaping and tree planting in appropriate areas while balancing the need to maintain safety and provide underground services and footpaths.
6. Contributes to positive urban design outcomes within the Urban Area.

TRA-P3 Transport Network Capacity

To manage the scale and design of subdivision and development by:

1. Ensuring that there is sufficient capacity within the transport network to cater for the proposal.
2. Requiring subdividers and developers to meet the costs of any upgrades and/or extensions to the transport network which are directly attributed to measurable impacts of the subdivision or development.

TRA-P4 Integrated Transport Assessments

To avoid remedy or mitigate adverse effects on the adjacent and wider transport network by requiring Integrated Transport Assessments for large scale developments and subdivisions.

TRA-P5 Active Transport

To promote active transport by facilitating cycle and pedestrian connectivity within new subdivisions and developments and, where appropriate, to existing developments, reserves and other public spaces.

TRA-P6 Dust Nuisances

To avoid dust nuisances in the Urban Area and improve amenity and accessibility by implementing formation standards for accessways and parking whilst managing stormwater.

TRA-P7 Accessways and Intersections

To ensure that accessways and intersections are designed and located so that:

1. Good visibility is provided.
2. Vehicle manoeuvres and public and active transport modes are appropriately accommodated.
3. They are sufficiently separated so as not to adversely affect the free flow of traffic.

TRA-P8 Vehicle Crossings and Accessways

To require vehicle crossings and associated accessways to be designed and located to ensure safe and efficient movement to and from sites for vehicles, pedestrians and cyclists by managing:

1. Separation distances between vehicle crossings.
2. Separation distances from intersections, railway crossings and pedestrian crossing facilities.
3. Vehicle crossing sight distances.

4. The number of vehicle crossings per site.
5. The design, formation and construction standards of crossings and accessways.

TRA-P9 Parking and Loading

To require parking and loading areas and accessways to be designed and located to ensure safe movement on-site and safe ingress and egress of vehicles, pedestrians and cyclists by managing:

1. Parking and loading space dimensions and gradient.
2. The location and identification of car parking and loading spaces.
3. Manoeuvring space within the site.
4. The formation and construction standards of parking areas.
5. The design and layout of parking areas.

TRA-P10 Bicycle Parking

To provide safe and secure bicycle parking spaces and end-of-trip facilities for activities with high numbers of employees, students or residents.

TRA-P11 Charging Stations

To reduce emissions and enhance the sustainability of Whangārei's transport network by providing electric vehicle charging station parking spaces where high numbers of on-site car parking spaces are provided.

TRA-P12 Landscaping

To require landscape planting where uncovered on-site car parking is provided to improve visual amenity, navigability and stormwater management.

TRA-P13 Indicative Roads and Strategic Road Protection Areas

To identify indicative roads and strategic road protection areas based on long term growth projections, and to require development and subdivision to have regard to effects on any indicative road or strategic road protection area.

TRA-P14 Transport Network Hierarchy

To identify and apply a transport network hierarchy to ensure that the functions of transport network assets are recognised and protected in the management of land use and subdivision.

TRA-P15 Rail Infrastructure

To support the safe, effective and efficient operation of the transport network by;

1. Discouraging new vehicle and new pedestrian rail level crossings.
2. Providing sufficient building setbacks from identified strategic railway line protection areas to ensure that buildings can be safely accessed and maintained.

Rules

TRA-R1 Any Activity Not Otherwise Listed in This Chapter

All Zones and Port Nikau Development Area

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

TRA-R2 Required Parking Spaces and Dimensions

All Zones and Port Nikau Development Area

Activity Status: Permitted

Where:

1. All off-street car parking spaces, loading spaces, bicycle parking spaces, end-of-trip facilities and associated manoeuvring areas are provided and constructed in accordance with TRA Appendix 1.

Note:

1. *Lighting requirements for parking and loading spaces are contained within the LIGHT Chapter.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Location, size and design of parking and loading areas.
2. The number of parking and loading spaces.
3. Scale, management and operation of the activity as it relates to its demand for parking.
4. The safety and efficiency of the transport network for vehicles, pedestrians and cyclists.

TRA-R3 Parking Location and Identification

All Zones and Port Nikau Development Area

Activity Status: Permitted

Where:

1. All car parking spaces and loading spaces are:
 - a. Not located on any footpath, accessway, manoeuvring or outdoor living court area.
 - b. Not located within any strategic road protection area.
 - c. Permanently marked or delineated, except where they are:
 - i. Associated with a residential unit which is not part of a multi unit development.
 - ii. Associated with the loading area for the fuel delivery vehicle or car parking spaces at a pump of a service station.
 - iii. Located in the Rural Production Zone, Natural Open Space Zone or Open Space Zone.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Location, size and design of parking and loading areas.
2. The safety and efficiency of the transport network for vehicles, pedestrians and cyclists.

TRA-R4 Parking Gradient

All Zones and Port Nikau Development Area

Activity Status: Permitted

Where:

1. All car parking spaces, loading spaces and associated manoeuvring areas do not have a gradient steeper than:
 - a. 1 in 16 for surfaces at 90° to the angle of the parking.
 - b. 1 in 20 for surfaces parallel to the angle of the parking.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Location and design of parking, loading and manoeuvring areas.
2. The safety and efficiency of the transport network for vehicles, pedestrians and cyclists.

TRA-R5 Vehicle Crossings and Accessway Design and Location

All Zones and Port Nikau Development Area

Activity Status: Permitted

Where:

1. The vehicle crossing and accessway are provided and constructed in accordance with TRA Appendix 2.
2. A shared private accessway serves no more than 8 principal residential units.
3. The vehicle crossing is not fronting a state highway.
4. Any unused vehicle crossings are reinstated to match the existing footpath and kerbing.
5. The vehicle or pedestrian crossing is not over a railway corridor.

Compliance Standard:

1. TRA-R5.2 does not apply within the Port Nikau Development Area.

Note:

1. A vehicle crossing permit may be required.

Activity Status when compliance not achieved with TRA-R5.1 – 4: Restricted Discretionary

Matters of discretion:

1. Location, size and design of vehicle crossings and accessways.
2. The safety and efficiency of the transport network for vehicles, pedestrians and cyclists.
3. The extent to which the safety and efficiency of railway and road operations will be adversely affected.

Activity Status when compliance not achieved with TRA-R5.5: Non-Complying

TRA-R6 Vehicle Crossings and Accessway Setbacks

All Zones and Port Nikau Development Area

Activity Status: Permitted

Where:

1. The new vehicle crossing is located at least:

- a. 30m from a railway level crossing.
- b. 8m from a dedicated pedestrian crossing facility (including pedestrian crossing, mid-block pedestrian signals, refuge islands and traffic signalled intersections).
- c. 2m from a separate vehicle crossing.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Location, size and design of vehicle crossings and accessways.
2. The safety and efficiency of the transport network for vehicles, pedestrians and cyclists.

TRA-R7 Requirements for On-Site Manoeuvring Space

All Zones and Port Nikau Development Area

Activity Status: Permitted

Where:

1. All car parking, loading spaces, and associated manoeuvring areas accessways provide sufficient on-site manoeuvring space:
 - a. To ensure that no vehicle is required to reverse either onto or off the site, except for front sites where:
 - i. Access is gained from an Access or Low Volume Road; and
 - ii. Less than 3 car parking spaces are provided on-site.
 - b. That enables vehicles occupying a car parking space or loading space to have ready access to the road at all times, without needing to move any other vehicles occupying other car parking spaces or loading spaces, except for:
 - i. Parking associated with an individual residential unit.
 - ii. Staff parking areas associated with an individual activity; or
 - iii. Parking for vehicles being serviced at a repair and maintenance service or rural centre service activity.
 - c. To ensure that vehicles using or waiting to use fuel dispensers, ticket vending machines, remote ordering facilities and devices, entrance control mechanisms, or other drive-through facilities do not queue into the adjoining road or obstruct entry to or exit from the site.
 - d. For every car parking space, to accommodate the 90th percentile car tracking curves in Figure TRA 1 so that only one reverse manoeuvre is required to manoeuvre in or out of any car parking space.
 - e. For every loading space, to comply with the tracking curves set out in the Waka Kotahi NZ Transport Agency guidelines: RTS 18: NZ on-road tracking curves for heavy vehicles (2007) so that only one reverse manoeuvre is required to manoeuvre in or out of any loading space.

Note:

1. *Acceptable means of compliance with accessway, parking and manoeuvring design can be found in the Whangārei District Council Engineering Standards.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Location, size and design of vehicle crossings, manoeuvring and accessways.
2. Location, size and design of parking and loading spaces.
3. The safety and efficiency of the transport network for vehicles, pedestrians and cyclists.

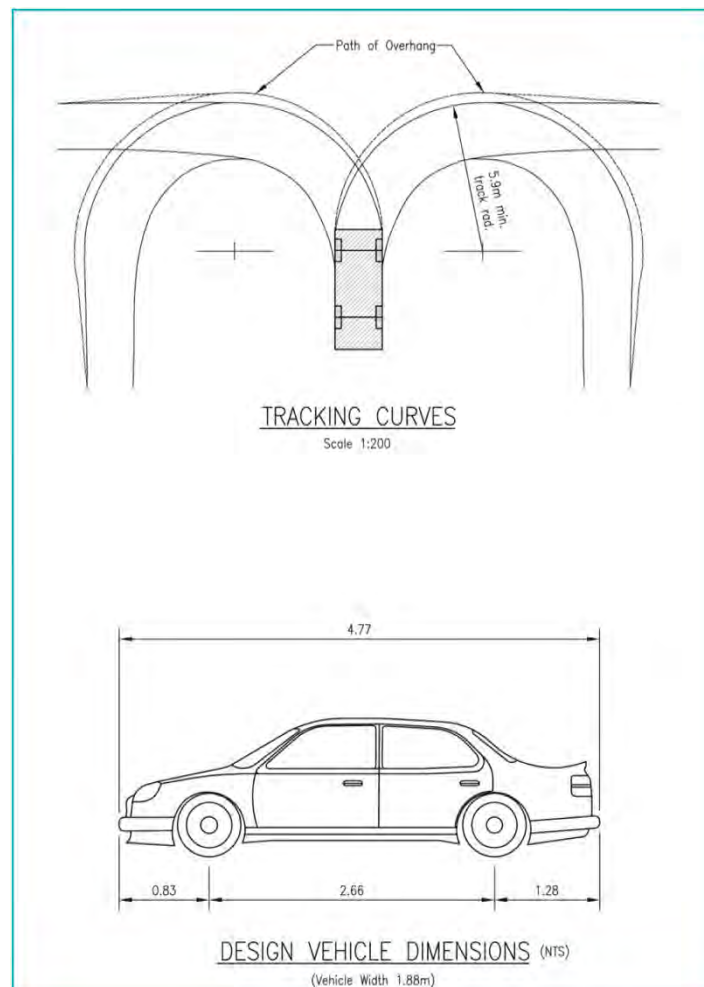


Figure TRA 1: Standard Car Tracking Curve

Note: The turning radius shown is the minimum and is not appropriate for speeds greater than 10km/hr.

TRA-R8 Crossings, Accessways and Parking Areas (Sealing and Formation Standards)

All Zones and Port Nikau Development Area

Activity Status: Permitted

Where:

1. Vehicle crossings accessing a sealed road are sealed to a standard not less than that of the adjoining road surface.
2. On-site accessways and parking areas (including loading and manoeuvring areas) are formed, drained and sealed with a permanent all-weather surface in the following instances:
 - a. Urban Zone sites.
 - b. Future Urban Zone sites with an area less than 2,000m².

- c. Settlement Zone sites.
- d. Strategic Rural Industries Zone sites.
- e. Any accessway serving more than 5 principal residential units.
- f. Where the gradient exceeds 12.516%.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

- 1. Location, size and design of vehicle crossings, manoeuvring and accessways.
- 2. Location, size and design of parking and loading spaces.
- 3. The safety and efficiency of the transport network for vehicles, pedestrians and cyclists.
- 4. Dust nuisance.
- 5. Adverse effects on amenity.
- 6. Stormwater management.

TRA-R9 Setbacks (Strategic Road Protection Areas and Indicative Roads)

All Zones and Port Nikau Development Area

Activity Status: Permitted

Where:

- 1. All buildings and major structures (excluding minor buildings) are set back at least 0.5m from a strategic road protection area as detailed in TRA Appendix 4.
- 2. Sensitive activities at ground floor are set back at least 2m from a strategic road protection area as detailed in TRA Appendix 4.
- 3. No buildings or major structures (excluding minor buildings) are located within 10m of an indicative road as shown on the Planning Maps.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

- 1. Location, size and design of buildings and activities.
- 2. The safety and efficiency of the transport network.
- 3. Effects on the future growth or expansion of the transport network.
- 4. Alternative routes to achieve the indicative road outcome.

TRA-R10 New Buildings, Excluding Minor Buildings (Strategic Road Protection Areas and Indicative Roads)

Activity Status: Permitted

Where:

- 1. In the residential zones:
 - a. All new buildings, excluding minor buildings, are set back at least 2m from the strategic railway line protection areas as shown on the Planning Maps.
- 2. In all zones except the residential zones:

- a. All new buildings, excluding minor buildings, are set back at least 2.5m from the strategic railway line protection areas as shown on the Planning Maps.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The location, size and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.

Notification:

Any restricted discretionary activity under TRA-9A shall not be notified or limited notified unless KiwiRail is determined to be an affected person in accordance with section 95B of the Resource Management Act 1991 or Council decides that special circumstances exist under section 94A(4) of the Resource Management Act 1991.

TRA-R11 Landscaping Within Parking Areas

All Zones and Port Nikau Development Area except for the Heavy Industrial, Rural Production and Strategic Rural Industries Zones

Activity Status: Permitted

Where:

1. All uncovered ground level car parking areas:
 - a. Of 20 – 200 adjacent car parking spaces provide landscaping within or adjacent to the parking area to a minimum of 5% of the total parking area.
 - b. Of more than 200 adjacent car parking spaces provide landscaping within or adjacent to the parking area to a minimum of 7.5% of the total parking area.

Compliance Standard:

1. *For the purpose of calculating total parking area, only the areas used for parking spaces and accessways aisles along parking spaces shall be included. Not included in the parking area calculation are service roads, pedestrian footpaths, loading/unloading areas, and perimeter landscape areas.*

Note:

1. *Further guidance on best practice landscaping in car parks is contained in Whangārei's Urban Design Guidelines.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Location, size and design of parking and loading areas.
2. Safety and efficiency for vehicles, pedestrians and cyclists.
3. Amenity and character.
4. Stormwater management.
5. Navigability for pedestrians.
6. The number of parking spaces.

TRA-R12 Tree Planting Within Parking Areas

All Zones except for the Port Nikau Development Area and the Heavy Industrial, Rural Production and Strategic Rural Industries Zones

Activity Status: Permitted

Where:

1. All uncovered ground level parking areas where at least 20 car parking spaces are provided, provide at least 1 tree for every 20 car parking spaces and each tree:
 - a. Is planted within or adjacent to the parking area.
 - b. Has a minimum height of 4m above ground level at maturity.
 - c. Has a minimum canopy shade coverage of 30m² at maturity.

Compliance Standard:

1. *For the purpose of calculating total parking area, only the areas used for parking spaces and access ways aisles along parking spaces shall be included. Not included in the parking area calculation are service roads, pedestrian footpaths, loading/unloading areas, and perimeter landscape areas.*

Note:

1. *Further guidance on best practice landscaping in car parks is contained in Whangārei's Urban Design Guidelines.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Location, size and design of parking and loading areas.
2. Safety and efficiency for vehicles, pedestrians and cyclists.
3. Amenity and character.
4. Stormwater management.
5. Navigability for pedestrians.
6. The number of parking spaces.

TRA-R13 Electric Vehicle Charging Station Parking Spaces Number Requirements

All Zones and Port Nikau Development Area

Activity Status: Permitted

Where:

1. All parking areas, except those associated with a residential activity, where 50 or more car parking spaces are provided sets aside space for at least 1 parking space for an electric vehicle charging station per every 50 car parking spaces provided.

Note:

1. *This rule does not require installation of electric vehicle charging infrastructure, rather, it requires the provision of sufficient space to accommodate electric vehicle charging infrastructure.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Location, size and design of parking and loading areas.
2. The number of parking spaces that can accommodate electric vehicle charging stations.

TRA-R14 Subdivision

Activity Status: Controlled

Where:

1. In All zones and Port Nikau Development area:
 - a. The site does not contain an indicative road or a strategic road protection area.
 - b. Subdivision results in all sites having accessways and crossings which comply with TRA-R5 and TRA-R6
2. In the Future Urban Zone:
 - a. Subdivision results in:
 - i. A shared access way which serves no more than 3 sites allotments or 3 principal residential units.
 - ii. No more than 1 right of way being created.
3. In All Zones except for the Port Nikau Development Area and the Future Urban Zone:
 - a. Subdivision results in a shared access way which serves no more than 8 sites allotments or 8 principal residential units.

Matters of control:

1. Effects on the road network in the vicinity due to increased traffic from the subdivision.
2. The need for footpaths, kerb and channel on roads in the vicinity, including for stormwater management.
3. The adequacy of the accessway for the anticipated use.
4. The ability of the accessway to contain required services.
5. Traffic safety and visibility.
6. Type, frequency and timing of traffic.
7. Accessway design, and number and location of vehicle crossings.
8. Design and construction of any bridges or culverts.
9. The construction and maintenance of new vehicle crossings or alterations to existing vehicle crossings where proposed as part of the subdivision.
10. Where relevant, the provision, location, design, capacity, connection, upgrading, staging and integration of transport infrastructure.
11. Pedestrian and cycle connections to public roads from existing reserves and/or pedestrian access ways, especially where the connection will provide a significantly shorter distance.
12. Design of pedestrian and cycle connections to ensure ease of use, accessibility and safety.
13. In the Future Urban Zone, the protection of land within the proposed sites allotments to allow access and linkages to adjacent sites allotments for future transport infrastructure.

Notes:

1. Refer to Rules TRA-R15 – R16 for any Integrated Transport Assessment Requirements as part of a subdivision.
2. Acceptable means of compliance can be found in the Whangārei District Council Engineering Standards.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The matters of control listed in TRA-R14.
2. Location, size and design of vehicle crossings and accessways.
3. The safety and efficiency of the transport network for vehicles, pedestrians and cyclists.
4. Effects on the future growth or expansion of the transport network.
5. The extent to which the subdivision impacts on the future ability to form a road or accessways within an indicative road or strategic road protection area, and any mitigation to not preclude that future formation.
6. The adequacy of the accessway for the anticipated use.
7. The ability of the accessway to contain required services.

TRA-R15 Any Activity (Integrated Transport Assessments)

All Zones except for the Port Nikau Development Area and the Hospital Zone, and the Strategic Rural Industries Zone

Activity Status: Restricted Discretionary

Where, with respect to Table TRA 15:

1. A new activity specified in Column A exceeds the Threshold Limit in Column B; or
2. A change to an existing activity specified in Column A exceeds the Threshold Limit in Column C; or
3. Any subdivision proposes more than 25 vacant sites allotments; or
4. Subdivision is proposed of a site allotment that existed at 15 April 2021 and the area of the parent site allotment is equal to or larger than:
 - a. 1ha within the Future Urban Zone where any site allotment will be connected to Council reticulated water, wastewater and stormwater services.
 - b. 7,500m within the Medium Density Residential Zone.
 - c. 1ha within the General Residential Zone or Settlement Zone Residential.
 - d. 4ha within the Low Density Residential Zone.
 - e. 6ha within the Large Lot Residential Zone.
5. Subdivision is of a site allotment within the Parihaka Environmental Benefit Precinct that existed at 21 April 2021 and the subdivision is proposed under PREC12-R8.

Matters of discretion:

1. Effects on the sustainability, safety, efficiency, effectiveness and accessibility of the immediately adjacent transport network, including cumulative effects from incremental changes to the activity on the site or sites.
2. Required improvements, alterations or extensions to the immediately adjacent transport network to mitigate adverse effects (including at level crossings).
3. The need for pedestrian and cyclist connections to adjacent destinations.
4. Adverse effects on streetscape and amenity.
5. Demonstrated characteristics of the activity or proposal which result in low traffic generation relative to size or scale of the activity.
6. Recommendations and proposed mitigation measures of the Integrated Transport Assessment and any further information provided through the consent process.

Compliance Standard:

1. *TRA-R15.1 does not apply for any activity where consent has previously been granted for the activity under TRA-R15.1.*
2. *In TRA-R15.2 “change” means a change of activity or a change in intensity, or scale of the activity.*
3. *The thresholds for a change under TRA-R15.2 shall be measured based on:*
 - a. *The size or scale of the activity as constructed or consented at 15 April 2021 where the activity does not have consent under TRA-R15 or TRA-R16; or*
 - b. *The resource consent where one has previously been granted under TRA-R15 or TRA-R16.*

Notes:

1. *Applications shall comply with information requirement rule TRA-REQ1.*
2. *Table TRA 15 is located in TRA Appendix 5.*

TRA-R16 Any Activity (Integrated Transport Assessments)

All Zones except for the Port Nikau Development Area (refer PNDA chapter) and the Hospital Zone, and the Strategic Rural Industries Zone

Activity Status: Restricted Discretionary

Where, with respect to Table TRA 16:

1. A new activity specified in Column A exceeds the Threshold Limit in Column B; or
2. A change to an existing activity specified in Column A exceeds the Threshold Limit in Column C; or
3. Any subdivision proposes more than 50 vacant sites allotments; or
4. Subdivision is proposed of an site allotment that existed at 15 April 2021 and the area of the parent site allotment is equal to or larger than:
 - a. 1.5ha within the Medium Density Residential Zone.
 - b. 2ha within the General Residential Zone or Settlement Zone Residential.
 - c. 8ha within the Low Density Residential Zone.

Matters of discretion:

1. Effects on the sustainability, safety, efficiency, effectiveness and accessibility of the affected transport network, including cumulative effects from incremental changes to the activity on the site or sites.
2. Required improvements, alterations or extensions to the affected transport network to mitigate adverse effects (including at level crossings).
3. The need for pedestrian and cyclist connections to nearby destinations.
4. Adverse effects on streetscape and amenity.
5. The location, design, scale and intensity of the proposed activity in relation to its effects on the affected transport network.
6. Demonstrated characteristics of the activity or proposal which result in low traffic generation relative to size or scale of the activity.
7. Recommendations and proposed mitigation measures of the Integrated Transport Assessment and any further information provided through the consent process.

Compliance Standard:

1. *TRA-R16.1 does not apply for any activity where consent has previously been granted for the activity under TRA-R16.1.*

2. In TRA-R16.2 “change” means a change of activity or a change in intensity, or scale of the activity.
3. The thresholds for a change under TRA-R16.2 shall be measured based on:
 - a. The size or scale of the activity as constructed or consented at 15 April 2021 where the activity does not have consent under TRA-R15 or TRA-R16; or
 - b. The resource consent where one has previously been granted under TRA-R15 or TRA-R16.

Notes:

1. Applications shall comply with information requirement rule TRA-REQ2.
2. Table TRA 16 is located in TRA Appendix 5.

TRA-R17 Construction of Any New Public Road or Service Lane

All Zones except for the Port Nikau Development Area

Activity Status: Restricted Discretionary

Matters of discretion:

1. The provision, design and construction of the road or service lane.
2. Effects on the sustainability, safety, efficiency, effectiveness and accessibility of the transport network.
3. Streetscape, urban design and amenity effects of the transport infrastructure.
4. Provision and encouragement of active and public modes of transport.
5. Integration with surrounding land uses and transport infrastructure.
6. Recommendations and proposed mitigation measures of the Integrated Transport Assessment and any further information provided through the consent process.

Notes:

1. Any application shall comply with information requirement rule TRA-REQ3.
2. Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Whangārei District Council Engineering Standards.

TRA-R18 Any Major Roding Alteration to an Existing Public Road

All Zones except for the Port Nikau Development Area

Activity Status: Restricted Discretionary

Matters of discretion:

1. The provision, design and construction of the road or service lane.
2. Effects on the sustainability, safety, efficiency, effectiveness and accessibility of the transport network.
3. Streetscape, urban design and amenity effects of the transport infrastructure.
4. Provision and encouragement of active and public modes of transport.
5. Integration with surrounding land uses and transport infrastructure.
6. Recommendations and proposed mitigation measures of the Integrated Transport Assessment and any further information provided through the consent process.

Notes:

1. Any application shall comply with information requirement rule TRA-REQ3.
2. Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Whangārei District Council Engineering Standards.

Information Requirement Rules

TRA-REQ1 Restricted Discretionary Integrated Transport Assessments

1. Any application pursuant to TRA-R15 shall include an Integrated Transport Assessment prepared by a suitably qualified and experienced professional which shall include:
 - a. A description of the site characteristics, existing development, existing traffic conditions and trip generation, immediately adjacent land uses, proposed activity and its intensity.
 - b. An assessment of the features of the existing transport network, including the following (where relevant to the proposal):
 - i. Existing access arrangements, on-site car parking and crossing locations.
 - ii. Existing internal vehicle and pedestrian circulation.
 - iii. Existing walking and cycling networks.
 - iv. Existing public transport service routes and frequencies including bus stops and lanes.
 - v. Hours of operation for non-residential activities.
 - vi. The adjacent transport network road hierarchy and the safety of the transport network in the immediate vicinity including crash history if relevant.
 - vii. The location and type of any existing level crossings in the locality.
 - c. A description of the estimated number of trips which will be generated by each transport mode (public transport, walking, cycling and private vehicles, including heavy vehicles).
 - d. An evaluation of the effects of the development on the immediately adjacent transport network, including:
 - i. The impacts that any additional vehicle movements are likely to have on the capacity and operation of adjacent road and rail networks, including any intersections and level crossings.
 - ii. For heavy vehicle trips per day, whether there are any effects from these trips on roading infrastructure.
 - iii. Where the development will directly impact the railway corridor, a summary of consultation with the railway operator.
 - e. Identification of any necessary mitigation measures that will be required to address any impacts on the transport network, including:
 - i. Potential mitigation measures needed both within the proposed development and on the immediately adjacent transport network including any improvements, upgrades, alterations or extensions to the transport network (including at level crossings).
 - ii. Any mitigation required to achieve convenient and safe operation of access points and loading areas for all users.
 - iii. A summary of the Integrated Transport Assessment including key findings and implications that the development will have for transport including any proposed mitigation measures.

Note:

1. *For further guidance on Integrated Transport Assessments refer to Appendix A of New Zealand Transport Agency Research Report No.422, "Integrated Transport Assessment Guidelines", Abley et al, November 2010.*

TRA-REQ2 Discretionary Integrated Transport Assessments

1. Any application pursuant to TRA-R16 shall include an Integrated Transport Assessment prepared by a suitably qualified and experienced professional which shall include:
 - a. A description of the site characteristics, existing development, existing traffic conditions and trip generation, surrounding land uses, proposed activity and its intensity, and future development potential of the site.
 - b. An assessment of the features of the existing transport network, including the following (where relevant to the proposal):
 - i. Existing access arrangements, on-site car parking and crossing locations.
 - ii. Existing internal vehicle and pedestrian circulation.
 - iii. Existing walking and cycling networks.
 - iv. Existing public transport service routes and frequencies including bus stops and lanes.
 - v. Hours of operation for non-residential activities.
 - vi. The adjacent transport network road hierarchy and the safety of the transport network in the vicinity including crash history if relevant.
 - vii. The location and type of any existing level crossings in the locality.
 - c. A description of the estimated number of trips which will be generated by each transport mode (public transport, walking, cycling and private vehicles, including heavy vehicles).
 - d. An assessment of the suitability of the proposal for all users within the development and connecting to the adjacent transport network. This shall include assessments of:
 - i. The accessibility of the development for public transport and how the design of the development will encourage public transport use by considering the attractiveness, safety, distance and suitability of the walking routes to the nearest bus stop.
 - ii. The accessibility of the development for pedestrians and cyclists and how the design of the development will encourage walking and cycling, particularly to nearby destinations such as reserves, other public spaces and commercial or community facilities.
 - iii. Any safety implications that may detract from walking or cycling to/from the development.
 - iv. The accessibility of the development by private motor vehicles and the suitability of the proposed access and use of the site with respect to the safe, efficient and effective functioning of the transport network.
 - e. An evaluation of the effects of the development on the surrounding transport network, including:
 - i. Impacts on the operation of public transport infrastructure, and any vehicle and pedestrian/cyclist conflicts likely to arise from vehicle movements to and from the development.
 - ii. The impacts that any additional vehicle movements are likely to have on the capacity and operation of adjacent road and rail networks, including any intersections and level crossings.
 - iii. For heavy vehicle trips per day, whether there are any effects from these trips on roading infrastructure.
 - iv. Where the development will directly impact the state highway, a summary of consultation with the New Zealand Transport Agency.

- v. The impacts of construction traffic where a development will require a significant amount of construction work.
- vi. Where the development will directly impact the railway corridor, a summary of consultation with the railway operator.
- f. An assessment of how the transport network will be designed to accommodate infrastructure and services, stormwater, lighting, landscaping and street trees. For larger scale non-residential developments this shall include consideration of underground electrical supply system for electric vehicle charging stations.
- g. Identification of any necessary mitigation measures that will be required to address any impacts on the transport network, including:
 - i. Potential mitigation measures needed both within the proposed development and on the transport network surrounding the development including any improvements, upgrades, alterations or extensions to the transport network (including at level crossings).
 - ii. Any mitigation required to achieve convenient and safe operation of accessways points and loading areas for all users.
 - iii. How the design and layout of the proposed activity maximises opportunities, to the extent practical, for travel other than by private car.
 - iv. Where appropriate, the use of Crime Prevention Through Environmental Design principles and techniques to mitigate any safety issues for pedestrians or cyclists.
 - v. A description of measures that will be put in place to mitigate against the effects of the construction process.
 - vi. A summary of the Integrated Transport Assessment including key findings and implications that the development will have for transport including any proposed mitigation measures.
- h. An overview of the transport implications of existing land uses and any land use characteristics that affect the proposal, including in the wider surrounding area those that will affect assessment of the proposal. This shall consider projected growth predictions and predicted annual average daily traffic.
- i. An assessment of the traffic volumes on the wider transport network serving the development and any intersections that will be affected by the proposal. Include consideration of the existing peak-hour congestion near the site, level of service, turning volumes, and comparisons between peak and interpeak conditions.
- j. A description of any proposed transport upgrades or changes within the vicinity of the proposed development such as known intersection or road upgrades, cycle infrastructure, parking restrictions or public transport upgrades or changes. If the proposed development is to be staged this description shall consider how the proposal will correspond with planned transport upgrades.
- k. An assessment of the proposal's consistency with relevant strategic documents including the Blue/Green Network Strategy for Whangārei City, the Walking and Cycling Strategy and the Whangārei Transport Strategy.
- l. An assessment of the overall suitability of the site to accommodate the proposed activity and its transportation effects in a manner that is consistent with relevant District and Regional transport policies and objectives.

Note:

1. For further guidance on Integrated Transport Assessments refer to Appendix A of New Zealand Transport Agency Research Report No.422, "Integrated Transport Assessment Guidelines", Abley et al, November 2010.

TRA-REQ3 New Roads and Major Roothing Alterations to an Existing Public Road

Any application pursuant to TRA-R17 – R18 shall include a detailed assessment including the following:

- a. The details required under information requirement rule TRA-REQ2.
- b. A roading layout plan, including:
 - i. The provision of landscaping and street trees.
 - ii. The provision of on-street parking.
 - iii. The provision of street lighting and amenities (e.g. benches, bus shelters, etc.).
 - iv. Geometric design.
 - v. Drainage design.
 - vi. Road marking and signage.
 - vii. Traffic calming devices.
 - viii. Utility service locations.
 - ix. Sight distance plans.
 - x. Clear distinction between public and private assets.
- c. Consideration of the sufficiency of space within the legal road reserve for proposed and potential future street trees, landscaping and/or underground and overhead services and structures.
- d. An assessment of traffic volumes and vehicle operating speeds.
- e. An assessment of how the road design is compatible with the character and amenity of the surrounding environment taking into account urban design and Crime Prevention Through Environmental Design principles.

TRA Appendix 1A - Minimum On-site Bicycle Parking Requirements

Bicycle parking spaces shall be provided on-site in accordance with Tables TRA 1A – TRA 1F.

Residential Activities

Table TRA 1A. Minimum on-site car and bicycle parking requirements for Residential Activities

Activity	Required Bicycle Parking Spaces
<u>Principal Residential Unit</u>	Nil
<u>Minor Residential Unit</u>	Nil
<u>Multi Unit Development</u>	Long stay: 1 per <u>residential unit</u> without a dedicated <u>garage</u> , for developments of 20 or more <u>residential units</u> . Short stay: 1 per 20 <u>residential units</u> .
<u>Supported Residential Care</u>	Long stay: 1 per employee
<u>Retirement Village</u>	Long stay: 1 per 15 employees

Commercial Activities

Table TRA 1B. Minimum on-site car and bicycle parking requirements for Commercial Activities

Activity	Required Bicycle Parking Spaces
Retail - <u>Motor Vehicle Sales</u>	Long stay: 1 per 15 employees
Retail - <u>Trade Suppliers, Garden Centres, Marine Retail</u> and <u>Hire Premise</u>	Long stay: 1 per 15 employees
Retail - <u>Grocery Store</u>	Long stay: 1 per 15 employees Short stay: 1 per 400m ² <u>GFA</u>
Retail - Other Retail (less than 600m ² <u>GFA</u>)	Long stay: 1 per 15 employees Short stay: 1 per 400m ² <u>GFA</u>
Retail - Other Retail (greater than 600m ² <u>GFA</u>)	Long stay: 1 per 15 employees Short stay: 1 per 400m ² <u>GFA</u>
<u>Food and Beverage Activity</u>	Long stay: 1 per 15 employees Short stay: 1 per 350m ² <u>GFA</u>
<u>Commercial Services</u> and <u>Funeral Home</u>	Long stay: 1 per 15 employees Short stay: 1 per 400m ² <u>GFA</u>
<u>Service Stations</u>	Long stay: 1 per 15 employees
<u>Visitor Accommodation</u>	Long stay: 1 per 15 employees
<u>Entertainment Facilities</u>	Long stay: 1 per 15 employees Short-stay: 2 parks plus 1 per 1,000m ² <u>GFA</u>
<u>General Commercial</u>	Long stay: 1 per 15 employees

Industrial Activities

Table TRA 1C. Minimum on-site car and bicycle parking requirements for Industrial Activities

Activity	Required Bicycle Parking Spaces
<u>Industrial activities – Repair and Maintenance Services</u>	Long stay: 1 per 30 employees
<u>Industrial activities – Manufacturing</u>	Long stay: 1 per 30 employees
<u>Industrial activities – Storage</u>	Long stay: 1 per 30 employees
<u>Industrial activities – Other industrial activities</u>	Long stay: 1 per 30 employees
Activities within the Oil Refinery Precinct (if activity not stated above)	Nil
Activities within the Port Zone	Nil
Activities within the Fonterra Kauri Milk Processing Site	Nil

Community Activities

Table TRA 1D. Minimum on-site car and bicycle parking requirements for Community Activities

Activity	Required Bicycle Parking Spaces
<u>Place of Assembly</u>	Long stay: 1 per 15 employees
Recreation Facilities (excluding public playgrounds)	Short-stay: 2 parks plus 1 per 1,000m2 <u>GFA</u>
Public Playgrounds	Nil
<u>Emergency Services</u>	Nil
<u>Care Centre</u>	Long stay: 1 per 15 employees
<u>Hospital</u>	Long stay: 1 per 15 employees
<u>Educational Facilities</u> – Primary and Secondary Schools	Nil
<u>Educational Facilities</u> – Tertiary Facilities	Long stay: 1 per 15 employees, plus:
<u>Educational Facilities</u> – Pre-school and Childcare Facility	Short stay: 1 per 20 students
<u>General Community</u>	Long stay: 1 per 15 employees, plus:

Rural Production Activities

Table TRA 1E. Minimum on-site car and bicycle parking requirements for Rural Production Activities

Activity	Required Bicycle Parking Spaces
<u>Plantation forestry</u>	Nil
Other <u>Rural Production Activities</u>	Nil

Other Activities

Table TRA 1F. Minimum on-site car and bicycle parking requirements for Other Activities

Activity	Required Bicycle Parking Spaces
<u>Mineral Extraction</u>	Nil
Boat Sheds, Marinas, Moorings	Nil
<u>Rural Centre Service Activity</u>	Long stay: 1 per 10 employees Short stay: 1 per 300m ² <u>GFA</u>
<u>General Public Amenities</u>	Nil
Network Utilities	Nil

Compliance Standards:

1. Short stay bicycle parking space shall not be required in the City Centre Zone.
2. If any activity is not represented above the activity closest in nature to the new activity shall be used, or where there are two or more similar activities in the table above, the activity with the higher parking rate shall apply.
3. Bicycle parking spaces required under Table TRA 1A to TRA 1F above shall provide adequate space to allow cyclists to manoeuvre and attach a bicycle to each stand or parking space.
4. Short stay bicycle parking spaces required under Table TRA 1A to TRA 1F above shall:
 - a. Be clearly visible or signposted.
 - b. Be located within 30m of public entrances to the activity.
 - c. Consist of stands that are securely attached to an immovable object such as a wall or the ground.
5. Long stay bicycle parking spaces required under Table TRA 1A to TRA 1F above shall be undercover, protected from inclement weather and secure from theft.

Note:

1. Where parking is provided, the Building Code requires parking spaces to be provided for people with disabilities and accessible routes from the parking spaces to the associated activity or road. The dimensions and accessible route requirements are detailed in the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS 4121:2001).

TRA Appendix 1B - Maximum On-site Car Parking in the City Centre Zone

Any activity located in the City Centre Zone shall provide no more on-site car parking spaces than those specified in Table TRA 2.

Table TRA 2 - Maximum on-site car parking in the City Centre Zone

Activity	Maximum Car Parking Spaces
<u>Residential Unit</u>	Maximum: 1 per unit
<u>Visitor Accommodation</u>	Maximum: 1 per 2 units
<u>Commercial Services</u>	Maximum: 1 per 50m ² <u>GFA</u>

TRA Appendix 1C - Minimum On-site Loading Space Requirements

Loading spaces shall be provided on-site in accordance with Table TRA 3 for sites outside of the car parking exemption area detailed in TRA Appendix 1E.

Table TRA 3. Minimum on-site loading space requirements

Activity Class GFA Threshold	Loading Space Requirement
<u>Industrial Activities</u> and <u>Retail Activities</u> (goods handling activities) of up to 300m ² <u>GFA</u>	Nil
<u>Industrial Activities</u> and <u>Retail Activities</u> (goods handling activities) of greater than 300m ² up to 5,000m ² <u>GFA</u>	1
<u>Industrial Activities</u> and <u>Retail Activities</u> (goods handling activities) of greater than 5,000m ² up to 10,000m ² <u>GFA</u>	2
<u>Industrial Activities</u> and <u>Retail Activities</u> (goods handling activities) of greater than 10,000m ² <u>GFA</u>	3 spaces plus 1 space for every additional 10,000m ²
<u>Commercial Services</u> , <u>Visitor Accommodation</u> , <u>Hospitals</u> and Other Activities not included above of up to 2,000m ² <u>GFA</u>	Nil
<u>Commercial Services</u> , <u>Visitor Accommodation</u> , <u>Hospitals</u> and Other Activities not included above of greater than 2,000m ² up to 20,000m ² <u>GFA</u>	1
<u>Commercial Services</u> , <u>Visitor Accommodation</u> , <u>Hospitals</u> and Other Activities not included above of greater than 20,000m ² up to 50,000m ² <u>GFA</u>	2
<u>Commercial Services</u> , <u>Visitor Accommodation</u> , <u>Hospitals</u> and Other Activities not included above of greater than 50,000m ² <u>GFA</u>	3 spaces plus 1 space for every additional 25,000m ²

Compliance Standards:

1. Where there are multiple activities on the site and each activity requires loading spaces, the total loading spaces shall be the combined total requirement for all activities.
2. The minimum dimensions of loading spaces shall be:
 - a. For industrial activities – 11m long and 3.5m wide.
 - b. For any loading spaces designed to accommodate articulated vehicles – 18m long and 3.5m wide.
 - c. For all other activities – 9m long and 3.5m wide.

TRA Appendix 1D - Minimum End-of Trip Facilities Requirements

Where long stay bicycle parking spaces are provided, end-of-trip facilities shall be provided on-site in accordance with Table TRA 4. This provision does not apply to residential activities.

Table TRA 4. Minimum on-site end-of-trip facilities requirements

Number of Long Stay Bicycle Parking Spaces On-Site	Minimum Number of Showers	Minimum Number of Changing Rooms
5 – 50	2	2
51 – 100	4	2
Every additional 100 spaces	2 additional	2

TRA Appendix 1E - Loading Space Exemption Areas

Any activity located solely within the shaded area shown in Figure TRA 2 is exempt from providing the minimum loading spaces required in TRA Appendix 1C.

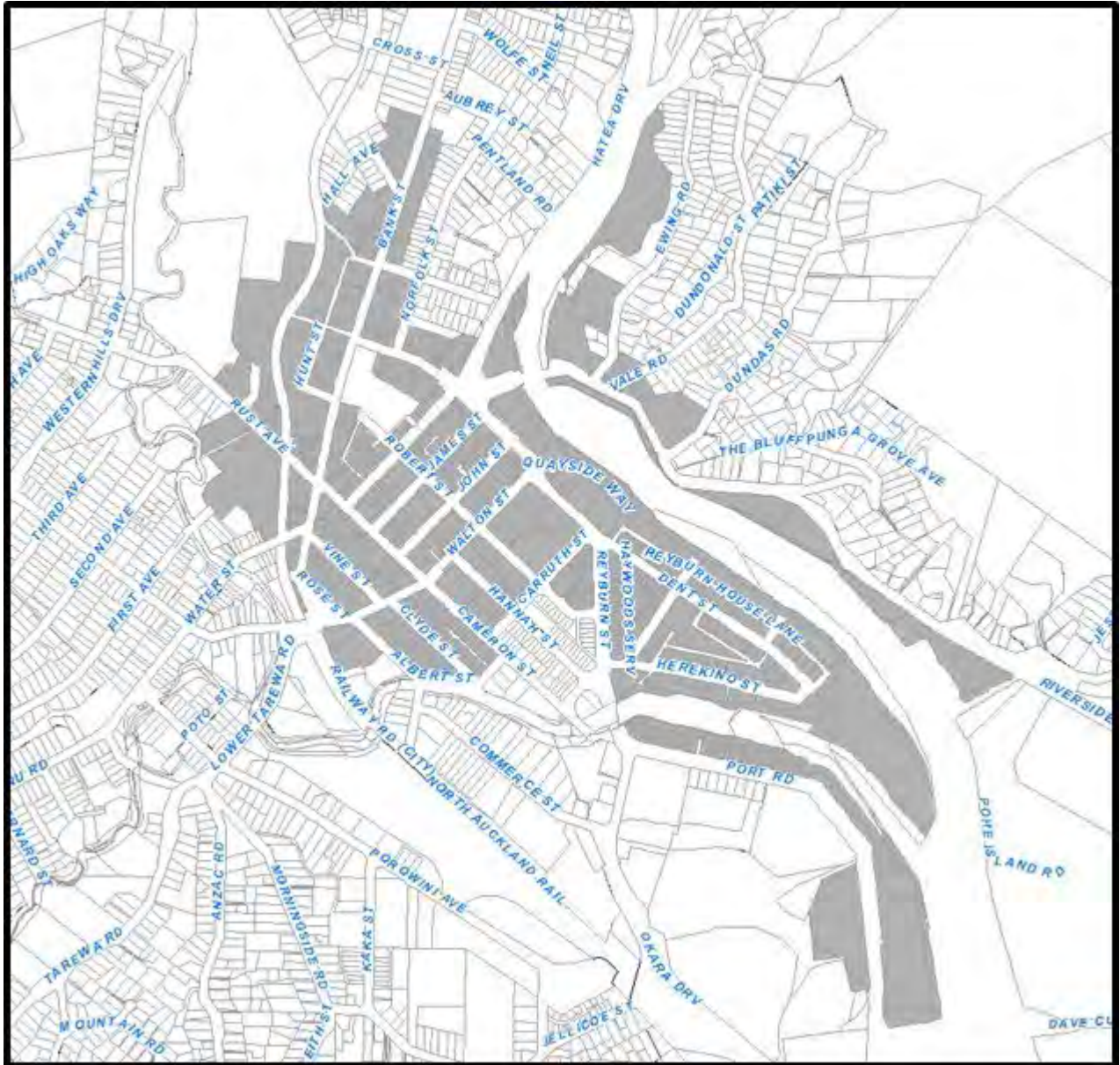
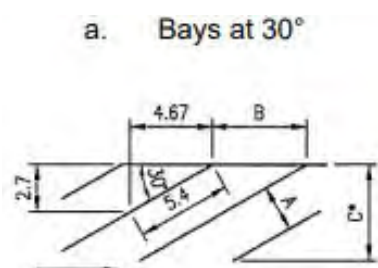


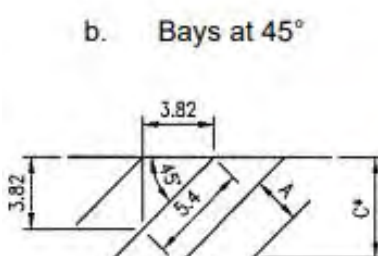
Figure TRA 2. Loading space exemption area

TRA Appendix 1F - Minimum Car Parking Space Dimensions

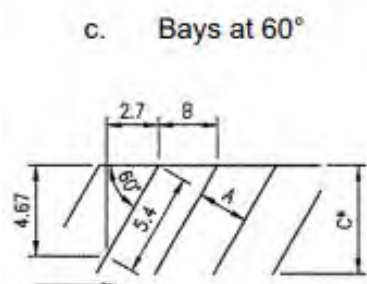
Any car parking space shall comply with the minimum dimensions in Figures TRA 3 and TRA 4.



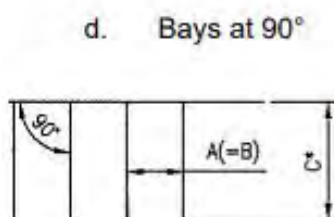
User Class (Note 1)	A	B	C1	C2	C3	Aisle Width
1,1A	2.1	4.2	4.4	4.1	4.5	3.1
2	2.3	4.6	4.4	4.1	4.7	3.0
3	2.5	5.0	4.4	4.1	4.9	2.9
3A	2.5	5.0	4.4	4.1	4.9	3.45



User Class (Note 1)	A	B	C1	C2	C3	Aisle Width
1,1A	2.4	3.4	5.2	4.8	5.5	3.9
2	2.5	3.5	5.2	4.8	5.6	3.7
3	2.6	3.7	5.2	4.8	5.7	3.5
3A	2.6	3.7	5.2	4.8	5.7	4.2



User Class (Note 1)	A	B	C1	C2	C3	Aisle Width
1,1A	2.4	2.75	5.7	5.1	5.9	4.9
2	2.5	2.90	5.7	5.1	6.0	4.6
3	2.6	3.00	5.7	5.1	6.0	4.3
3A	2.6	3.00	5.7	5.1	6.0	5.1



User Class (Note 1)	A	B	C1	C2	C3	Aisle Width
1	2.4	2.4	5.4	4.8	5.4	6.2
1A	2.4	2.4	5.4	4.8	5.4	5.8
2	2.5	2.5	5.4	4.8	5.4	5.8
3	2.6	2.6	5.4	4.8	5.4	5.8
3A	2.6	2.6	5.4	4.8	5.4	6.6
3A	2.7	2.7	5.4	4.8	5.4	6.2

Figure TRA 3. Minimum car parking space dimensions (in metres) for angled parking spaces

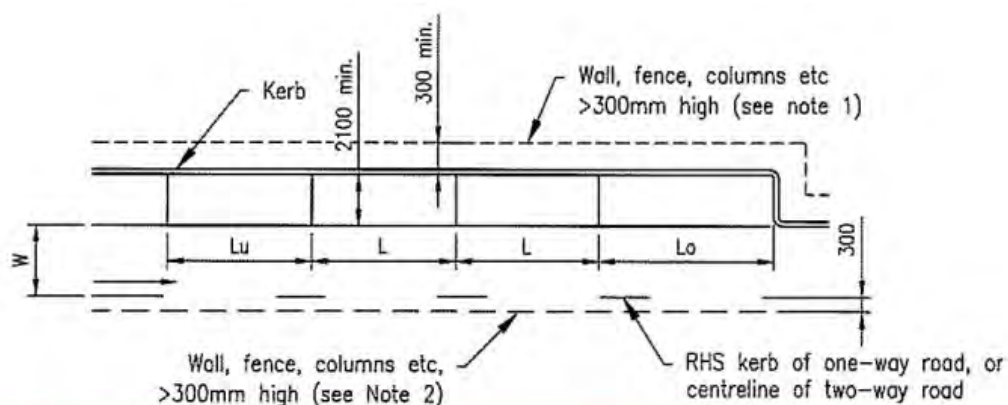
Note:

- Parking space dimensions will vary for mobility car park spaces and electric vehicle charging station parking spaces.

Compliance Standards:1. *Dimension C is selected as follows:*C1 - *Where parking is to a wall or high kerb not allowing any overhang.*C2 - *Where parking is to a low kerb which allows 600mm overhang.*C3 - *Where parking is controlled by wheel stops installed at right angles to the direction of parking, or where the ends of parking spaces form a saw tooth pattern.*2. *Classifications of off-street car parking facilities are shown in Table TRA 5 (the two Class 3 options given for 90-degree parking are alternatives of equal standing).*

Table TRA 5. Classifications of off-street car parking facilities

User Class	Required Door Opening	Required Aisle Width	Examples of Uses
1	Front door, first stop	Minimum for single manoeuvre entry and exit	Employee and commuter parking (generally, all-day parking)
1A	Front door, first stop	Three-point turn entry and exit into 90-degree parking spaces only. Otherwise as for User Class 1	Residential, domestic and employee parking
2	Full opening, all doors	Minimum for single manoeuvre entry and exit	Long-term city and town centre parking, sports facilities, entertainment centres, hotels, motels, airport visitors (generally medium-term parking)
3	Full opening, all doors	Minimum for single manoeuvre entry and exit	Short-term city and town centre parking, parking stations, hospitals and medical centres
3A	Full opening, all doors	Additional allowance above minimum single manoeuvre width to facilitate entry and exit	Short term, high turnover parking at shopping centres



Aisle width (one-way), W	Space length, L	Space length obstructed end spaces, Lo	Space length unobstructed end spaces, Lu
3.0	6.3	6.6	5.0
3.3	6.1	6.4	5.0
3.6	5.9	6.2	5.0

Figure TRA 4. Minimum car parking space dimensions (in metres) for parallel parking spaces

Compliance Standards:

- 1. Spaces shall be located at least 300mm clear of obstructions higher than 150mm such as walls, fences and columns.*
- 2. Where the opposite side of the aisle is bounded by obstructions higher than 150mm, Dimension W shall be increased by at least 0.3m.*
- 3. If a single space is obstructed at both ends, a further 0.3m shall be added to dimensions in this column.*
- 4. Where the aisle is two-way, but parking is on one side only, its width shall be increased by 3m minimum.*
- 5. Where parallel parking is provided on both sides of a two-way aisle, the aisle widths shown shall be provided on each side of the aisle centre line.*
- 6. For parallel parking on both sides of a one-way aisle the aisle width shall be at least twice that shown.*

TRA Appendix 2A - Vehicle Crossings Per Site

The number of vehicle crossings per site shall not exceed those stated in Table TRA 6.

Table TRA 6. Maximum number of vehicle crossings per site

	Hierarchy Class of Road Frontage				
	Low Volume	Access	Secondary Collector	Primary Collector	Arterial
Site Frontage: 0 – 16m	1	1	1	1	1
Site Frontage: 17 – 60m	2	2	1	1	1
Site Frontage: 61 -100m	3	3	2	1	1
Site Frontage: >100m	3	3	3	2	1

Compliance Standards:

1. Where a site has frontage to more than one road, the vehicle entrance must be onto the road that has the lower class in the transport network hierarchy.
2. Where there is more than one road frontage, the frontage measurement will only apply to the road front approved for gaining entrance.
3. Service stations are permitted to provide two crossings per site.
4. Paddock entrances in the Rural Production or Rural Lifestyle Zones, with less than 10 vehicle movements per month, are exempt from the maximum number of vehicle crossings per site detailed in Table TRA 6.

Note:

Vehicle access ways to all state highways is managed by the New Zealand Transport Agency under the Government Roadway Powers Act 1989 and accessways require s the approval of the New Zealand Transport Agency.

TRA Appendix 2B - Vehicle Crossing Distances from Intersections

Any vehicle crossing shall comply with the minimum distance from intersections as stated in Tables TRA 7A and TRA 7B. Distances are measured along the centreline of the frontage road from the centreline of the vehicle crossing to the edge of the carriageway of the intersecting road.

Speed Limit 50km/hr

Table TRA 7A. Minimum distance of vehicle crossing from intersections for Speed Limit 50km/hr

Speed Limit 50km/hr			
Frontage Road	National, Regional & Arterial	Primary & Secondary Collector	Access & Low Volume
Arterial	70	55	35
Primary & Secondary Collector	40	40	20
Access & Low Volume	25	25	10

Speed Limit Over 50km/hr

Table TRA 7B. Minimum distance of vehicle crossing from intersections for Speed Limit Over 50km/hr

Speed Limit Over 50km/hr			
Frontage Road	National, Regional & Arterial	Primary & Secondary Collector	Access & Low Volume
Arterial	180	180	90
Primary & Secondary Collector	75	60	60
Access & Low Volume	75	60	60

TRA Appendix 2C - Vehicle Crossings Sight Distances

Any vehicle crossing shall comply with the minimum sight distance requirements as stated in Table TRA 8. Sight lines shall be contained within the road reserve.

Table TRA 8. Minimum vehicle crossing sight distances

Speed	Access & Low Volume Frontage Transport Corridor Minimum Sight Distance (m)	Primary & Secondary Collector Frontage Transport Corridor Minimum Sight Distance (m)	Arterial & Regional Frontage Transport Corridor Minimum Sight Distance (m)
40	45	50	90
50	60	70	120
60	85	90	150
70	105	120	185
80	135	145	220
90	160	175	265
100	195	210	305

Compliance Standards:

1. Access way road sight distances are calculated based upon Approach Sight Distance (ASD) with Reaction Time (RT) of 1.5 seconds.
2. Collector Road sight distances are calculated based upon ASD with RT of 2 seconds.
3. Arterial and Regional road sight distances are calculated based upon Safe Intersection Sight Distance (SISD) with RT of 2 seconds.
4. There shall be lines of clear sight from the driver's eye height (1.15m above ground level) along the lines detailed below and shown in Figure TRA 4A:
 - Lines AC and BD: All vehicle crossings on all roads.
 - Lines EC and ED (no permanent obstructions, exclude parked vehicles which might obstruct these sight lines): All vehicle crossings on arterial, collector, access and low volume roads.
 - Lines EC and ED (no obstructions, parked vehicles not excluded): All vehicle crossings on regional roads.
 - Points C and D are established by measuring the sight distance from Table TRA 8 along the centre of the appropriate lane from points A and B. For practical purposes A and B can be taken as opposite the centre of the driveway.

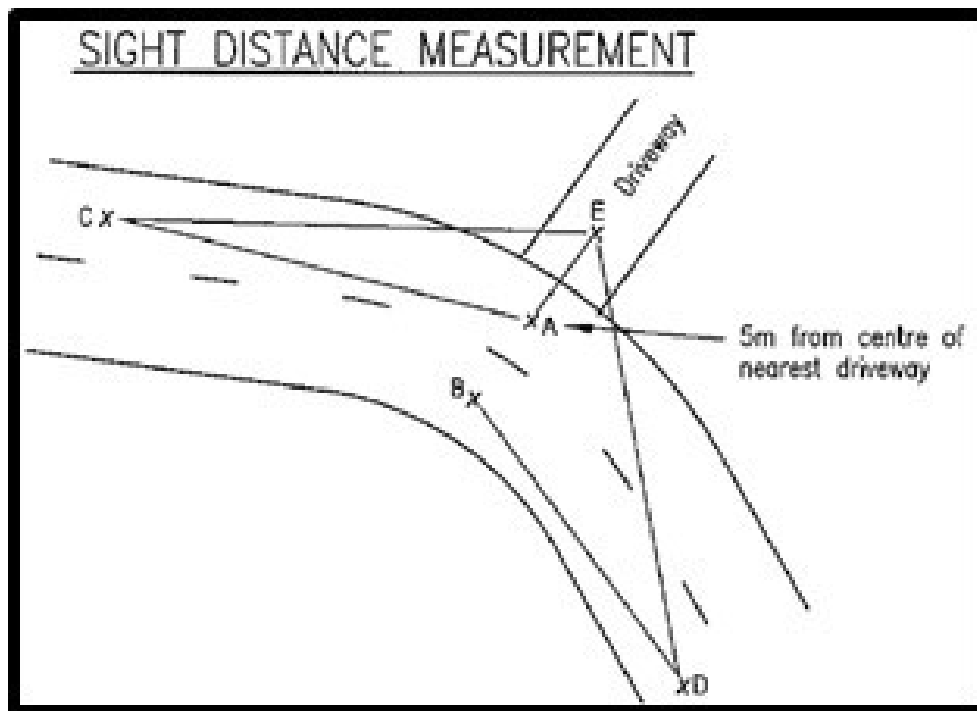


Figure 4A. Site Distance Measurement

TRA Appendix 2D - Performance Standards for Shared **Private Accessways**

Except within the Port Nikau Development Area, shared **private accessways** shall be designed and constructed in accordance with Table TRA 9A and TRA 9B.

Urban

Table TRA 9A. Urban shared **private accessway** requirements

Number of Principal Residential Units	Maximum length	Minimum Legal Width (m)	Minimum Carriageway Unsealed Shoulder Width (m)	Minimum Carriageway Surfacing width (m)	Minimum Carriageway Total Width (m)	Footpath width (m)	Maximum gradient	Crossfall
2 - 4	50m	3.5	-	1 x 3.0	3.0 ¹	-	12.5% for the first 5m from the road boundary and 22.2% for the remainder restricted to straight sections	3%
5 - 8	100m	6.0	-	1 x 4.5	4.5	1 x 0.95	12.5% for the first 5m from the road boundary and 22.2% for the remainder restricted to straight sections	3%

Rural

 Table TRA 9B. Rural shared **private accessway** requirements

Number of Principal Residential Units	Maximum length	Minimum Legal Width (m)	Minimum Carriageway Unsealed Shoulder Width (m)	Minimum Carriageway Surfacing width (m)	Minimum Carriageway Total Width (m)	Footpath width (m)	Maximum gradient	Crossfall
2	-	4.0	2 x 0.25	1 x 3.0	3.5 ¹	-	12.5% for the first 5m from the road boundary and 22.2% for the remainder	<ul style="list-style-type: none"> • 3% where sealed • 6% where unsealed
3 - 5	-	6.0	2 x 0.25	1 x 4.0	4.5	-	12.5% for the first 5m from the road boundary and 22.2% for the remainder	<ul style="list-style-type: none"> • 3% where sealed • 6% where unsealed
6 - 8	-	10.0	2 x 0.25	2 x 2.75	6.0	-	12.5% for the first 5m from the road boundary and 22.2% for the remainder	<ul style="list-style-type: none"> • 3% where sealed • 6% where unsealed

Notes:

1. "Urban" includes sites within:
 - a. The Future Urban Zone, Settlement Zone Residential or Large Lot **Residential Zones** where the **net site area** is less than 2,000m².
 - b. The General Residential Zone, Medium Density Residential Zone, City Centre Zone, **Mixed Use** Zone, Waterfront Zone, Local Centre Zone, Neighbourhood Centre Zone, Ruakaka Equine Zone, Marsden City Precinct or Settlement Zone Centre.
 - c. Any Open Space and Recreation Zone adjacent to any of the above.
 - d. The Parihaka Environmental Precinct created through PREC12-R8.
2. "Rural" includes sites within:

- a. The Future Urban Zone, Settlement Zone Residential or Large Lot Residential Zones where the net site area is equal to or greater than 2,000m².
 - b. The Low Density Residential, Rural Production or Rural Lifestyle Zones (except those under Note 1(d) above).
 - c. Any Open Space and Recreation Zone adjacent to any of the above.
3. The New Zealand Fire Service Firefighting Supplies Code of Practice SNZ PAS 4509:2008 and NZ Building Code C/AS1 contain guidance on an adequate access to water supply for firefighting purposes and the Fire and Emergency New Zealand Designers' Guide to Firefighting Operations: Emergency Vehicle Access F5-02 GD provides additional guidance on Fire and Emergency access requirements.
4. Shared private accessways for industrial, commercial and community activities fall within the definition of service lane.

Compliance Standards:

1. Where a public sewer pump station or fire hydrant is located within, or accessed via a private accessway, the minimum legal width and total carriageway width shall be at least 4m.
2. Where a private accessway contains public wastewater reticulation the legal width shall be increased by 1.11m.
3. Where a private accessway contains public water reticulation the legal width shall be increased by 0.6m.
4. For curved private accesswayses, the gradient is measured along the inside radius.
5. The maximum change of grade for a breakover angle on any private accessway is 10% and the maximum change of grade for a departure angle on any private accessway is 17% - see Figure TRA 5 below.

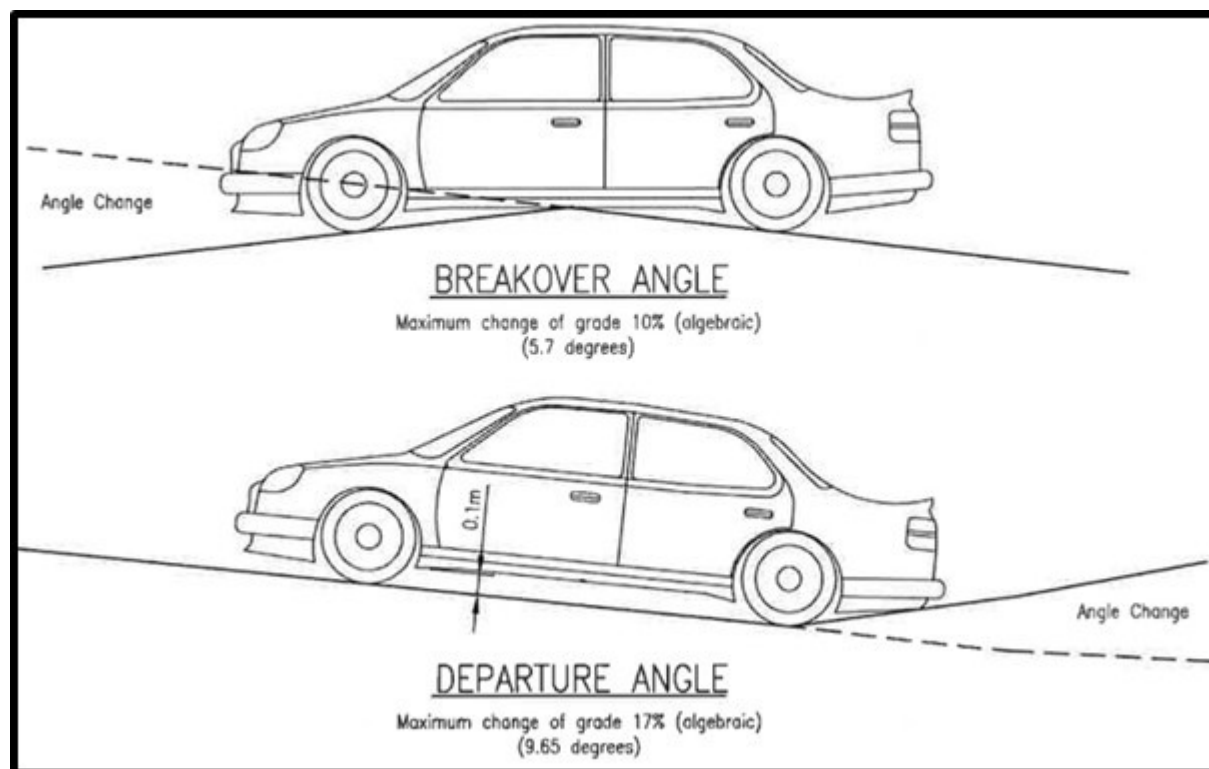


Figure TRA 5. Maximum change of grade for private accessways

TRA Appendix 2E - Railway Level Crossing Sight Triangles and Explanations

Approach sight triangles at level crossings with Give Way signs

Except within the Port Nikau Development Area, on sites adjacent to rail level crossings controlled by Give Way Signs, no building, major structure or planting shall be located within the shaded areas shown in Figure TRA 6. These are defined by a sight triangle taken 30m from the outside rail and 320m along the railway track.

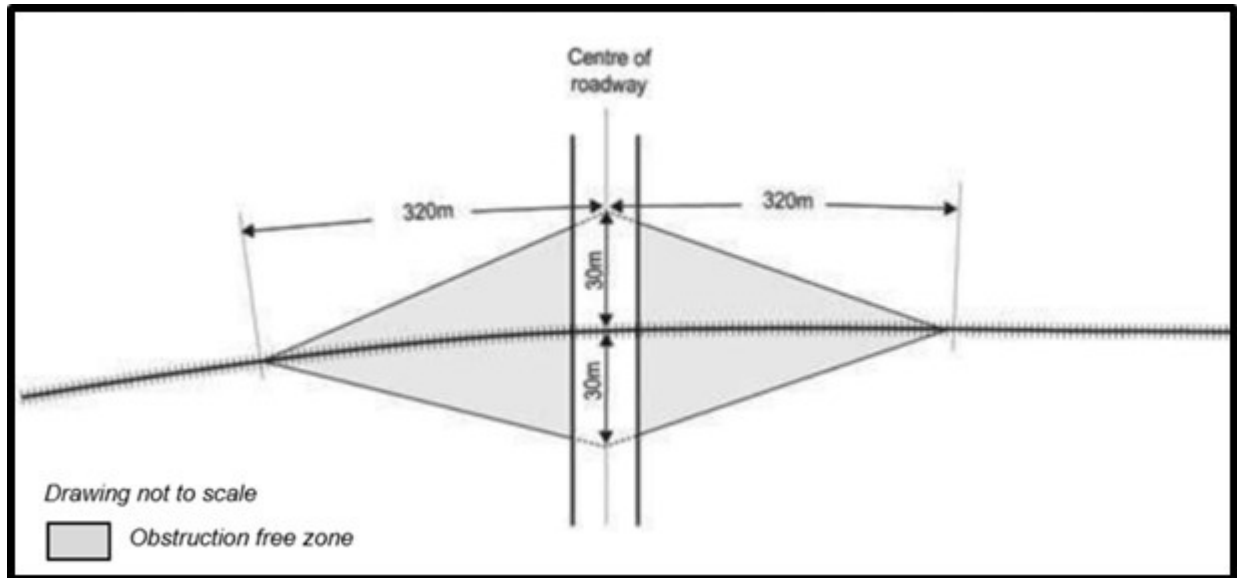


Figure TRA 6. Approach Sight Triangles for Level Crossings with “Give Way” Signs

Restart sight triangles at level crossings

On sites adjacent to all rail level crossings, no building, major structure or planting shall be located within the shaded areas shown in Figure TRA 7. These areas are defined by a sight triangle taken 5m from the outside rail and distance A along the railway track. Distance A depends on the type of control (Table TRA 12).

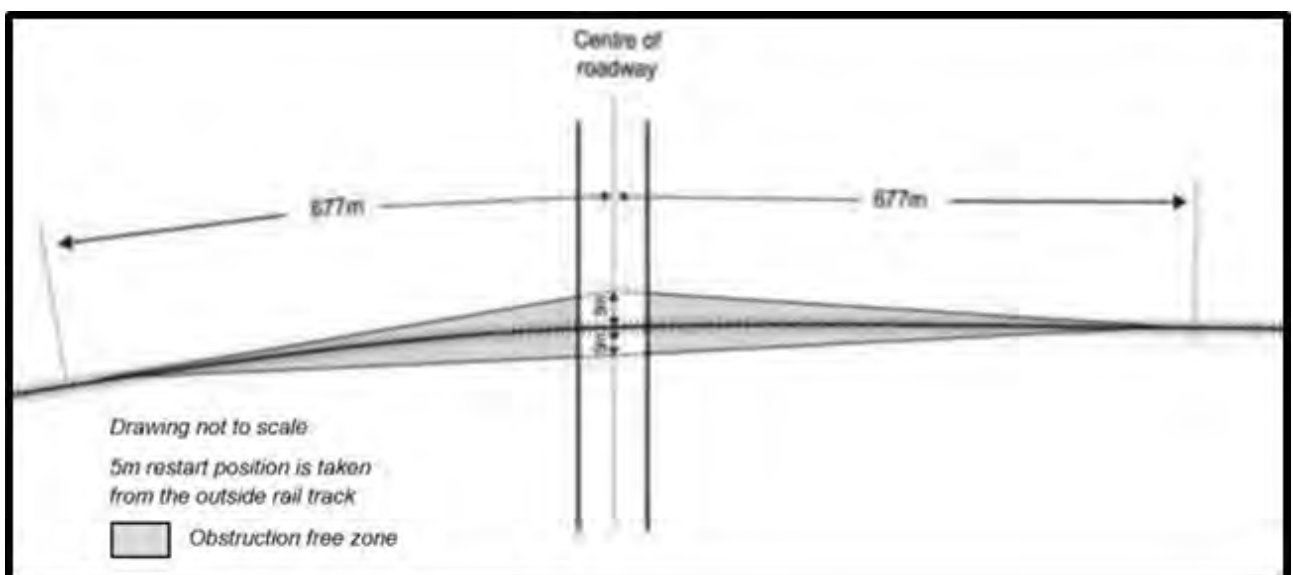


Figure TRA 7. Restart Sight Triangles for all Level Crossings

Table TRA 12. Required Restart Sight Distances for Figure TRA 7

Required Approach Visibility Along Tracks A (m)		
Signs only	Alarms only	Alarms and barriers
677m	677m	60m

Compliance Standards:

1. These conditions apply irrespective of whether any visual obstructions already exist.
2. Approach sight triangles under Figure TRA 6 do not apply for level crossings fitted with alarms and/or barrier arms.
3. Figures TRA 6 and 7 show a single set of rail tracks only. For each additional set of tracks add 25m to the along-track distance in Figure TRA 6, and 50m to the along-track distance in Figure TRA 7.

Note:

1. All figures are based on the sighting distance formula used in Waka Kotahi NZ Transport Agency Traffic Control Devices Manual 2008, Part 9 Level Crossings. The formulae in this document are performance based; however, the rule contains fixed parameters to enable easy application of the standard. Approach and restart distances are derived from a:
 - a. Train speed of 110 km/h.
 - b. Vehicle approach speed of 20 km/h.
 - c. Fall of 8% on the approach to the level crossing and a rise of 8% at the level crossing.
 - d. 25m design truck length.
 - e. 90° angle between **road** and rail.

TRA Appendix 3 - Transport Network Hierarchy

Whangārei's roads have been classified into a hierarchy to define their purpose and expectation within the transport network. The hierarchy is two-tiered. The first tier is the One Network Road Classification, which aligns with the national system, and is shown on the Planning Maps. The second tier comprises Regionally Significant Transport Infrastructure as identified in the Regional Policy Statement for Northland 2016. The tiers overlap as some roads are classified under multiple tiers. A description of each category of the hierarchy is set out in Tables TRA 13A and TRA 13B.

Table TRA 13A. Tier 1 Transport network hierarchy

Tier 1: One Network Road Classifications	
Classification	Expectation
National (High Volume)	<u>Roads</u> that make the largest contribution to the social and economic wellbeing of New Zealand by connecting major population centres, major ports or international airports and have high volumes of heavy commercial vehicles or general traffic.
Regional	Regional <u>roads</u> make a major contribution to the social and economic wellbeing of a region and connect to regionally significant places, industries, ports or airports. They are also major connectors between regions and in <u>urban areas</u> may have substantial passenger transport movements.
Arterial	Arterial <u>roads</u> make a significant contribution to social and economic wellbeing, link regionally significant places, industries, ports or airports and may be the only route available to some places within the region (i.e. they may perform a significant lifeline function). In <u>urban areas</u> , they may have significant passenger transport movements and numbers of cyclists and pedestrians using the <u>road</u> .
Primary Collector	Primary Collectors are locally important <u>roads</u> that provide a primary distributor/collector function, linking significant local economic areas or areas of population. They may be the only route available to some places within the region and in <u>urban areas</u> they may have moderate passenger transport movements and numbers of cyclists and pedestrians using the <u>road</u> .
Secondary Collector	Secondary Collectors are <u>roads</u> that provide a secondary distributor/collector function, linking local areas of population and economic sites and may be the only route available to some places within this local area.
Access	Access includes all other <u>roads</u> . Low volume <u>roads</u> within this category will fall into the low volume subset.
Low Volume	All other <u>roads</u> are classed as low volume.

Table TRA 13B. Tier 2 Transport network hierarchy

Tier 2: Regionally Significant Transport Infrastructure	
Classification	Expectation
Strategic Tourist Routes	The tourism routes support tourist related transport users in the District. Tourism routes should positively add to visitors' impressions of the District. Rest areas and amenities are important on Tourism Routes.
Strategic Freight Routes	Freight routes support freight movements into and out of the District. Two freight carriers that are of particular significance to the District are plantation forestry and dairy. Freight routes will continue to support significant amounts of heavy transport while considering impacts on surrounding established and planned settlements.
National Cycleway	These areas generally represent the most significant concentrations of population within Whangārei and would therefore benefit the most from a strategic approach to creating and enhancing local networks for recreational and commuting use. Additionally, the national cycleway connects wider areas of the District and Region.

TRA Appendix 4 - Strategic Road Protection Areas

Table TRA 14 contains details of the strategic road protection areas shown on the Planning Maps.

Table TRA 14. Strategic Road Protection Areas

Road Name	Location Start	Location Finish	Strategic Road Protection Area (metres) Direction
Dent St	Bank St	Rathbone St	3 SW
Dent St	Rathbone St	Walton St	2 NE 5 SW
Dent St	Walton St	Reyburn St	4 NE 3 SW
Hatea Drive	* (refer below)	-	12.5 from centre
Kamo Rd	Bank St	40m from Bank St	3 W
Kamo Rd	Kensington Ave	60m S of McClintock St	2 W 3 E
Kamo Rd	60m S of McClintock St	Western Hills Dr	2 W 5.4 E
Kamo Rd	Western Hills Dr	Burling Ave	5 E
Kamo Rd	Burling Ave	70m S of Adams Pl	2 E
Kamo Rd	Whau Valley Rd	550m N of Whau Valley Rd	1.6 W
Kiripaka Rd	Waiaatawa Rd	Corks Rd	12.5 from centre
Maunu Rd	Water St Intersection with Central Ave and Walton St	SH1	3 S 2 N
Mill Rd	Nixon St	Whareora Rd	2.5 W 2.5 E
Okara Drive	Commerce St	Port Rd	11 from centre
Rathbone St	Robert St	Dent St	3 SE
Tarewa Rd	Porowini Ave	Otaika Rd	11 from centre
Waiaatawa Rd	Whareora Rd	Kiripaka Rd	12.5 from centre
Walton St	Bank St	Dent St	4 E

* Strategic Road Protection Area "location" is all of Road

Compliance Standards:

1. "x from centre" refers to a distance taken from the centre of the existing legal road. The legal road width varies in these locations and it is not practical to define Strategic Road Protection Areas from the existing edge of the legal road.
2. All other Strategic Road Protection Areas are expressed as the distance from the frontage of sites.

Note:

1. Abbreviations for directions:

<i>N = north</i>	<i>NE = north-east</i>
<i>S = south</i>	<i>SW = south-west</i>
<i>E = east</i>	<i>SE = south-east</i>
<i>W = west</i>	<i>NW = north-west</i>

TRA Appendix 5 - Integrated Transport Assessment Thresholds

Table TRA 15. TRA-R15 Thresholds

	(A)	(B)	(C)
(1)	<u>Residential Units</u>	25 <u>residential units</u>	Every additional 25 <u>residential units</u>
(2)	<u>Supported Residential Care</u>	20 beds	Every additional 20 beds
(3)	<u>Visitor Accommodation</u>	25 bedrooms	Every additional 25 bedrooms
(4)	<u>Drive-Through-Facilities</u>	300m ²	Every additional 300m ² <u>GFA</u>
(5)	<u>General Retail</u>	1,000m ² <u>GFA</u>	Every additional 1,000m ² <u>GFA</u>
(6)	<u>Grocery Stores</u>	750m ² <u>GFA</u>	Every additional 750m ² <u>GFA</u>
(7)	<u>Trade Retail</u>	1,000m ² <u>GFA</u>	Every additional 1,000m ² <u>GFA</u>
(8)	<u>Commercial Services</u>	1,250m ² <u>GFA</u>	Every additional 1,250m ² <u>GFA</u>
(9)	<u>Food and Beverage Activity</u>	500m ² <u>GFA</u>	Every additional 500m ² <u>GFA</u>
(10)	<u>Entertainment Facilities</u>	1,000m ² <u>GFA</u>	Every additional 1,000m ² <u>GFA</u>
(11)	Other <u>Commercial Activities</u>	1,000m ² <u>GFA</u>	Every additional 1,000m ² <u>GFA</u>
(12)	<u>Place of Assembly</u>	1,000m ² <u>GFA</u>	Every additional 1,000m ² <u>GFA</u>
(13)	<u>Recreational Facilities</u>	1,000m ² <u>GFA</u>	Every additional 1,000m ² <u>GFA</u>
(14)	Other <u>Community Activities</u>	2,500m ² <u>GFA</u>	Every additional 2,500m ² <u>GFA</u>
(15)	<u>Storage</u>	5,000m ² <u>GFA</u>	Every additional 5,000m ² <u>GFA</u>
(16)	Other <u>Industrial Activities</u>	2,500m ² <u>GFA</u>	Every additional 2,500m ² <u>GFA</u>
(17)	Rural Centre Service Activities	1,000m ² <u>GFA</u>	Every additional 1,000m ² <u>GFA</u>
(18)	<u>Retirement Village</u>	20 individual <u>retirement village</u> units or beds	Every additional 20 individual <u>retirement village</u> units or beds
(19)	<u>Care Centre</u>	Facilities which accommodate at least 25 persons receiving care	Every additional 25 persons receiving care that are accommodated in the facility
(20)	<u>Service Station</u>	4 refuelling spaces per <u>site</u>	Every additional 4 refuelling spaces per <u>site</u>

	(A)	(B)	(C)
(21)	<u>Educational Facilities</u> – Primary Schools, Pre-school and Childcare Facilities	Schools which accommodate at least 40 pupils	Every additional 40 pupils accommodated at the school
(22)	<u>Educational Facilities</u> – Secondary and Tertiary Schools	Schools which accommodate at least 180 pupils	Every additional 180 pupils accommodated at the school

Compliance Standards:

1. The threshold limits for rows (1) – (19) within Table TRA 15 apply per site or building, whichever is the more restrictive.
2. Temporary activities, rural production activities, general public amenities, network utilities and public playground are exempt from TRA-R15.

Table TRA 16. TRA-R16 Thresholds

	(A)	(B)	(C)
(1)	<u>Residential Units</u>	50 or more <u>residential units</u>	Every additional 50 <u>residential units</u>
(2)	<u>Supported Residential Care</u>	40 beds	Every additional 40 beds
(3)	<u>Visitor Accommodation</u>	50 bedrooms	Every additional 50 bedrooms
(4)	<u>Drive-Through-Facilities</u>	600m ²	Every additional 600m ² <u>GFA</u>
(5)	<u>General Retail</u>	2,000m ² <u>GFA</u>	Every additional 2,000m ² <u>GFA</u>
(6)	<u>Grocery Stores</u>	1,500m ² <u>GFA</u>	Every additional 1,500m ² <u>GFA</u>
(7)	<u>Trade Retail</u>	2,000m ² <u>GFA</u>	Every additional 2,000m ² <u>GFA</u>
(8)	<u>Commercial Services</u>	2,500m ² <u>GFA</u>	Every additional 2,500m ² <u>GFA</u>
(9)	<u>Food and Beverage Activity</u>	1,000m ² <u>GFA</u>	Every additional 1,000m ² <u>GFA</u>
(10)	<u>Entertainment Facilities</u>	2,000m ² <u>GFA</u>	Every additional 2,000m ² <u>GFA</u>
(11)	Other <u>Commercial Activities</u>	2,000m ² <u>GFA</u>	Every additional 2,000m ² <u>GFA</u>
(12)	<u>Place of Assembly</u>	2,000m ² <u>GFA</u>	Every additional 2,000m ² <u>GFA</u>
(13)	<u>Recreational Facilities</u>	2,000m ² <u>GFA</u>	Every additional 2,000m ² <u>GFA</u>
(14)	Other <u>Community Activities</u>	5,000m ² <u>GFA</u>	Every additional 5,000m ² <u>GFA</u>

	(A)	(B)	(C)
(15)	<u>Storage</u>	10,000m ² <u>GFA</u>	Every additional 10,000m ² <u>GFA</u>
(16)	Other <u>Industrial Activities</u>	5,000m ² <u>GFA</u>	Every additional 5,000m ² <u>GFA</u>
(17)	Rural Centre Service Activities	2,000m ² <u>GFA</u>	Every additional 2,000m ² <u>GFA</u>
(18)	<u>Retirement Village</u>	40 individual <u>retirement village</u> units or beds	Every additional 40 individual <u>retirement village</u> units or beds
(19)	<u>Care Centre</u>	Facilities which accommodate at least 50 persons receiving care	Every additional 50 persons receiving care that are accommodated in the facility
(20)	<u>Service Station</u>	8 refuelling spaces per <u>site</u>	Every additional 8 refuelling spaces per <u>site</u>
(21)	<u>Educational Facilities</u> – Primary Schools, Pre-school and Childcare Facilities	Schools which accommodate at least 80 pupils	Every additional 80 pupils accommodated at the school
(22)	<u>Educational Facilities</u> – Secondary and Tertiary Schools	Schools which accommodate at least 360 pupils	Every additional 360 pupils accommodated at the school

Compliance Standards:

1. The threshold limits for rows (1) – (19) within Table TRA 16 apply per site or building, whichever is the more restrictive.
2. Temporary activities, rural production activities, general public amenities, network utilities and public playground are exempt from TRA-R16.

Three Waters Management (TWM)

Issues

The Three Waters Management (TWM) Chapter implements provisions to manage the impact of land use and subdivision on water resources and services, namely stormwater, wastewater and water supply:

- Stormwater systems manage the quality and quantity of stormwater runoff to minimise flood damage and to protect people, land, infrastructure and the receiving environment from adverse effects.
- Wastewater systems collect and convey wastewater for subsequent treatment and disposal. This will normally consist of either connection to the reticulated wastewater network, or on-site treatment and disposal (either individual or communal in nature).
- A water supply is necessary to ensure that a sufficient quality and quantity of water is available to all properties.

Adequate provision must be made for three waters services when subdividing land to enable the anticipated use of that land and manage potential adverse effects. Subdividers are encouraged to consider efficient, low impact infrastructure designs when preparing applications. Larger scale developments and subdivisions may require an Integrated Three Waters Assessment.

Where a public reticulated three waters network with sufficient capacity is available, connection to it is required when undertaking subdivision where connection is practicable. Connection is also encouraged where this would be a logical extension of the public reticulated network. Successfully implemented and managed reticulated three waters networks have significant economic, social, environmental and cultural benefits and should be protected as regionally significant infrastructure.

Where a connection to the public reticulated network is not available or practicable, an alternative private system will be required when undertaking subdivision. It is important that private systems are appropriately designed to protect the health and wellbeing of residents as well as the health of the receiving environment both on-site and within the surrounding area.

In addition to the District Plan, Whangārei District Council Bylaws may impose controls and restrictions on three waters management. Consent may also be required from the Northland Regional Council with regard to stormwater, wastewater and water supply.

Objectives

TWM-O1 Connections

Ensure that connections to public reticulated three waters networks are provided within reticulated stormwater areas, reticulated wastewater areas, and reticulated water supply areas.

TWM-O2 Reticulated Networks

Maintain the effectiveness, efficiency and sustainability of reticulated three waters networks.

TWM-O3 Integrated Infrastructure

Plan and provide for three waters infrastructure in an integrated and comprehensive manner.

TWM-O4 Private Systems

Ensure that private three waters systems are provided where connections are not provided to public reticulated networks.

TWM-O5 Adverse Effects

Minimise adverse effects from stormwater and wastewater on people, property, infrastructure, the receiving environment and cultural values.

Policies

TWM-P1 Three Waters Infrastructure

To ensure that three waters resources are appropriately managed by requiring subdivision and development to provide three waters infrastructure that:

1. Is coordinated, integrated and compatible with the existing infrastructure and capacities.
2. Enables the existing public reticulated network to be expanded or extended to adjacent land where that land is within a reticulated stormwater area, reticulated wastewater area or reticulated water supply area.

TWM-P2 Reticulated Areas

To sustainably and efficiently manage three waters resources by avoiding private three waters systems where connection to the public reticulated network is practicable in a reticulated stormwater area, reticulated wastewater area or reticulated water supply area.

TWM-P3 Capacity

To manage the scale and design of subdivision and development where connection is proposed to public reticulated three waters networks to ensure that there is sufficient capacity in the public reticulated networks, or where necessary require upgrades and/or extensions to the public reticulated networks to enable appropriate subdivision and development.

TWM-P4 Future Development

To ensure that three waters infrastructure is designed to accommodate the anticipated servicing requirements of plan enabled development in the locality.

TWM-P5 Vested Assets

To require vested assets, and connections to vested assets, to be designed and constructed in a manner that protects the ongoing operation, maintenance and upgrading of that asset.

TWM-P6 Private Systems

To ensure that where connection to a public reticulated three waters network is not available or practicable that provision can be made for:

1. A water supply.
2. The treatment, disposal, and where appropriate attenuation, of stormwater in a way that does not lead to significant adverse effects on or off site.
3. Management of wastewater via:
 - a. An on-site wastewater treatment system; or
 - b. Approval to connect to a private wastewater system.

TWM-P7 Flooding

To reduce the risk of flood hazards or increased upstream and downstream flood levels resulting from stormwater discharges.

TWM-P8 Integrated Three Waters Assessments

To require Integrated Three Waters Assessments for large scale developments to:

1. Provide three waters infrastructure in an integrated and comprehensive manner.
2. Enable and recognise the benefits of green infrastructure and low impact design.

TWM-P9 Infrastructure

To require subdividers and developers to meet the fair and reasonable costs of any upgrades or extensions of public reticulated three waters infrastructure which are attributed to the impacts of the subdivision or development.

Rules

TWM-R1 Any Activity Not Otherwise Listed in This Chapter

All Zones and Port Nikau Development Area

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

TWM-R2 Subdivision (Stormwater)

All Zones and Port Nikau Development Area

Activity Status: Restricted Discretionary

Where:

1. All sites allotments are designed and located so that provision is made for:
 - a. The collection, treatment and disposal of stormwater that meets the following requirements:
 - i. Any attenuation is able to accommodate an additional 20% for climate change.
 - ii. The primary stormwater system is capable of conveying a 50% AEP storm event (+20%) where the system is a piped network with no surcharge.
 - iii. The primary stormwater system is capable of conveying a 20% AEP storm event (+20%) where the system is a piped network allowing a discharge within 0.3m of the lid level.
 - iv. The secondary stormwater system is capable of conveying the 1% AEP storm event (+20%) within a defined path to ensure that surface water will not enter buildings (excluding detached garages).
 - v. The stormwater system will not connect or overflow to any wastewater system.
 - vi. The stormwater system is designed and constructed for an asset life of at least 50 years.
 - b. Connection to a public reticulated stormwater network where the site allotment is located within a reticulated stormwater area.

Matters of discretion:

1. Adverse effects on existing reticulated stormwater networks.
2. The capacity of existing reticulated stormwater networks and whether the servicing needs of the proposal require upgrades to existing infrastructure.

3. Feasibility of connection to and logical extension of the existing reticulated stormwater networks.
4. Adverse effects on the surrounding environment and neighbouring properties from the collection, treatment and disposal of stormwater.
5. The efficient provision of services to the land being subdivided and to nearby land that might be subdivided in the future.
6. The appropriate level of attenuation within the site allotment based on surrounding and downstream flooding risks.
7. The ability of the stormwater system to ensure that the peak discharge flow rates from the site allotment are not increased beyond the levels that exist prior to the proposed subdivision and future land uses (except in circumstances where that is not appropriate).

Note:

1. *Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Whangārei District Council Engineering Standards.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The matters of discretion listed in TWM-R2.
2. The extent and effects of any non-compliance with TWM-R2.

Notification:

Any restricted discretionary activity under TWM-R2 shall not be notified or limited-notified unless the relevant Network Utility Operator is determined to be an affected person in accordance with section 95B of the Resource Management Act 1991 or Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

TWM-R3 Subdivision (Wastewater)

All Zones and Port Nikau Development Area

Activity Status: Restricted Discretionary

Where:

1. All sites allotments (excluding any site allotment for accessways, roads, utilities and reserves) are designed and located so that provision is made for:
 - a. Collection, treatment and disposal of wastewater.
 - b. Connection to a public reticulated wastewater network where the site allotment is located within a reticulated wastewater area.

Matters of discretion:

1. Adverse effects on existing reticulated wastewater networks.
2. The capacity of existing reticulated wastewater networks and whether the servicing needs of the proposal require upgrades to existing infrastructure.
3. Feasibility of connection to and logical extension of the existing reticulated wastewater networks.
4. Provision of wastewater collection, treatment and disposal.
5. Adverse effects on the surrounding environment and neighbouring properties from the collection, treatment and disposal of wastewater.

- The efficient provision of services to the land being subdivided and to nearby land that might be subdivided in the future.

Note:

- Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Whangārei District Council Engineering Standards.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

- The matters of discretion listed in TWM-R3.
- The extent and effects of any non-compliance with TWM-R3.

Notification:

Any restricted discretionary activity under TWM-R3 shall not be notified or limited-notified unless the relevant Network Utility Operator is determined to be an affected person in accordance with section 95B of the Resource Management Act 1991 or Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

TWM-R4 Subdivision (Water Supply)

All Zones and Port Nikau Development Area

Activity Status: Restricted Discretionary

Where:

- All sites allotments (excluding any site allotment for accessways, roads, utilities and reserves where no irrigation is required) are designed and located so that provision is made for:
 - A water supply.
 - Connection to a public reticulated water supply network where the site allotment is located within a reticulated water supply area.

Matters of discretion:

- Adverse effects on existing reticulated water supply networks.
- The capacity of existing reticulated water supply networks and whether the servicing needs of the proposal require upgrades to existing infrastructure.
- Feasibility of connection to and logical extension of the existing reticulated water supply networks.
- Provision of suitable drinking water.
- The efficient provision of services to the land being subdivided and to nearby land that might be subdivided in the future.

Note:

- Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Whangārei District Council Engineering Standards.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

- The matters of discretion listed in TWM-R4.
- The extent and effects of any non-compliance with TWM-R4.

Notification:

Any restricted discretionary activity under TWM-R4 shall not be notified or limited-notified unless the relevant Network Utility Operator is determined to be an affected person in accordance with section 95B of the Resource Management Act 1991 or Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

TWM-R5 Subdivision (Integrated Three Waters Management Assessments)

All Zones and Port Nikau Development Area

Activity Status: Controlled

Where:

1. The subdivision results in 8 or more additional sites allotments (excluding sites lots for the purposes of reserves, network utilities or transport corridors) from one parent site allotment which existed at 4 June 2021.

Matters of control:

1. Recommendations, proposed mitigation measures and conditions of the Integrated Three Waters Assessment and any further information provided through the consent process, including matters relating to:
 - a. The effects on the sustainable provision of three waters infrastructure, and the sustainable use of three waters resources.
 - b. Methods of minimising impacts on three waters resources, including methods to reduce, reuse and/or recycle three waters resources.

Note:

1. Any application shall comply with information requirement rule TWM-REQ3.

TWM-R6 Land Use (Integrated Three Waters Management Assessments)

Business Zones and Port Nikau Development Area – Local Commercial Area

1. Activity Status: Controlled

Where:

- a. The activity increases the impervious area within a site by 1,000m² – 5,000m² from what existed at 4 June 2021.

Matters of control:

1. Adverse effects on environmental and cultural values from the management and discharge of stormwater and wastewater.
2. The provision of integrated low impact design or green infrastructure solutions to minimise adverse effects.
3. Opportunities for multipurpose infrastructure (i.e. stormwater reserves that function as walking tracks).
4. The ability of three waters infrastructure to service potential future development within the site.
2. Activity Status: Restricted Discretionary

Where:

- a. The activity increases the impervious area within a site by more than 5,000m² from what existed at 4 June 2021.

Matters of discretion:

1. Recommendations, proposed mitigation measures and conditions of the Integrated Three Waters Assessment and any further information provided through the consent process.

Notes:

1. Any application shall comply with information requirement rule TWM-REQ3.
2. Impervious areas less than 1,000m² are permitted under TWM-R1.

Information Requirement Rules

TWM-REQ1 Connection to Public Reticulated Three Waters Networks

All Zones and Port Nikau Development Area

1. Any consent application where connection to public reticulated three waters network(s) is proposed shall include an assessment detailing (where relevant):
 - a. Provision made for connections to public reticulated three waters networks.
 - b. Confirmation from Council that sufficient capacity exists within public reticulated three waters networks to service the proposed development.
 - c. Any upgrades and/or extensions to existing public reticulated three waters infrastructure that are proposed or necessary.
 - d. Consideration of the elevation of each proposed site lot to establish a service envelope where that site lot is able to be serviced without the need for on-site pumping. Reference shall be made to any part of the site lot that is outside the service envelope.
 - e. Land and infrastructure to be vested in the Council.

TWM-REQ2 On-site Three Waters Management

All Zones and Port Nikau Development Area

1. Any consent application where connection to public reticulated three waters networks is not proposed is required to show the details and layout of the proposed three waters system(s) including (where relevant):
 - a. In a reticulated stormwater area, reticulated wastewater area or reticulated water supply area, demonstration as to why connection to the public reticulated three waters network is not proposed or is not practicable.
 - b. In a reticulated stormwater area, reticulated wastewater area or reticulated water supply area, an assessment of any effects on the practicability of future expansion of the public reticulated network, and any mitigation measures proposed (e.g. easements required to enable future expansion).
 - c. Evidence that the proposed wastewater, stormwater or water supply system can either comply with the permitted activity standards of the Northland Regional Plan or a regional consent has been obtained or is concurrently being applied for.
 - d. A site plan detailing the overall proposed development, showing existing contours in areas proposed for development of three waters infrastructure, and any overland flow-paths, rivers, wetlands, water bores etc. which exist pre-development in the subject property and in adjoining properties.
 - e. Where any buildings or structures are located within overland flow-paths, rivers, wetlands, water bores, etc. demonstration of how the development will maintain their capacity to convey flows.
 - f. Details of an effluent disposal area and reserve area and provision for ongoing maintenance and operation of the proposed wastewater system.

- g. Proposed stormwater attenuation and/or water quality treatment system(s), including location, preliminary sizing and associated works (e.g. landscaping, road construction).
- h. Demonstration (by drawings, calculations and reports) that the requirements of rule TWM-R2.1(a) can be achieved.
- i. Details of water demand (flow and pressure) and suitable drinking water sources.
- j. Copies of any correspondence or written approvals from private persons or Council departments in relation to the proposed stormwater system, and confirmation of how any conditions of those approvals will be met.
- k. Where a private communal three waters system is proposed, details of a formal legal mechanism (e.g. proposed easements) by which each site allotment owner is individually and severally responsible for the maintenance and performance of the system and ongoing ownership of the disposal area.

Notes:

- 1. *Additional information on details to be provided is contained within the Whangārei District Council Engineering Standards.*
- 2. *Evidence of a satisfactory water supply will be assessed as part of the building consent application. Applicants are advised to consult with the Fire and Emergency New Zealand, Northland Health and the Northland Regional Council, and to refer to the Drinking Water Standards for New Zealand 2005 (Revised 2008).*
- 3. *Sufficient water demand includes compliance with the Firefighting Water Supplies Code of Practice SNZ 4509:2008.*

TWM-REQ3 Integrated Three Waters Assessments

All Zones and Port Nikau Development Area

- 1. Any application under rules TWM-R5 – R6 shall include an Integrated Three Waters Assessment which details:
 - a. How the proposal is consistent with the recommendations, measures and targets of any relevant Council approved Catchment Management Plan.
 - b. An assessment of any potential effects (including cumulative effects) of the development in relation to the site, any adjoining sites, the wider catchment and cultural values.
 - c. Information on how wastewater (including trade waste) will be managed to minimise any impacts on the reticulated network or from on-site discharges.
 - d. The provision of water supply, wastewater disposal and/or stormwater disposal reticulation through the proposed development or subdivision to a standard necessary to provide adequate reticulation to adjacent land zoned for reticulated development.
 - e. Any low impact design, or green infrastructure solutions that are proposed, what benefits these will provide, and how they will be operated and maintained to ensure ongoing water efficiency benefits.
 - f. Consideration of opportunities to integrate three waters infrastructure and informal or passive recreation opportunities.
 - g. Any proposed conditions.

Critical Electricity Lines (CEL)

Issues

Critical Electricity Lines (CEL's) and substations are the key components of the electricity network in the Whangarei District. To provide a resilient electricity network the use and development of CEL's and substations must be sustainable, secure and efficient. CEL's and substations can be vulnerable to inappropriate subdivision or building or major structure location to the extent that they can restrict access and affect the ability to maintain the CEL's (lines, cables and support structures). Trees planted too close to lines or cables can disrupt supply.

CEL's are, or have the potential to be, critical to the quality, reliability and security of electricity supply throughout the district or region. These lines contribute to the social and economic wellbeing and health and safety of the district or region and are lines that:

- Supply essential public services such as the hospital, civil defence facilities or Lifeline sites; or
- Supply large (1MW or more) industrial or commercial electricity consumers; or
- Supply 1,000 or more consumers; or
- Are difficult to replace with an alternative electricity supply if they are compromised.

The locations of CEL's and designated substations are identified in the planning maps of the District Plan.

Note:

1. *The following provisions apply district-wide in addition to any other provisions in this Plan applicable to the same areas or site.*

Rules

CEL-R1 General Rules

Activity Status: Permitted

1. Within 10m of a CEL or the designation boundary of a substation:
 - a. Any building or structure that does not require building consent; or
 - b. Alteration of any building or major structure (excluding minor buildings) that does not exceed outside the envelope or footprint of the existing building or major structure (excluding minor buildings); or
 - c. Earthworks, gardening or cultivation that:
 - i. Are not directly above an underground cable(s); and
 - ii. Do not result in a reduction of existing ground clearance distances from overhead lines below the minimums prescribed in the New Zealand Code of Practice 34:2001 (NZECP 34:2001); and
 - iii. Are in accordance with NZECP 34:2001.
2. Within 20m of a CEL or the designated boundary of a substation:
 - a. Activities provided for under CEL-R1.1; or**
 - a-b.** Planting of trees other than shelterbelts, plantation forestry or commercial horticultural operations.
3. Activities described in CEL-R1.1 and CEL-R1.2 that do not meet the requirements for permitted activities under CEL-R1.1 and CEL-R1.2 provided that; EITHER:
 - a. Prior to the commencement of any works:

- i. Written notification has been provided to the Council; and
- ii. The proposed activity is being carried out in accordance with the Electricity Act 1992 and associated regulations (NZECP 34:2001, the Electricity (Hazards from Trees) Regulations 2003 (SR 2003/375), and the Electricity (Safety) Regulations 2010); OR:
- b. The proposed activity is being carried out by a network utility operator or territorial authority in accordance with NZECP 34:2001.

Note:

1. Specified distances from CEL's are to be measured from a point directly below the centreline of the line or cluster of lines, as shown in Figure 1.
2. While only critical electricity lines are identified on the planning maps, works in close proximity to all electric lines can be dangerous. Compliance with NZECP 34:2001 as amended from time to time is mandatory for buildings, major structures (excluding minor buildings), earthworks, gardening or cultivation and when using machinery or equipment within close proximity to any electric lines.

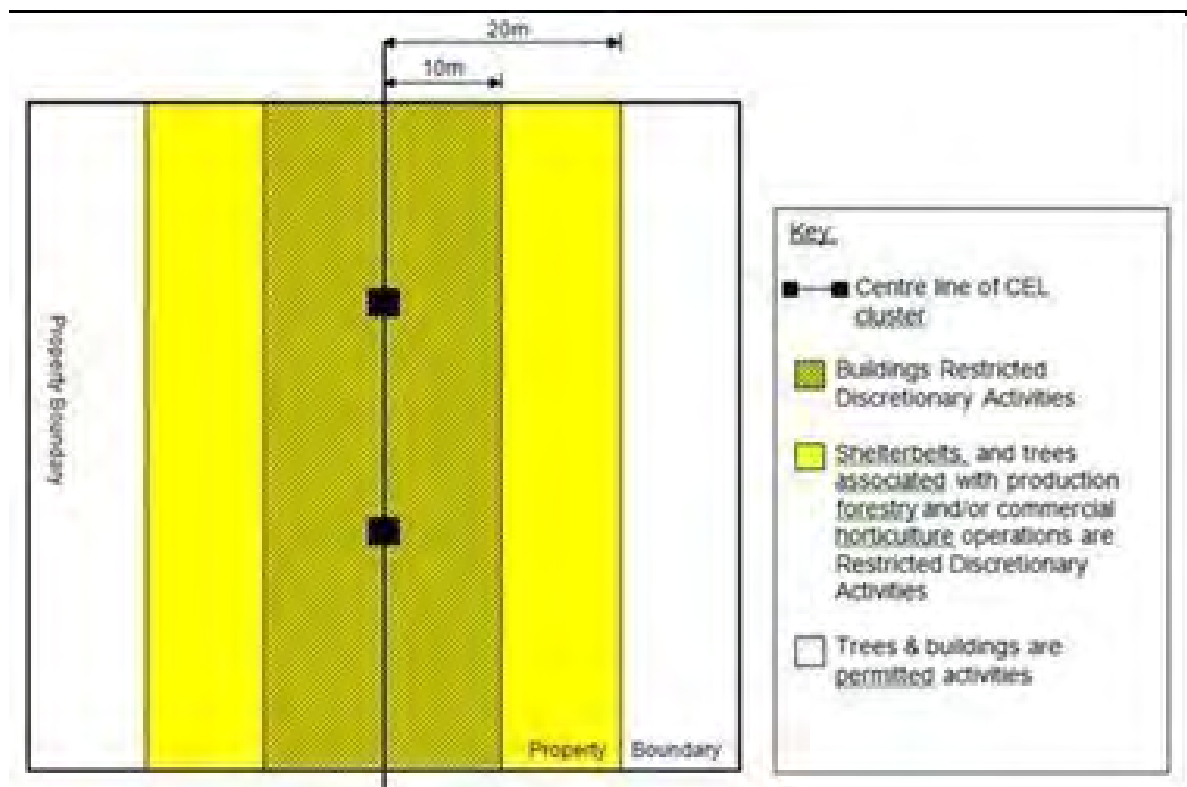


Figure 1: Classification of Activities in vicinity of CEL's

Activity Status when compliance not achieved: Restricted Discretionary
Matters of Discretion

1. The safe and efficient operation and maintenance of the electricity supply network, including:
 - a. The use, design and location of buildings and major structures (excluding minor buildings); and
 - b. The mature size, growth rate, location, and fall zone of any associated tree planting, including landscape planting and shelterbelts; and
 - c. Compliance with NZECP 34:2001; and

- d. Effects on public health and safety; and
- e. Effects on access to CEL's, designated substations and associated infrastructure for maintenance purposes.

CEL-R2 Subdivision

Activity Status: Restricted Discretionary

Where:

1. Subdivision is within 32m of the centre line of a CEL, or within 32m from the designation boundary of a substation.

Matters of discretion:

1. The safe and efficient operation and maintenance of the electricity supply network, including:
 - a. The use, design and location of buildings and major structures (excluding minor buildings); and
 - b. The mature size, growth rate, location, and fall zone of any associated tree planting, including landscape planting and shelterbelts; and
 - c. Compliance with NZECP 34:2001; and
 - d. Effects on public health and safety; and
 - e. Effects on access to CEL's, designated substations and associated infrastructure for maintenance purposes.

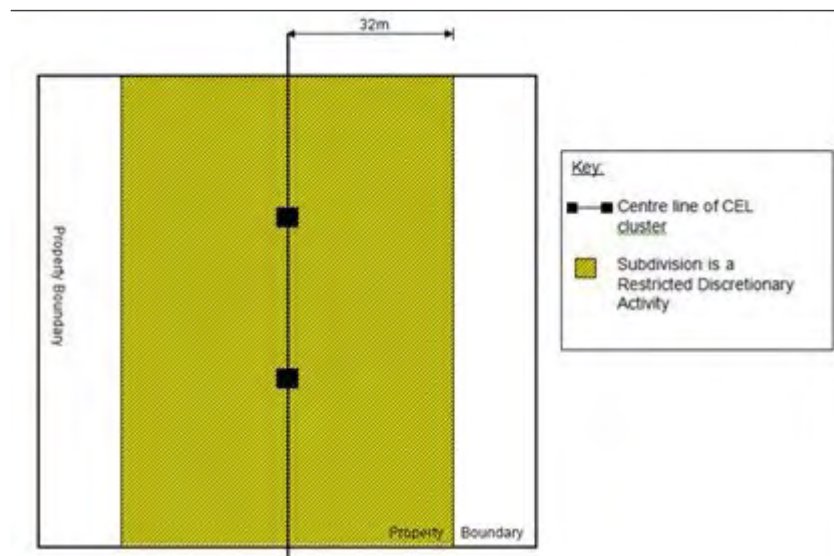


Figure 2: Classification of Subdivision in vicinity of CEL's

Note:

1. For restricted discretionary activities under CEL.2.3 and CEL.2.4 the relevant network utility operator will be considered an affected party under s 95E of the Resource Management Act, 1991.

Network Utilities (NTW)

Issues

Network Utility Operations

Significant Issues

Network utilities are essential services to the community, and often their choice of location is restricted by operational requirements.

Network utility operations have the potential to create adverse environmental effects, particularly on visual amenity and the natural character of the environment. The inappropriate installation, siting, design, operation, maintenance and minor upgrading of network utility operations has the potential to adversely affect the health and safety of people and communities.

Network utility operations may pose a potential risk to the health and safety of people and communities.

Other activities, including the location of buildings, major structures and/or plantings in close proximity to existing network utility operations, have the potential to compromise the efficient development, use and maintenance of those utility operations.

Overview

Network utility operators provide a variety of essential services to the community including airports, railways, roads, electricity, radio-communication, telecommunication and meteorological services, water, wastewater disposal, drainage, and gas supply and reticulation. Due to their essential nature, sufficient provision needs to be made for the efficient operation, maintenance and upgrading of existing network utilities, and for the establishment of new services as required. The Second Schedule of the Resource Management Act 1991 specifically mentions the scale, sequence, timing and relative priority of public works, goods and services, including public utility networks, as matters to be provided for in District plans. The Resource Management Act 1991 also provides for land to be designated by an approved authority for network utility purposes.

Many network utilities are able to be placed underground and their effect on the environment may be no more than minor. However, other network utilities have significant potential to adversely affect the environment and/or the health and safety of people and communities. These effects need to be addressed through the provisions of the District Plan, and various Objectives, Policies and Methods have been adopted to ensure the sustainable management of these resources and the control of possible adverse environmental effects.

At the same time, neighbouring land uses and development have the potential to adversely affect the operation, maintenance and minor upgrading of existing and proposed network utility operations. The management of the effects of neighbouring activities is therefore also addressed through the provisions of the Plan. For example, buffer distances can be used to control the encroachment of activities where network utilities are already established. This can reduce the potential for conflict and ensure access for operational and maintenance purposes.

Many network utilities occur throughout the District and may also cross local body boundaries. It is desirable, therefore, to maintain consistency, wherever possible, for the provision of network utility operations throughout the District and across local body boundaries. At the same time, different parts of the District exhibit different natural characteristics and possess different amenity values. Living areas and areas of high recreational, landscape, ecological, cultural or heritage values are most affected by the impacts, particularly the visual impacts, from utility structures. These need to be taken into account, when providing for the installation, operation and maintenance of network utility operations.

Electricity

Electricity is provided by Network Utility Operators through electricity infrastructure which forms an important aspect of the District's physical resources. Electricity is an essential form of energy and provision throughout the District is therefore required to provide for communities social and economic wellbeing. Electricity infrastructure is the transmission and distribution systems for electricity comprising of lines, cables, substations and switchyards and other paraphernalia provided by a network utility operator, but excluding generation facilities.

Electricity infrastructure within the District consists of the national grid and the local Electricity Distribution Network. Electricity infrastructure traverses Whangarei District providing electricity to neighbouring Districts, and is an important resource for the Northland Region.

The development, operation and maintenance of electricity infrastructure has the potential to create adverse effects on existing land uses, visual amenity, natural character and on public health and safety. Incompatible development and sensitive activities can give rise to reverse sensitivity effects, risks to health and safety, and compromise the on-going development, maintenance and operation of the infrastructure.

Telecommunication

Telecommunication is provided by Network Utility Operators through telecommunication infrastructure which forms an important aspect of the District's physical resources. The Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2016 (NESTF 2016) regulates the following activities:

- Cabinets
- Antennas on poles
- Antennas on buildings
- Small cell units
- Telecommunication lines
- Underground telecommunication lines.

Amateur Radio Configurations

Amateur radio configurations have an important role within the community, particularly for civil defence purposes. The NTW rules recognise the importance of amateur radio configurations while managing adverse effects on existing and anticipated activities on surrounding sites and features.

The Council is required to implement the National Policy Statement on Electricity Transmission 2008 and Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009. Provisions relating to Electricity Network Utilities have been completed.

The Council is also required to implement Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF 2016). Provisions relating to Telecommunication Network Utilities are included.

Notes:

1. *The following provisions apply district-wide in addition to any other provisions in this Plan applicable to the same areas or site.*
2. *Whangārei District Council is undertaking a rolling review of the District Plan. It is intended that all network utility provisions will be reviewed during the rolling review. As part of the rolling review programme this chapter will be populated. Due to Council's requirement to implement the National Policy Statement on Electricity Transmission 2008 and Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009, provisions relating to Electricity Network Utilities have been completed.*

NTW- Network Utility Operations of the Operative District Plan remains applicable to all Network Utility Activities and amateur radio configurations. The description and expectations, objectives NTW-O1, NTW-O2 and policies NTW-P10 – NTW-P15 do not supersede objectives NTW-O3 – NTW-O5 and policies NTW-P1 – NTW-P9, but provide more specific guidance when considering Electricity Network Utilities.

Council is required to implement Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF 2016), therefore provision relating to Telecommunication Network Utilities are included. The relevant sections of this chapter regarding Network Utility Operations of the Operative District Plan remain applicable to all Telecommunication Facilities.

Objectives

NTW-O1 Providing for Electricity Infrastructure

Providing for the sustainable, secure, safe and efficient use and development of electricity infrastructure within the Whangarei District, while seeking to avoid, remedy or mitigate adverse effects on the environment.

NTW-O2 The National Grid

Recognising the importance of the national grid to the National, Regional and District's social and economic wellbeing.

NTW-O3 Provision of Network Utility Operations

The orderly, efficient and effective installation, operation, maintenance and minor upgrading of network utility operations throughout the District, to enable people and communities to provide for their social, economic and cultural well-being and for their health and safety.

NTW-O4 Adverse Effects and Network Utility Operation

The protection of the environment from, as far as practicable, from the potential adverse effects of network utility operations, particularly effects on the health and safety of communities, the natural character of the environment, sites of historical and cultural significance, and the amenity values of the surrounding area.

NTW-O5 Protection of Network Utility Operations

The protection of network utility operations from the adverse effects of adjacent land use and development.

Explanation and Reasons: Network utility operations are essential to the well-being of people and communities but have the potential to adversely affect the environment. At the same time neighbouring land uses can adversely affect the installation, operation, maintenance and minor upgrading of utility operations. The objectives of the Plan are to enable the orderly and efficient provision of network utility operations whilst avoiding, remedying or mitigating adverse effects on the environment and the community.

Policies

NTW-P1 Adverse Effects of Electricity Infrastructure

To consider the actual or potential adverse effects of proposed electricity infrastructure with respect to location, design and operation while taking into account the functional, technical and operational needs of the electricity infrastructure.

NTW-P2 Reverse Sensitivity Effects

To ensure safe, secure and efficient use and development of electricity infrastructure by avoiding or mitigating reverse sensitivity effects generated by inappropriate land use, subdivision, and development activities occurring within close proximity to infrastructure.

NTW-P3 Long-Term Planning Flexibility

To use planning tools to facilitate long-term planning flexibility in the development, operation and maintenance of electricity infrastructure.

NTW-P4 Operation, Maintenance and Redevelopment of the Existing National Grid

To enable the operation, maintenance and redevelopment of the existing national grid in accordance with the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.

NTW-P5 Safe and Efficient Use and Development of the National Grid and Adjacent Land

To ensure safe and efficient use and development of the national grid and adjacent land by:

1. Avoiding sensitive activities within the national grid corridor;
2. Ensuring that land use, subdivision and development do not compromise the operation, maintenance, upgrading and development of the national grid;
3. Managing subdivision to facilitate good amenity and urban design outcomes near the national grid; and
4. Not foreclosing operation or maintenance options or, to the extent practicable, the carrying out of routine and planned upgrade works.

NTW-P6 Transmission Lines

To raise awareness of transmission lines, by identifying the location of the national grid on planning maps.

NTW-P7 Designations

To encourage extensions and upgrading to the electricity infrastructure, that are not provided for in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 and are not minor upgrading, to be undertaken through designations.

NTW-P8 Transmission Corridors

To ensure safe and efficient use and development of electricity infrastructure, by recognizing and providing for existing and future transmission corridors, including when identifying new areas of urban development.

NTW-P9 Electricity Infrastructure Regulations

To ensure safe and efficient use and development of electricity infrastructure in accordance with Electricity Act 1992, Electricity (Hazards from Trees) Regulations 2003, Electricity (Safety) Regulations 2010 and New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001.

Note:

1. *The construction, alteration or location of any buildings or structures, land disturbance or planting of vegetation near electricity infrastructure, should be located, selected and/or managed to ensure that it will not result in the breaching of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 and the Electricity (Hazards from*

Trees) Regulations 2003. To discuss works near any electricity line contact the network utility operator.

NTW-P10 Provision of Network Utility Operations Services

The orderly and efficient provision of network utility operations should be enabled, and the essential nature and operational needs of network utility operations should be taken in to account, when assessing the location, design and operation of these services.

Explanation and Reasons: The siting of utility operations may be influenced by operational needs that limit the choice of suitable locations.

For example, facilities such as cellular communications need to be located throughout the District in order to adequately serve residential as well as commercial and other users. The provision of high voltage power distribution will also, in some cases, be unavoidable in built up areas.

Accordingly, the Plan does not preclude such facilities, but will require account to be taken of location and design so as to avoid significant effects on the environment and the community.

NTW-P11 Environmental Effects of Network Utility Operations

Network utility operations should be sited, designed and operated in such a way that the adverse effects on the environment will be avoided, remediated or mitigated, as far as practicable. When siting and designing network utility facilities, particular regard should be made to:

- Areas of Outstanding Landscape value;
- Outstanding Natural Features;
- Significant Ecological Areas;
- The natural character of the coastal environment;
- Ridgelines and skylines;
- Heritage Buildings, Sites and Objects;
- Sites of Significance to Māori.

Explanation and Reasons: Network utility operations provide important services throughout the District, enabling people and communities to provide for their social, economic and cultural well-being. The location of network utility facilities can adversely affect the natural character of the environment, particularly in Outstanding Landscape Areas, Outstanding Natural Features, Significant Ecological Areas and in the Coastal Area. To avoid, remedy or mitigate such effects network utility facilities should be sited in visually unobtrusive locations, wherever possible.

Furthermore, mitigating measures should as far as reasonably practicable be appropriate to the environment in which they are located. Operational requirements often necessitate the siting of facilities on ridgelines or skylines, which can potentially result in adverse visual effects. Heritage Buildings, Sites and Objects and Sites of Significance to Māori are also sensitive to the adverse effects from network utility operations. Care should be exercised when siting facilities near these areas.

NTW-P12 Amenity Values of Network Utility Operations

The adverse effects of network utility operations should be avoided, remedied or mitigated as far as reasonably practicable in accordance with the amenity values of the different Zones. In the Residential Zones, the Settlement Zone, the Strategic Rural Industries Zone, the commercial centres and in the Open Space and Recreation Zones, telecommunication and electrical services should be underground or by wireless link, where practicable. In other environments, undergrounding or wireless links should be encouraged, but where this is not practicable, feasible services should be sited and designed so as to minimise adverse effects on amenity values.

Explanation and Reasons: Network utility operations can significantly affect the amenity of an area, particularly in the Residential Zones, the Settlement Zone, the Strategic Rural Industries Zone, the

commercial centres and in the Open Space and Recreation Zones. Above-ground structures can reduce visual amenity, where inappropriately sited or designed, while sewage treatment plants can produce offensive odours.

Noise effects on traffic, dust and vibration are other possible amenity effects. Such facilities should be sited in visually non-obtrusive locations and levels of mitigation should be appropriate for the Zone in which they are located. Many network utilities are able to be sited underground and, in the case of telecommunications, new technology may allow the service to be provided by a wireless link. Both these options provide an effective method for avoiding visual effects and should be encouraged, where practicable. However, it is recognised that it is not practicable to underground some network utilities.

NTW-P13 Health and Safety of Network Utility Operations

Network utility operations should be installed, sited, designed, operated, maintained and upgraded in compliance with the relevant (national, international or industry) standards, codes of practice or guidelines in order to avoid, remedy or mitigate potential adverse effects on the health and safety of people.

Explanation and Reasons: The installation, operation and maintenance of some network utility operations carries potential risks to the health, safety and well-being of people and communities. For example, there is a risk of electrocution and risk of injury or damage to property should an overhead power line fall. There is also a need to safeguard the community from the risks associated with pipelines that distribute hazardous substances such as gas or petroleum products.

NTW-P14 Radio Frequency Fields (RF) and Electromagnetic Radiation (EMR)

To ensure that any effects from the generation of Radio Frequency Fields and Electromagnetic Radiation are in accordance with the relevant New Zealand Standard.

Explanation and Reasons: Certain utilities and other activities emit electromagnetic radiation, which may have a potential health effect on some people living near them if they exceed an acceptable public level of exposure (as defined by the relevant New Zealand Standard). Radio Frequency Fields (RF) are produced by activities involving radio wave transmissions at frequencies of 3kHz to 300GHz such as broadcasting, mobile phone base station and microwave transmission activities. It is the antennae used for sending the signal that produces the Electromagnetic Radiation (EMR). An acceptable public level of exposure to EMR is established in the relevant New Zealand Standard, which has been thoroughly researched and based upon scientific evidence.

NTW-P15 Subdivision, Use and Development

Subdivision, use and development of land should not compromise the safe and efficient operation of, and access to, existing and proposed network utility operations.

Explanation and Reasons: An increase in development, under or alongside an existing network utility facility, is known as encroachment. Encroachment can affect access to, and the ongoing operation and maintenance of, network utility operations. This concept is increasingly being referred to as “reverse sensitivity”, where adjoining and/or sensitive activities have the potential to adversely affect network utility operations by impacting on their legitimate right to operate.

It can also constrain future relocation and/or undergrounding options. In addition, encroachment has the potential result of increased risks to the health and safety of people. By controlling encroachment, these conflicts can be avoided, remedied or mitigated.

Rules

NTW-R1 Any Activity

1. Notwithstanding any other rules in the District Plan, the aspects of the national grid covered by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 must comply with those regulations, and Rule NTW-R4 shall not apply.

Note:

1. *These Regulations apply to the lines owned or operated by Transpower New Zealand Limited only.*

NTW-R2 Telecommunication Facilities

1. No rule in any chapter of this Plan that duplicates or conflicts with the NESTF 2016 shall apply. The NESTF 2016 applies in addition to all other rules in any chapter of this Plan.

Implementation Notes:

1. *NESTF 2016 regulations 10-18 specify the activity status for proposed telecommunication activities by linking back to the relevant District Plan. Each activity must be assessed against the appropriate District Plan definition and rule.*
2. *NESTF 2016 regulations 44-52 specify that proposed telecommunication activities must comply with the following relevant District Plan Resource Area Provisions:*
 - a. *Natural Features and Landscapes (NFL Chapter).*
 - b. *Notable Trees (TREE Chapter).*
 - c. *Sites of Significance to Māori (SSM Chapter).*
 - d. *Historic Heritage (HH Chapter)*

NTW-R3 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

NTW-R4 Electricity Infrastructure

Activity Status: Permitted

Where:

1. The operation, maintenance, replacement and upgrading of the electricity infrastructure which meets the following standards:
 - a. There is no increase in the height of the support structure (excluding earthwires, earthpeaks and lightning rods) beyond the relevant permitted height specified in NTW-R4.2(c); and
 - b. The relocation of support structures are within 5m of the existing pole location; and
 - c. An increase in line voltage does not change the relevant building or major structure (excluding minor buildings) to conductor separation requirements specified in NZECP34:2001, except where the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage, or where the normal operating voltage will not exceed 33kV; and
 - d. Compliance with the requirements of NZECP 34:2001; and

- e. Compliance with the electric and magnetic field limits contained in the International Commission for Non-Ionising Radiation Protection (ICNIRP) Guidelines (2010) and World Health Organisation Environmental Health Criteria Monograph (No. 238, June 2007); and
 - f. The ground is reinstated upon completion of works; and
 - g. Installation or modification of a sign at a height no greater than 2m above ground level and no larger than 1m² associated with an electricity network utility.
2. Construction of new electricity infrastructure which meets the following standards
 - a. Compliance with the requirements of NZECP 34:2001; and
 - b. Compliance with the electric and magnetic field limits contained in the International Commission for Non-Ionising Radiation Protection (ICNIRP) Guidelines (2010) and World Health Organisation Environmental Health Criteria Monograph (No. 238, June 2007); and
 - c. The construction or establishment of any tower, pole, mast, aerial, panel, element or dish operationally associated with electricity lines that have a maximum height above ground level of:
 - i. 15m in any Residential Zone, Business Zone or Settlement Zone;
 - ii. 15m in the Port Zone;
 - iii. 12.5m in the Open Space and Recreation Zones;
 - iv. 18.5m in the Rural Production Zone, Rural Lifestyle Zone, Strategic Rural Industries Zone or Future Urban Zones.
 - d. Installation or modification of a sign at a height no greater than 2m above ground level and no larger than 1m² associated with an electricity network utility.
 3. The construction of indoor junction boxes, substations and other equipment cabinets.
 4. The construction of outdoor junction boxes, substations and other equipment cabinets, that have a height no greater than 1.5m above ground level and a ground coverage not exceeding 3m², providing that it meets the following:
 - a. Have a low reflectivity finish, recessive in colour, with a maximum reflectivity of no more than 40%, except where it is required for safety purposes.
 5. The construction of, or extension to, underground electricity infrastructure.

Any activity relating to the construction, maintenance and upgrading of electricity infrastructure that fails to meet permitted activity rule NTW-R4.1-5 is a discretionary activity.

Council may have regard to the following matters when considering an application for resource consent and appropriate conditions:

1. The extent to which the proposed activity will have detrimental impacts or beneficial effects on the health and safety of the community.
2. Any reduction of amenity values in the surrounding and nearby environment.
3. Any negative impact on any natural ecosystem, Outstanding or Notable Landscape or Feature, Site of Significance to Māori, Heritage Tree and or Heritage Area, Site or Object.
4. The reasonable ability to locate the electricity infrastructure below ground.
5. Any cumulative effects that may occur as a result of the activity.
6. Whether or not the activity will result in adverse visual effects.
7. Whether or not the measures proposed are sufficient to avoid, remedy or mitigate the environmental effects of the activity.

8. The extent to which the proposed activity will affect the operation, maintenance and safety of the State Highway Network.
9. The efficient use and development of land.
10. The operational or technical constraints of the electricity infrastructure.

NTW-R5 Activities within 10m of the Centreline of a Critical Electricity Line (Category 1)

Activity Status: Permitted

Where:

1. Any building or structure that does not require building consent; or
2. Alteration of any building (excluding minor buildings) that does not exceed outside the envelope or footprint of the existing building; or
3. Earthworks, gardening or cultivation that:
 - a. Do not result in a reduction of existing ground clearance distances from overhead lines below the minimums prescribed in the New Zealand Code of Practice 34:2001 (NZECP 34:2001); and
 - b. Are in accordance with NZECP 34:2001.
4. Activities described in NTW-R5.1-3 that do not meet the requirements for permitted activities under those rules, provided that; Either:
 - a. Prior to the commencement of any works:
 - i. Written notification is provided to the Council; and
 - ii. The proposed works comply with the Electricity Act 1992 and associated regulations (NZECP 34:2001, the Electricity Act 1992 and associated regulations (NZECP 34:2001, the Electricity (Hazards from Trees) Regulations 2003 (SR 2003/375), and the Electricity (Safety) Regulations 2010) in all respects; OR:
 - b. The activity is carried out by a Network Utility Operator or territorial authority in accordance with NZECP 34:2001.
 - c. Planting of trees including shelterbelts, plantation forestry or commercial horticultural operations, provided that the proposed works comply with the Electricity Act 1992 and associated regulations (NZECP 34:2001, the Electricity (Hazards from Trees) Regulations 2003 (SR 2003/375), and the Electricity (Safety) Regulations 2010) in all respects.

Note:

1. *In addition to the above, all activities (whether listed or not) located under or adjacent to a Critical Electricity Line (Category 1) must comply with the New Zealand Code of Practice for Electrical Safe Distances (NZECP34:2001). Compliance with the District Plan does not ensure compliance with the Code. Specifically, a building (or similar) setback of less than 12m from the outer visible edge of a tower support structure requires written approval of Northpower in accordance with clause 2.4.1 of NZECP34:2001*

Activity Status when compliance not achieved: Restricted discretionary

Matters of discretion:

1. The safe and efficient operation and maintenance of the electricity supply network, including:
 - a. The use, design and location of buildings and major structures; and
 - b. The mature size, growth rate, location, and fall zone of any associated tree planting, including landscape planting and shelterbelts; and
 - c. Compliance with NZECP 34:2001; and

- d. Effects on public health and safety; and
- e. Effects on access to CEL's, designated substations and associated infrastructure for maintenance purposes.

Note:

1. For the purpose of the notification provisions of the Resource Management Act 1991, the relevant Network Utility Operator shall be an affected person.

NTW-R6 Amateur Radio Configurations

Activity Status: Permitted

Where:

1. Amateur radio configurations which meet the following standards:
 - a. The amateur radio configuration is not located within a Site of Significance to Māori, an Outstanding Natural Feature or Landscape, the Coastal Environment, Quarrying Resource Areas, or on site containing a scheduled built heritage item.
 - b. Electric and magnetic fields at all site boundaries comply with the guidelines endorsed by the National Radiation Laboratory, New Zealand Ministry of Health.
 - c. Radio frequency radiation levels at all site boundaries do not exceed the levels specified in the New Zealand Standard: NZS 2772.1:1999.
 - d. The amateur radio configuration is setback at least:
 - i. 2.5m from road boundaries.
 - ii. 3m from all other site boundaries, allowing for a 0m setback for poles where:
 - a) The maximum height above ground level of the pole is 10m.
 - b) The maximum diameter of the pole is 0.025m at any point higher than 5m above ground level.
 - c) The pole is a support structure that is used solely to support a single-wire aerial.
 - e. The maximum height above ground level of all amateur radio configurations is:
 - i. 15m in the Marsden City Precinct, Port Nikau Development Area, and the Residential Zones, Business Zones, Settlement Zone, Port Zone, Hospital Zone, Ruakaka Equine Zone, Rural Lifestyle Zone and Future Urban Zone.
 - ii. 12.5m in the Open Space and Recreation Zones.
 - iii. 18.5m in the Rural Production Zone and Strategic Rural Industries Zones.
 - f. No part of the amateur radio configuration overhangs a site boundary.
 - g. There are no more than two amateur radio configurations per site that are visible from beyond the boundary of the site where they are located.
 - h. None of the elements making up the amateur radio configuration:
 - i. Exceed 0.08m in diameter, except as provided for in NTW-R6.1(i)(ii).
 - ii. Have a rectangular section with an individual side greater than 0.08m, except as provided for in NTW-R6.1(i)(ii).
 - iii. Exceed 14m in length, excluding any aerial support structure.
 - i. All dish aerials:
 - i. Comply with NTW-R6.1(a) – (h).
 - ii. Are less than 5m in diameter/width.
 - iii. Have a maximum height of 6.5m above ground level at all times.

Activity Status when compliance not achieved: Restricted discretionary

Matters of discretion:

1. The bulk, form, scale, and number of aerials, aerial support structures and antenna and the extent to which the amateur radio configuration would lead to a visual dominance and loss of visual amenity as viewed by adjoining and adjacent properties and the surrounding neighbourhood.
2. The extent to which the amateur radio configuration would result in the loss of sunlight and daylight to surrounding sites, particularly in relation to outdoor living courts and living area windows of surrounding residential units.
3. The extent to which the proposal would reduce adverse visual, amenity and shading impacts through design measures including location on-site, material used, and finish of material including colour.
4. The extent to which the proposal is compatible with the existing and anticipated character of the underlying zone, precinct or development area, including the consistency with the relevant objectives policies of the underlying zone, precinct or development area.
5. The extent to which the proposal would reduce the ability to maintain access for maintenance, including for buildings on adjoining sites.
6. Adverse effects on Sites of Significance to Maori, Outstanding Natural Features and Landscapes, the Coastal Area Environment, Quarrying Resource Areas and scheduled built heritage items, including the consistency with the relevant District-Wide objectives, policies and building and major structure rules in that location.
7. Health and safety effects, including electric and magnetic fields and radiation levels.

NTW-R7 Activities within the National Grid Corridor

1. Activity Status: Permitted

Where:

- a. The activity is:
 - i. Network utilities;
 - ii. Any agricultural or horticultural activity, building or structure (including additions or alterations) that is not associated with a sensitive activity and is not specified as a non-complying activity in NTW-R7.3, provided that:
 - a) It is setback at least 12m from the outer visible edge of a transmission tower support structure (except where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34:2001 to a lesser setback); and
 - b) It complies with the safe distance requirements between conductors and buildings (and other structures) required by section 3 of NZECP34:2001.
 - iii. Any building or major structure less than 10m² gross floor area and less than 2.5m in height above ground level associated with a sensitive activity, provided that it is setback at least 12m from the outer visible edge of a transmission tower support structure;
 - iv. Fences less than 2.5m in height above ground level and setback at least 5m from the outer edge of a transmission support structure;
 - v. Earthworks undertaken as part of normal agricultural cultivation, or repair, sealing or resealing of a road (including a farm track), footpath or accessway driveway;
 - vi. Earthworks and mineral extraction which is not deeper than 300mm within 6m, and not deeper than 3m between 6m to 12m, of the outer visible edge of a transmission tower support structure;

- vii. Earthworks and mineral extraction which does not create an unstable batter that will affect a transmission support structure; and
- viii. Earthworks that do not result in a reduction in the ground to conductor clearance distances required by NZECP34:2001.

Activity Status when compliance not achieved: Non-Complying

2. Activity Status: Discretionary

Where:

- a. Any building or structure (including additions and alteration) within the Local Centre Zone, General Residential Zone and Settlement Zone which is located at least 12m from the outer edge of a transmission structure associated with the National Grid.

3. Activity Status: Non-Complying

Where:

- a. The activity is:
 - i. Sensitive activities;
 - ii. Any building or structure (including additions or alterations) associated with a Sensitive Activity (except as permitted by rule NTW-R7.1(c));
 - iii. The following buildings or structures (including additions or alterations) within the corridor:
 - a) Any building or structure associated with a commercial activity or industrial activity;
 - b) Any greenhouse 10m² gross floor area or larger;
 - c) Milking shed buildings (excluding the surrounding platform and any stockyards);
 - d) Buildings housing intensively farmed livestock.

Notes:

1. Transpower NZ Ltd has specified that any building or structure no closer than 10m in a vertical direction from any conductor (wire) will comply with the conductor clearance distances required by NZECP34:2001.
2. Artificial crop protection structures and crop support structures fall within NTW-R7.1(a)(ii). Clause 2.4.1 of NZECP34:2001 provides for these structures to be located within 12m of a Transmission Tower support structure subject to certain requirements. For the purposes of this note, artificial crop protection structure means a structure where cloth is used to protect crops or enhance crop growth (but does not include greenhouses), and crop support structures means an open structure on which crops are grown.
3. In order to establish safe clearance distances, consultation with Transpower NZ may be necessary.
4. For the purpose of the notification provisions of the Resource Management Act 1991, Transpower NZ Limited shall be an affected person.
5. In addition to the above, all activities (whether listed or not) located under or adjacent to the National Grid must comply with the New Zealand Code of Practice for Electrical Safe Distances (NZECP34:2001). Compliance with the District Plan does not ensure compliance with the Code.

NTW-R8 Subdivision of Land which is within 32m of the Centreline of the National Grid

Activity Status: Restricted Discretionary

Where:

1. Every **site allotment** is capable of containing within its net site area a building area located entirely outside of the national grid corridor.

Matters of discretion:

1. Whether the design and construction of the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);
2. Provision for the ongoing operation, maintenance and planned upgrade of the national grid.

Activity Status when compliance not achieved: Non-Complying

Notes:

1. *For the purpose of the notification provisions of the Resource Management Act 1991, Transpower New Zealand Limited shall be an affected person.*
2. *Vegetation to be planted within the national grid corridor as shown on the planning maps, should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting near any electricity line especially works within the transmission corridor, contact the relevant network utility operator.*

NTW-R9 Subdivision of Land which is within 20m of the Centreline of the Critical Electricity Line (Category 1)

Activity Status: Restricted Discretionary

Matters of discretion:

1. The safe and efficient operation and maintenance of the electricity supply network, including:
 - a. The use, design and location of buildings and major structures; and
 - b. The mature size, growth rate, location, and fall zone of any associated tree planting, including landscape planting and shelterbelts; and
 - c. Compliance with NZECP 34:2001; and
 - d. Effects on public health and safety; and
 - e. Effects on access to CELs (Category 1), designated substations and associated infrastructure for maintenance purposes.

Note:

1. *For the purpose of the notification provisions of the Resource Management Act 1991, Transpower New Zealand Limited shall be an affected person.*

Methods

Regulatory Methods

- Identify different Zones on the Planning Maps (NTW-P15).
- Formulate Zone rules relating to the location, type and effects of activities (NTW-P13 & NTW-P15).
- Identify Resource Areas on the Planning Maps (NTW-P11).

- Formulate Resource Area rules relating to the location, type and effects of activities (NTW-P10 to NTW-P15).
- Formulate Subdivision rules relating to the location, size and layout of sites allotments (NTW-P15).
- Have regard to relevant objectives, policies and rules in other sections of the Plan (NTW-P10 to NTW-P15).
- Attach conditions to resource consents relating to network utility operations (NTW-P10 to NTW-P15).
- Requiring Authorities may designate the land for network utility purposes (NTW-P11).

Other Plans and Legislation

- Ensure that plans and management strategies are not inconsistent with the New Zealand Coastal Policy Statement, the Regional Policy Statement for Northland and any relevant regional plans (NTW-P10 to NTW-P15).
- Take into account the relevant provisions in the Local Government Acts 1974 and 2002, Transit New Zealand Act 1986, the Building Act 2004, the Electricity Act 1992, the Gas Act 1992, the Health Act 1956, the Telecommunications (Residual Provisions) Act 1987 and the Telecommunications Act 2001, the Land Drainage Act 1908 and any other relevant legislation (NTW-P10 to NTW-P15).
- Have regard to reserve management plans formulated under the Reserves Act 1977 (NTW-P10 to NTW-P15).
- Take into consideration any relevant Iwi/Hapū Environmental Management Plans (NTW-P13).

Information, Education and Advocacy

- Liaise with network utility operators (for example: Transit New Zealand, Transpower, Telecom New Zealand Ltd) over the siting and operation of network utility operations (NTW-P10 to NTW-P15).
- Liaise with the Northland Regional Council and adjacent territorial authorities in regard to any potential cross boundary issues relating to network utility operations (NTW-P10 to NTW-P15).
- Liaise with iwi/hapū in regard to the potential development of Iwi/Hapū Environmental Management Plans and issues of concern to tangata whenua relating to network utility operations (NTW-P10 to NTW-P15).
- Liaise with other organisations with specific resource management and/or environmental concerns in the District, for example, the Department of Conservation, Heritage New Zealand Pouhere Taonga, Ministry of Agriculture and Forestry (NTW-P10 to NTW-P15).
- Educate and inform both network utility operators and the public about issues relating to the provision of network utility operations (NTW-P10 to NTW-P15).
- Promote the use of appropriate codes of practice, standards and guidelines (national, international and industry) (NTW-P10 to NTW-P15).

Economic Instruments

- Receive financial contributions as prescribed in the Financial Contributions Chapter of the Plan (Policy NTW-P10).

Council Works and Services

- Undertake appropriate works and services relating to roads, water supply, wastewater and stormwater disposal, and any other relevant functions (Policies NTW-P10 to NTW-P15).

Anticipated Environmental Results

The following results are expected to be achieved by the foregoing Objectives, Policies and Methods. The means of monitoring whether the Plan achieves the expected outcomes are set out in the Whangārei District Council Monitoring Strategy.

- The orderly, efficient and effective provision of network utility operations to the District's communities.
- The protection of natural, cultural and historic heritage from adverse effects of network utility operations.
- Amenity values in the different Zones are not adversely affected by network utility operations.
- People and communities do not suffer adverse effects on their health and safety from network utility operations.

Network utility operations are not adversely affected by encroachment from neighbouring activities that are sensitive to the operation of network utility facilities.

Contaminated Land (CL)

Issues

Use or redevelopment of contaminated sites can present a hazard to human health and safety, and may increase the adverse effects of the contamination.

The dispersal of contaminants into the surrounding environment by movement of contaminants from sites.

A National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (“NES”) took effect on 1 January 2012. The objective of the NES is to ensure that land affected by contaminants in soil is appropriately identified and assessed at the time of being developed and, if necessary, remediated or the contaminants contained to make the land safe for human use. In particular the NES:

- Establishes regulations for relevant activities ensuring that all district planning controls relevant to assessing and managing public health risks from contaminants in soil are appropriate and nationally consistent.
- Establishes soil contaminant values protective of human health for a range of land uses, requiring their use when decisions are made under the NES; and
- Ensures best practice and consistent reporting on land affected, or potentially affected by contaminants is applied that enables efficient information gathering and consistent decision-making.

Control of contaminated sites is shared between District and Regional Councils. The District Council has a responsibility to control the effects of contaminated sites on human health and a general duty to protect the environment. Other effects arising from the discharge of contaminants from a contaminated site are controlled by the Regional Council through regional plans.

Land use activities involving hazardous substances can lead to the contamination of land and therefore endanger the health and safety of people and communities. Many historical land use activities have led to the contamination of land. Potentially contaminated sites range from former landfill sites and gasworks sites through to oil terminals and areas contaminated with sewage. In many cases, the contamination is not confined to the site at which the activity took place.

Potential adverse human health effects typically arise where contaminated sites are redeveloped, and site construction workers, residents or occupiers are exposed to contaminants. Human health risks also need to be considered when contaminated matter is transported away to another site. Additional effects can arise from the contamination of surface water courses resulting from direct run-off from sites, or point source stormwater discharges and groundwater contamination in areas with permeable soils. The movement of contaminants off-site can be by wind and leaching, but can also occur from land disturbances such as earthworks. These discharges from contaminated sites are the responsibility of the Regional Council.

This Chapter contains rules relating to land uses in areas containing contaminated and potentially contaminated sites as defined under the relevant NES. These rules apply in addition to any other rules in this Plan applicable to the same areas or sites.

Objectives

CL-O1 Adverse Effects on the Environment

The use, management and development of contaminated sites in a way that ensures that the adverse effects on the environment are avoided, remedied or mitigated to acceptable environmental levels.

CL-O2 Adverse Effects on Human Health and Safety

Minimisation of the adverse effects of contaminated sites on human health and safety.

Explanation and Reasons: Land contamination can be very difficult to remedy. Highly technical methods have been developed to undertake the process of decontamination. It is important that the effects and extent of contamination be contained until such methods can be employed to decontaminate the site. Contaminated sites, and their redevelopment, can pose significant human health and safety effects. It is important that these be minimised.

Policies

CL-P1 Identification

To identify contaminated sites that present a risk to human health and safety.

Explanation and Reasons: The District Council has little information on contaminated sites. It is therefore necessary to develop an appropriate database on such sites. A joint initiative by some Regional Councils and District Councils in developing a consistent methodology for contaminated site information using the PIM and LIM information system will enable, over time, an appropriate classification of sites in the District. Labelling of sites has to be undertaken with care so land is not blighted unnecessarily.

As the database is developed, the Council will, in association with the landowner and the Northland Regional Council, promote an appropriate level of remediation relating to the anticipated land use, in accordance with land use classes. A change to a more sensitive land use may require a higher level of remediation. The level of remediation agreed for a site will be recorded on the relevant property files. Responsibility for the clean up of sites will generally be with the landowner or persons responsible for the contamination.

CL-P2 Remediation

To avoid subdivision, use or development of contaminated land that presents a risk to health, safety or the environment, unless contamination is remedied or mitigated to acceptable environmental levels.

Explanation and Reasons: The level of contamination of a site will influence which activities would be appropriate. Remedial or mitigation measures can decrease the level of risk associated with the site. The range of mitigation and remedial measures allows for rehabilitation to a number of levels of decreased risk, therefore a range of activities could be possible. The process of remediation may result in adverse effects on the environment and a resource consent may be required to control these effects.

CL-P3 Removal of Matter

To contain the extent of contamination by avoiding the removal of soil or matter from a contaminated site, or where appropriate, to allow the excavation of contaminated material and to ensure that such material is stored, transported and disposed of in an appropriate manner.

Explanation and Reasons: The containment of contamination is an important part of managing contaminated sites. It is imperative that there is no further risk of contaminating other parts of the District. Where there is a need for soil to be removed from a site, this should be disposed of in an appropriate facility that deals with hazardous waste.

CL-P4 Dissemination of Information

To keep information on known contaminated sites in the District on a database linked to the PIM and LIM information.

Explanation and Reasons: A database linked to the PIM and LIM information system will alert landowners, occupiers, buyers and sellers, and other involved parties of site contamination information. The database will distinguish between confirmed contaminated sites and those that have had a historical association with hazardous substances. The creation of such a database will enable data to be easily updated as new information becomes available and/or site remediation is undertaken.

Rules

CL-R1 Any Activity

1. No rule in any chapter of this Plan that duplicates or conflicts with the NES shall apply. The NES applies in addition to all other rules in any chapter of this Plan.

CL Appendix 1 – Assessment of Contaminated Sites

The following documents will be used to assess contaminated sites:

- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (the 'NES');
- Users Guide for Assessing and Managing Contaminants in Soil to Protect Human Health (MfE, April 2012);
- Contaminated Land Management Guidelines No.s 1 to 5 (MfE, various);
- Hazardous Activities and Industries List (HAIL) (MfE, latest version);
- Methodology for Deriving Soil Guideline Values Protective of Human Health (MfE, 2011);
- Identifying, Investigating and Managing Risks Associated with Former Sheep-dip Sites: A Guide for Local Authorities (MfE, 2006);
- Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC 1992);

Health and Environmental Guidelines for Selected Timber Treatment Chemicals. Ministry for the Environment and Ministry of Health 1997. (Chapter 5);

Guidelines for Assessing and Managing Contaminated Gasworks Sites in New Zealand. Ministry for the Environment 1997. (Section 4);

Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand. Draft for Consultation. Ministry for the Environment 1997. (Module 4).

The NES criteria for individual compounds and substances will be used when assessing the contamination of any type of site.

Natural Hazards (NH)

Issues

High incidences of flooding and ponding threaten parts of the District.

Areas of coastal development are threatened by a variety of coastal hazards, including uncertainty of sea level rise and the [effects](#) of tropical storms.

The risk of fire is an issue in the District, particularly to stands of either native bush and grasslands or [plantation forestry](#), and within areas of residential development that are located in close proximity to stands of [plantation forestry](#) and other fire-prone areas.

Inappropriately located activities and development increase the likelihood of significant property damage from [natural hazard](#) events.

Areas of [land](#) instability can pose a significant threat to development and [subdivision](#).

Risks from [natural hazards](#) include [land](#) instability, flooding, coastal hazards and fire. The Plan must have regard to these hazards and the threat to human health and safety, and property.

Drought is a [natural hazard](#) that is common in the District, but the management of this hazard is not best achieved through the Plan.

Generally, where there are steep slopes, little vegetation and high rainfall, [land](#) is likely to be subject to erosion and movement. Some [land](#) formations, including caves and sinkholes, are inherently unstable and constitute a major hazard. [Land](#) instability issues also arise from inappropriate earthwork activities and the removal of vegetative cover. Control of [land](#) use and development, in relation to areas of unstable [land](#), has been left to the statutory controls within the Resource Management Act 1991 and the Building Act 2004.

Coal mining was formerly a major industry in Northland with over five million tonnes extracted. Major coalfields were located at Kamo and Hikurangi which are now urbanised. Hazards such as subsidence and sink hole formation arise from the existence of old mines. Potential development in these areas is constrained by these possible hazards. Areas of cut and fill also present a hazard risk where the fill may be unstable and therefore unsuitable for use and development. Potential erosion and [land](#) instability hazards present a number of issues that require attention, as the [effects](#) of these processes not only result in property damage and risk to human health and safety, but can also affect [water](#) quality, natural functioning of [water bodies](#) and sediment control.

The high rainfall intensities and the occurrence of tropical storms in the District expose many areas to flooding hazards. There are obvious floodway areas plus areas that are susceptible to ponding. Traditional residential development has centred around the alluvial plains and the coastal foreshore, where the probability of flooding or ponding is high.

Coastal hazards pose a significant threat to a high number of communities in the District. Coastal erosion, landslip and flooding from the sea are the dominant natural coastal hazards along both sheltered and open-exposed coasts.

Coastal erosion exists as either a long-term trend or a significant short-term shoreline fluctuation, especially on sand dune-backed coasts. Landslip is directly associated with coastal erosion where the coastal geology is relatively weak and prone to slope failure.

Flooding from the sea occurs from either severe coastal storms or tsunamis that result in waves overtopping the coast and temporarily flooding low-lying coastal hinterland. The identified coastal hazards are forecast to be increased by the [effects](#) of climate change from an enhanced greenhouse [effect](#), including rising sea levels at rates generally exceeding those of the last 6,500 years.

Coastal [land](#) that is, or is likely to be, subject to the [effects](#) of the identified coastal hazards over planning horizons of 50 to 100 years, (adopted widely for hazard assessment) is identified on the

Planning Maps by Coastal Hazard Areas 1 and 2 lines, respectively. The Coastal Hazard Areas were first identified in 1988 by the Northland Regional Council but the area of these zones has been reviewed and updated in 1998 and 1999.

Traditional methods of foreshore stabilisation may, in fact, exacerbate, not mitigate, the impact of these coastal hazards. Policy 3.4.5 of the New Zealand Coastal Policy Statement 1994 (NZCPS) requires that new subdivision, use and development near the coast should be so located and designed that the need for hazard protection is avoided. The intent of this policy is to avoid having to implement hazard protection, and should guide where subdivision use and development is appropriate.

Policy 3.3.1 of the New Zealand Coastal Policy Statement requires that a precautionary approach is adopted towards activities involving the subdivision, use or development of areas of the coastal environment. The Objectives and Policies of this part of the District Plan reflect this requirement.

The warming of the earth's surface and atmosphere, caused by increases in greenhouse gases is predicted to result in a rise in sea level, higher local temperatures and changes in rainfall patterns and 'storminess'. The New Zealand Coastal Policy Statement Policies 3.4.2 and 3.4.4 state that plans must recognise the effects of possible sea level rise and that there are natural defence systems within the coastal environment that will mitigate the associated environmental effects. Subdivision, use and development will be discouraged from locating in areas that form natural defence systems. A copy of the NZCPS is available at Whangārei District Council's offices for perusal by the public.

Scrub and bush fires are a potential hazard. Grassland, dune lands, stands of native bush and exotic plantation forestry blocks are included in the areas considered to be at risk, as is residential development where it is in close proximity to such areas.

There is a risk of volcanic activity in Northland, but because of the difficulty of defining exactly where and when an eruption will occur, it is not practicable to provide for hazard avoidance in the District Plan. A risk of damage from earthquakes also exists but is provided for by the building standards required by the Building Act 2004.

This Chapter contains rules relating to land uses in areas mapped as hazard areas. These areas are shown on the Planning Maps by shading on the Resource Area Maps. These rules apply in addition to any other rules in this Plan applicable to the same areas or sites. In addition, Council's *"Policy for Application of Section 36(2) of the Building Act 1991"* (Now superseded by Section 72 of the Building Act 2004) will apply to all areas mapped as hazard areas, particularly to Coastal Hazard Areas.

The Planning Maps identify land which, on the information currently available, is susceptible to flooding; either due to rivers or streams overflowing their banks, inundation from the sea during high tides or storm surges, or to water ponding during extended periods of wet weather. Due to the scale of the mapping, there will be some areas within the identified land that are less prone, or not prone, to flooding, just as outside the identified flood-prone land there will be land which is subject to flooding.

Coastal hazard reports prepared for Northland Regional Council and Whangarei District Council from 1988 onwards have been used as information sources to assess Coastal Hazard Areas. A list of these information sources is detailed below. Copies of these references are available from the Council.

The Council is conscious of the need to improve the quality of the natural hazards information and will be carrying out the appropriate research and analysis as resources permit. For example there is a programme to prepare Catchment Drainage Plans for all significant areas of development in the District. People who wish to carry out development in an area identified on the Resource Maps as being subject to natural hazards, should check with the Council to see whether there is any more detailed or up-to-date information relating to the property in question.

The coastal hazard information included on the Resource Maps of this Plan is derived from the following Coastal hazard information sources:

- NRC 1988: Coastal Hazard Identification. Whangarei County. Technical Publication No.1988/1, March 1988, held by Northland Regional Council.
- Gibb, J.G. 1998a: Review of Coastal Hazard Zones for Eleven Selected Beaches in Whangarei District, Northland Region. Consultancy Report C.R. 98/4 prepared for and held by Northland Regional Council. July 1998.
- Gibb, J.G. 1998b: Coastal Hazard Zone Assessment for the One Tree Point-Marsden Bay Area, Whangarei Harbour, Whangarei District. Consultancy Report C.R. 98/3 prepared for and held by Whangarei District Council.
- Gibb, J.G. 1999: Coastal Hazard Risk Zone Assessment for Pataua and Matapouri Bay, Whangarei District. Consultancy Report C.R. 99/7 prepared for and held by Whangarei District Council. December 1999.
- IPCC 1996: Climate Change 1995. The Science of Climate Change. Summary for Policy Makers and Technical Summary of the Working Group 1. Report. Intergovernmental Panel on Climate Change. Cambridge University Press, Cambridge. Held by Northland Regional Council.

Reasons for Rules / Explanations

Coastal Hazards

Short-term coastal erosion occurs because of storm events such as high winds, waves and increased water levels along the coastal foreshore. Coastal flooding is an associated natural hazard. Coastal Hazard Areas prone to coastal erosion and flooding are shown on the Planning Maps. These coastal hazards can present a serious risk to human life and physical structures. A potential rise in sea level will exacerbate these hazards. By ensuring that the floor levels of structures and buildings are at least 2.5m above One Tree Point Datum Mean Sea Level 1964, this risk will be significantly reduced. Natural processes and features such as coastal dunes and mangroves can provide some defence against coastal hazards and this protection should be maintained and enhanced where possible.

Earthworks

Earthworks in coastal dunes can reduce the protection these natural systems provide against coastal hazards. Earthworks also make the dunes very unstable, thus causing a new hazard to emerge. Re-vegetation will help protect the dunes and thus protect the properties behind them.

Flooding

The Flood Susceptible Areas identified on the Planning Maps identify flooding from river systems, potential overland flow and low-lying areas which have experienced, or could be subject to, flooding under conditions such as poor drainage. The controls in the Plan are intended to reduce the risk from flooding by requiring the flood risk to be assessed when undertaking any activity such as building or forming an access to an allotment or building. There is also a perceived risk to human safety to those traversing such an access during peak flood periods.

The assessment of flood susceptibility in plantation forestry areas may be included as part of the Annual Harvesting Plans, prepared as a requirement of resource consents granted by the Northland Regional Council.

Mining Subsidence

The areas subject to possible mining subsidence are identified on the Planning Maps. A network of tunnels exists in the residential areas of Kamo and Hikurangi. The risk to properties situated

above these old coal mining tunnels, and to human life, can be minimised by ensuring that any earthworks or structure is suitable and does not increase the likelihood of subsidence. This can be achieved by controlling the design and building materials of structures that are built in these areas.

Objectives

NH-O1 Adverse Effects of Natural Hazards

The adverse effects of natural hazards on people, property and the environment are avoided, as far as practicable, or otherwise remedied or mitigated.

NH-O2 Existing Natural Buffers

Existing natural buffers against natural hazard effects are protected, maintained and enhanced.

Explanation and Reasons: Natural hazards can rarely be fully understood or controlled by humans. The avoidance and mitigation of the effects of natural hazards are the better management approaches, with avoidance being preferred to reduce the risk to property and the health and safety of people. Natural buffers against natural hazards, such as coastal dunes, need to be protected so as to maintain their ability to protect people and property from natural hazards.

Note that coastal hazards exist only when activities occur too close to the active coastal zone, remove natural defence systems (such as the dunes) and interfere with natural and physical processes.

The commentary to Policy 3.4.3 of the New Zealand Coastal Policy Statement states that “the obligation to ‘enhance’ is directed at developers not at local authorities in their regulatory capacity. Local authorities can ensure such enhancement through conditions attached to resource consents”.

Policies

NH-P1 Natural Hazard Effects

To ensure that subdivision, use and development do not increase the risk from, occurrence of, or the adverse effects of natural hazards.

Explanation and Reasons: Certain uses and development may initiate or intensify the adverse effects of natural hazards on the site and beyond. The activity will be restricted if the effects cannot be mitigated to an acceptable level. This will be assessed on a case-by-case basis.

NH-P2 Location of Activities

To avoid subdivision, use and development in identified natural hazard areas where the natural hazard is likely to impact adversely upon human health and safety, property and infrastructure.

Explanation and Reasons: The difficulty of managing the adverse effects of natural hazards highlights the need to avoid development in identified-hazard prone areas where substantial potential risk to human life exists. If mitigation of the natural hazard can be proved to reduce the potential risk to human health and safety to an acceptable level, activities will be considered. Natural hazards have the potential to cause damage, by a range of degrees, to property and infrastructure. Activities may be acceptable if mitigation of the natural hazard reduces risk to human life and property to an acceptable level. This will be assessed on a case-by-case basis.

NH-P3 Natural Protection

To ensure that existing natural processes and features, such as sea cliffs, beaches, coastal dune systems and vegetation, which provide a buffer against natural hazards, are recognised, protected and enhanced in order to maintain their functioning and integrity.

Explanation and Reasons: Natural processes, such as coastal erosion, can involve such powerful forces that human intervention is futile. There should be protection of existing natural processes and features that have the potential to minimise the effects of natural hazards.

NH-P4 Sea Level Rise

To ensure that all buildings or structures in the coastal environment should be located so as to avoid the effects of a forecast 50cm rise in global sea level this century.

Explanation and Reasons: A rise in global sea level of about 50cm by the year 2100, as forecast by the Intergovernmental Panel on Climate Change (1996), will exacerbate both erosion and flooding from the sea, providing a cumulative threat to buildings or structures situated within close proximity to the sea. The policy adopts a precautionary approach to this hazard by ensuring that sea level rise is considered for all development in close proximity to the sea.

NH-P5 Coastal Hazards

To avoid the need to implement hazard protection works when locating new subdivision, use and development in the coastal environment.

Explanation and Reasons: In many instances, the use of coastal hazard protection works is futile and does not achieve acceptable environmental outcomes. Effective hazard management would be to avoid the hazard. In the coastal environment this can usually be achieved easily by setting back subdivision and development from the beach, thus allowing natural processes to continue without endangering people and property.

NH-P6 Mitigation Measures

To ensure that mitigation measures in response to natural hazards do not, themselves, produce adverse effects on the environment and are designed and located to achieve their purpose.

Explanation and Reasons: Engineering measures used to limit the effects of natural hazards might themselves cause adverse effects. An example within the District includes the filling of low-lying land to lessen the risk of flooding. This can change water flow patterns and simply transfer the hazard elsewhere. Due to these factors, any mitigation measures will be assessed for their impacts on the overall environment, rather than merely on a site-specific basis.

NH-P7 Flood Flow Paths

To ensure that subdivision, use and development does not obstruct the flood flow paths of rivers and the efficient functioning of natural drainage systems.

Explanation and Reasons: Activities located in the flood paths of rivers and streams have the potential to interfere with the flow of floodwater. This may increase the adverse effects of the flooding upon human health and safety, property and infrastructure.

NH-P8 Fire Threat

To ensure that subdivision, use and development in areas where there is a high actual or potential risk of fire, incorporate measures to avoid or mitigate such risk.

Explanation and Reasons: Fire is a significant natural hazard. In some areas, such as forests and coastal grasslands and shrub lands, the risk of fire is higher than in other areas. In high-risk areas the avoidance or mitigation of risk can be achieved through measures such as the creation of firebreaks, provision of adequate on-site water supply or careful choice of building materials.

Rules

NH-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

NH-R2 Coastal Hazards

Activity Status: Permitted

Where:

1. Construction or alteration of a building or structure in a Coastal Hazard Area is permitted if:
 - a. It does not occur in Coastal Hazard Area 1; and
 - b. All buildings and major structures (excluding minor structures) within Coastal Hazard Areas have a minimum floor level of 2.5m above One Tree Point Datum Mean Sea Level 1964.

Activity Status when compliance not achieved: Discretionary

NH-R3 Earthworks

Activity Status: Permitted

Where:

1. Earthworks, gardening or cultivation upon sand dune complexes are a permitted activity if:
 - a. Such earthworks, gardening or cultivation do not occur in Coastal Hazard Area 1; and
 - b. In Coastal Hazard Area 2, the earthworks do not exceed a volume of 25.0m³ or an area of 150.0m², and all sand displaced by such works is returned to the dune complex immediately; and
 - c. The site of the earthworks, gardening or cultivation which will not be covered by buildings or structures is immediately stabilised by appropriate dune binding vegetation within 10 working days of such earthworks being completed.

Activity Status when compliance not achieved: Discretionary

NH-R4 Flooding

Activity Status: Permitted

Where:

1. Construction or alteration (excluding internal modifications) of a building or major structure (excluding minor buildings), construction of vehicular access to a building or allotment, or earthworks, gardening or cultivation in a Flood Susceptible Area, is a permitted activity if:
 - a. A report or certificate from a suitable qualified and experienced professional is provided to the Whangarei District Council which indicates that the activity is designed to accommodate the flood hazard and will not create any adverse effects upstream or downstream nor endanger human life; or
 - b. The work involved is maintenance of an existing building.

Note:

1. *Reference may be made to previous reports relating to the flood susceptibility of the area*

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Construction or alteration of a building in relation to its location;
2. The avoidance, remediation or mitigation of coastal hazards.

NH-R5 Mining Subsidence

Activity Status: Permitted

Where:

1. Construction or alteration (excluding internal modifications) of a building or major structure (excluding minor buildings) earthworks, gardening or cultivation within a Mining Hazard Area is a permitted activity if:
 - a. A geotechnical survey of the ground under, and in the immediate vicinity of the site, is undertaken, and
 - b. A report or certificate, which has been prepared by a suitable qualified and experienced professional, is provided to the Council which indicates that:
 - i. Where the site is to accommodate a residential unit, there is an identified building area of at least 100m² where a residential unit can be built so that there is compliance as a permitted activity with the rules in this plan; and
 - ii. The site is suitable for the activity or structure; and
 - iii. The structure is of an appropriate design and the building materials are appropriate in the circumstances; and
 - c. The risk of subsidence is not increased by the construction, alteration or excavation.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Construction standards;
2. Effects on health and safety.

Methods

Regulatory Methods

Identification of Natural Hazard Areas on the Planning Maps. These include:

- Flood Susceptible Areas (NH-P7).
- Mining Hazard Areas (NH-P1).
- Coastal Hazard Area 1 (NH-P5).
- Coastal Hazard Area 2 (NH-P5).
- Subdivision rules relating to ability to subdivide in natural hazard areas (NH-P1).
- Resource Area rules relating to activities in natural hazard areas (NH-P1).
- Resource consent conditions (NH-P1 to NH-P8).
- Investigate options for minimising flood damage (NH-P7).
- Prepare and distribute publicity material related to hazard investigations and related monitoring systems (NH-P1 to NH-P8).
- In association with the Northland Regional Council, review flood control schemes and investigate options for improved flood control (NH-P6 and NH-P7).

Other Plans and Legislation

- The Northland Regional Water and Soil Plan (NH-P1 to NH-P8).
- The Building Act 2004 (NH-P1).
- The New Zealand Coastal Policy Statement (NH-P1 to NH-P8).
- The Regional Policy Statement for Northland (NH-P1 to NH-P8).
- The Northland Regional Coastal Plan (NH-P1 to NH-P8).

Information, Education and Advocacy

- Liaison with the Northland Regional Council (NH-P1 to NH-P8).
- Develop a natural hazard events' register (NH-P2).
- Educate and inform resource users about areas with known flooding, instability and other natural hazard-related problems, and the systems in place to monitor these natural hazards (NH-P2 and NH-P6).
- Educate and inform resource users about climate change and sea level rise as new information is made available (NH-P4).
- Provide guidelines on structural and non-structural mitigation measures (NH-P6).
- Investigate options for minimising flood damage (NH-P7).
- Prepare and distribute publicity material related to hazard investigations and related monitoring systems (NH-P1 to NH-P8).
- Develop maps showing areas of elevated rural fire risk resulting from factors other than weather (NH-P8).
- Maintain maps identifying natural hazard risk areas on Council's Geographic Information System (NH-P1).

Council Works and Services

- Works and services relating to maintaining existing Council-owned protection works (NH-P6).
- Catchment Drainage Plans (NH-P7).

Anticipated Environmental Results

The following results are expected to be achieved by the foregoing Objectives, Policies and Methods. The means of monitoring whether the Plan achieves the expected outcomes are set out in the Whangārei District Council Monitoring Strategy.

- Natural hazard areas are identified, assessed, classified and shown on the planning maps in the District Plan.
- Subdivision, use and development is avoided in identified natural hazard areas and/or the adverse effects from natural hazards are adequately avoided, remedied or mitigated.
- The adverse effects from natural hazards on the environment, people's health and safety and property are avoided, as far as practicable, or otherwise remedied or mitigated.
- Natural buffers relating to natural hazards are protected, maintained or enhanced.

Hazardous Substances (HSUB)

Issues

Hazardous substances are used throughout the District and include a wide range of substances such as medical waste, petroleum products, explosives, and industrial, agricultural and household chemicals. These substances can pose potential threats to the health and safety of people and can have significant adverse effects on the environment. At the same time, their use, storage, manufacture and disposal allow people to provide for their social and economic wellbeing, and their health and safety.

There is a wide range of legislation and industry standards controlling hazardous substances. Principal amongst these is the Hazardous Substances and New Organisms Act 1996 which provides the general framework for controlling hazardous substances during their entire life cycle. There are additional controls relating to hazardous substances in the Proposed Regional Plan for Northland, the Land Transport Act 1998, the Radiation Safety Act 2016, the Building Act 2004, the Health and Safety at Work Act 2015 and the Health and Safety at Work (Hazardous Substances) Regulations 2017.

In addition to the above controls, the District Plan manages adverse effects associated with hazardous substances and potential reverse sensitivity effects through spatial zoning and underlying zone rules.

Given the level of regulation controlling hazardous substances, the Hazardous Substances Chapter seeks to avoid any unnecessary duplication of regulation between the Hazardous Substances and New Organisms Act 1996, the Health and Safety at Work Act 2015 and relevant regulations, and the District Plan. The chapter will address the residual risk to people, property and the environment, and reverse sensitivity after other industry controls and legislation have been complied with, and where consent is required based on other district wide and area specific chapter rules

Objectives

HSUB-O1 Residual Risks

Property, the environment and the health and safety of people are protected from any unacceptable levels of residual risk associated with the location or expansion of facilities that use, store or dispose of hazardous substances.

HSUB-O2 Reverse Sensitivity

Sensitive activities do not constrain or curtail existing areas and activities which use, store or dispose of hazardous substances

Policies

HSUB-P1 Residual Risks First policy

To recognise the role of national and regional organisations, including the Environmental Protection Authority, WorkSafe and Northland Regional Council, in managing hazardous substances and avoid regulating hazardous substances where an adequate level of human health and environmental protection is already provided and there are no identified residual risks.

HSUB-P2 People and Communities

To ensure that activities which use, store or dispose of hazardous substances manage residual risk to people and communities by avoiding such risk, or where avoidance is not practicable, remedying or mitigating such risk to an acceptable level.

HSUB-P3 Sensitive Environments and Areas

To ensure activities which use, store or dispose of hazardous substances which are located within sensitive environments and areas manage the residual risk to people, property and the environment by avoiding such risk, or where avoidance is not practicable, remedying or mitigating such risk to an acceptable level.

HSUB-P4 Reverse Sensitivity

To avoid reverse sensitivity effects by requiring sensitive activities to be appropriately designed and located in relation to existing areas and activities which use, store or dispose of hazardous substances.

Historical Heritage (HH)

Issues

Our historical and cultural heritage not only represents our legacy from the past but also forms an essential part of our existing environment, identity and sense of place. It has different connotations for different people and different sectors of the community, with heritage values derived from a range of places, features, customs, traditions and changes over time.

Historic heritage is broadly defined in the Resource Management Act 1991 (RMA) as ‘natural and physical resources that contribute to an understanding and appreciation of New Zealand’s social history and cultures’. Historic heritage values are diverse, and may result from a range of qualities, including archaeological, cultural, historic, and natural factors. Included are historic sites, structures, places and areas, archaeological sites, sites of significance to Māori (including wāhi tapu), and associated surroundings.

Historic heritage is required to be identified and protected from inappropriate subdivision, use and development as a matter of national importance under the Resource Management Act, with statutory protection the responsibility of Regional and District Plans. In addition, *Heritage New Zealand Pouhere Taonga* has an important advocacy role in promoting the conservation of New Zealand’s national heritage and administering the Heritage New Zealand Pouhere Taonga Act 2014, including overarching statutory responsibility for archaeological sites (places generally associated with pre-1900 human activity).

Collectively, historic heritage resources provide:

- A sense of place, identity and continuity, contributing to the overall amenity or character of an area.
- A pleasant, interesting and meaningful environment for people’s activities.
- A basis for community well-being and understanding.
- Connections between past, present and future as an area progresses, so that recognised heritage values can ‘live on’.
- Reminders of the past (including persons of note and significant events).
- A source of information on styles and technologies of the past.
- Interest for visitors, including associated economic opportunities.

Safeguarding historic heritage for future generations requires an appreciation of historic heritage values. The degree of relevance and significance of particular places, features, customs or traditions to local and wider community sectors determines their appropriate level of protection. Ensuring that historic heritage remains well-maintained, structurally sound, and protected against natural hazards assists in sustainably managing the on-going needs of the District’s present and future generations.

Issues or challenges currently facing the District’s historic heritage include:

- The susceptibility of historic heritage (particularly built heritage of wooden construction) to physical damage or decay, unsympathetic additions or alterations, and impacts on original surroundings, identity and values.
- Physical effects of development and coastal hazards on archaeological sites adjacent to the District’s extensive coastline.
- Enhancing public awareness and appreciation of historic heritage, while also limiting access to information where unrestricted release of sensitive information on location or significance could be prejudicial to their protection.

- Costs associated with statutory identification and protection procedures and on-going maintenance of built heritage (both public and private).
- Balancing regulatory and non-regulatory approaches to celebrating heritage.

Whangarei District possesses a range of natural and built heritage resources of varying scale, levels of significance and forms of ownership or management (private and public) that help define the District's identity, as well as providing scientific, tourism, recreational and ecological benefits. These resources may comprise individual items or combinations of features including landscapes, harbours, landforms, indigenous ecosystems, and evidence of early settlement and development of both Māori and European origins.

A prime example of historic heritage evident on a large scale is the entrance to Whangarei Harbour prominently defined by the iconic Bream Head, Taurikura Ridge and Mt Manaia landforms, with the area's visual landscape (including many hills and islands) having been modified over time as pa sites, sanctuaries and gardens. Various agencies including the Department of Conservation, Northland Regional Council, Queen Elizabeth II Trust, Heritage NZ and Whangarei District Council have shared responsibility for protecting heritage in this location.

At a more local level, reminders of the District's pioneers, past events and early rural farming, residential activities, social activities, and industrial activities are still evident in street signs, local museums, literary and photographic collections and war memorials. One example is the settlement of Waipu which thrives on its Scottish heritage, with the early Nova Scotian settlers' influence also extending to other areas including Whangarei Heads. In addition to maintaining a number of scheduled buildings and monuments, the Waipu community also actively celebrates its past through a range of events and facilities including a museum, an early cemetery, a heritage walk, artworks and signage, pageants, and the annual Caledonian Games.

In identifying historic heritage for protection within the District, Council's emphasis is on historic heritage already listed by Heritage New Zealand; sites and areas of significance to Māori identified by iwi/hapū; and locally, regionally and potentially nationally significant items identified by Council as part of a staged programme in conjunction with the Northland Regional Council. However, Council also envisages this formal process being off-set by additional, more modern approaches to recording, relating and celebrating the stories and events of the past, including non-statutory methods such as heritage trails and information plaques that have proved successful in Whangarei's Town Basin.

Note:

1. Chapter HH (Historical Heritage) is designed to serve as a framework/overview for historic heritage issues generally, with subsection Built Heritage (BH) addressing specific provisions associated with built heritage (buildings, sites, objects and related surroundings). It is intended that a further subsection (Archaeological Sites and Sites and Areas of Significance to Māori) will be integrated into the chapter as the rolling review of the District Plan progresses.

Most trees classed as 'Heritage Trees' in the District Plan are regarded as notable more for their amenity or botanical values than heritage significance. Any review of those provisions (beyond those specifically assessed as being integral to the surrounds of a scheduled heritage building) are likely to concentrate on their contribution to the District's amenity, biodiversity and open space values and will not form part of the Historical Heritage chapter.

Objectives

HH-O1 Heritage Values

The diverse historic heritage resources that reflect 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.

HH-O2 Tangata Whenua

The relationships of tangata whenua with sites and areas of spiritual, cultural or historical significance are recognised and provided for.

HH-O3 Identification and Protection

Identification and protection of historic heritage is undertaken in consultation with statutory organisations with heritage interests, affected landowners, local communities and tangata whenua, while recognising:

1. Heritage New Zealand's advisory functions and overarching responsibility for the protection of archaeological sites within New Zealand and for identifying historic heritage for entry on the New Zealand Heritage List / Rāangi Kōrero.
2. Northland Regional Council policies and procedures relating to historic heritage in the coastal environment.
3. The role, obligations and contributions of owners of historic heritage.
4. Tangata whenua, as guardians (or kaitiaki) of the past, and relevant iwi planning documents.

HH-O4 Adverse Effects

The District's historic heritage resources are protected from adverse effects of subdivision, use and development including damage, destruction, decay, neglect, and unsympathetic additions or alterations, and (where possible) from natural hazards.

HH-O5 Information

Historic heritage information held by Council is regularly maintained, reviewed, updated, and accessible to the public except where disclosure could be prejudicial to privacy or the protection of the historic heritage resource.

HH-O6 Fostered and Enhance

Community awareness, appreciation and celebration of historic heritage and sense of place within the District is fostered and enhanced through a combination of regulatory and non-statutory initiatives.

Policies

HH-P1 Identification, Assessment and Scheduling of Built Heritage Items

To adopt a consistent, transparent and balanced approach to the identification, assessment and scheduling of historic heritage in the District Plan by:

1. Identifying sites and areas of significance to Māori in accordance with procedures and criteria established in conjunction with iwi/hapū.
2. Giving priority to historic heritage resources and historic areas listed by Heritage New Zealand and locally, regionally and nationally significant items identified by Council as part of a targeted and progressively-staged approach in collaboration with the Northland Regional Council when scheduling built heritage items.

3. Enabling informed public input into District Plan Historic Heritage Schedules through the statutory plan change process where recommendations from individuals or community groups are supported by:
 - a. Statements of significance prepared by a recognised heritage expert or archaeologist, as appropriate.
 - b. Approval of the property owner.
 - c. Evidence of any consultation with Heritage New Zealand.
 - d. Any additional Resource Management Act information requirements.
 - e. Any required plan change fees/deposits.

HH-P2 Internal and External Influences

To protect the context and integrity of historic heritage resources scheduled in the District Plan by:

1. Requiring careful design and location of subdivision, use and development in order to retain physical elements of historic heritage, and where practical enhance public use, visibility and access.
2. Restricting the demolition and relocation of built heritage resources and inappropriate modifications, additions or alterations.
3. Recognising the collective value of groups of heritage buildings, structures and/or places, (including scheduled historic areas and landscapes) particularly where these are representative of the district, region's or nation's historic settlements, architecture, periods in history, or district-wide heritage themes.
4. Discouraging activities that compromise important spiritual or cultural values held by Māori/Mana Whenua and /or the wider community associated with particular historic heritage places or features.

HH-P3 Adverse Physical and Visual Effects

To protect historic heritage from adverse physical and visual effects of internal and adjacent subdivision, land use and earthworks particularly where:

1. Proposals are in proximity to scheduled built heritage resources, known archaeological sites, or sites of significance to Māori.
2. The presence of archaeological sites is likely, particularly adjacent to the coast, rivers and streams.
3. Subdivision or development would result in the loss, damage, fragmentation or separation of historic heritage resources.
4. Public views of the historic heritage resource, or public access would be lost or obstructed.

HH-P4 Different Forms of Historic Heritage

To acknowledge the relationships between different forms of historic heritage within scheduled historic areas by requiring that future subdivision and development within such areas consider:

1. Individual and cumulative effects on historic heritage values.
2. Themes or connections linking historic heritage resources.
3. The character, scale, form and intensity of existing and proposed built development.
4. Effects on the surrounding environment including landscapes and streetscapes.

HH-P5 Increase Public Awareness

To increase public awareness of the nature and location of historic heritage resources by ensuring regularly updated information maintained by Council is accessible to the public, including through means such as:

1. District Plan Heritage Schedules and Resource Area maps.
2. Access to Heritage New Zealand Lists.
3. GIS mapping information based on data provided by Heritage New Zealand and the NZ Archaeological Association to satisfy statutory requirements associated with the issuing of Land Use Information Memoranda (LIMs) and Project Information Memoranda (PIMs), and in the assessment and monitoring of resource consent applications.
4. Conditions of resource consent.
5. Use of alert files, where disclosure of sensitive information could prejudice privacy or protection of the heritage resource.
6. Assistance in interpreting requirements for seismic upgrading of earthquake-prone heritage buildings in terms of Building Act 2004, related earthquake legislation and Council Policies.
7. Interpretation through an on-going programme of public education, e.g. signage information.

Note:

In giving effect to the above objectives and policies the additional regulatory and non-regulatory provisions (specified in the following Built Heritage and/or Archaeological Sites/Sites of Significance to Māori sections of Chapter HH) shall also apply.

HH-BH – Built Heritage

Issues

Built heritage comprises physical or **built forms** of **historic heritage** of significance to the District, with examples having been formally recognised by Council since the mid 1980s. The majority of **built heritage** items currently protected under the District Plan relate primarily to European settlement and are largely residential in nature, although a number of churches and commercial or municipal **buildings** are also protected, some having been successfully adapted to alternative uses such as offices, restaurants or art galleries. A number of **scheduled built heritage** items occupy **land** or reserves in Council ownership, although the majority of these are used, owned, leased and/or managed by community groups. **Dry stone walls** of historic and **amenity value** located within volcanic areas on the fringe of Whangarei's **urban area** are not individually scheduled but are subject to blanket protection under the District Plan.

Built heritage (particularly **buildings** of wooden construction) can be susceptible to damage, decay, neglect, **natural hazards**, and unsympathetic **additions or alterations**. More intensive **subdivision** of heritage **sites** or in close proximity to them can also adversely impact on original heritage values, features, and surroundings. However, due to lower urban growth rates than much of New Zealand, the District's **built heritage** is less at risk from demolition or relocation for development purposes.

In addition to District Plan restrictions on demolishing or relocating **scheduled built heritage** items, controls apply to on-site works to interiors, exteriors and additional **buildings**, as well as focusing on managing potential **effects** from adjacent **subdivision** or development.

Issues that can affect owners of **scheduled built heritage** include on-going **maintenance** costs, limited recognition or financial support for their role as custodians of the past, and the foregoing of development potential in some cases. On the other hand, the **sustainable management** of heritage resources can result in economic benefits, particularly where heritage **buildings** are sympathetically adapted to alternative uses. Increased emphasis on maintaining the commercial viability of **built heritage** is therefore promoted in the District Plan.

Overall, it is anticipated that pending the adoption of an overarching Heritage Strategy for the District, a staged approach to statutory identification and protection of **built heritage** will continue to be undertaken, supported by non statutory means of celebrating our heritage.

Note:

1. The following Chapter **Historic Heritage** and **Built Heritage** provisions form the basis of assessment for resource consent applications relating to **scheduled built heritage** throughout the District:
 - a. The overarching **Historic Heritage** objectives.
 - b. The overarching **Historic Heritage** policies.
 - c. The **Built Heritage** objectives and policies.
 - d. Activity status listed in HH-BH-R1 – HH-BH-R8.
 - e. Assessment criteria and implementation methods for discretionary activities specified in HH-BH-R9.

Objectives

HH-BH-O1 Built Heritage Items

Examples of **built heritage** items or areas that individually or collectively represent the district's significant **historic heritage** values or themes, are identified, assessed and scheduled for protection in the District Plan.

HH-BH-02 Vulnerability of Built Heritage

The vulnerability of scheduled built heritage resources to physical damage, unsympathetic additions or alterations and on-going maintenance costs is recognised and appropriately managed.

HH-BH-03 Dry Stone Walls

Dry stone walls of historic, cultural, amenity and landscape value to the community are maintained and protected throughout the district.

HH-BH-04 Adaptive Re-use and Alternative Management

Adaptive re-use and alternative management of built heritage resources are encouraged where these do not detract from their heritage values or significantly affect the adjacent environment.

HH-BH-05 Non-Regulatory Measures

Formal protection of built heritage is complemented by non-regulatory measures such as local 'sense of place' initiatives.

Policies

HH-BH-P1 Levels of Significance

To identify and schedule in the District Plan built heritage items and historic areas of significance to the district in terms of listed criteria, while distinguishing between two levels of significance:

1. Group A: Comprising items of special or outstanding significance, including the most significant examples of their type in the District.
2. Group B: Comprising items of historical or cultural significance in the District.

HH-BH-P2 Assessment Criteria

To adopt a consistent and informed approach to sustainably managing built heritage within the district by satisfying at least one of the following criteria when identifying, assessing, and scheduling built heritage:

1. Archaeology: The resource has the potential to contribute significantly to our understanding of human history or archaeological research through investigation using archaeological methods.
2. Architecture: The resource is significant due to design, form, scale, materials, style, ornamentation, period, craftsmanship or other architectural elements.
3. Technology: The resource demonstrates innovative or important methods of design, construction materials or techniques, or has potential to contribute information on technical history.
4. Scientific: The resource has the potential to provide significant scientific information about the history of the district, region or nation.
5. Rarity: The resource is unique, uncommon or rare at a district, regional or national level.
6. Representativeness: The resource is an excellent example of its class in terms of design, type, use, technology, time period or other characteristic.
7. Integrity: The resource retains a high proportion of its original characteristics and integrity compared with other examples in the District.
8. Context: The resource forms part of an association of heritage sites or buildings which, when considered as a whole, become important at a district, regional or national scale.
9. Vulnerability: The resource is vulnerable to deterioration or destruction or is threatened by land use activities.

10. People: The resource is directly associated with the life or work of a well-known or important individual, group or organisation.
11. Events: The resource is associated with locally, regionally or nationally significant historic event or events.
12. Patterns: The resource is associated with important aspects, processes, themes or patterns of local, regional or national history.
13. Identity: The resource provides, or significantly contributes to, a sense of place, community identity or cultural or historical continuity.
14. Public esteem: The resource is held in high public esteem for its heritage or aesthetic values or as a focus of spiritual, political, national or other social or cultural sentiment.
15. Commemorative: The resource has symbolic or commemorative significance to past or present users or their descendants, resulting from its special interest, character, landmark, amenity or visual appeal.
16. Education: The resource contributes, through public education, to peoples awareness, understanding and appreciation of New Zealand's history and cultures.
17. Tangata whenua: The resource place or feature is important to tangata whenua for traditional, spiritual, cultural or historic reasons (with criteria for Sites of Significance to Māori to be determined by hapū).
18. Statutory: The resource is recognised nationally or internationally, including:
 - a. World Heritage Site status under the World Heritage Convention 1972.
 - b. Listing under the Heritage New Zealand Pouhere Taonga Act 2014.
 - c. Recognition as having significant heritage value under a statutory acknowledgement (statement in Treaty of Waitangi settlements recognising the mana of tangata whenua groups in relation to identified sites and areas) or other legislation.

HH-BH-P3 Protection of Scheduled Built Heritage Items from Internal and/or External Influences

To avoid, remedy or mitigate potential adverse effects on built heritage resources and associated heritage values arising from:

1. Incompatible physical works to scheduled built heritage items.
2. Inappropriate subdivision use or development within the surrounds of a scheduled built heritage item or scheduled historic area.
3. Inappropriate subdivision or development on adjacent sites in proximity to scheduled built heritage.

HH-BH-P4 Demolition, Destruction or Significant Change to Scheduled Built Heritage Items

To restrict activities within sites containing scheduled built heritage items that would result in the demolition, destruction or significant change to:

1. The interiors of:
 - a. Scheduled Group A built heritage items.
 - b. Scheduled Group B built heritage items (where interiors are scheduled in HH – Appendix 1).
2. The exteriors of scheduled Group A and B built heritage items.
3. The surroundings of scheduled Group A and B built heritage items, particularly where surroundings are specifically scheduled in the District Plan.

HH-BH-P5 Repairs and Maintenance

To enhance the sustainability of scheduled built heritage items and recognise 'living heritage' by encouraging and enabling repairs and maintenance where:

1. Repairs retain historic fabric as far as possible, and make good deteriorated or damaged material using the same or similar materials, detail, finish, texture, form and design.
2. Maintenance and repairs do not result in a change to the form, detailing or scale of the building or structure.
3. Painting is not applied to previously unpainted surfaces or render applied to previously unplastered surfaces.
4. Cleaning does not use abrasive or high pressure cleaning such as sand or water blasting.

HH-BH-P6 Additions and Alterations

To preserve the integrity of scheduled heritage items and values when undertaking additions and alterations, particularly external works, by:

1. Retaining the predominant style, design and character features.
2. Recognising age, scale, character and locational context.
3. Maintaining compatibility in terms of form, materials and colour.
4. Minimising the loss of fabric, structural modifications or increases in building and major structure coverage.
5. Focusing on the repair of features rather than replacement.
6. Avoiding alterations to street frontage façades.
7. Avoiding constructing and locating buildings or major structures between the listed heritage item and the street/road or other public place.
8. Limiting the size, location and visibility of dish antenna and aerial structures.

HH-BH-P7 Seismic Upgrading

To encourage and enable seismic upgrading of earthquake-prone built heritage items that assists in building survival and enhances building and public safety, while not detracting from recognised heritage values.

HH-BH-P8 Dish Antenna and Aerial Structures

To minimize the visual impact of dish antenna and aerial structures on heritage fabric and values by limiting such features to those of a scale, function and appearance common to Residential Zones and Settlement Zones. Where possible, such features should be positioned to avoid visibility from the road/street or other public place.

HH-BH-P9 Adaptive Re-Use and Alternative Ownership/Management of Built Heritage

To encourage and facilitate on-going use or adaptive re-use of built heritage items (including through possible relaxation of underlying development controls such as parking requirements) where this will secure their long-term viability, conservation or protection without leading to significant adverse effects on the surrounding environment.

HH-BH-P10 Alternative Methods

To encourage alternative methods of management, ownership, guardianship, or sponsorship of built heritage resources, including public buildings and major structures, where:

1. Heritage values will not be compromised.

2. The long-term viability, protection or conservation of the heritage resource will be secured or enhanced.
3. Benefits such as improved access to funding can be achieved.

HH-BH-P11 Role of Owners

To acknowledge the role of owners of scheduled built heritage resources as guardians of the past, and to support their efforts to conserve, maintain and enhance their heritage assets, including through possible use of financial instruments such as rates relief, grants, and waiver of resource consent fees.

HH-BH-P12 Dry Stone Walls

To protect dry stone walls of historical, cultural and amenity value to the community through:

1. Blanket protection of dry stone walls throughout the District.
2. Providing information and advice to the public, including Geographic Information Systems information on the location of protected dry stone walls.
3. Discouraging planting close to dry stone walls.
4. Encouraging proactive maintenance, for example repair of capping stones.
5. Recommending consultation with Heritage New Zealand where dry stone walls are estimated to have been constructed prior to 1900 or their age is in doubt.
6. Limiting works affecting existing dry stone walls, other than:
 - a. Repairs or maintenance in situ using traditional methods, design and materials.
 - b. Removal of up to 6m length of wall for accessway purposes only, where no alternative accessway exists.

Rules

HH-BH-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

HH-BH-R2 Dish Antenna

All Zones

Activity Status: Permitted

Where:

1. The dish antenna does not exceed a diameter of 0.9m on a scheduled built heritage item or within its surrounds when it is visible from a street or other public place.

Activity Status when compliance not achieved: Discretionary

HH-BH-R3 Works to Existing Dry Stone Walls

All Zones

Activity Status: Permitted

Where:

1. The works are for:
 - a. Repairs or maintenance in situ using traditional methods, design and materials.
 - b. Removal of up to a total 6m length of wall per site for accessway purposes only, where no alternative accessway exists.

Activity Status when compliance not achieved: Discretionary

HH-BH-R4 Works to Scheduled Built Heritage Items

Activity Status: Permitted

Where:

1. The works do not involve any of the following:
 - a. Demolition, destruction, or relocation (on-site or off-site) of a scheduled Group B built heritage item.
 - b. Internal or external additions or alterations (other than repairs or maintenance) to a scheduled Group A built heritage item.
 - c. Internal alterations (where interiors are scheduled in HH – Appendix 1 – Schedule of Built Heritage Items) or external additions or alterations (other than repairs or maintenance) to a scheduled Group B built heritage item.
 - d. Structural upgrading of a scheduled Group A built heritage item for seismic reasons where works involve internal or external alterations.
 - e. Structural upgrading of a scheduled Group B built heritage item for seismic reasons where works involve external alterations visible from a street/road or other public place.

Activity Status when compliance not achieved: Discretionary

HH-BH-R5 Construction or Alterations to Buildings and Major Structures Within a Site or Scheduled Historic Area in which a Scheduled Built Heritage Item is Located

Activity Status: Permitted

Where:

1. The site or scheduled historic area is not in a Residential Zone, Settlement Zone or Business Zone.
2. The proposed works are not within 20m of a built heritage item in any Zone (excluding a Residential Zone, Settlement Zone or Business Zone).
3. The proposed buildings and major structures are not located between a scheduled built heritage item and the street/road or other public place.

Activity Status when compliance not achieved: Discretionary

HH-BH-R6 Construction or Alterations of Buildings and Major Structures on Sites Immediately Adjoining the Site of a Scheduled Built Heritage Item

Activity Status: Permitted

Where:

1. The proposed works do not exceed bulk and location controls of the underlying Zone relating to height, height in relation to boundary, maximum coverage or density.

2. The proposed works (in a Residential Zone, Settlement Zone or Business Zone) are set back at least 5m from the common boundary except where a minimum separation of 20m is maintained between the proposed works and the scheduled built heritage item.
3. The proposed works are set back at least 20m from the built heritage item in any Zone (excluding a Residential Zone, Settlement Zone or Business Zone).

Activity Status when compliance not achieved: Discretionary

HH-BH-R7 Adaptive Re-Use of Scheduled Built Heritage Items

Activity Status: Permitted

Where:

1. Adaptive re-use of built heritage items does not infringe underlying Zone development controls.

Activity Status when compliance not achieved: Discretionary

HH-BH-R8 Demolition, Destruction, or Relocation (On-Site or Off-Site) of a Scheduled Group A Built Heritage Item

Activity Status: Non-Complying

HH-BH-R9 Subdivision and Historical Heritage

Activity Status: Discretionary

Where:

1. Subdivision is proposed of any site containing a scheduled built heritage item.
2. Subdivision is proposed within a scheduled historic area.
3. Subdivision is proposed of a site adjoining a site containing a scheduled built heritage item where proposed building platforms are:
 - a. Set back less than 5m from the common boundary (in Residential Zones, Settlement Zones or Business Zones) other than where a minimum separation distance of 20m is maintained between the building platforms and the scheduled built heritage item.
 - b. Set back less than 20m from the scheduled built heritage item (in all other Zones).
4. Subdivision is proposed of any site (including sites allotments used for utility, road, reserve, or accessway purposes) where removal of dry stone walls is proposed.

Matters of Discretion:

When assessing discretionary activities the assessment should address (but is not limited to) the following criteria, where relevant:

1. The significance of heritage values associated with the built heritage item and surroundings.
2. The extent to which the activity may adversely affect heritage values.
3. The effects of the activity on the locality and streetscape, including any loss or obstruction of visibility from the street or other public space.
4. The degree to which (i) the donor site contributes to the value of the built heritage item where relocation is sought, and (ii) the recipient site contains any heritage values of relevance.
5. The extent to which relocation is the only (or most sustainable) means of saving the built heritage item.
6. The extent to which all feasible options and alternatives to demolition or destruction have been explored.

7. The degree to which the heritage item or site contributes to 'sense of place' initiatives or district-wide heritage themes.
8. The importance attributed to the heritage item by the wider community, including tangata whenua.
9. Whether the scheduled built heritage item is included on the Heritage New Zealand Pouhere Taonga List and if so, the reasons for listing.
10. The results of consultation with Heritage New Zealand and any other recognised party in heritage conservation issues, including any statements of significance, archaeological or cultural assessments, recommendations or approvals by suitably qualified and experienced heritage practitioners (particularly where an item is listed by Heritage New Zealand and/or is an archaeological site requiring an 'Authority to Modify').
11. Whether the activity meets the policies of any conservation plan and heritage inventory relating to the built heritage item.
12. The extent to which the activity accords with the general principles of the International Council on Monuments and Sites (ICOMOS) New Zealand Charter (revised 2010.)
13. The extent to which the activity contributes to, or encourages, the long term viability and/or ongoing functional use of the item or site.

Note:

1. *In addition to the preceding rules and assessment criteria, Council may also implement the following non-statutory methods in giving effect to the objectives and policies comprised in Chapter HH.*
 - a. *Non-statutory guidance to supplement statutory information requirements detailed in HH-P5, such as:*
 - i. *An overarching, district-wide Heritage Strategy consolidating statutory and non-statutory heritage issues and actions, and Council heritage policies, priorities and timeframes.*
 - ii. *A comprehensive non-statutory inventory of information on scheduled heritage items to supplement the details in the District Plan Historic Heritage Schedules.*
 - iii. *Guidelines for the public on the location, significance and history of scheduled historic heritage, including historic areas.*
 - iv. *Guidelines for owners of heritage properties on repair, maintenance and painting (including appropriate colour schemes) of scheduled built heritage items.*
 - v. *Guidelines on obtaining access to heritage funding (internal and external sources).*
 - vi. *Advice on the sourcing of additional heritage information held by Council including library literary, photographic and genealogical services and collections, cemetery records, museums and art galleries.*
 - b. *Adoption of less formal, non-regulatory approaches to recounting the District's stories of the past, in conjunction with traditional heritage protection, including:*
 - i. *Design and funding of 'sense of place' initiatives (such as plaques, sign boards, heritage walks or trails, commemorative structures, and events).*
 - ii. *Promoting the Waterfront as a cultural/heritage precinct.*
 - iii. *Exploring and promoting the benefits of heritage tourism to the District.*
 - iv. *Supporting community groups managing and/or maintaining built heritage items, including public buildings and major structures.*
 - v. *Encouraging sponsorship of historic heritage where this does not adversely impact on heritage or amenity values.*

- vi. *Identifying areas, items or themes of heritage interest through community engagement in structure plans.*
- c. *Possible use of economic instruments reflecting the role and demands of owners of historic heritage resources in conserving historic heritage for public benefit, such as:*
 - i. *Heritage funding (such as maintenance grants).*
 - ii. *Resource consent fee reductions or waivers, particularly where consent is required solely for remedial or maintenance works to historic heritage.*
 - iii. *Rates relief.*

Note:

1. *The adoption of non-statutory implementation methods may be dependent on the priorities and timeframes of the Whangarei District Growth Strategy 30/50 Implementation Plan and availability of funding under Council's Long Term and Annual Plans.*

HH Appendix 1 - Schedule of Built Heritage Items

The Schedule below contains details of **Built Heritage** Items (**buildings**, **major structures**, **sites** and objects) and historic areas indicated on the District Wide Matters Map series. Works to items included in this Schedule as well as **subdivision** or development proposals in proximity to these items, (including adjacent **sites**), may be subject to the objectives, policies, rules and other provisions detailed in this Chapter.

Where individual **built heritage** items are also collectively scheduled as historic areas, these are recorded in HH-BH-SCHED3 – **Scheduled Historic Areas** (refer *Table HH 3*).

The second column in the Schedules (refer *Tables HH 1-4*) provides reference numbers of items also included in the New Zealand Heritage List (Rārangī Kōrero) administered by Heritage New Zealand. Applicants seeking to undertake works affecting items listed by both Heritage New Zealand and Whangarei District Council are encouraged to seek advice from Heritage New Zealand prior to seeking resource consent from Whangarei District Council (if required).

Where the interiors of Group B **built heritage** items are scheduled in HH-BH-SCHED2 – Group B **Scheduled Built Heritage** items (refer *Table HH 2*), they are annotated by an asterisk (*) in column 1 of the table.

Details of interiors of Group B **buildings**, where Scheduled, are included in HH-BH-SCHED4 – Details of Scheduled Group B Interiors of this Schedule.

HH-BH-SCHED1 - Group A Scheduled Built Heritage Items

Refer Heritage Item Overlay on the District-Wide Matters Maps.

Table HH 1: HH-BH-SCHED1 - Group A Scheduled Built Heritage items

Site ID	HNZPT List No	Built Heritage Item	Site Address	Legal Description	District Plan Map
1	3921	Glanville House	25 Manse Street, Whangarei	Lot 2 DP 396341	10, 62
2		Hanlon's House	46 Kamo Road, Whangarei	Lot 4 DP 53575	10, 63
3	3829	Kensington Park Grandstand	Park Avenue, Whangarei	Section 2 SO 515828	10, 62
4	480	Reyburn House	17 Reyburn House Lane, Whangārei	Lot 2 DP 109637 (RT NA61C/998), North Auckland Land District	10, 67, 68
5		Home Point Battery	Bream Head Scenic Reserve, Ocean Beach Road, Whangarei	Lot 1 Allot 16 PSH OF Manaia	14, 39

HH-BH-SCHED2 - Group B Scheduled Built Heritage Items

Refer Heritage Item Overlay on the District-Wide Matters Maps.

Table HH 2: HH-BH-SCHED2 - Group B Scheduled Built Heritage Items

Site ID	HNZPT List No	Built Heritage Item	Site Address	Legal Description	District Plan Map
100	2588	Aubrey House	13 Norfolk Avenue, McLeod Bay, Whangarei	Lot 2 DP 75389	14, 38

Site ID	HNZPT List No	Built Heritage Item	Site Address	Legal Description	District Plan Map
101	3924	Barn Two-Storey, Wooden	321 Ngunguru Road, Glenbervie, Whangarei	Part Huanui Block	10, 56
102		BNZ Building	7 King Street, Hikurangi	Part Lot 23 DP 18252	7, 52
103		Carruth House	144 Puriri Park Road, Maunu, Whangarei	Lot 1 DP 351492	10, 72
104		Christ Church, Anglican	656 Ormandy Road, Mangapai	Part Lot 1 Sec 3 PSH OF Mangapai	13, 83
105	465	Church	Apotu Road, Kamo	Part Allot 23B PSH OF Whangarei	10, 53
106	464	Church	Stuart Road, McLeod Bay, Whangarei	Part Lot 6 DEEDS W 34	14, 38
107	478	Clarke Homestead	500 State Highway 14, Maunu	Pt Lot 3 DP 13587	10, 71
108		Colonial House	4 Domain Road, Onerahi, Whangarei	Part Allot 34 TN OF Grahamtown	13, 76
109		LU1500074 granted for demolition 6/07/15.	*		
110		Cubitt's House	11 Mill Road, Whangarei	Lot 2 DP 43654	10, 63
111		Dalhousie (house)	113 Hatea Drive, Whangarei	Lot 59 DEEDS W 47/2	10, 63
112		Dobbies Fruit Tunnel	41A Lovatt Crescent, Whangarei	Allotment 138 PSH OF Whangarei	10, 63
113	3925	Douglas Stone Barn	264 Ngunguru Road, Whangarei	Lot 1 DP 488323	10, 56
114		Eureka (house)	12 Tanekaha Drive, Whangarei	Lot 2 DP 50027	10, 67
115	3929	Hutchinson Farmhouse (Former)	321 Ngunguru Road, Glenbervie, Whangarei	Part Huanui Block	10, 56
116	3919	Gorrie House	15 Cross Street, Whangarei	Lot 1 DP 175905	10, 63
117		Hatea (house)	52 Hatea Drive, Whangarei	Lot 1 DP 470739	10, 63
118		Hikurangi Courthouse / Lockup	18 George Street, Hikurangi	Lot 1 DP 152623	7, 52
119	2589	Hikurangi Hotel	16-18 King Street, Hikurangi	Lot 22 DP 17558	7, 52
120		Hikurangi Library	10 King Street, Hikurangi	Lot 1 DP 123685	7, 52
121		House	1 View Road, Hikurangi	Lot 1 DP 84534	7, 52
122	3915	House	12 Aubrey Street, Whangarei	Lot 1 DP 101542	10, 67
123	3917	House	12 Cross Street, Whangarei	Part Allot 1 PSH OF Whangarei	10, 63
124	3920	House	13 Manse Street, Whangarei	Lot 1 DP 31204	10, 63
125	3918	House	14 Cross Street, Whangarei	Lot 1 DP 189914	10, 63

Site ID	HNZPT List No	Built Heritage Item	Site Address	Legal Description	District Plan Map
126	3916	House	19 Aubrey Street, Whangarei	Part Allot 1 PSH OF Whangarei	10, 67
127		House	16 Waro Drive, Hikurangi	Lot 2 DP 165305	7, 52
128		House	45 George Street, Hikurangi	Lot 1 DP 97088	7, 52
129		House	82A Valley Road, Hikurangi	Lot 3 DP 2104	7, 52
130		House	85 George Street, Hikurangi	Lot 1 DP 156426	7, 52
131		House	85 King Street, Hikurangi	Lot 32 DEEDS C 108	7, 52
132		House	35 King Street, Hikurangi	Part Lot 10 DEEDS W 42/1	7, 52
133	3922	Keyte's Barn	19 Aubrey Street, Whangarei	Part Allot 1 PSH of Whangarei	10, 67
134		King Street Bakeries	45 King Street Hikurangi	Lot 8 DEEDS W 42/1	7, 52
135	7539	Library	7 Rust Avenue, Whangarei	Lot 1 DP 95384	10, 66, 68
136	3923	Lupton House	555 Ngunguru Road, Whangarei	Lot 2 DP 95907	10
137		Mair's Blacksmith's Shop	Rurumoki Street, Whangarei	Lot 3 DP107859	10, 63
138	7003	Marsden Place Number 2 House	2 Marsden Place, Whangarei	Lot 21 DP45979	10, 63
139	3926	McDonald House	388 Maunu Road, Whangarei	Allot 5 Pukenui No 1 BLK	10, 66
140	7288	Mitchell House	102 Vinegar Hill Road, Kamo, Whangarei	Lot 3 DP 172959	10, 60
141		Moehau (house)	7 Tuatara Drive, Kamo, Whangarei	Lot 5 DP 44343	10, 58, 59
142	479	Public Trust Office (former)	69 Bank Street, Whangarei	Part Allot 1 PSH OF Whangarei	10, 66, 68
143	3927	National Bank (former)	2 Nova Scotia Drive, Waipu	Lot 1 DP 46683	20, 48
144	3928	Nova Scotian Settlers Memorial	The Centre, Waipu	The <u>road</u> beside Lot 12 DP 17815	20, 48
145		Offices	140 Bank Street, Whangarei	Lot 1 DP 89147	10, 67
146		Offices	142 Bank Street, Whangarei	Lot 6 DP 23815	10, 67
147		Old Flour Mill & Brewery	Millers Lane, Whangarei	Part Lot 2 DP 4903	10, 63
148		Old Municipal Chambers	71 Bank Street, Whangarei	Part DP 7544	10, 66, 68
149		Old Onerahi Post Office	9 Domain Road, Whangarei	Lot 1 DP 55292	13, 76
150		Old School House	23 Station Road, Kamo, Whangarei	Allotment 136 TN OF Kamo	10, 58, 59

Site ID	HNZPT List No	Built Heritage Item	Site Address	Legal Description	District Plan Map
151		Ornate Villa	17 Mair Street, Whangarei	Lot 3 DP 49981	10, 63
152	3291	Oruaiti Chapel	Northland Regional Museum, 500 State Highway 14, Maunu, Whangarei	Pt Lot 3 DP 13587	10, 71
153	3930	Cell Block	36 The Centre, Waipu	Lot 1 DP 42345	20, 48
154	3933	Fraser/McKenzie House	90 Glenmohr Road, The Braigh, Waipu	Lot 1 DP 125679	20
155		Springhead (House)	55 Russell Road, Whangarei	Lot 1 DP 126790	10, 62
156		Stone Bridge	A – 37 Tuatara Drive, Kamo, Whangarei	Lot 59 DP 44008	10, 58,59
157	3931	Stone Stable & Implement Shed	321 Ngunguru Road, Glenbervie	Part Huanui Block	10, 56
158	3932	Stuart House	23 Stuart Road, McLeods Bay, Whangarei	Lot 3 DP 320872	14, 38
159		Plunket Rooms (former)	Cafier Park, Water Street, Whangarei	Lot 11 DP 10925	10, 66,68
160	3934	World War One Memorial	The Centre, Waipu	Adjacent to Lot 12 DP 17815	20, 48
162	3930	Police Station (former)	4-10 Cove Road, Waipu	Lot 1 DP 172235	20, 48
163	7473	Harding Army Hall	98-102 Walton Street, Whangarei	Lot 1 DP 199490	10, 67, 68
164	7003	Marsden Place House Number 4	4 Marsden Place, Whangarei	Lot 20 DP 38123	10, 63
165	7003	Marsden Place House Number 6	6 Marsden Place, Whangarei	Lot 19 DP 53676	10, 63
166	7003	Marsden Place House Number 8	8 Marsden Place, Whangarei	Lot 18 DP 53676	10, 63
167	7646	Whangarei Railway Station (former)	Railway Road, Whangarei	Lot 2 DP 510847	10, 67, 68
168	7744	Railway House (former)	4 Railway Terrace (Pvt), Morningside, Whangarei	Lot 16 DP 135362 Refer note under key above	10, 67
169	7745	Railway House (former)	6 Railway Terrace (Pvt), Morningside, Whangarei	Lot 17 DP 135362 Refer note under key above	10, 67
170	9671	Butter Factory (former)	84-88 Bank Street, Whangarei	Pt Lot 2 DP 22980	10, 67, 68

HH-BH-SCHED3 - Scheduled Historic Areas

Refer Heritage Area Overlay on the District-Wide Matters Maps.

Table HH 3: HH-BH-SCHED3 - Scheduled Historic Areas

Site ID	HNZPT List No	Built Heritage Item	Site Address	Legal Description	District Plan Map
HA/1	7003	Marsden Place Historic Area	2-8 Marsden Place, Mairtown	Refer below	38
138	7003	2 Marsden Place		Lot 21 DP 45979	38
164	7003	4 Marsden Place		Lot 20 DP 38123	38
165	7003	6 Marsden Place		Lot 19 DP 53676	38
166	7003	8 Marsden Place		Lot 18 DP 53676	38

HH-BH-SCHED4 - Details of Scheduled Group B Interiors

Table HH 4: HH-BH-SCHED4 - Details of Scheduled Group B Interiors

Site ID	HNZPT List No	Built Heritage Item	Site Address	Legal Description	District Plan Map
-	-	-	-	-	-

Notable Trees (TREE)

Issues

Trees provide a significant contribution to the amenity, historical and ecological values of the District. This is particularly so in urban areas where the ongoing demand for land development can threaten the existence of established trees.

Trees, whether individually or collectively, can have a number of positive effects on the environment. These include:

- A heritage and natural environmental legacy for current and future generations.
- Providing a habitat and food source for birds, insects and other wildlife.
- Providing shelter from the elements by providing shade, reducing glare and reducing the heat island effect.
- Improving the quality of waterways by filtering polluting particulates.
- Avoidance or mitigation of the effects of natural hazards, such as landslips and erosion by intercepting and reducing runoff and soil erosion.
- Absorbing carbon dioxide, releasing oxygen, and capturing and removing particulate matter and dust from the air.
- Providing a sense of place that contributes to character and local identity.
- Calming traffic, slowing speeds and providing a buffer between pedestrians and cars.
- Contributing to public health and well-being.

Council and landowners have a role in management and responsibility for Notable Trees. Trees can have adverse effects on people and property, which can include limb failure or tree collapse, leaf drop, shading, increased building maintenance, root invasion, fire risk, and health and safety. Individual trees and groups of trees that are considered to be among the most significant trees in Whangārei are scheduled in this chapter in order to protect the benefits they provide for current and future generations. These trees have been specifically identified as “Notable Trees” using the Standard Tree Evaluation Method (STEM™) (Flook, R. 1996: A Standard Tree Evaluation Method, published by Ron Flook, Lower Hutt, New Zealand). This takes into account a number of factors, with each factor scored in accordance with the STEM™ methodology and an overall score provided determining the status of the tree or trees as Notable Trees. Notable Trees are identified on the planning maps. The majority of scheduled Notable Trees are located on private land. A number of Notable Trees are also located in road reserves, parks and reserves.

Trees over a certain size in road reserves, parks and reserves are referred to throughout this chapter as “public trees”. Public trees make the streetscape more appealing while improving pedestrian amenity and public health. These trees also provide an important environmental function in terms of storing carbon, providing habitat and food for wildlife, improving air quality and providing ecological and amenity values. However, road reserves, parks and reserves facilitate a wide range of uses which can conflict with the presence of trees. For instance, road reserves contain critical underground and network utility infrastructure and sometimes, conflict can occur between trees and these assets. As such the protection of public trees in road reserves, parks and reserves need to be balanced with these competing uses.

Future subdivision and development needs to consider how to accommodate existing and new trees and vegetation that contribute to ecological and amenity values, especially in new road reserves, parks and reserves. This may require careful consideration of where trees are planted, in relation to existing and planned infrastructure and network utilities. Council encourages the use of indigenous trees and vegetation in road reserves, parks and reserves and private land.

Notes:

1. The following provisions shall apply district-wide in addition to any other provisions in the District Plan applicable to the same area or site.
2. Where a tree or group of trees has been identified as a Notable Tree in TREE-SCHED1 – Schedule of Notable Trees and is located in a road reserve, park or reserve, the rules relating to Notable Trees shall take precedence.

Refer to TREE-SCHED1 below for the Schedule of Notable Trees.

Objectives

TREE-O1 Notable Trees

Notable trees and notable groups of trees with significant amenity, historical or ecological values are maintained, retained and protected from inappropriate subdivision, land use and development.

TREE-O2 Public Trees

Public trees in road reserves, parks and reserves are protected and maintained where they positively contribute to amenity, historical or ecological values, while enabling the safe and efficient use, development, maintenance, operation and upgrading of the roading network and network utilities.

TREE-O3 Providing for Existing and New Trees

Future subdivision, use and development appropriately provides for existing and new trees that contribute to amenity, historical or ecological values, ensuring that any design can accommodate such trees, whilst recognising the need to avoid future conflicts with roading and network utility infrastructure.

Policies

TREE-P1 Notable Trees

To require that notable trees and notable groups of trees are maintained, retained and protected from inappropriate subdivision, land use and development by:

1. Identifying and scheduling notable trees and notable groups of trees by applying the STEM™ criteria in Criteria for Notable Tree Classification in TREE – Appendix 1.
2. Ensuring that subdivision, land use or development does not result in the inappropriate removal of notable trees or notable groups of trees, or have adverse effects on the life of the tree or identified significant amenity, historical or ecological.
3. Enabling pruning and maintenance of notable trees and notable groups of trees in accordance with arboricultural best practice where works are necessary to:
 - a. Safeguard life or property; or
 - b. Manage adverse effects on people and property; or
 - c. Provide for the safe and efficient use and operation of the roading network or network utilities; or
 - d. Ensure the ongoing health, wellbeing and longevity of the tree or group of trees.
4. Providing education and advice to encourage the protection of notable trees and notable groups of trees.
5. Requiring future subdivision, land use or development to respond to, accommodate and protect notable trees and notable groups of trees.

6. Recognising that the removal of an identified notable tree or notable groups of trees may be appropriate if:
 - a. It is demonstrated that there is a risk to human health and/or property, or the safe and efficient operation of the roading network or network utility infrastructure, based on a risk assessment.
 - b. It is demonstrated that there is no practicable alternative to the removal.
 - c. Where necessary, an assessment is provided of suitable mitigation or offset for the removal.
7. Managing identified notable trees to avoid, or where avoidance is not possible, contain or control, the spread of plant pathogens.

TREE-P2 Public Trees

To require the protection of public trees in road reserves, parks and reserves while providing for the safe and efficient development, operation, use, maintenance and upgrading of infrastructure, network utilities and the road network by:

1. Providing protection to public trees over a certain size in road reserves, parks and reserves.
2. Enabling the ongoing maintenance of public trees in road reserves, parks and reserves, while ensuring that tree selection and location recognises existing uses and adjoining landowners.
3. Encouraging the use of indigenous trees and vegetation, where appropriate, for planting within road reserves, parks and reserves, to recognise amenity and ecological values.
4. Enabling appropriate works to public trees to provide for the safe and efficient operation, use, maintenance and upgrading of network utilities.
5. Recognising that the removal of any protected public trees may be appropriate if:
 - a. It is demonstrated that the tree or trees would not meet the threshold for protection pursuant to the STEM™ Criteria for Notable Tree Classification in TREE – Appendix 1.
 - b. It is demonstrated that there is a risk to human health and/or property, or the safe and efficient operation of the roading network or network utility infrastructure, based on a risk assessment.
 - c. It is demonstrated that there is no practicable alternative to the removal.
 - d. Where necessary, an assessment is provided of suitable mitigation or offset for the removal.
6. Managing protected public trees to avoid, or where avoidance is not possible, contain or control, the spread of plant pathogens.

TREE-P3 Recognising and Providing for Existing and New Trees

To recognise and provide for existing and new trees when designing future subdivision and development by:

1. Identifying existing trees on sites or in new road reserves, parks and reserves which meet the Criteria for Notable Tree Classification in TREE – Appendix 1 and requiring the design of subdivision and development to respond to, and where appropriate schedule, these identified trees.
2. Assessing the need for new trees to contribute to the amenity, historical or ecological values of the neighbourhood.
3. Encouraging the use of indigenous trees and vegetation for planting, where appropriate, to recognise amenity, cultural and ecological values.
4. Recognising the need to avoid future conflicts with roading, network utility infrastructure and the health and safety of people and property.

Rules

TREE-R1 Pruning or Maintenance of any Notable Tree

Activity Status: Permitted

Where:

1. The pruning or maintenance of any Notable Tree listed in TREE-SCHED1 which is:
 - a. Required for the removal of broken, dead, dying or diseased wood; or
 - b. Undertaken in accordance with arboricultural best practice where:
 - i. The maximum branch diameter does not exceed 200mm at severance;
 - ii. No more than 20% of live growth of the tree is removed in any 12 month period, excluding pruning or maintenance undertaken in accordance with TREE-R1.1(d); and
 - iii. The ongoing health, wellbeing and longevity of the tree is maintained; or
 - c. Based on a risk assessment from a qualified arborist, is required as emergency tree works; or
 - d. Undertaken by a qualified arborist on behalf of a network utility operator or landowner where branches are interfering, or are likely to interfere within the next 12 months, with overhead wires or network utilities and the pruning or maintenance is required in order to maintain the security of an existing supply, to restore power or telecommunication infrastructure or to comply with the Electricity (Hazards from Trees) Regulations 2003; and
 - e. Notified in writing to Whangarei District Council at least five working days prior to the tree works being undertaken, with the exception of tree works in clause c. and d. above.

Activity Status when compliance with TREE-R1.1 not achieved: Controlled

Where:

1. The pruning or maintenance of any Notable Tree listed in TREE-SCHED1 which is undertaken by a qualified arborist:
 - a. Is for the purposes of ensuring the safety of people or avoiding damage to property; and
 - b. Is no more than one third of the live growth of the tree is removed in any 12 month period, excluding pruning or maintenance undertaken in accordance with TREE-R1.1(d); and
 - c. Is undertaken in a manner than ensures the ongoing health, wellbeing and longevity of the tree.

Matters of Control:

1. The nature and extent of pruning or maintenance required to ensure the safety of people and/or avoid damage to property; and
2. Measures to ensure:
 - a. The ongoing health, wellbeing and longevity of the tree; and
 - b. The ongoing maintenance of the tree.

Notes:

1. *Information requirement rule TREE-REQ1 shall apply.*
2. *Applications shall not require written consent of affected persons and shall not be notified or limited notified.*

Activity Status when compliance is not achieved with TREE-R1.1 and the activity is not a Controlled activity: Restricted Discretionary

Matters of discretion:

1. Alternative methods to avoid the pruning of the tree or trees.
2. The specific historical, ecological or amenity values of the tree or trees.
3. Mitigation, offset or compensation for the environmental values that the tree or trees provide.
4. The ongoing health, wellbeing and longevity of the tree or trees.
5. The actual and potential risk of damage to people and property from the tree or trees.
6. Methods to contain and control plant pathogens and diseases including measures for preventing the spread of soil and the safe disposal of plant material.
7. The functional need and operational need of infrastructure and network utilities.
8. Consistency with best arboricultural practices.

Non-Notification:

1. *Any restricted discretionary activity application shall not require written consent of affected persons and shall not be notified or limited-notified.*

TREE-R2 Works within the Root Zone of any Notable Tree

Activity Status: Permitted

Where:

1. Construction or alteration of any structure, excavation of land, compaction of soil or formation of any new impervious surfaces, within the root zone of a Notable Tree listed in TREE-SCHED1 where:
 - a. The works are thrusting to a depth of greater than 650mm for the installation of network utilities supervised by a qualified arborist.
 - b. Not within three times the radius of the canopy root zone of a New Zealand Kauri Tree (*agathis australis*).

Activity Status when compliance not achieved: Restricted Discretionary

Matters of Discretion:

1. Alternative methods to avoid the pruning of the tree or trees.
2. The specific historical, ecological or amenity values of the tree or trees.
3. Mitigation, offset or compensation for the environmental values that the tree or trees provide.
4. The ongoing health, wellbeing and longevity of the tree or trees.
5. The actual and potential risk of damage to people and property from the tree or trees.
6. Methods to contain and control plant pathogens and diseases including measures for preventing the spread of soil and the safe disposal of plant material.
7. The functional need and operational need of infrastructure and network utilities.
8. Consistency with best arboricultural practices.

Non-Notification:

1. *Any restricted discretionary activity application shall not require written consent of affected persons and shall not be notified or limited-notified.*

TREE-R3 Removal of a Notable Tree

Activity Status: Permitted

Where:

1. The removal is of a Notable Tree listed in TREE-SCHED1 which is:
 - a. A dead tree based on an assessment from a qualified arborist; or
 - b. Based on a risk assessment from a qualified arborist, is required as emergency tree works.

Activity Status when compliance not achieved: Discretionary

Note:

1. Information requirement rule TREE-REQ2 shall apply.

TREE-R4 Pruning or Maintenance of any Public Tree

Activity Status: Permitted

Where:

1. The pruning or maintenance of any public tree which is:
 - a. Required for the removal of broken, dead, dying or diseased wood; or
 - b. Undertaken in accordance with arboricultural best practice where:
 - i. The maximum branch diameter does not exceed 200mm at severance;
 - ii. No more than one third of the live growth of the tree is removed in any 12 month period; and
 - iii. The ongoing health, wellbeing and longevity of the tree is maintained; or
 - c. Emergency tree works undertaken by the Whangarei District Council, Northland Regional Council, network utility operator or their authorised representative; or
 - d. Undertaken, or authorised, by a network utility operator, where branches are compromising the safe and efficient operation, maintenance and upgrade of overhead wires or network utilities and the pruning or maintenance is required to maintain the security of an existing supply, to restore power or telecommunication infrastructure or to comply with the Electricity (Hazards from Trees) Regulations 2003; or
 - e. Undertaken, or authorised, by a road controlling authority where it is required to maintain the visibility of road safety signage, maintain road lighting, maintain vehicle sight lines for traffic safety or to maintain legal clearance height and width above the road carriageway.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of Discretion:

1. Alternative methods to avoid the pruning of the tree or trees.
2. The specific historical, ecological or amenity values of the tree or trees.
3. Mitigation, offset or compensation for the environmental values that the tree or trees provide.
4. The ongoing health, wellbeing and longevity of the tree or trees.
5. The actual and potential risk of damage to people and property from the tree or trees.
6. Methods to contain and control plant pathogens and diseases including measures for preventing the spread of soil and the safe disposal of plant material.
7. The functional need and operational need of infrastructure and network utilities.
8. Consistency with best arboricultural practices.

Non-Notification:

1. *Any restricted discretionary activity application shall not require written consent of affected persons and shall not be notified or limited-notified.*

TREE-R5 Works within the Root Zone of any Public Tree

Activity Status: Permitted

Where:

1. Construction or alteration of any structure, excavation of land, compaction of soil or formation of any new impervious surfaces within the root zone of any public tree where the works are:
 - a. Thrusting to a depth of greater than 650mm for the installation of network utilities supervised by a qualified arborist; or
 - b. Undertaken, or authorised by a network utility operator, or road controlling authority, where it is required for maintenance or renewal of existing infrastructure and utilities including:
 - i. Repairs to existing footpaths;
 - ii. Repairs to existing kerbs and channels;
 - iii. Fixing potholes or patches; or
 - iv. Resurfacing of existing roads.
 - c. Undertaken or authorised by the Council and supervised by a qualified arborist, where it is required for the construction, maintenance, or renewal of general public amenities, excluding new buildings.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of Discretion:

1. Alternative methods to avoid the pruning of the tree or trees.
2. The specific historical, ecological or amenity values of the tree or trees.
3. Mitigation, offset or compensation for the environmental values that the tree or trees provide.
4. The ongoing health, wellbeing and longevity of the tree or trees.
5. The actual and potential risk of damage to people and property from the tree or trees.
6. Methods to contain and control plant pathogens and diseases including measures for preventing the spread of soil and the safe disposal of plant material.
7. The functional need and operational need of infrastructure and network utilities.
8. Consistency with best arboricultural practices.

Non-Notification:

1. *Any restricted discretionary activity application shall not require written consent of affected persons and shall not be notified or limited-notified.*

TREE-R6 Removal of any Public Tree

Activity Status: Permitted

Where:

1. The removal of any public tree which is:
 - a. A dead tree or a diseased tree with no chance of recovery based on an assessment from a qualified arborist; or
 - b. Emergency tree works undertaken by Whangarei District Council, Northland Regional Council network utility operator or their authorised representative; or

- c. Located within a road reserve with a road speed environment greater than 50 km/ph and is undertaken, or authorised, by a local authority, a road controlling authority, or network utility operator where:
 - i. It is required to provide for the safe use and operation of the road network; or
 - ii. It is required for the safe and efficient operation, maintenance or upgrade of overhead or underground network utilities; or
- d. Located within a road reserve with a road speed environment less than 50 km/ph and is undertaken, or authorised, by a road controlling authority, or network utility operator where:
 - i. It is required for the safe and efficient operation, maintenance or upgrade of overhead or underground network utilities.

Activity Status when compliance not achieved: Discretionary

Note:

1. *Information requirement rule TREE-REQ2 shall apply.*

TREE-R7 Subdivision where the Land Contains a Notable Tree or a Public Tree

Activity Status: Controlled

Where:

1. The land contains a Notable Tree listed in TREE-SCHED1 or a public tree which is able to locate a building platform of at least 100m², accessway(s) and associated services outside of the root zone of the identified tree or group of trees.
2. The subdivision does not result in the root zone of a Notable Tree listed in TREE-SCHED1 being located on more than one site.

Activity Status when compliance not achieved: Discretionary

Note:

1. *Information requirement rule TREE-REQ2 shall apply.*

Information Requirement Rules

TREE-REQ1 TREE-R1 Controlled Activities

1. Applications must include a plan and/or description of the proposed pruning or maintenance prepared by a qualified arborist

TREE-REQ2 Land Use and Subdivision

1. When assessing discretionary applications the assessment shall include (but is not limited to):
 - a. The extent to which alternative methods to avoid the pruning or removal of the tree or trees have been considered.
 - b. Consideration of the specific historical, ecological or amenity values of the tree or trees and whether effects on these values can be minimised or avoided.
 - c. The degree to which any proposed mitigation adequately compensates for the values that the tree or trees provide.
 - d. Whether any impact on the immediate or long term-health and stability of the tree or trees is able to be minimised or avoided.

- e. The actual and potential risk of actual damage to people and property from the tree or trees.
- f. Methods to contain and control plant pathogens and diseases including measures for preventing the spread of soil and the safe disposal of plant material.
- g. The provision of a tree works plan to address the effects of the works on the tree or trees and outlining the proposed methods to be used.
- h. The functional need and operational need of infrastructure and network utilities.
- i. Consistency with best arboricultural practices including consideration of the need for the direction and supervision by an on-site monitoring arborist while the works are being carried out
- j. When subdividing land containing a Notable Tree or protected public tree, the ability for reasonably anticipated future development to occur in a manner which does not adversely affect the health and retention of the tree or group of trees.

TREE Appendix 1 - Schedule of Notable Trees

Notable Tree Classification

To provide a basis for regulatory measures to protect trees of significant amenity, historical or ecological values, selection and listing of Notable Trees in TREE-SCHED1 – Schedule of Notable Trees below, have been assessed against the Standard Tree Evaluation Method (STEM™)¹. A total score is calculated for each tree in accordance with the STEM™ criteria with trees scoring 100 points or greater being listed as Notable Trees.

Consideration of any additional tree or group of trees for classification as Notable Trees shall also be assessed against the STEM™ criteria. Any tree which scores 100 points or greater can be considered for listing as a Notable Tree in Table TREE 1 of this Appendix.

TREE-SCHED1 – Schedule of Notable Trees

This schedule contains details of Notable Trees identified on the Planning Maps. Trees within the table below have been identified in accordance with the assessment criteria for Notable Tree Classification. The assessment criteria and rules relating to these trees are provided the Notable Trees (TREE) Chapter.

Table TREE 1: TREE-SCHED1 – Schedule of Notable Trees

TREE-SCHED1 – Schedule of Notable Trees						
Site ID	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	District Plan Map
200	Taraire	Beilschmiedia tarairi	102	89 Crawford Crescent, Kamo	Lot 1 DP 65923	10, 58, 59
201	Taraire	Beilschmiedia tarairi	144	89A Crawford Crescent, Kamo	Lot 2 DP 65923	10, 58, 59
202	Taraire (2)	Beilschmiedia tarairi	150	47 Three Mile Bush Road, Kamo	Lot 78 DP 51732	10, 58, 59
203	Puriri	Vitex lucens	123	14 Barclay Place, Kamo	Lot 14 DP 62193	10, 58, 59
205	Puriri	Vitex lucens	126	34 Puriri Street, Kamo	Lot 1 DP 131477	10, 58
206	Illawarra Flame Tree	Brachychiton acerifolium	105	17 Puriri Street, Kamo	Part Lot 9 DEEDS W 72	10, 58, 59
207	English Oak (8)	Quercus robur	126	20 Grant Street, Kamo	Part Allot 126 TN OF Kamo	10, 58, 59
208	Southern Magnolia	Magnolia grandiflora	114	421 Kamo Road, Kamo	Lot 1 DP 57301	10, 58
210	Taraire	Beilschmiedia tarairi	120	58 Fisher Terrace, Kamo	Lot 66 DP 58330	10, 58, 59
211	Puriri	Vitex lucens	108	77 Fisher Terrace, Kamo	Lot 80 DP 58330	10, 58, 59
212	Puriri	Vitex lucens	114	57A Fisher Terrace, Kamo	Lot 2 DP 160104	10, 58, 59

¹ Flook, R. 1996: A Standard Tree Evaluation Method, published by Ron Flook, Lower Hutt, New Zealand.

TREE-SCHED1 – Schedule of Notable Trees						
214	Sentry Palm	Howea forsteriana	108	351 Kamo Road, Whangārei	Lot 1 DP 162376	10, 58
217	Maidenhair Tree	Ginkgo biloba	126	20 Whau Valley Road, Whangārei	Lot 1 DP 28355	10, 62
220	Illawara Flame Tree	Brachychiton acerifolium	102	59 Whau Valley Road, Whangārei	Lot 2 DP 77269	10, 62
223	Tulip Tree	Liriodendron tulipifera	102	34 Bedlington Street, Whangārei	Lot 4 DP 35518	10, 62
224	Pohutukawa; Titoki	Metrosideros excelsa; Alectryon excelsus	126 102	162 Kamo Road, Whangārei	Lot 1 DP 58120	10, 62
226	Camphor Laurel; Jacaranda	Cinnamomum camphora; Jacaranda mimosaeifolia	114 108	17 Moody Avenue, Whangārei	Lot 2 DP 61116	10, 62
228	Rimu (7); Kauri (2); Japanese Maple; Jacaranda	Dacrydium cupressinum; Agathis australis; Acer palmatum; Jacaranda mimosaeifolia	126 102 111 108	19 and 21 Moody Avenue, Whangārei	Lot 1 DP 61116 and Lot 28 DP 17834	10, 62
229	Camphor Laurel	Cinnamomum camphora	120	27 Moody Avenue, Whangārei	Part Lot 1 DP 75180	10, 62
230	Camphor Laurel	Cinnamomum camphora	108	31 Moody Avenue, Whangārei	Part Lot 4 DP 45519	10, 62
236	Totara (2); Karaka; Puriri; Kohekohe; Nikau; Puriri	Podocarpus totara; Corynocarpus laevigatus; Vitex lucens; Dysoxylum spectabile; Rhopalostylis sapida; Vitex lucens	114 score for stand	Wairau Drive, Whangārei	Lot 501 DP 466701	10, 58
244	Puriri	Vitex lucens	114	33 Kiripaka Road, Whangārei	Lot 1 DP 43988	10, 63
245	Totara (2)	Podocarpus totara	114	40 Tapper Crescent, Whangārei	Lot 39 DP 72561	10, 60
246	Pohutukawa; Red Oak; Puriri	Metrosideros excelsa; Quercus rubra; Vitex lucens	111 111 102	194 Corks Road, Whangārei	Part Allot 108 PSH OF Whangārei & Part Allot 109 PSH OF Whangārei	10, 60

TREE-SCHED1 – Schedule of Notable Trees						
247	Totara	Podocarpus totara	120	17 Meadow Park Crescent, Whangārei	Lot 115 DP 58121	10, 60
248	Totara	Podocarpus totara	105	54 Boundary Road, Whangārei	Lot 5 DP 61344	10, 60
250	Totara (2)	Podocarpus totara	114	5 Kea Place, Whangārei	Lot 2 DP 70523	10, 66
251	Totara	Podocarpus totara	120	3 Kea Place, Whangārei	Lot 10 DP 62276	10, 66
252	Totara	Podocarpus totara	114	8 Kea Place, Whangārei	Lot 16 DP 62276	10, 66
253	Kauri	Agathis australis	114	120A Maunu Road	Lot 2 DP 347018	10, 66
255	English Oak	Quercus robur	120	85 Fourth Avenue, Whangārei	Part Lot 2 DP 14650	10, 66
257	English Oak	Quercus robur	105	83B Fourth Avenue, Whangārei	Lot 2 DP 433320	10, 66
258	English Oak	Quercus robur	114	14 Kirikiri Road	Lot 10 DP 203278	10, 66
262	Pohutukawa	Metrosideros excelsa	102	41A Kauika Road	Lot 1 DP 202399	10, 66
265	English Oak	Quercus robur	120	397 Western Hills Drive, Whangārei	Lot 2 DP 178081	10, 66
266	English Oak	Quercus robur	114	82 Maunu Road, Whangārei	Lot 3 DP 341875	10, 66
268	Totara	Podocarpus totara	108	38 Third Avenue, Whangārei	Lot 2 DP 422415	10, 66
269	Totara	Podocarpus totara	114	48 Maunu Road, Whangārei	Lot 2 DP 123891	10, 66
272	Michelia	Michelia doltsopa	105	35 Russell Road, Whangārei	Lot 2 DP 35158	10, 62
273	Kauri (2); Southern Magnolia	Agathis australis; Magnolia grandiflora	114 114	1 Russell Road, Whangārei	Lot 2 DP 408665	10, 62
277	Rimu	Dacrydium cupressinum	108	9 A Powhiri Avenue, Whangārei	Lot 1 DP 149824	10, 62
278	Kauri	Agathis australis	102	23 Lupton Avenue, Whangārei	Part Lot 2 DEEDS W 58	10, 62
280	Pohutukawa	Metrosideros excelsa	120	127 Kamo Road, Whangārei	Lot 2 DP 11413	10, 63

TREE-SCHED1 – Schedule of Notable Trees						
284	Pohutukawa; Rimu (2)	Metrosideros excelsa; Dacrydium cupressinum	126	8 Kensington Avenue, Whangārei	Section 2 SO 475660	10, 63
285	Kawaka (2)	Libocedrus plumosa	102	70 Kamo Road, Whangārei	Lot 1 DEEDS 307	10, 63
289	Totara (8)	Podocarpus totara	150	28 Mains Avenue, Whangārei	Lot 4 DP 31693	10, 63
290	Pohutukawa	Metrosideros excelsa	144	25 Elizabeth Street, Whangārei	Lot 2 DP 376170	10, 63
294	Kowhai	Sophora microphylla	114	34 Kamo Road, Whangārei	Lot 1 DP 24064	10, 63
296	Spanish Chestnut	Castanea sativa	114	11A Mill Road, Whangārei	Lot 1 DP 43654	10, 63
297	Camphor Laurel; NSW Christmas Bush; Totara; Moreton Bay Chestnut	Cinnamomum camphora; Ceratopetalum gummiferum; Podocarpus totara; Castanospermum australe	102 105 108 111	17 Mill Road, Whangārei	Part Lot 12 DP 24064	10, 63
299	Pohutukawa; Totara	Metrosideros excelsa; Podocarpus totara	108 108	19 Mill Road, Whangārei	Part Allot 2 PSH OF Whangārei	10, 63
300	Camphor Laurel	Cinnamomum camphora	114	29 Mill Road, Whangārei	Lot 8 DP 24064	10, 63
301	Pohutukawa (2); Kauri	Metrosideros excelsa; Agathis australis	132 138	19 Nixon Street, Whangārei	Section 6 SO 495819	10, 63
302	Kauri	Agathis australis	114	19 Nixon Street, Whangārei	Section 6 SO 495819	10, 63
304	Puriri	Vitex lucens	114	36 Mill Road, Whangārei	Lot 6 DEEDS 54	10, 63
305	NSW Christmas Bush	Ceratopetalum gummiferum	114	52 Mill Road, Whangārei	Lot 22 DEEDS W47/1	10, 63
306	Kauri	Agathis australis	120	54 Mill Road, Whangārei	Lot 2 DP 32065	10, 63
309	English Oak	Quercus robur	126	5 Waiatawa Road, Whangārei	Lot 3 DP 52738	10, 63
310	English Oak	Quercus robur	126	2 Cairnfield Road, Whangārei	Lot 2 DP 43765 (tree not found)	10, 63

TREE-SCHED1 – Schedule of Notable Trees						
313	Miro; Pohutukawa,	Podocarpus ferruginea; Metrosideros excelsa;	105 107	5 Haronui Street, Whangārei	Lot 1 DP 198101	10, 63
314	Totara (4)	Podocarpus totara	120	8 Parahaki Street, Whangārei	Lot 1 DP 30499	10, 63
315	Japanese Cedar	Cryptomeria japonica	120	7 Drummond Street Whangārei	Lot 1 DP 61911	10, 63
316	Pohutukawa; Puriri	Metrosideros excelsa; Vitex lucens	102 102	13 Deveron Street, Whangārei	Part Lot 5 DP 23650	10, 63
317	Pohutukawa (2); Camphor Laurel	Metrosideros excelsa; Cinnamomum Camphora	108 117	52 Hatea Drive, Whangārei	Lot 1 DP470739	10, 63
319	Magnolia	Magnolia grandiflora	111	64 Hatea Drive, Whangārei	Part Lot 7 DP 20669	10, 63
322	Totara	Podocarpus totara	138	23 Mair Street, Whangārei	Lot 1 DP 134340	10, 63
324	Turpentine Tree	Syncarpia glomulifera	120	119 Hatea Drive, Whangārei	Lot 3 DP 163785	10, 63
327	English Oak	Quercus robur	102	445 Maunu Road, Whangārei	Lot 2 DP 76853	10, 72
328	Totara; Taraire	Podocarpus totara; Beilschmiedia tarairi	105 108	10 Le Ruez Place, Whangārei	Lot 4 DP 81042	10, 72
329	Camphor Laurel	Cinnamomum camphora	114	432 Maunu Road, Whangārei	Lot 1 DP 163236	10, 66
330	Puriri	Vitex lucens	150	7 Puriri Park Road, Whangārei	Lot 1 DP 127363	10, 66
331	Karaka (2); Puriri (2); Taraire (14); Totara	Corynocarpus laevigatus; Vitex lucens; Beilschmiedia tarairi; Podocarpus totara	111 132 117 117	415 Maunu Road, Whangārei	Lot 10 DP 36424	10, 66
332	Puriri; Taraire (2)	Vitex lucens; Beilschmiedia tarairi	108 126	409 Maunu Road, Whangārei	Lot 1 DP 171202	10, 66
333	Puriri; Taraire (3)	Vitex lucens; Beilschmiedia tarairi	120 126	407 Maunu Road, Whangārei	Lot 1 DP 168512	10, 66

TREE-SCHED1 – Schedule of Notable Trees						
334	Totara; Tanekaha	Podocarpus totara; Phyllocladus trichomanoides	132 114	64 Silverstream Road, Whangārei	Lot 23 DP 55371	10, 66
335	Totara (2)	Podocarpus totara	126	48 Silverstream Road, Whangārei	Lot 33 DP 55371	10, 66
336	Totara (2)	Podocarpus totara	114	44 Silverstream Road, Whangārei	Lot 31 DP 55371	10, 66
337	Rimu (2); Totara (3)	Dacrydium cupressinum; Podocarpus totara	108 114	33 Silverstream Road, Whangārei	Lot 17 DP 54205	10, 66
338	English Oak	Quercus robur	108	264 Maunu Road	Lot 5 DP 174384	10, 66
339	Pohutukawa; Puriri; English Oak (7); Totara (3)	Metrosideros excelsa; Vitex lucens; Quercus robur; Podocarpus totara	105 102 108 108	151 Maunu Road, Whangārei	Section 2 SO 515556	10, 66
340	Totara (2)	Podocarpus totara	126 111	202 Maunu Road, Whangārei	Lot 1 DP 59270	10, 66
343	English Oak	Quercus robur	114	166 Maunu Road, Whangārei	Lot 2 DP 387155	10, 66
350	Kauri	Agathis australis	114	217 Morningside Road, Whangārei	Lot 2 DP 102274	10, 72
351	Indian Cedar	Cedrus deodara	114	211A Morningside Road, Whangārei	Lots 3 DP 40075	10, 72
353	Totara	Podocarpus totara	108	49 Morningside Road, Whangārei	Lot 22 DP 44841	10, 67
355	Totara	Podocarpus totara	108	84A Morningside Road, Whangārei	Lot 2 DP 83173	10, 67
358	Kauri	Agathis australis	111	17 Weir Crescent, Whangārei	Lot 2 DP 30773	13, 76
359	Puriri	Vitex lucens	108	11 Cliff Street, Whangārei	Lot 3 DP 19792	13, 76
362	Kauri (2)	Agathis australis	108	180 Beach Road, Whangārei	Part Allot 125 TN OF Grahamtown	13, 76

TREE-SCHED1 – Schedule of Notable Trees						
368	Kahikatea (3)	Dacrycarpus dacrydoides	108	33-35 Whangārei Heads Road, Whangārei	Lot 5 DP 44469	13, 74
378	Rimu (2)	Dacrydium cupressinum	114	1 Apirana Avenue, Whangārei	Lot 1 DP 77897	10, 67
379	Kauri	Agathis australis	120	31 Norfolk Street, Whangārei	Lot 8 DP 23815	10, 67
385	Puriri; Liquidamber; English Holly (3); Maiden Hair Tree; Pohutukawa (9); Puriri; Titoki; Kermadec Pohutukawa (2)	Vitex lucens; Liquidambar styraciflua; Ilex aquifolium; Ginkgo biloba; Metrosideros excelsa; Vitex lucens Alectryon excelsus; Metrosideros kermadecensis	114 108 114 114 126 114 120	2B Kamo Road, Kamo	Part Allot 2 PSH OF Whangārei	10, 63
387	Liquidamber (2); Scarlet Oak; Camphor Laurel	Liquidambar styraciflua; Quercus coccinea; Cinnamomum camphora	108 108 121	1 Cross Street, Whangārei	Part Allot 1 PSH OF Whangārei	10, 67
389	Jacaranda (2)	Jacaranda mimosaeifolia;	108	174 Bank Street, Whangārei	Lot 1 DP 37723	10, 67
390	Puriri	Vitex lucens	108	153A Bank Street, Whangārei	Part Allot 1 PSH OF Whangārei	10, 67
392	Southern Magnolia (3)	Magnolia grandiflora	114	145 Bank Street, Whangārei	Road Reserve - Lot 5 DP 23509	10, 67
393	Pohutukawa	Metrosideros excelsa	138	28 Norfolk Street, Whangārei	Lot 2 DP 125737	10, 67
394	Pohutukawa	Metrosideros excelsa	108	2 Pentland Road, Whangārei	Lot 1 DP 125737	10, 67
397	Puriri	Vitex lucens	114	12A Aubrey Street, Whangārei	Lot 2 DP 101542	10, 67
398 and 399	Stand of Kahikatea, Totara	Dacrycarpus dacrydioides; Podocarpus totara	117 and 126	103, 105 and 107 George Street, Hikurangi	Lots 10,11 and 12 DP 23178	7, 52

TREE-SCHED1 – Schedule of Notable Trees						
400	Kahikatea	Dacrycarpus dacrydioides	120	95 George Street, Hikurangi	Lot 6 DP 13614	7, 52
401	Liquidamber	Liquidambar styraciflua	156	73 George Street, Hikurangi	Lot 2 DP 85894	7, 52
403	Stand of Kahikatea	Dacrycarpus dacrydioides; Podocarpus totara	111	Jordan Valley Road, Kamo	Part Allot 229 PSH OF Hikurangi	7, 52
404	Magnolia	Magnolia grandiflora	108	48B George Street, Hikurangi	Lot 2 DP 50900	7, 52
407	Stand of Totara	Podocarpus totara	114	41 View Road, Hikurangi	Part Allot 68 PSH OF Hikurangi	7, 52
408	Stand of Kahikatea; Totara	Dacrycarpus dacrydioides; Podocarpus totara	102	41 View Road, Hikurangi Union Street – end	Part Lot 1 DEEDS 485	7, 52
409	Oak	Quercus robur	114	16 King Street, Hikurangi	Lot 20 DP 17558	7, 52
410	Oak; Tulip Tree; Oak; Liquidamber; Japanese Cedar	Quercus robur; Liriodendron tulipifera; Quercus robur; Liquidambar styraciflua; Cryptomeria japonica	102 102 105 120 114	4 Swan Avenue, Hikurangi	Part Allot 42 PSH OF Hikurangi	7, 52
411	Oaks	Quercus robur	108	Valley Road- beside railway line	Lot 2 DP 545896, Lot 1 DP 431260 & Part Allot NW42 PSH OF Hikurangi	7, 52
416	Rimu (2)	Dacrydium cupressinum	132	33 Mains Avenue, Whangārei	Lot 1 DP 162893	10, 63
417	Kauri	Agathis australis	102	63 Anzac Road, Whangārei	Lot 5 DP 34469	10, 66
418	Totara (stand)	Podocarpus totara	108	16 Bedlington Street, Whangārei	Lot 1 DP 46028	10, 62
426	Magnolia	Magnolia grandiflora	120	85 George Street, Hikurangi	Lot 3 DP 156426	7, 52
429	Pohutukawa	Metrosideros excelsa	126	6 Boswell Street, Kamo	Lot 2 DP 21592	10, 58, 59
431	Jacaranda	Jacaranda mimosaeifolia	102	76 Hatea Drive, Whangārei	Lot 2 DEEDS 410	10, 63

TREE-SCHED1 – Schedule of Notable Trees						
433*	Liquidamber	Liquidambar styraciflua	144	76 Mains Avenue, Whangārei	Lot 1 DP 184341	10, 63
435	Pohutukawa	Metrosideros excelsa	192	71 Manganese Point Road, Whangārei	Lots 1-4 DP 10055	14, 35
436	Totara (3)	Podocarpus totara	138	9 Te Puia Street Kamo (2) and 13 Conifer Grove, Kamo (1)	Lot 8 DP52362 Lot 2 DP 365884	10, 58
438	Kauri	Agathis australis	126	11 Wallace Street, Whangārei	Lot 1 DP 20158	10, 63
500	Norfolk Island Pine	Araucaria hetrophylla	132	421 Kamo Road, Kamo	Lot 1 DP 57301	10, 58
501	Liquidamber	Liquidambar styraciflua	132	23 Whau Valley Road, Whangārei	Lot 1 DP 23601	10, 62
503	London Plane Tree	Platanus acerifolia	129	56 Weaver Street, Whangārei	Lot 2 DP 179429	10, 62
504	Tulip Tree	Liriodendron tulipifera	150	151 Kiripaka Road, Whangārei	Lot 7 DP 40467	10, 60
505	Grove of Pohutukawa	Metrosideros excelsa	135	27 Kauika Road, Whangārei	Lot 51 DP 2605	10, 66
506	Norfolk Island Pine	Araucaria hetrophylla	132	25 Kauika Road, Whangārei	Part Lot 7 DP 1827	10, 66
509	Californian Redwoods	Sequoia sempervirens	174	272 Maunu Road, Whangārei	Lot 5 DP 174384	10, 66
510	Pine Oak	Quercus palustris	168	53 Hospital Road	Lot 5 DP 4692	10, 66
511	London Plane Tree	Platanus acerifolia	144	154 Maunu Road, Whangārei	Lot 1 DP 48922	10, 66
512	Puriri	Vitex lucens	132	34 Weir Crescent, Whangārei	Lot 2 DP 49501	13, 76
514	Senegal Date Palm	Phoenix reclinata	132	12 Aubrey Street, Whangārei	Lot 1 DP 101542	10, 67
515	Italian Cypress (2)	Cupressus sempervirens stricta	126	7 Pentland Road, Whangārei	Lot 5 DP 23637	10, 67
516	Pohutukawa	Metrosideros excelsa	120	401 Western Hills Drive, Whangārei	Part Lot 8 DP 1827	10, 66

TREE-SCHED1 – Schedule of Notable Trees						
517	Senegal Date Palm	Phoenix reclinata	132	12A Aubrey Street, Whangārei	Lot 2 DP 101542	10, 67
518	Totara (2)	Podocarpus totara	114	21A Mair Street, Whangārei	Lot 2 DP 210369 (Trees not found)	10, 63
519	Pohutukawa	Metrosideros excelsa	144	21B Mair Street, Whangārei	Lot 1 DP 207207	10, 63
520	Totara	Podocarpus totara	114 score for stand	7 Kaiaua Lane (Pvt), Kamo	Lot 65 DP 186937	10, 58
521	Totara	Podocarpus totara,	114 Score for stand	Bush Haven Drive, Kamo	Lot 19 DP 182617	10, 58
522	Pohutukawa (4)	Metrosideros excelsa	174	71 Manganese Point Road, Whangārei Headland Farm Park, Esplanade Reserve, adjacent to Lot 47 DP 100551	Lot 94 DP 100551	14, 35
523	Pohutukawa (3)	Metrosideros excelsa	114 102 102	Princes Road, Road Reserve, Ruakaka Opposite 20, 12 and 6 Princes Road	Opposite Lot 1 DP32427	17, 47

~~* Tree #433 is exempt from Controlled Activity rule requirement TREE-R2.1(b)~~

Sites and Areas of Significance to Māori (SSM)

Issues

This Chapter contains rules relating to land uses on Sites of Significance to Māori.

It should also be noted that not all heritage areas of significance to Māori are identified on the Planning Maps. Tangata whenua are developing Iwi/Hapū Environmental Management Plans which may identify further areas. In the case of discretionary activities, Council shall take such Plans into account and shall encourage consultation with tangata whenua.

Sites of Significance to Māori are identified on the Planning Maps, indicated by a symbol and number. The details of a site are in SSM - Appendix 1. The Council holds a separate record (not in the Plan) of the names and addresses of the kaitiaki (traditional custodians) for each site. The name and address of the kaitiaki will be made available to applicants for resource consents for relevant sites on request, so that the correct people can be contacted in relation to the application.

Subdivision Rules control subdivision involving Sites of Significance to Māori.

Rules

SSM-R1 Works on Identified Sites

Activity Status: Permitted

Where:

1. The works are within a Site of Significance to Māori identified on the Planning Maps and SSM-SCHED1, if:
 - a. The activity does not result in any physical disturbance or modification of the site.
 - b. The works (excluding modification of any part of the site) will protect or enhance the cultural and spiritual values of the site.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects of Sites of Significance to Māori.
2. Where an entire site is identified as a Site of Significance to Māori, the extent to which individual elements are affected;
3. Measures to protect the Site of Significance to Māori, having regard to the customs and values of tangata whenua and the advice of Kaitiaki;
4. Measures to restore any Site of Significance to Māori to its former state following completion of the work having regard to tikanga Māori and the advice of kaitiaki.

Note:

1. Any destruction, damage or modification of any archaeological site whether recorded or unrecorded requires the consent of Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014.

SSM-R2 Aerial and Aerial Support Structures

Activity Status: Permitted

Where:

1. The aerial or aerial support structure is not within the notional boundary of the site, or the aerial support structure is setback its height from a Site of Significance to Māori, whichever is the greater distance.
2. The aerial and aerial support complies with all other relevant permitted activity standards for aerals and aerial support structures for the underlying Zone in /which the site is located.

For the purposes of this rule the following shall apply:

- The notional boundary shall mean a line 20 metres from the Site of Significance to Māori to the closest part of any aerial or aerial support structure.
- The height of the aerial or aerial support structure shall be determined by measuring the distance between ground level and the highest point of any aerial or component attached to the aerial support structure, or the highest part of the aerial support structure.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects on Sites of Significance to Māori;
2. Where an entire site is identified as a Site of Significance to Māori, the extent to which individual elements are affected;
3. Measures to protect the Sites of Significance to Māori, having regard to the customs and values of tangata whenua and the advice of the Kaitiaki;
4. Measures to restore any Site of Significance to Māori to its former state following completion of the work; having regard to tikanga Māori and the advice of the Kaitiaki.
5. Where the structure is a network utility, the need for the selected site to provide the intended service.

Activity Status when compliance not achieved: Non-complying

Principal Reasons for Rules/Explanations

Activities

These rules implement the policies in Chapter 7 to avoid, remedy or mitigate adverse effects on Sites of Significance to Māori. Activities which result in the physical disturbance of sites are likely to have potential adverse effects and, therefore, will require a resource consent.

Kaitiaki

The kaitiaki (the Māori people who are the traditional custodians) are listed in records held by the Council. These records were created in the course of consultation between the Council and tangata whenua when this Plan was drafted. The names of the kaitiaki from this list will be given to applicants, whenever necessary, to allow them to contact the kaitiaki for the relevant site and obtain their comments on the effects of a proposed activity.

SSM Appendix 1 - Schedules Sites of Significance to Māori

This Schedule contains details of Sites of Significance to Māori indicated on the Planning Maps. Objectives and policies on [tangata whenua](#) issues are contained in the Tangata Whenua Policies chapter. Rules relating to these Sites of Significance to Māori are above.

SSM-SCHED1 – Sites of Significance to Māori

Table SSM 1: SSM-SCHED1 – Sites of Significance to Māori

No	Site	Legal Description	District Plan Resource Map
1	Māori Reserve	Ruakara Māori Reserve, Paraonui Papakura Blk, Blk II Whangaruru SD 1.3784 ha	1
2	Historic Place (Pā Site)	Within Allot 14 Waikare Psh Blk II Taiharuru SD	14
3	Historic Place (Pā with Pits and Midden)	Within Allot 58, 73 & 74 Manaia Psh Blk II Taranga SD	14
4	Māori Reservation	Otaika 4B9 Blk, Blk XVI Purua SD 2.1246 ha Gaz 1981 p905 (Ratana Church & Marae)	13
5	Historic Place (Terraces)	Within Allot 181 Maungatapere Psh (Onemama Point) Blk I Ruakākā SD	13
6	Historic Place (Pā Site)	Within Pt Allot 214 Owhiwa Psh (Limestone Is.) Blk XIII Whangārei SD	13
7	Māori Reserve (Wāhi tapu)	Paremata-Mōkau A17 Blk, Blk III Whangaruru SD 1.2949 ha	1
8	Historic Place (Pā with Middens)	On Mangawhati No.1 Blk, Blk II Ruakākā SD	13
9	Māori Reserve	Secs 1 & 2 Blk II Ruakākā SD 1.8767 ha Gaz 1977 p2093 & 1953 p439	14
10	Burial Ground	Whatitiri No5 Blk, Blk II Tangihua SD 1.5187 ha Gaz 1960 p1561	12
11	Māori Reserve (Wāhi tapu)	Paremata-Mōkau A20 Blk, Blk III Whangaruru SD 5.2609 ha Gaz 1976 p768	1
12	Māori Reserve (Historic)	Motukehua Blk (Nops Is) Blk III Whangaruru SD 6.0702 ha Gaz 1975 p3018	1
13	Māori Reserve	Manukorokia Reserve adj Sec 10 Blk II Opuawhanga SD 2.0234 ha	3
14	Māori Reserve (Wāhi tapu)	Maunu 2C Blk, Blk XV Purua SD 1.6187 ha	13
15	Historic Place (Pā with Pits)	The Pā on Lot DP 66586 Mimiwhangata Blk II Opuawhanga	3
16	Historic Place (Pā with Pits)	Within Parahaki Pt No3 Blk, Blk IX Whangārei SD	10
17	Māori Reserve (Burial ground)	Toetoe No6 Blk, Blk XVI Purua SD 0.2220 ha	13

No	Site	Legal Description	District Plan Resource Map
18	Māori Burial Ground	Urupā Toetoe 4B3 Blk, Blk XVI Purua SD 0.0405 ha	13
19	Historic Place (Terrace)	Within Whangaruru-Whakaturia No.3 Blk, Blk III Whangaruru SD	1
20	Māori Reserve	Whangaruru-Whakaturia Pt 1B, Blk II Whangaruru SD 0.1778 ha Gaz 1976 p1469	1
21	Māori Reserve	Te Paihere Wāhi Tapu, Whangaruru-Whakaturia 1D2 Blk, Blk II Whangaruru SD 2.6709 ha Gaz 1976 p2505	1
22	Historic Place (Pā with Pits)	On Lot DP 66586 Mimiwhangata (at northern point) Blk II Opuawhanga SD	3
23	Māori Cemetery	Oteaka B Blk, Blk II Whangaruru SD	1
24	Māori Marae	Whangaruru-Whakaturia Pts 1D9A & 1D10A Blks, Blk II Whangaruru SD 4.9918 ha	1
25	Māori Reserve (Ancient Burial Ground)	Kirikiri Pawhaoa A2 Blk, Blk II Whangaruru SD 1.0117 ha Gaz 1970 p893	1
26	Waipapa Māori Reserve (Burial Ground)	Ōakura G Blk, Blk II Whangaruru SD 0.4451 ha Gaz 1963 p1309	1
27	Historic Place	Within Pt Parutahi Blk, Blk II Whangaruru SD	1
28	Māori Reserve (Burial Ground)	Ōakura H Blk (Omutu) Blks II & III Whangaruru SD 0.8499 ha Gaz 1963 p1309	1
29	Historic Place (Pā Site)	On lot DP 66586 Mimiwhangata (Taukawau Point) Blk II Opuawhanga SD	3
30	Māori Reserve (Burial Ground)	Ōakura K Blk (Te Kapua) Blk III Whangaruru SD 1.2950 ha Gaz 1963 p1309	1
31	Māori Reserve (Burial Ground)	Ōakura L Blk (Ototorewa & Tarakeo) Blk III Whangaruru SD 0.8903 ha Gaz 1963 p1309	1
32	Historic Place (Pā Site)	Within Ōakura L Blk, Blk III Whangaruru SD	1
33	Historic Place (Pā with Pits and Midden)	Within Paremata-Mōkau A8B Blk, Blk III Whangaruru SD	1
34	Historic Places (Pits and Terraces)	Te Ruatahi Is & Pt Te Ruatahi 2A Blk, Blk II Opuawhanga SD	3
35	Māori Burial Ground	Oriwa D Blk, Blk IX Opuawhanga SD 0.2023 ha	6
36	Māori Reserve	Wairahi B2A3 Blk, Blk V Opuawhanga SD 0.3212 ha Gaz 1975 p2940	3

No	Site	Legal Description	District Plan Resource Map
37	Māori Reserve	Tuateanui 2B1A Blk, Blk IV Whangārei SD 0.1772 ha Gaz 1965 p1772	6
38	Burial Reserve	Horahora 1C Blk, Blk IV Whangārei SD 2.0234 ha	11
39	Māori Reserve (Te Karaka Urupā)	Pukahakaha East 5A Blk, Blk XII Whangārei SD 0.3945 ha Gaz 1972 p2292	11
40	Māori Reserve	Lot 1 DP 61426 & Pt Pukahakaha East 5C Blk, Blk XII Whangārei SD	11
41	Māori Reserve (Burial Ground)	Taiharuru 4A Blk, Blk 1 Taiharuru SD 0.4047 ha Gaz 1965 p1205	11
42	Historic Place (Pā with Midden)	Within Taiharuru Pt No3 Blk, Blk I taiharuru Sd	11
43	Historic Place (Pā Site)	Within Lot 6 DP 80998 Blk I Taiharuru SD	11
44	Private Burial Ground	Pt Allot 71 Owhiwa Psh Blk III Ruakākā SD 0.2323 ha	14
45	Māori Reserve (Meeting House)	Puhipuhi 5Cd Blk, Blk XII Hūkerenui SD 2.0234 ha Gaz 1966 p921	7
46	Māori Reserve	Pipiwai 5G2 Blk, Blk III Mangakāhia SD 0.4729 ha	5
47	Marae	Pipiwai Pt 3 No 3 Blk, Blk III Mangakāhia SD	5
48	Māori Reserve	Mangakowhara B4Q Blk, Blk III Mangakāhia SD 0.8093 ha	5
49	Marae Hall	Mimitu Ruarei 22E3D Blk, Blk V Mangakāhia SD 1.5808 ha	8
50	Historic Place (Pā Site)	Within Lot 1 DP 69836 Blk VI Opuawhanga SD	3
51	Historic Place (Pā Site)	Within Lot 1 DP 67603 Blk X Opuawhanga SD	6
52	Historic Place (Pā Site)	Within Otito Blk, Blk X Opuawhanga SD	6
53	Māori Reserve	Whangaroa-Ngaioitonga 4F1 Blk, Blk VIII Russell SD 0.3996 ha Gaz. 1969 p259	1
54	Māori Reserve (Wāhi tapu)	Mangakowhara B4T Blk, Blk XV Motatau SD 0.6070 ha	5
55	Māori Reserve	Te Horo 2B1 Blk (within Kaikou 3 No7 Blk) Blk III Mangakāhia SD 0.0384 ha	5
56	Historic Place (Pā with Middens)	Within Horahora 2B1 Blk, Blk VIII Whangārei SD (at river mouth)	11
57	Māori Reserve (Burial Ground)	All 2A1C Blk VII Purua SD (2A1C) 0.2023 ha Gaz 1975 p2940	10

No	Site	Legal Description	District Plan Resource Map
58	Māori Reserve	Tangariki Wāhi Tapu Blk II Whangaruru SD 1.6642 ha Gaz 1970 p246	1
59	Historic Place (Pā with Pits and Midden)	Within Pt Allot Parahaki Psh Blk IX Whangārei SD	10
60	Reserve	Tutaewhero Eeling Reserve Purua Blk, Blk II Purua SD 1.1533 ha	9
61	Māori Reserve (Marae)	Mangakāhia 2B2 No.2F2A Blk XVI Mangakāhia SD 1.2140 ha Gaz 1975 p1626	12
62	Māori Burial Ground	Whatitiri No 6 Blk, Blk XVI Mangakāhia SD 8.0937 ha Gaz 1957 p178	12
63	Burial Ground	Whatitiri No.9 Blk, Blk IX Purua SD 0.8094 ha Gaz 1960 p1561	9
64	Burial Ground	Whatitiri No.8 Blk, Blk IX Purua SD 7.2160 ha Gaz 1960 p1561	9
65	Māori Water Supply	Whatitiri 13Z No.4 Blk, Blk IX Purua SD 0.8094 ha Gaz 1960 p1561	9
66	St Isaac's Cemetery	Lot 2 DP 117814 Blk XII Hūkerenui SD	7
67	Taumata Oki Oki (Tapu Rock)	Puhipuhi 5C10C Blk XI Hūkerenui SD	7
68	Waiotu Island	Pts Puhipuhi Sth 4B1 Blk XI Hūkerenui SD Balance at 300/336	6
69	Ohaukapua (Pā Site)	Pt Lot 2 DP 368636	6
70	Wāhi tapu	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Puna Wai (sacred springs)	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Soda Springs	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Healing Pond	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Sacred Hātea River and tributaries	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Kahikatea Ngahere	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Ngahere & Mahinga Kai	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Mahinga Kai	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	All stone walls including ruins surrounding Kake land	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Taraire Ngahere	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Ngahere	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10

No	Site	Legal Description	District Plan Resource Map
70	Repo	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Urupā (Davis)	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Willow trees	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Harakeke	Pt Pehiaweri Blk Blk V Whangārei SD – Māori Church	10
70	Puriri Ngahere	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Puke tapu (sacred Maunga)	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Soda Springs	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Repo	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Ancient Toka	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
70	Pehiaweri Marae, Urupā & Church	Pt Pehiaweri Blk Blk V Whangārei SD - Māori Church	10
71	Puketotara Maunga; wāhi tapu	Lot 3 DP 91566 Pt Lot 5 DP 91567 Blk V Whangārei SD Lot 1 DP 93973 Blk V Whangārei SD Lot 4 DP 91566 Blk V Whangārei SD - Scenic Reserve Lot 1 DP 74021 Blk V Whangārei SD Lot 2 DP 91566 Blk V Whangārei SD Lot 1 DP 150726 Whangārei SD Blks XI XII Opuawhanga SD-TNA Bal at 330/335	10
72	Wāhi Tapu	2H15A, 2H15B, 2H12 Blk VII Mangakāhia SD	9
73	Sacred Tree	Lot 1 DP 95732 Blk XIII Purua SD	12
74	Burial Caves	Whatitiri 13Z9B2 Blk XIII Purua SD Whatitiri 13Z9C2 Pt Blk XIII Purua SD Whatitiri 1F2A2 1329B1 Blk XIII Purua SD	12
75	Ngunguru Sandspit includes midden, battle field, burial place and Pā Site	Horahora 1A4A, 1A4B, 1A4E, 1A4F Whangārei SD	6,11
76	Hui Te Rangiora	Pt Whatitiri 1A Blk XIII Purua SD - Māori Cemetery	12
77	Okoihu Pā	Pt Whatitiri 13P 13z8 Blk XIII Purua SD	12
78	Bush	Pt Whatitiri 13P 13z8 Blk XIII Purua SD	12

No	Site	Legal Description	District Plan Resource Map
79	Whatareinga (Urupā)	Whatitiri 10 Blk XIII Purua SD - Whatareinga	12
80	Waiora (Urupā, Historical Site)	Whatitiri 7 Blk XIII Purua SD	12
81	Pukeatua Pā	Lot 2 DP 173404 Blk XIV Purua SD subj to int in easements	13
82	Henry Walton's Grave	Lot 1 DP 128534 Blk XIV Purua SD	13
83	Urupā	Native Cemetery in Maunu 1E3BSTH2 Blk XV Purua SD	10
84	Pohutukawa Tree	Lot 36 DP 126453 Blk II Whangaruru SD	1
85	Urupā	Lot 9 DP 65812 Blk II Whangaruru SD (Recreation reserve)	1
86	Pātaua Island	MBlk 3 Pātaua; MBlk 4A Pātaua; MBlk 4C Pātaua; Port. Pt Lot 1 DP 93517 - Pā Site Q07/1030	11

Tangata Whenua Policies (TWP)

Issues

The Resource Management Act 1991 requires District plans among other things to:

- Recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga as a matter of national importance (section 6(e) Resource Management Act 1991);
- To have particular regard to kaitiakitanga (section 7(a), Resource Management Act 1991);
- Take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) (section 8 Resource Management Act 1991);
- To have regard to recognised relevant iwi planning documents, the New Zealand Heritage List/Rārangī Kōrero, and regulations relating to taipure and mahinga mataitai (section 74(2)(b) Resource Management Act 1991).

The functions of territorial authorities (including the Whangarei District Council) are stated in section 31 of the Resource Management Act 1991. In relation to managing particular resources, the regulatory methods adopted by the Council relate directly to those functions listed in Section 31 of the Resource Management Act 1991 (e.g. subdivision) and not to Regional Council functions (e.g. water quality).

The term 'tangata whenua' denotes a relationship between Māori and the land. Generally, Māori use the term to convey their affinity to a particular rohe (area within which iwi claims mana whenua), and derive their identity from their genealogical ties with that land. The land boundaries of these rohe can be defined or recognised by features such as rivers, lakes, mountains, headlands or islands.

The claim to the status of 'tangata whenua' in a particular rohe is based on their long-time association and genealogical ties with that land. Tangata whenua are those who have 'mana whenua' over their land.

The inclusion of this chapter in the Plan does not represent the completion of the process of consultation with iwi (Māori tribe) and hapū (subtribe) in the District. Rather, this chapter establishes a framework and starting point from which the Council and iwi and hapū in the District can develop and maintain a working relationship in resource management matters. In preparing this chapter, and those other parts of the Plan which suggest ways in which matters of significance to tangata whenua can be addressed within the framework of the Resource Management Act 1991, the Council acknowledges the support, co-operation and guidance of the people of:

- Mangakahia Māori Komiti;
- Ngati Taka Hapū;
- Ngatiwai Trust Board;
- Te Parawhau o Whangarei;
- Te Runanga A Iwi O Ngapuhi;
- Te Runanga O Ngati Hau;
- Te Runanga O Ngati Hine;
- Te Runanga O Ngati Whatua;
- Patuharakeke Te Iwi Trust;
- Whangarei Māori Executive.

In the preparation of this chapter, the Council has also had regard to the Nga Hapū O Mangakahia Plan (July 1995), prepared by the Mangakahi Māori Komiti, and the planning policies of the Ngatiwai Trust Board. See the Definitions chapter for interpretation of Māori words.

Significant Issues

Protection of Sites of Significance to Māori.

- Participation of tangata whenua in resource management, including consultation.
- Recognition of rangatiratanga and kaitiakitanga.
- Land use activities affecting the quality of waterbodies and associated resources.
- Development of land, including papakāinga.
- Issues identified in other chapters of the Plan.

Resource Management Concerns as Identified by Tangata Whenua

The Council understands that the concerns that are of significance to the tangata whenua of the District, in respect to the preparation, implementation and administration of the Plan, may be summarised as follows:

Concerns Related to Participation:

- Joint resource management with the Council, active participation, and input into the monitoring, enforcement and compliance procedures of the Council, with regular monitoring reports to be provided to tangata whenua.
- Adequate resourcing of iwi and hapū to enable participation in all aspects of sustainable management of their taonga.
- Participation by Māori in the policy, planning and decision-making processes of the Council.
- Recognition of Māori cultural values and tikanga in the policy, planning and decision-making processes of the Council.
- Recognition of marae as a place for consultation for Council and tangata whenua on resource management issues.
- Recognition of Te Reo Māori (Māori language) through the interpretation of the Plan into the Māori language, and the ability to speak Māori in judicial processes.
- Maintaining and enhancing Māori participation in the consultative processes between the Council and tangata whenua.
- Recognition of, and provision for, traditional Māori knowledge in the sustainable management of the District's natural and physical resources. This includes the cultural and intellectual property rights associated with matauranga Māori and taonga.
- Ensuring that the appropriate tangata whenua contacts are consulted for applications for resource consents.
- Resourcing for the preparation and implementation of iwi/hapū management plans, and to assist in the process of consulting with government (both central and local) on resource management matters.

Concerns Related to Rangatiratanga and Kaitiakitanga:

- Recognition of, and provision for, customary authority and rights guaranteed by the Treaty of Waitangi/Te Tiriti O Waitangi, including the ability to exercise rangatiratanga and kaitiakitanga.
- Taking account of Māori cultural and spiritual values, including concepts of wairua, mauri, tapu, mana, wehi, karakia, whanaungatanga and manaakitanga.

- Recognition of the role of Māori as being the kaitiaki of their taonga.
- Recognition and provision for kaitiakitanga, including the concepts of rahui and tapu.
- Preservation and protection of the mauri (life force) of natural and physical resources.
- Recognition and provision for rahui as a form of tapu, protection and conservation, where a specific area is set aside under prohibition for a period of time.
- Recognition of the traditional practices of tangata whenua in maintaining and enhancing their relationship with their whenua (land), wai (waters) and other taonga.

Concerns Related to Particular Resources:

- All aspects of water management, including in particular, the importance of maintaining adequate water levels and quality so as to ensure that the mauri of waterways is not demeaned in any way, particularly by pollution and human sewage discharges to water, treated or otherwise, and the protection of the habitat of the freshwater fishery.
- Protection of those features, places and characteristics of natural and physical resources of special value to Māori, which may include, but are not limited to wāhi tapu, tauranga waka (canoe landing site), mahinga kai, mahinga mataitai (food resource from sea), taonga raranga (plants used for weaving), urupa (cemetery or burial site), ancestral lands, wai whakaheke tupapaku and buried whakairo.
- Recognition and provision for the unique conditions pertaining to papakāinga (housing for Māori people on Māori land) and communally owned Māori land.

The Principles of the Treaty of Waitangi (Te Tiriti O Waitangi)

The Resource Management Act 1991 requires the Council to take into account the principles of the Treaty of Waitangi/Te Tiriti O Waitangi (The Treaty) when exercising its resource management functions and powers. The principles reflect the underlying importance of the Treaty as the source of constitutional authority in New Zealand, and as the guiding document in the relationship between Māori and the Crown.

The principles of the Treaty do not supersede the Treaty itself, rather they derive from the Treaty and assist practical application of it. The Court of Appeal has defined these principles, noting that they must be capable of adaptation to new and changing circumstances (social and historical). Consequently additional principles may be developed and existing principles redefined over time.

The Council notes the following principles as being a current reflection of the purpose and intent of the Treaty as interpreted by the Courts, and which are relevant to the management of natural and physical resources.

The Principle of Kawanatanga

Kawanatanga, as ceded by Māori under Article I of the Treaty, gave the Crown the right to govern and to make laws applying to everyone. The Court of Appeal has noted that the principles of the Treaty do not authorise unreasonable restrictions on the right of a duly elected Government to follow its chosen policy. The delegation of resource management powers by the Crown to local authorities under the Resource Management Act 1991 empowers local authorities to make and implement District plans.

The Principle of Rangatiratanga

Rangatiratanga (full chiefly authority) over resources including lands, forests, fisheries and other taonga was guaranteed to Māori under Article II of the Treaty. Rangatiratanga includes elements of management, control and tribal self-regulation of resources, in accordance with their own customary preferences.

The Principle of Partnership

The Treaty signified a partnership between iwi and the Crown. The exchange of promises under Articles I and II of the Treaty is seen as an exchange of gifts. The gift of the right to make laws, and the promise to do so in such a way as to accord the Māori interest an appropriate priority, is an example of this exchange. The principles of the Treaty require the Treaty partners to act toward each other reasonably, and with the utmost good faith. Reasonable co-operation and compromise, through effective, early and meaningful consultation by both partners, is also fundamental to this concept of a partnership.

The Principle of Active Protection

The guarantee of rangatiratanga, given in Article II, is consistent with an obligation to actively protect Māori values and interests in their lands, water, wāhi tapu and other taonga, to the fullest extent practicable, and to give a priority to these when they may be adversely affected. In the context of resource management, the various elements which underlie and are fundamental to the spiritual association of Māori with the environment (including mauri, tapu, mana, tikanga and wairua), may be described as taonga that have been retained by Māori, in accordance with Article II of the Treaty. The principle of active protection therefore extends to the spiritual values and beliefs of Māori.

The Principle of Hapū and Iwi Resource Development

Article III of the Treaty gave to Māori the same rights and duties as other New Zealand citizens. The Treaty guaranteed to Māori retention of their property rights under Article II, and the choice of developing those rights under Article III. To Māori, the efficient use and development of what are, in many ways, currently under-utilised hapū and iwi resources is a very important principle of the Treaty in the context of the Resource Management Act 1991. The Treaty recognises the right of Māori to develop those resources in accordance with their own needs and aspirations. Recognition of the ability and needs for hapū and iwi to develop their resources in a manner which achieves the purposes of the Resource Management Act 1991 is a principle of the Treaty.

It is acknowledged that tangata whenua may recognise the articles of Te Tiriti o Waitangi as distinct from these principles. On-going communication between the Council and tangata whenua may resolve this difference, and/or develop additional principles or redefine these principles over time, as the Court envisaged.

Note:

1. *It is hoped that this process will result in Memoranda of Understanding being developed between the Council and tangata whenua on co-management of shared natural and physical resources.*

Objectives

TWP-O1 Protection of Taonga of Tangata Whenua

Within the respective domains of the exercise of rangatiratanga and kawanatanga, ensure that priority is afforded to the act of protection of taonga of tangata whenua, and to the relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

Explanation and Reasons: In the Manukau Report, the Waitangi Tribunal indicated that the intention of both texts of the Treaty is to afford an appropriate priority and respect to Māori people (pages 78 and 91). It found that the Treaty represented an exchange of gifts. The gift of the right to make laws, and the promise to do so in such a way as to accord the Māori interest an appropriate priority, is an example of this exchange.

It is important that the Council and tangata whenua develop and implement an understanding that is relevant and appropriate to the District. From that understanding of rangatiratanga and kawanatanga, the Council and tangata whenua will better recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga, as a matter of national importance.

TWP-O2 Enable exercise of Rangatiratanga and Kaitiakitanga

To enable tangata whenua to exercise rangatiratanga and kaitiakitanga over their ancestral lands, waters, sites, waahi tapu and other taonga in the District.

Explanation and Reasons: Customary authority and rights are the source of well-being of tangata whenua. The ability to exercise rangatiratanga and kaitiakitanga is the ability to exercise political and use rights. Tangata whenua's well-being also includes associated rights, such as ahi kaa (keeping the fires warm). If tangata whenua are unable to exercise their customary rights, rights that were guaranteed to them by the Treaty of Waitangi, their well-being is adversely affected.

Section 7(a) of the Resource Management Act 1991 requires particular regard to be given to kaitiakitanga. In Māori cultural terms, kaitiakitanga is a part of rangatiratanga. Section 5(2) of the Resource Management Act 1991 also requires the Council to manage resources in the way that enables the well-being of people and communities. The exercise of rangatiratanga and kaitiakitanga contributes to tangata whenua's well-being and helps to ensure that the mauri of taonga is healthy and strong.

TWP-O3 No action to exacerbate registered treaty claims

In the implementation of this Plan no action will be taken which will knowingly exacerbate registered treaty claims.

Policies

TWP-P1 Interests of Tangata Whenua

To ensure that in the use, development and protection of natural and physical resources, the views and interests of the tangata whenua are fully represented at every stage of the process, including the preparation and implementation of the District Plan.

Explanation and Reasons: In order to recognise the respective domains of the exercise of rangatiratanga and kawanatanga when managing the natural and physical resources of the District, it is important that tangata whenua and the Council reach and implement an understanding of the relationship between the two concepts. The inclusion of this policy reflects the limitations under which the Council acts in the management of natural and physical resources, (i.e., delegated authority from the Crown) and signals a need for flexibility and tolerance in the application of this understanding.

TWP-P2 Sites of Significance to Māori

To ensure that land use, subdivision and development does not adversely affect Sites of Significance to Māori, or other taonga identified in the District Plan or Hapū Environmental Management Plans.

Explanation and Reasons: The Council is required to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, under the Resource Management Act 1991.

Traditional Māori culture and values are closely linked to the environment. Land, in particular, confers dignity and rank, is the resting place for the dead, a spiritual base for traditional beliefs and a heritage for future generations. Land establishes personal and tribal identity, is a symbol of social stability and is an important source of emotional and spiritual strength.

The High Court has indicated that, in considering the effects of activities on the relationship of tangata whenua with ancestral land, there must be some factor, or nexus, between Māori culture and traditions, and the land in question, which affects the relationship of Māori people to the land. For example, the extent to which a special relationship is claimed through several generations is one factor.

The principles of the Treaty which the Council must take into account (section 8 Resource Management Act 1991), include active protection of taonga as a means to enable hapū and iwi to exercise rangatiratanga over their resources. Section 6(e) of the Resource Management Act 1991 requires the recognition and provision for the relationship of Māori people with their taonga. Tangata whenua have expressed concern for the quality and condition of areas and places of significance to them. Of particular concern is the need to protect wāhi tapu from desecration through development. Some Sites of Significance to Māori are shown on the Planning Maps, and others will be identified in Hapū Environmental Management Plans.

In addition to specific places of significance, archaeological sites may include signs of Māori occupation within the District, such as middens, ovens and caves. Archaeological sites are a connection to past generations and are a source of information on their activities. The Heritage New Zealand Pouhere Taonga Act 2014 requires an archaeological authority to be granted for any destruction, damage or modification of an archaeological site. As archaeological sites are defined under the Heritage New Zealand Pouhere Taonga Act 2014, in terms of human activity prior to 1900, many will be of significance to tangata whenua. Tangata whenua should be consulted regarding any proposal to modify, damage or destroy such sites.

TWP-P3 Waterbodies

To ensure that indigenous wetlands, estuaries, coastal areas and waterbodies, of significance to tangata whenua, are maintained and enhanced, and that access for tangata whenua to those waterbodies is provided.

Explanation and Reasons: Water bodies are of social, cultural and spiritual value to Māori and contain resources important for their well-being. Water bodies are areas of mahinga ka, which provide an important source of the traditional food of the Māori, such as the tuna (eel) and kawai (freshwater cray-fish). These traditional food sources are central to their economic, spiritual and cultural well-being. Traditional food resources of the District are degraded due to past destruction of habitat, degradation of water quality, discharges from land development activities, water extraction for farming and horticultural purposes, the damming and drainage of the waterways and the introduction of predators. It is therefore important that waters and indigenous wetlands are sustainably managed for protection and enhancement of those mahinga kai areas, and the food resources therein, and that access to these traditional food resources for tangata whenua is maintained.

TWP-P4 Consultation

To ensure effective consultation with, and participation of tangata whenua in resource management processes by:

- Fostering partnerships and relationships with the tangata whenua of the area;
- Avoiding unnecessary conflict on resource management issues;
- Recognising and respecting iwi authority and affiliations;
- Acknowledging and providing for historical circumstances and their impacts on resource needs;
- Respecting tikanga Māori;
- Acknowledging the rights of hapū and whanau to speak and act on matters that affect them;

- Allowing tangata whenua time for informed assessments of proposals and to determine their responses, consistent with the time constraints in the Resource Management Act 1991;
- Encouraging applicants to consult tangata whenua, where appropriate.

Explanation and Reasons: Consultation is considered both a principle of the Treaty of Waitangi, and a duty to ensure that the principles are given effect to. Essential elements of general consultation have been defined by the High Court. These elements include: sufficient information being provided to the consulted party, sufficient time for participation and consideration of information and genuine consideration of advice received. For consultation with tangata whenua on resource management matters, four particular elements of consultation can be identified:

- Consultation needs to be conducted on a marae of the tangata whenua, in mutual good faith and to a sufficient degree so that Councils are familiar with the nature and substance of the interests and concerns of tangata whenua.*
- Consultation does not mean consensus. Councils must consult for a reasonable time in a spirit of goodwill and open-mindedness, so that all reasonable planning options are carefully considered and explored. If the outcome is disagreement, then this has to be accepted.*
- Consultation should be ongoing, and an integral part of processes expected, to monitor the suitability and effectiveness of a plan. Councils should re-open consultation if other factors and information are brought to its notice and necessitate review of the understanding previously reached.*
- Consultation should not fetter the decision-making responsibility. Councils must be free to determine submissions or cross-submissions made on a plan without being fettered in their decision-making responsibility by an understanding reached prior to the notification of the plan.*

In order to assess the actual or potential effects of proposals, the Council will encourage applicants to consult with tangata whenua, where the District Plan requires effects on Sites of Significance to Māori to be identified, or where tangata whenua make Council aware that they are an affected party.

TWP-P5 Use of Māori Land

To enable tangata whenua to use, develop and protect their lands in accordance with their cultural preferences, consistent with the purpose of the Resource Management Act 1991.

Explanation and Reasons: Planning policies and rules may limit tangata whenua use rights over their own land. The principles of the Treaty indicate that the Plan should enable Māori people to live in accordance with their cultural values, as guaranteed in the Articles, subject to the effects of their activities being in accordance with the purpose of the Resource Management Act 1991: promoting the sustainable management of natural and physical resources. This also fulfils the Council's statutory responsibilities in terms of section 6(e) of the Resource Management Act 1991.

TWP-P6 Iwi Management Plans

To take into account any relevant planning document recognised by an iwi authority when preparing or changing a District Plan to the extent that its content has a bearing on resource management issues of the District.

Methods

Regulatory Methods

- Identification of all currently known heritage areas of significance to Māori (TWP-P2).
- Update currently known heritage areas of significance for Māori as new information becomes available.
- Record, on the planning maps, those Sites of Significance to Māori as validated information becomes available (TWP-P2).
- Zone rules providing for esplanade reserves and strips in locations having regard to the cultural preferences of tangata whenua (TWP-P3).
- Resource area rules relating to Sites of Significance to Māori when requested by tangata whenua (TWP-P2).
- Resource consent conditions and requirements for the identification and recognition of any effects on Sites of Significance to Māori (TWP-P2).
- Develop criteria, in consultation with tangata whenua, by which iwi/hapū management plans can be prepared for consideration by Council (TWP-P6).
- Consider initiation of Plan changes to address substantive issues arising from iwi/hapū management plans.
- Council to ensure that assessments of effects on the environment identify any tangata whenua groups that may be affected by a proposal, the consultation undertaken with those groups, and any response to the views of the tangata whenua consulted (TWP-P4).
- Infringement notices, enforcement orders, abatement notices and prosecution for illegal destruction of heritage areas (TWP-P2).
- To consider transfer of powers under section 33 of the Resource Management Act to enable tangata whenua to manage the use and development of Māori land, or heritage areas of significance to Māori, in circumstances where the criteria specified in Section 33(4) of the Resource Management Act are satisfied (TWP-P1, P3, and P5).
- To consider transfer of powers under section 33 of the Resource Management Act to make decisions on applications for Marae, Papakainga and kaumatua housing for tangata whenua (TWP-P5).

Explanatory Note: This plan makes reference to ‘Sites of Significance to Māori’ and ‘heritage areas of significance to Māori’. The difference between these terms is that the former deals with those sites that are identified on the planning maps and are protected through particular rules and performance standards, whilst the latter deals with those areas which are not yet so identified.

Other Plans and Legislation

- The Northland Regional Policy Statement and Regional Plans (TWP-P5).
- The Heritage New Zealand Pouhere Taonga Act 2014 contains provisions for all archaeological sites, whether recorded or not. To modify or destroy a site requires consent from the Heritage New Zealand Pouhere Taonga (TWP-P2).
- Iwi Management Plans and Hapū Environmental Management Plans (TWP-P6).

Information, Education and Advocacy

- Meetings with tangata whenua to investigate the application of sections 33 and 34 of the Resource Management Act 1991 to multiple-owned Māori land and identified Sites of Significance to Māori (TWP-P1).
- Liaison with the Northland Regional Council, Department of Conservation and adjacent territorial authorities (TWP-P1).
- Liaison with other organisations involved in resource management, for example the Heritage New Zealand Pouhere Taonga (TWP-P1).

- Consultation with tangata whenua on resource management issues and the co-management of council land containing Sites of Significance to Māori (TWP-P4).
- The collection and maintenance of information on treaty claims relevant to resource management in the District (TWP-O3, TWP-P1)
- Appointment of persons with appropriate expertise in Māori culture, traditions and values as hearings Commissioners or members of a Council Hearings Committee in matters of particular significance to tangata whenua including applications on land over which there is a treaty claim (TWP-P4). Such persons will be appointed in consultation with the appropriate tangata whenua.
- Provision of advice and information to tangata whenua on activities that may have adverse effects on Sites of Significance to Māori (TWP-P4).
- Recognise the authorised and mandated representatives of tangata whenua associated with particular Sites of Significance to Māori, and for general consultation purposes (TWP-P4).
- Development of an administrative process of liaison with tangata whenua that provides early and sufficient information on all resource consent applications, allowing for a reasonable response period (TWP-P4).
- Holding resource management hearings on Marae, or at other appropriate venues, where there are particular matters that require expression by tangata whenua in a culturally appropriate situation (TWP-P1).
- Educational opportunities for council members and officers in Tikanga Māori, Te Reo Māori, and the Treaty (TWP-P4).
- Acknowledging traditional Māori place names where possible (TWP-P4).
- Correction of existing erroneous Māori place names within the District with a corresponding public education campaign.
- That tangata whenua have the opportunity for effective input into the provision of road names.
- Raising public awareness of the importance of protecting Sites of Significance to Māori (TWP-P4).
- Protection of sensitive information in the course of proceedings as provided for in section 42 of the Resource Management Act 1991 (TWP-P1).
- Educational opportunities for tangata whenua on their marae in all aspects of sustainable management of resources, planning processes, and council policies (TWP-P4).
- Promote public awareness of the protected nature of sites of significance to tangata whenua.

Economic Instruments

- Annual Plan allocation for assisting other protection agencies (TWP-P1).
- Provision of rates' relief as an incentive and a method of compensation for those land owners whose land, or part of whose land, is identified as a Site of Significance to Māori, be incorporated in the Annual Plan process (TWP-P2).
- Provision of rates' relief as an incentive and a method of compensation for those landowners who voluntarily covenant land for the protection of heritage areas of significance to Māori (TWP-P2).
- Conditions on resource consents and designations, including financial contributions, to remedy or mitigate effects on heritage areas of significance to Māori (TWP-P2).
- Resourcing of Hapū Environmental Management Plans under the Annual Plan TWP-P1).

- Impose financial penalties for illegal destruction of heritage areas of significance to tangata whenua (TWP-P2).

Anticipated Environmental Results

The following results are expected to be achieved by the foregoing Objectives, Policies and Methods. The means of monitoring whether the Plan achieves the expected outcomes are set out in the Whangarei District Council Monitoring Strategy.

- The Whangarei District Council, in the exercise of its functions and powers, takes into account the principles of the Treaty of Waitangi.
- The Whangarei District Council recognises and provides for the relationship of Māori and their culture and traditions with their ancestral lands, waters, sites, waahi tapu and other taonga, and has particular regard to kaitiakitanga.
- The Whangarei District Council undertakes effective consultation with tangata whenua and ensures effective participation of tangata whenua in resource management processes.
- Sites and heritage areas of significance to Māori are identified, assessed, afforded protection and shown on the planning maps in the District Plan.
- The adverse effects of subdivision, use and development on sites and heritage areas of significance to Māori are avoided, remedied or mitigated.

Papakāinga (PKA)

Issues

The papakāinga provisions provide for the development of ancestral Māori land. In the context of the District Plan, ancestral Māori land is land subject to the Te Ture Whenua Māori Act 1993, including; Māori customary land, Māori Freehold Land and General Land owned by Māori. These provisions seek to provide opportunities for Māori land owners to develop and live on their ancestral land.

Providing for papakāinga meets the purpose of the Resource Management Act 1991 (section 5) in that it will enable Māori to provide for their social, economic, and cultural well-being and for their health and safety. It also recognises and provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga; a matter of national importance in the Resource Management Act (section 6(e)).

In the context of the District Plan, papakāinga developments are developments of a communal nature on ancestral Māori land. Papakāinga developments may not solely focus on providing for housing. In addition to housing papakāinga may also include activities such as: community, education facilities and recreational facilities, places of assembly, industrial activities, and commercial activities, all of which are directly associated with the communal nature and function of the papakāinga.

It is recognised that Māori land is subject to a number of development barriers and complications that require it to be treated differently to land held in European title. These barriers include (but are not limited to) the status of Māori land under Te Ture Whenua Māori Act 1993 and the costs associated with obtaining approval from councils and other organisations.

Council is committed to providing for papakāinga developments on ancestral Māori land. The papakāinga provisions reflect this commitment by providing a permitted activity status for papakāinga developments on Māori Freehold Land, provided that it can be demonstrated that the land has the capacity to cater for the development and that certain amenity standards are met.

A restricted discretionary activity status is provided for “General Land owned by Māori” that is either the subject of proceedings before the Māori Land Court to convert it to Māori Freehold Land, or where an ancestral link has been identified. On all other land, papakāinga developments are non-complying activities.

Māori Land Court processes for Occupation Orders and Licenses to Occupy require Māori land owners to obtain certain information from Council. It is highlighted in the provisions that Council will provide this information on request.

Notes:

1. *Transfer of Power: Subject to the requirements of section 33 of the Resource Management Act 1991, the Whangarei District Council is able to transfer its powers to the relevant iwi authority for the rohe in which the land is located. Refer to guidance document on Transfer of Powers for assistance as to the process for applying for and obtaining a transfer of powers.*
2. *Decision Making: Any applicant for resource consent pursuant to PKA-R1 – R4 can request that the application is considered and determined by an Independent Commissioner(s) with knowledge and experience in tikanga Māori and Planning.*
3. *Application to the Māori Land Court for an Occupation Order or a Licence to Occupy: For the purposes of making an application to the Māori Land Court for an Occupation Order or a Licence to Occupy, Council can supply on request District Plan maps or any other relevant information it holds relating to the suitability of the land for a papakāinga development.*

Objectives

PKA-O1 Traditional and Cultural Relationship

For the District Plan to recognise the desire of Māori to maintain and enhance their traditional and cultural relationship with their ancestral land.

PKA-O2 Provision for Papakāinga Development

Provide for papakāinga development on ancestral land in a manner which is sensitive to tikanga Māori and the sustainable management of the land resource.

PKA-O3 Ancestral Lands

Allow maximum flexibility for Māori to develop their ancestral lands, while ensuring appropriate health, safety and amenity standards are met.

PKA-O4 Traditional Settlement Patterns

Enable Māori to establish and maintain traditional settlement patterns, activities and development opportunities.

PKA-O5 Protection and Enhancement

Protection and enhancement of ecological, landscape, cultural, heritage and other features which are of value to Māori and the wider community.

Policies

PKA-P1 Papakāinga on Ancestral Māori Land

To limit papakāinga development to ancestral Māori land that is administered under the Te Ture Whenua Māori Act 1993.

PKA-P2 Intensity and Scale of Development

To require the maximum intensity and scale of papakāinga development to be determined by the sustainable servicing capacity of the land and the surrounding environment.

PKA-P3 Location and Extent of Development

To require the location and extent of built development to be determined by the physical characteristics of the land and tikanga Māori.

PKA-P4 Non-Residential Activities

To provide for non-residential activities of a scale, character, and intensity that are compatible with the values of Māoritanga, character of the environment and the sustainable servicing capacity of the locality.

PKA-P5 Papakāinga Development Plans

To encourage Māori to prepare Papakāinga Development Plans as a guide to sustainable management of ancestral land.

Rules

PKA-R1 Eligibility

1. The following provisions of the District Plan shall apply to papakāinga developments:
 - a. The District-Wide and Resource Area objectives, policies and rules.

- b. The underlying Zone provisions, unless otherwise specified in PKA-R2.
 - c. The underlying Zone subdivision provisions.
2. The PKA provisions shall not apply to land located in the Heavy Industrial Zone.

PKA-R2 Papakāinga Developments on Māori Freehold Land*

Activity Status: Permitted

Where:

1. A Papakāinga Development Plan is submitted to Council prior to any application for building consent that identifies and demonstrates the following:
 - a. The location of any residential units.
 - b. The location of any structures other than residential units.
 - c. Areas of land, buildings or major structures (excluding minor buildings) to be dedicated to commercial activities, community activities or industrial activities.
 - d. The location of utility servicing requirements and internal roading network.
 - e. The land can be serviced in terms of accessways, water, wastewater and stormwater in accordance with the relevant provisions of the Transport and Three Waters Management Chapters for the type and number of buildings shown on the Papakāinga Development Plan. The Papakāinga Development Plan shall be accompanied by a written report and certification to this effect from a Chartered Professional Engineer confirming that this requirement is met.
 - f. The location of any recorded historic heritage (including archaeology) that is protected by the Heritage New Zealand Pouhere Taonga Act 2014.
2. Any places of assembly, recreational facilities, educational facilities, and commercial activities or industrial activities are established in conjunction with and are directly associated with the residential activities of the papakāinga.
3. Any places of assembly, recreational facilities, educational facilities, and commercial activities or industrial activities are setback at least 100m from any existing residential unit on a separate site.
4. Commercial activities or industrial activities do not cumulatively exceed 500m² in gross floor area on any one site.
5. The number of residential units per site does not exceed one residential unit per 2,000m² of net site area.

Note:

1. *Māori Freehold Land is defined in the Te Ture Whenua Māori Act 1993.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of Discretion:

1. Council shall restrict its discretion to any actual or potential environmental effects associated with the matter of non-compliance.

PKA-R3 Papakāinga Development on General Land* Owned by Māori

Activity Status: Restricted Discretionary

Where:

1. It is demonstrated that the papakāinga development would otherwise comply with the permitted activity controls in PKA-R2; and
2. The land is subject of proceedings before the Māori Land Court to convert the land to Māori Freehold Land on the date the application for resource consent is made; or

3. The land has not been the subject of proceedings before the Māori Land Court to convert the land to Māori Freehold Land but an ancestral link to the land has been identified.

Matters of Discretion:

1. Explanation as to the historical reasons why the land was transferred to general title.
2. Evidence as to why the land should be considered as ancestral Māori land.
3. In the case of PKA-R3.3 above, an explanation as to why the land has not been converted to Māori Freehold Land pursuant to the Te Ture Whenua Māori Act 1993.
4. Demonstration of appropriate legal mechanism(s) to ensure that the land is maintained in whanau ownership.

Notes:

1. *Refer to guidance document for assistance in demonstrating the adequacy of evidence for the identification of an ancestral link.*
2. **General Land owned by Māori is defined in the Te Ture Whenua Māori Act 1993.*

Activity Status when compliance not achieved: Discretionary

PKA-R4 Papakāinga Development on all Other Land

Activity Status: Non-Complying

Where:

1. Papakāinga developments on all other land not specified in PKA-R2 to PKA-R3.

Ecosystems and Indigenous Biodiversity (ECO)

Issues

Loss of biodiversity and fragmentation of significant indigenous vegetation and significant habitats of indigenous fauna arising from land clearance, pest invasions, modification of indigenous wetlands, subdivision, use and development.

Low representation of threatened and/or rare vegetation and habitat types in the protected areas network within the District.

Finding a balance between the protection of ecosystems and ecological processes, and sustainable land development and use.

Lack of public understanding of ecological processes and values leading to inappropriate land use.

Since first human settlement in the District, large areas of native forests and shrub lands, freshwater indigenous wetlands, mangrove forest, mudflats and coastline have been lost or modified by direct or indirect human impacts. As a result of habitat changes, the District has a high number of endangered and threatened species.

The effects on wildlife of loss of habitat vary, but for less mobile species with special habitat requirements, this can result in local extinction. More mobile species have special habitat requirements at certain stages of their life cycles, for example, the loss of breeding habitats could have serious long-term consequences for particular species.

Habitats special to the District, and which are now poorly represented as natural ecological areas, include:

- Taraire-puriri broadleaf forest remnants found on the basalt soils;
- Mineralised flax, raupo and sedge swamps;
- Acid peat bogs;
- Podsol gumlands;
- Lowland kahikatea/cabbage tree and swamp forest remnants;
- Coastal forests and shrub lands;
- Kauri and Podocarpus (rimu, matai, kahikatea, miro, kaiwaka, tanekaha forests);

All of these habitat types have been severely reduced in area, or are highly modified and now often only occur as tiny modified relics of what once occurred in the District.

Threatened indigenous species which are of particular concern include:

- North Island brown kiwi – kiwi distribution in the District has declined by half in just 20 years, and numbers continue to decline;
- The unique black mudfish, now down to just two tiny populations;
- Heart-leafed kohuhu – only one population now exists;
- King fern – only three known populations;
- Calystegia marginate – only three populations remain;
- Brown teal – the District contains the last significant mainland population of this endangered duck species;
- Fairy tern – New Zealand's sole population of this endangered subspecies, which numbers 30 individuals, with one of only three known breeding sites being located at Waipu Estuary;
- Hochstetter's frog – the only known Northland populations are found in the Brynderwyn - Mareretu-Waipu Caves forest areas;

- Kauri and flax snails – these two species continue to decline and local extinction has now occurred over many parts of the District;
- Banded rail, fernbird, bittern and spotless crane, (all secretive wetland/gumland birds), continue to decline due to loss and modification of their specialist habitat sites;
- New Zealand dotterel – the District contains nationally important populations of this species around several sandy beaches and spits;
- Long-tailed bats, kaka and red-crowned parakeets are forest species, which have disappeared from many sites, while the unique, but tiny freshwater crab is known from only two riverine sites.

As habitats are reduced in number and size, it becomes increasingly difficult to maintain viable areas for particular plant and animal species to ensure regeneration, migration, colonisation and breeding.

Without habitat suitable to its requirements, species will soon be lost, and it is for this reason the District now contains such a large number of threatened indigenous flora and fauna.

Areas near rivers provide habitats, not found elsewhere, which are important for the survival of a number of indigenous plants and animals. These riparian areas provide nesting, escape cover and food producing habitat for insects, fish and wildlife. They also function as wildlife corridors, important for providing access to water, routes for migration and a food source, particularly for those native bird species which are poor fliers.

In providing a regime for protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, a set of criteria and a ranking system was developed by ecological scientists. The criteria are included in ECO-SCHED1, where vegetation and habitat are ranked as outstanding, high, moderate high, moderate and potential value. In terms of section 6(c) of the Resource Management Act 1991, 'significant' includes areas ranked as moderate [ecological] value and above. The Plan at present identifies as 'Significant Ecological Areas' on the Planning Maps all areas ranked as outstanding value, and those ranked as high value, that are owned by the Council, the Department of Conservation or which have been volunteered for protection by the landowner.

The Council is only one of a number of organisations that has an interest in the conservation of indigenous vegetation and habitats. Initiatives taken by the Council to identify and protect Significant Ecological Areas will be ongoing, and will complement the work of the other organisations. Over time, knowledge about the District's ecological areas will be improved and the area that is protected will increase. Protection can, and will be, achieved both by regulatory and non-regulatory means.

Voluntary and incentive-based methods will be an important component of the non-regulatory methods of protecting areas identified as Significant Ecological Areas.

Objectives

ECO-01 Maintain and Enhance Ecosystems and Biodiversity

Maintenance and enhancement of the life-supporting capacity of ecosystems, and the biodiversity of the District.

ECO-02 Protection of Significant Indigenous Vegetation and Fauna

Protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna from inappropriate subdivision, use and development.

Explanation and Reasons: indigenous vegetation and the habitats of indigenous fauna have an important role to play in the life-supporting capacity of the biosphere, and are an important component of the natural landscapes of the District. Significant modifications to such vegetation

and habitats can disrupt natural cycles and the processes that sustain them, threaten their viability and reduce biodiversity. The objectives reflect obligations of all parties under section 6(e) of the Resource Management Act 1991 to recognise and provide for the protection of areas of significant vegetation and significant habitats of indigenous fauna, as well as the obligation under section 7(d) to have particular regard to the intrinsic values of ecosystems.

Policies

ECO-P1 Significant Indigenous vegetation and Significant Habitats of Indigenous Fauna

To recognise as significant, and provide protection for, indigenous vegetation and habitats of indigenous fauna, including indigenous wetlands, which are of Moderate, Moderate-High, High and Outstanding value using the criteria set out in ECO-SCHED1.

Explanation and Reasons: The system for rating significant ecological sites is explained in the Whangārei District Sites of Ecological Significance Report (Boffa Miskell, 1995). Significant ecological sites, in terms of section 6(c) of the Resource Management Act 1991, will generally contain one or more of the following attributes - threatened indigenous wildlife or plant species; viable populations of species which are of a typical habitat and retain a high degree of naturalness; representative examples of a particular habitat type; high diversity of indigenous species or habitat types of importance for indigenous migratory species.

These attributes have been developed by New Zealand ecologists over the last 30 years, and are based on international criteria used by the International Union for Conservation of Nature (I.U.C.N.). Biodiversity is strongly influenced by the integrity of indigenous wetlands and riparian areas. The latter provide shade and food and are often unique habitats for indigenous vegetation and fauna in their own right. The presence of riparian vegetation, in particular, can have an important influence on the ecological structure of in-stream invertebrate communities and fisheries values.

ECO-P2 Significant Ecological Areas

To maintain the ecological values of significant indigenous vegetation and the significant habitats of indigenous fauna in the Low Density Residential and Open Space and Recreation Zones.

Explanation and Reasons: These policies identify the criteria that will be used in identifying significant ecological areas and, furthermore, where within the Whangārei District the Council will focus effort in the maintenance of such ecological values.

ECO-P3 Enhancement

To promote the enhancement of areas of significant indigenous vegetation and significant habitats of indigenous fauna that have been, or may be, degraded by inappropriate subdivision, use and development.

Explanation and Reasons: Degraded natural habitats reduce the diversity and threaten the health of plant and animal communities in the District, particularly for species already threatened. Enhancement may take the form of protecting existing indigenous plant communities through fencing, stock and pest control, planting and covenanting remnant forest and wetland habitats, or through restoration of degraded habitats, mainly through replanting. The aim of enhancement is to improve the condition of degraded ecosystems so that natural cycles and processes can occur. Such enhancement may also include off-site environmental compensatory actions when the mitigation of environmental effects on-site is inadequate or not practical.

ECO-P4 Effects

To avoid, remedy or mitigate the adverse **effects** of **land** use activities on areas of **indigenous vegetation** and significant habitats of indigenous fauna, including areas of value to **tangata whenua**, as determined by ECO-SCHED1, so as to maintain its ecological values.

*Explanation and Reasons: This policy applies to all areas of **indigenous vegetation** and habitats of indigenous fauna, not just those that are significant in terms of other policies. Activities may indirectly affect vegetation and habitat through, for example, **noise**, vibration or the introduction of predators (e.g. cats and dogs). This policy will often be particularly relevant to the assessment of resource consent applications for activities that may impact on significant areas of **indigenous vegetation** or significant habitats of indigenous fauna. Specific areas of **indigenous vegetation** are used for the harvesting of species for cultural use.*

ECO-P5 Environmental Pests

To avoid, remedy or mitigate the adverse **effects** of goats in areas of **indigenous vegetation** and habitats of indigenous fauna, particularly in areas where they have been eradicated at Mt Manaia and Bream Head.

*Explanation and Reasons: Goats are a pest in the District and can cause significant amounts of damage to **indigenous vegetation** and habitats of indigenous fauna. Goats have been eradicated from the areas around Mt Manaia and Bream Head. It is therefore necessary to prevent the re-infestation of these areas and allow the vegetation to regenerate.*

- To avoid the introduction of plant and animal pests where practicable.
- To encourage programmes for plant and animal pest control in areas of ecological value.
- To recognise that dogs, cats and mustelids are a significant threat to kiwi.

*Explanation: The role of introduced plant and animal pests in damaging native vegetation, native communities and biota is well established. Council has a role which may include regulatory, education and information mechanisms to limit adverse **effects** and environmental risks that may be associated with pests. Council also has a complimentary role to the Northland Regional Council's pest management functions.*

Methods

Regulatory Methods

- Rules regulating the clearance of **indigenous vegetation**, vegetation planting and **indigenous wetland** destruction (ECO-P1, ECO-P2).
- Subdivision** and Resource Area rules relating to the taking of esplanade reserves on **land** adjacent to **rivers** and **indigenous wetlands** (ECO-P3 to ECO-P4).
- Resource consent conditions protecting significant **indigenous vegetation** and the significant habitats of indigenous fauna, including conditions requiring bush covenants and, where appropriate, fencing (ECO-P.2, ECO-P.3, ECO-P 4).
- Heritage orders in special circumstances (ECO-P3 to ECO-P).
- Identification of Goat Control Areas on the Planning Maps (ECO-P 5.).
- The provision of a Goat Control Area Rule Table in the Natural Features Rule table.
- Identify in a schedule, as appropriate, plants and animals of cultural significance, as determined by iwi/hapū Environmental Management Plans (ECO-P4).

Other Plans and Legislation

- The Regional Policy Statement for Northland (ECO-P1 to ECO-P4).

- The Northland Regional Water and Soil Plan (ECO-P1 to ECO-P4).
- The New Zealand Coastal Policy Statement (ECO-P1 to ECO-P4).
- The Northland Conservation Management Strategy (ECO-P1 to ECO-P4).
- Iwi/Hapū Environmental Management Plans (ECO-P1 to ECO-P4).

Information, Education and Advocacy

- Liaison with government and community groups (ECO-P1 to ECO-P4).
- Liaison with iwi/hapū in regard to Iwi/Hapū Environmental Management Plans and ecological issues of concern to tangata whenua (ECO-P1 to ECO-P4).
- Educate and inform resource users of the need for local sourcing of plant material (ECO-P3 to ECO-P4).
- Investigate with landowners and other interested parties, the recording of other areas of significant indigenous vegetation and habitats of indigenous fauna, using the criteria within ECO-SCHED1 (ECO-P1 to ECO-P2).
- Promote voluntary protection of significant indigenous vegetation or the significant habitats of indigenous fauna, through the use of protective covenants and other mechanisms, including fencing and rates relief schemes (ECO-P3 to ECO-P4).
- Promote and support appropriate voluntary, self-regulating, industry-based codes of practice and guidelines (ECO-P3 to ECO-P4).
- Promote community awareness of the role of ecosystems and the importance of the protection of indigenous biodiversity, through plant and animal pest control programmes and other measures (ECO-P1 to ECO-P4).
- Hold, and make available, databases recording ecological information and maps detailing ecological areas within the District.
- Promote and support programmes to exclude dogs, cats and mustelids from known high-density kiwi habitat (ECO-P5c).

Economic Instruments

- Financial contributions (ECO-P3 to ECO-P4).
- Annual Plan allocation for assisting other protection agencies (ECO-P3 to ECO-P4).
- Provision of rates' relief as an incentive and method of compensation for those landowners who voluntarily covenant land, for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (ECO-P3 to ECO-P4).
- Consideration of a waiver or reduction of subdivision consent application fees where the sole or principal purpose of the subdivision is protection of significant indigenous vegetation or significant habitats of indigenous fauna. (ECO-P3 to ECO-P4).

Anticipated Environmental Results

The following results are expected to be achieved by the foregoing Objectives, Policies and Methods. The means of monitoring whether the Plan achieves the expected outcomes are set out in the Whangārei District Council Monitoring Strategy.

- Areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected and/or enhanced.
- Adverse effects from subdivision, use and development on areas of significant indigenous fauna are avoided, remedied or mitigated.
- The establishment of ecological corridors connecting areas of significant indigenous vegetation and significant habitats of indigenous fauna.

- Areas of indigenous vegetation and habitats of indigenous fauna of significance to Māori are protected and/or enhanced.

ECO Appendix 1 - ECO-SCHED1 Criteria for Ranking Significance of Areas of Indigenous Vegetation and Habitat

ECO-SCHED1.1 Outstanding Value

1. All sites which meet the following criteria:
 - a. Occurrence of an endangered endemic species;
 - b. Areas important to nationally vulnerable or internationally uncommon species (breeding or migratory);
 - c. Ecosystem or example of an original habitat type which is nationally rare;
 - d. Rare national example of a sequence or a mosaic.
2. All sites which contain wildlife species listed in ECO-SCHED2 as 'Outstanding Value' - nationally endangered.
3. All sites which contain plant species listed in ECO-SCHED3 as being of 'Outstanding Value' within the Northland context.

ECO-SCHED1.2 High Value

1. All sites which meet the following criteria:
 - Occurrence of a vulnerable endemic species;
 - Important habitat of a nationally rare species, or presence of rare Northland endemic species;
 - Example of a nationally uncommon habitat, sequence or mosaic;
 - Habitat type that is rare in that Ecological Region.
2. All sites which contain wildlife species listed in ECO-SCHED2 as 'High Value' - nationally vulnerable.
3. All sites which contain plant species listed in ECO-SCHED3 as being of 'High Value' within the Northland context.

ECO-SCHED1.3 Moderate-High Value

1. All sites which meet the following criteria:
 - Occurrence of a rare endemic species, or regionally threatened species, or endemic species of limited abundance throughout the country;
 - A habitat or sequence which is rare in that Ecological District;
 - Habitat which is uncommon elsewhere in that Ecological Region or District but contains all, or almost all, species typical of that habitat type (for that Region or District);
 - An area where any particular species is exceptional in terms of abundance or habitat.
2. All sites which contain wildlife species listed in ECO-SCHED2 as 'Moderate-High Value' - nationally rare or regionally threatened.
3. All sites which contain plant species listed in ECO-SCHED3 as being of 'Moderate-High Value' within the Northland context.

ECO-SCHED1.4 Moderate Value

1. All sites supporting good numbers of species which are typical of a widespread habitat within an ecological region, and which have not been heavily modified by human influence.
2. All sites which contain wildlife species listed in ECO-SCHED2 as 'Moderate Value' - restricted distribution.

- All sites which do not contain any of the species listed in ECO-SCHED2 or 17C, but which are viable areas of indigenous vegetation, or viable habitats of indigenous fauna.

ECO-SCHED1.5 Potential Value

- All sites which meet the following criteria:
 - All areas of some biological significance, whose biological values are limited by heavy modification, or other factors, but which would have increased biological value if left to regenerate or if managed or developed, (may include wildlife habitat which functions as a corridor, or which is sub-optimal habitat that may be necessary for maintaining genetic diversity).
- All sites which do not contain any of the species listed in ECO-SCHED2 or 17C, but which are viable areas of indigenous vegetation or viable habitats of indigenous fauna.

Note:

- The application of these criteria within the Plan applies only to significant areas of indigenous vegetation and habitat rated 'Moderate' and above.

ECO Appendix 2 - ECO-SCHED2 Status of Northland's Wildlife Species Applicable to the Whangārei District

Adapted from the Northland Conservation Management Strategy 1999.

Outstanding Value (Endangered Endemic Species)

Table ECO APP2 1. Status of Wildlife Species - Outstanding Value

Birds	Reptiles	Mammals	Freshwater Fish	Invertebrates (Molluscs)	Invertebrates (Arthropods)
<ul style="list-style-type: none"> Fairy Tern Little Spotted Kiwi NI Brown Kiwi Brown Teal 	<ul style="list-style-type: none"> All Marine Turtles 	<ul style="list-style-type: none"> Short-Tailed Bat 	<ul style="list-style-type: none"> Black Mudfish Short-Jawed Kokopu 	<ul style="list-style-type: none"> Incomplete 	<ul style="list-style-type: none"> Incomplete

High Value (Vulnerable Endemic Species)

Table ECO APP2 2. Status of Wildlife Species - High Value

Birds	Reptiles	Mammals	Freshwater Fish	Invertebrates (Molluscs)	Invertebrates (Arthropods)
<ul style="list-style-type: none"> NZ Dabchick Black Petrel Buller's Shearwater NI Weka Little Shearwater Australasian Bittern NZ Falcon NZ Dotterel 	<ul style="list-style-type: none"> Robust Skink Macgregor's Skink Tuatara Hochstetter's Frog Poor Knights Skink 	<ul style="list-style-type: none"> Long-Tailed Bat 	<ul style="list-style-type: none"> Giant Kokopu Lamprey 	<ul style="list-style-type: none"> Flax Snail 	<ul style="list-style-type: none"> Northland Tusked Weta Freshwater Crab

Birds	Reptiles	Mammals	Freshwater Fish	Invertebrates (Molluscs)	Invertebrates (Arthropods)
<ul style="list-style-type: none"> • Wrybill • Stitchbird • NZ Pigeon • Royal Spoonbill • Pycrofts Petrel 					

Moderate-High Value (Rare Endemic or Regionally Threatened Species)

Table ECO APP2 3. Status of Wildlife Species - Moderate-High Value

Birds	Reptiles	Mammals	Freshwater Fish	Invertebrates (Molluscs)	Invertebrates (Arthropods)
<ul style="list-style-type: none"> • Reef Heron • Banded Rail • Banded Dotterel • Caspian Tern • Cook's Petrel • Poor Knights Bellbird • White-Fronted Tern • NI Saddleback 	-	-	<ul style="list-style-type: none"> • Koaro • Banded Kokopu • Blue-Gilled Bully 	<ul style="list-style-type: none"> • Incomplete 	<ul style="list-style-type: none"> • Incomplete

Moderate Value (Restricted Distribution)

Table ECO APP2 4. Status of Wildlife Species - Moderate Value

Birds	Reptiles	Mammals	Freshwater Fish	Invertebrates (Molluscs)	Invertebrates (Arthropods)
<ul style="list-style-type: none"> • Australian Little Grebe • Hoary-Headed Grebe • Variable Oystercatcher • Greg Plover • Sharp Tailed Sandpiper • Curlew Sandpiper • Knot • Godwit • Golden Plover 	-	-	-	<ul style="list-style-type: none"> • Incomplete 	<ul style="list-style-type: none"> • Incomplete

Birds	Reptiles	Mammals	Freshwater Fish	Invertebrates (Molluscs)	Invertebrates (Arthropods)
<ul style="list-style-type: none"> • Turnstones • Far Eastern Curlew • Siberian Tattler • Red-Necked Stint • Long Tailed Cuckoo • Spotless Crake • North Island Fernbird • Red Crowned Parakeet • Scaup 					

ECO Appendix 3 - ECO-SCHED3 Threatened and Uncommon Plants of Whangārei District

Outstanding Value

Table ECO APP3 1. Threatened and Uncommon Plants of Whangārei District - Outstanding Value

Species	Distribution
Asplenium Pauperequitum	Rare on cliffs on Poor Knights Islands
Clanthus Puniceus Var. Puniceus	Previously Whangārei, Kaipara
Crassula Hunua	Old record from Wairua River. Already checked
Hebe Aff. Bishopiana	Hikurangi Swamp, once more widespread but still local
Isoetes Aff. Kirkii	Gone from Wairua Falls
Lepidium Oleraceum Ss.	-
Rorippa Divaricata	Poor Knights, Hen and Chicken Islands

High Value

Table ECO APP3 2. Threatened and Uncommon Plants of Whangārei District – High Value

Species	Distribution
Anogramma Leptophylla	P J de Lange record of two patches Waiomio Caves carpark
Austrofestuca Littoralis	Open coast beaches around Whangārei
Baumea Complanata	Was near Maungatapere, shrubland/gumland
Calystegia Marginata	Mostly coastal sites and open ground. Gone from Maungatapere
Carmichaelia Williamsii	Islands and mainland – Poor Knights to Hauraki Gulf
Colensoa Physaloides	Unbrowsed, high fertility forests

Cordyline Kaspar	Poor Knights, Hen and Chicken Islands
Dactylanthus Taylorii	Anecdotal record – Parahaki
Desmoschoenus Spiralis	Occasional on open coast
Euphorbia Glauca	Was around Whangārei Harbour, now Hen and Chicken Islands
Hebe Actiflora	Old record from Wairua Falls – needs checking
Hibiscus Aff. Trionum	Whangārei Heads
Hibiscus Diversifolius	Bream Head
Ileostylus Micranthus	Populations on totara, large population in Bay of Islands on Coprosma propinqua
Marattia Salicina	Punaruku, Whananaki, Matapouri, Pukenui, Motatau
Meryta Sinclairi	Local on Hen and Chicken Islands
Picris Burbidgei	Offshore islands
Pimelea Arenaria	Whangārei Heads, Ocean Beach, major population at Pataua
Pimelea Tomentosa	Locally common on East Coast
Pittosporum Obcordatum	1000+ plants – Hikurangi
Senecio Scaberulus	Coastal – mainly east coast cliffs and banks – local
Sicyos Australis	Poor Knights, Hen and Chicken Islands
Todea Barbara	Poor Knights

Moderate-High Value

Table ECO APP3 3. Threatened and Uncommon Plants of Whangārei District – Moderate-High Value

Species	Distribution
Adiantum Formosum	Formerly recorded at Wairoa River
Calochilus Paludosus	Formerly recorded in Whangārei and Mangonui
Caladenia Atradenia	Shrubland in a number of localities
Celmisia Adamsii Var. Rugulosa	Kauri Mountain, Mt Manaia, Bream Head
Doodia Aspera	Formerly recorded at Waiomio
Fuchsia Procumbens	A number of sites from Bay of Islands to Bream Head
Korthalsella Salicornioides	Locally common on manuka and kanuka
Mazus Pumilio	Large patch in Council covenant at Whananaki
Pellaea Falcate	-
Plectranthus Parviflorus	One collection from Tangihua Forest
Pomaderris Paniculosa Ssp. Novae-Zelandiae	Mt Manaia
Rorippa Divaricata	Poor Knights, Hen and Chicken Islands
Tetragonia Tetragonoides	-

ECO Appendix 4 - ECO-SCHED4 Criteria for Ranking Significance of Areas of Indigenous Vegetation, Habitat and Restoration Potential in Relation to the Environmental Benefit Rule

Since first human settlement in the District, large areas of native forests and shrub lands, freshwater indigenous wetlands, mangrove forest, mudflats, and coastline have been lost or modified by direct or indirect human impacts. About 26% of Northland's original forest and tall shrubland remain today, most of it in public ownership.

The preservation of privately owned land containing a "feature" such as:

- A stand of indigenous vegetation;
- An indigenous fauna habitat;
- An indigenous wetland, including ephemeral wetland; or
- An area of appropriately designed indigenous re-vegetation or enhancement,
- Through covenanting or other process, is available with use of the Environmental Benefit Rule during subdivision.

Indigenous vegetation and habitats in the district are described in this chapter. This section also contains the following schedules:

- ECO-SCHED1 - Criteria for Ranking Significance of Areas of Indigenous Vegetation and Habitat
- ECO-SCHED2 - Status of Northland's Wildlife Species Applicable to the Whangārei District
- ECO-SCHED3 - Threatened and Uncommon Plants of Whangārei District

In accordance with the ranking criteria in ECO-SCHED1, overleaf is a table summarising the criteria for ranking the quality of a feature. It is followed by the descriptions for all of the value categories.

ECO Appendix 5 - ECO-SCHED5 Table of Criteria Ranking Value of Feature

Value	Outstanding	High	Moderate High	Moderate	Potential Restoration
Minimum Vegetation, Dune, Fauna Habitat or <u>Wetland</u> Areas Required	0.5ha	1.0*	1.5ha	2.0ha	Refer ****
Minimum width of feature	50m	50m	50m	50m	Refer ****
% Canopy cover (native) ***	> 75%	> 50%	> 25%	> 25%	Refer ****
Species richness (plants**) ***	> 40	> 30	> 20	> 12	Refer ****
Ecotones ¹	≥ 4	≥ 3	≥ 2	≤ 2	Refer ****
Intactness (i.e. Canopy tiers) ***	Intact Ground; Mid; Canopy	Intact Ground; Mid; Canopy	Disturbed ground and Mid Canopy; Intact Canopy	Disturbed ground and Mid canopy; Intact Canopy	Refer ****

Value	Outstanding	High	Moderate High	Moderate	Potential Restoration
Introduced flora and fauna	Minimal	Minimal	Minimal - Moderate	Moderate	Refer ****
Human modification	Nil Except for walking tracks and pest control	Nil Same	Grazing, selective logging	Grazing, selective logging, <u>water</u> course changes	Refer ****
Quality: (ECO-SCHED1) or (Schedules 17B & 17C)	Outstanding	High	Moderate - High	17B or Northland Protection Strategy ²	Refer ****

* except for peat bog, which must contain a good coverage of indigenous canopy trees and have a minimum area of 0.5ha.

** not including epiphytes

*** except for dunes, which may be forested but considered to be of good quality, with a covering of spinifex or pingao (the latter considered to be High Value in ECO-SCHED3)

**** to achieve the same criteria specified in 'Moderate Value' category (above), as a minimum. Restoration to be completed within 4 years.

ECO Appendix 6 - ECO-SCHED6 Descriptions for all Value Categories

Outstanding Value

Contains best quality representative examples in the Ecological District and/or Region of a particular ecological unit, or combination of units. Best quality can be measured by the presence of:

- A mature indigenous vegetation community with a coherent, well developed canopy that comprises in excess of 75% indigenous late- successional species appropriate to the vegetation type; and
- Intact and dense ground, mid and canopy tiers (*Intactness*); and
- A very high level of diversity, i.e. species richness (>40 species of indigenous plant) and/or a suite of four or more native vegetation units/community types forming an ecotone within the proposed protected feature; and
- The particular ecological unit, or combination of units, is unmodified by humans and introduced species of flora and fauna are absent (*Naturalness and Long-term viability*).

OR

Contains a representative example of an ecological unit, or combination of units that is very poorly represented in protected areas in the Ecological District of Northland, in particular:

- Riverine swamp forest and flood plain forest;
- Dune forest;
- Broadleaf forest on alluvium and volcanic soils; or
- Podocarp forest (other than secondary totara forest).

OR

Contains plants and animals (permanent/migratory/seasonal) considered to be rare/threatened in the opinion of a qualified and experienced terrestrial ecologist with local knowledge of the District's

flora and fauna and/or listed in the “Outstanding Value” categories of the Schedules. An explanation shall be provided regarding the long-term sustainability of these species within the habitat (e.g. potential threats and management requirements).

Ecological features complying with any of the above criteria must meet the following size and shape parameters:

- The proposed area for protection is of sufficient size and shape to maintain its intrinsic ecological values. The minimum size for an area of this level of significance is 0.5ha of contiguous vegetation. The minimum width of the feature, at any one point, must be no less than 50m.
- The exception to this is where the feature comprises a strip of vegetation forming the riparian margins of a significant watercourse, or lake. In this case the minimum area of contiguous vegetation must be 0.5ha, and the minimum width of the riparian strip need only be 10m along each bank or 20m along the edge of a lake or watercourse, where only one bank is owned.
- Large areas surrounded by, or adjoining protected land along >50% of its boundary will be regarded as having greater ecological value and sustainability. This will give added weight for subdivision and covenanting.

High Value

Contains high quality representative examples in the Ecological District and/or Region of a particular ecological unit, or combination of units. High quality can be measured by the presence of:

- A mature indigenous vegetation community with a coherent, well developed canopy that comprises in excess of 50% indigenous late- successional species appropriate to the vegetation type; and
- Intact and moderately dense ground, mid and canopy tiers; and
- A high level of diversity, i.e. species richness (>30 species of indigenous plant) and/or a suite of at least three native vegetation units/community types forming an ecotone within the proposed protected feature; and
- The particular ecological unit, or combination of units, is unmodified by humans but some introduced species of flora and fauna may be present. Any such disturbance would be shown to have only minor impact on the long-term viability of the feature.

OR

Contains a representative example of an ecological unit, or combination of units, that is under-represented in protected areas in the Ecological District or Northland, in particular:

- Peat bogs;
- Podzol gumland;
- Coastal indigenous wetland including saltmarsh;
- Coastal herbfield, shrubland and forest;
- Predator-free islands;
- Ephemeral inland wetlands³;
- Dunes including dune lakes;
- Riparian margins of lower and middle-order⁴ streams⁵; or
- Buffers to, and linkages between, key areas for conservation management.

OR

Contains plants and animals (permanent/migratory/seasonal) considered to be rare/threatened, in the opinion of a qualified and experienced terrestrial ecologist with local knowledge of the District's flora and fauna and/or listed in the "High Value" categories of the Schedules. An explanation shall be provided regarding the long-term sustainability of these species within the habitat (e.g. potential threats and management requirements).

Ecological features complying with any of the above criteria must meet the following conditions:

- The proposed area for protection is of sufficient size and shape to maintain its intrinsic ecological values. The minimum size for an area of this level of significance is 1.0ha of contiguous vegetation. The minimum width of the feature, at any one point must be no less than 50m.
- The exception to this is where the feature comprises a strip of vegetation forming the riparian margins of a significant watercourse, or lake. In this case, the minimum area of contiguous vegetation must be 0.5ha and the minimum width of the riparian strip need only be 10m along each bank or 20m along the edge of a lake or watercourse, where only one bank is owned.

Areas of sufficient size and shape that adjoin protected land along part of their boundary, or that link or buffer other significant ecosystems, will be regarded as having greater ecological value and sustainability. This will give added weight for subdivision and covenanting.

Moderate-High Value

Contains moderately high quality representative examples in the Ecological District and/or Region of a particular ecological unit, or combination of units. Moderately high quality can be measured by the presence of:

- A mature indigenous vegetation community with a coherent, well developed canopy that comprises in excess of 25% indigenous late- successional species appropriate to the vegetation type; and
- An intact, dense canopy tier but mid or ground tiers may show some evidence of past disturbance, i.e. stock grazing, exotic plant material; and
- A moderately high level of diversity, i.e. species richness (>20 species of indigenous plant) and/or a suite of at least two native vegetation units/community types forming an ecotone within the proposed protected feature;
- The particular ecological unit, or combination of units, may show evidence of modification by humans, e.g. selective logging, hydrological manipulation, stock grazing and/or introduced species of flora and fauna that may be having a moderate impact on the long-term viability of the feature.

OR

Contains a representative example of an ecological unit, or combination of units, that is uncommon in protected areas in the Ecological District or Northland², in particular:

- Mangrove forest
- Kauri forest
- Volcanic lakes
- Serpentine shrubland
- Broadleaf shrubland
- Upland broadleaf forest

OR

Contains plants and animals (permanent/migratory/seasonal) considered to be rare/threatened, in the opinion of a qualified and experienced terrestrial ecologist with local knowledge of the District's

flora and fauna and/or listed in the “Moderate-High Value” categories of the Schedules. An explanation shall be provided regarding the long-term sustainability of these species within the habitat (e.g. potential threats and management requirements).

Ecological features complying with any of the above criteria must meet the following conditions:

- The proposed area for protection is of sufficient size and shape to maintain its intrinsic ecological values. The minimum size for an area of this level of significance is 1.5ha of contiguous vegetation. The minimum width of the feature, at any one point, must be no less than 50m.
- The exception to this is where the feature comprises a strip of vegetation forming the riparian margins of a significant watercourse, or lake. In this case the minimum area of contiguous vegetation must also be as for the ‘High Value’ category, that is 1ha and the minimum width of the riparian strip need only be 10m along each bank or 20m along the edge of a lake or watercourse, where only one bank is owned.

Areas of sufficient size and shape that adjoin protected land along part of their boundary, or that link or buffer other significant ecosystems, will be regarded as having greater ecological value and sustainability. This will give added weight for subdivision and covenanting.

Moderate Value

Contains moderate quality representative examples in the Ecological District and/or Region of a particular ecological unit, or combination of units. Moderate quality can be measured by the presence of:

- A coherent, well developed, appropriate canopy of indigenous species.
- An intact, dense canopy tier but mid or ground tiers may show evidence of past disturbance, i.e. stock grazing, exotic plant material.
- A mature indigenous vegetation community with a coherent, moderately developed canopy that comprises in excess of 25% indigenous late-successional species appropriate to the vegetation type. Early (primary) successional communities (e.g. kanuka-manuka shrublands), may be accepted under this value category if they have a high level of intactness and naturalness and if there is evidence of the future establishment and retention of late-successional vegetation. i.e. presence of occasional late-successional canopy species in the upper and lower tiers.
- A moderate level of diversity, i.e. species richness (12 or more species of indigenous plant⁷) and/or two native vegetation units/community types which may form an ecotone¹ within the proposed protected feature;
- The particular ecological unit, or combination of units, may show evidence of modification by humans, e.g. selective logging, grazing, hydrological manipulation and/or introduced species of flora and fauna that may be having a significant impact on the long-term viability of the feature.

OR

Contains a representative example of an ecological unit, or combination of units, that is adequately represented in protected areas in the Ecological District or Northland, in particular:

- Mixed lowland kauri-podocarp-broadleaf forest
- Manuka-kanuka shrubland - where the level of maturity is such that at least 75% of the canopy is 3m or over in height.

Ecological features complying with any of the above criteria must meet the following conditions:

- The proposed area for protection is of sufficient size and shape to maintain its intrinsic ecological values. The minimum size for an area of this level of significance is 2ha of

contiguous vegetation. The minimum width of the feature, at any one point must be no less than 50m.

- The exception to this rule is where the feature comprises a strip of vegetation forming the riparian margins of a significant watercourse, or **lake**. In this case the minimum area of contiguous vegetation must be as for the 'High Value' and 'Moderate–High Value' categories, that is 1ha and the minimum width of the riparian strip need only be 10m along each bank or 20m along the edge of a **lake** or watercourse, where only one bank is owned.

Areas of sufficient size and shape that adjoin protected **land** along part of their **boundary**, or that link or buffer other significant ecosystems will be regarded as having greater ecological value and sustainability. This will give added weight for **subdivision** and covenanting.

Potential / Restoration Value

There will be some remnants within the District that do not comply with any of the criteria 'Moderate' and above, due to high levels of modification and disturbance. Where a feature is marginal under these terms, but could be improved to a significant standard within a maximum of 4 years, a feature may have Potential / Restoration Value.

This criterion could apply to any ecosystem type, but where it is critically depleted within the Ecological District or Northland, a proposed restoration project will have maximum significance value. Ecosystems to which this applies to include, in particular⁶:

- Coastal (dune including dune lakes, shrubland and forest)
- Riverine forest, swamp forest and podocarp forest on alluvium
- Broadleaf volcanic forest
- Swamps, bogs and riparian ecotones including estuarine

An Environmental Benefit will not be offered upfront on the basis of a remnant having Potential/ Restoration value. However, if a **land** owner should choose to undertake restoration of a feature, providing this is done following a comprehensive rehabilitation programme designed by a suitably qualified and experienced professional accepted by the Council and achieves the criteria specified in the 'Moderate Value' category and to be completed within a maximum of 4 years, then the remnant will qualify for an Environmental Benefit.

The design of the rehabilitation programme shall ensure that the remnant can meet the assessment criteria for at least 'Moderate Value' representative vegetation (as detailed above) in the future. This will include the following requirements:

- Developing an appropriate, intact canopy, mid and ground tier of native species to ensure that weed species do not compete with natives for ground space; and
- Plant selection should bring the total species diversity present within the feature up to a moderate level, i.e. species richness (12 or more species of indigenous plant) and/or a suite of at least two native vegetation units/community types which may form an ecotone¹; and
- All plants must be eco-sourced and maintained for a minimum of four years with a survival rate of at least 85% with a minimum planting density of 10,000 plants per hectare; and

All modifying activities are prohibited and any man-made **structures** are removed (except for those integral to the feature's management, e.g. fences, culverts, weirs etc) or naturalised and all weed and animal pest species are actively managed. This is to ensure that the feature achieves a high level of naturalness and long-term viability (see Criterion 1 of Outstanding Value category).

Ecological features with Restoration/Potential value must also meet the following size and shape parameters once restored:

- The total area proposed for protection is of sufficient size and shape to maintain its intrinsic ecological values. The minimum size for an area of this level of significance is 2ha and the minimum width of the feature, at any one point is no less than 50m.
- The exception to this rule is where the feature comprises a strip of vegetation forming the riparian margins of a significant watercourse, or lake. In this case, the minimum area of contiguous vegetation must be as for the 'High Value', 'Moderate-High Value' and 'Moderate Value' categories, that is 1ha and the minimum width of the riparian strip need only be 10m along each bank or 20m along the edge of a lake or watercourse, where only one bank is owned.

Areas of sufficient size and shape that adjoin protected land along part of their boundary, or that link or buffer other significant ecosystems, will be regarded as having greater ecological value and sustainability. This will give added weight for subdivision and covenanting.

Bonding

Where an Environmental Benefit Lot is awarded on the basis of re-vegetation/restoration, a s224 certificate will not be issued for a proposed Environmental Benefit Lot unless/until re-vegetation/restoration has been successfully completed, consistent with performance in the Criteria or the consent holder provides a bond to the satisfaction of the Council to a value of not less than 150% of the value of the works.

Access to bonding shall not be available until one year after planting, where there is evidence to the Council's satisfaction of the successful initial implementation of an approved management plan.

The management plan is to include matters of the following type:

- Named species appropriate to the location
- Size at planting
- Density
- Seed source
- Weed clearance/release
- Pest control
- Fertiliser application
- Irrigation requirements (at Council's discretion)

Council shall retain discretion not to accept bonding where there is a potentially harsh environment or other factor(s), which represent a significant risk in its assessment to successful re-establishment. Evidence of the degree of risk should form part of any related proposal.

Council may also elect to recover related actual and reasonable costs.

s.224 certificate arrangements

Legally effective post s.224 certificate arrangements are required which:

- Secure the retention of re-planted vegetation;
- Establish responsibility for the continued execution of the management plan until its objectives (tree height, percentage canopy cover or both) and/or term are satisfied (this may require a community-owned management structure, depending on the number of subsequent owners);
- Ensures Council access to the land in the event the bond is to be executed.

These requirements may necessitate a bond to be complemented by covenants or other legal instruments.

Notations:

1. Natural vegetation sequence occurring over an environmental gradient or in relation to landform, e.g. in an estuarine environment, the ecotone might be from mangroves to saltmarsh to freshwater wetland to coastal shrubland (note that mangroves and saltmarsh may be in public ownership).
2. Information on priority for protection of indigenous ecosystems has been sourced from Section 6.3 of the Northland Protection Strategy - a report to the Nature Heritage Fund Committee. This report should also be referenced for descriptions of these ecosystem types.
3. Wetland ecosystems should function hydrologically, as naturally as possible. Artificial (i.e. man-made) ponds (used for water supply) do not qualify under this criterion, as they do not represent natural habitat or function naturally in a hydrological sense. Established indigenous wetland vegetation surrounding a man-made pond may comply but must meet the minimum size criteria. The open water of a man-made pond cannot contribute to this size requirement. Indigenous wetlands in which the water levels are controlled by a man made structure (e.g. a weir) which is expressly for the purpose of maintaining the water levels in order to maintain a viable ecology do comply with this criterion.
4. Stream order is a measure of the relative size of streams. The smallest first and second-order streams are in the upper part of a catchment and comprise the headwaters of a watercourse. A middle-order stream is further down the catchment and will be larger in size. A middle-order stream is downstream of the confluence of at least two lower-order streams.
5. Significant watercourses – Where high instream values have been identified, i.e. a Macro invertebrate Community Index (MCI) score of 100+ or native fishery diversity and abundance data, and the upper catchment is already protected.
6. Information on restoration priorities has been sourced from Section 6.3 of the Northland Protection Strategy – a report to the Nature Heritage Fund Committee.
7. Plant species that are rooted in soil and do not include epiphytes.

Notes:

1. *Although a minimum size for a complying feature is stated, in all cases the whole of the ecological remnant worthy of protection on the property must be made subject to legal and physical protection at the time of consent and no area of the feature can be left out or divided for the purposes of obtaining additional sites lots at some later date.*
2. *An Environmental Benefit will only be granted subject to a condition placed in the subdivision consent specifying weed and pest control management.*

Riparian and Coastal Margins (RCM)

Issues

Significant Issues

Subdivision, use and development, within the coastal environment and alongside rivers, may result in adverse effects on, Significant Ecological Areas, Built Heritage, Sites of Significance to Māori and Outstanding Landscapes and Natural Features.

Lack of adequate and safe public access to water bodies and the coast for recreation and cultural purposes.

Subdivision, use and development near the coast and rivers can worsen the effects of natural hazards.

Overview

The Resource Management Act 1991 provides for esplanade reserves and strips to be created for the following purposes:

- Protection of conservation values, natural functioning of the adjacent sea or water body, water quality, aquatic habitats, natural values and mitigating natural hazards;
- To enable public access;
- To enable public recreational use, where use is compatible with conservation values.

The District contains a number of significant ecological sites, riparian habitats, and outstanding landscapes and natural features, which are located within the coastal environment or alongside rivers and streams, and merit conservation. A number of sites of significance to Māori have been identified alongside rivers and within the coastal environment. These areas should be given priority when obtaining esplanade reserves.

The coast and numerous rivers within the District have high recreational values and high usage, particularly near residential settlements. There is a need to provide public access to, and along, the coast, and to those rivers which have significant recreational values, in order to provide for people's recreational needs and expectations. In some circumstances it may be necessary to restrict or exclude public access, to protect human health and safety, or ecological values.

Esplanade areas can also be a valuable instrument in hazard mitigation. Esplanade areas can provide a 'buffer' between land use and waterways, as well as providing a means to minimise the risk of property loss. Coastal areas including Whananaki, Matapouri, Ngunguru and Pataua are prone to accretion and erosion. In these areas the acquisition of an esplanade area could limit development along the foreshore and thereby minimise the risks of property loss. The occurrence of natural hazards may preclude public access in some places.

The Resource Management Act 1991 specifies that an esplanade reserve of 20 metres in width shall be created upon subdivision of lots less than four hectares, adjoining either the coast or a river greater than three metres in width. The Plan may provide exceptions and variations to this model. Additionally, the Plan may stipulate the criteria or location of areas where an esplanade reserve may be required on lots exceeding four hectares. As an alternative to the esplanade reserve, the Resource Management Act 1991 provides for the creation of an esplanade strip, whereby the private landowner retains ownership.

Esplanade reserves are created automatically:

- Where roads vested in local authorities that abut mean high water springs, are stopped (section 345(3) of the Local Government Act 1974); or
- Where any road along the banks of a river with an average width of 3.0 metres or more is stopped (section 345(3) Local Government Act 1974); or

- Under section 116 of the Public Works Act 1981

Esplanade Reserves Created Upon Stopping of Roads

Where a road is stopped adjacent to the coast or a river, under the Tenth Schedule of the Local Government Act 1974, or section 116 of the Public Works Act 1981, an esplanade reserve shall be created.

Objectives

RCM-O1 Objective 1

Preservation of the natural character of riparian margins and the coastal environment.

RCM-O2 Objective 2

Protection of Significant Ecological Areas, Built Heritage, Sites of Significance to Māori, riparian habitats and Outstanding Landscapes and natural features, within the coastal environment and alongside rivers and streams.

RCM-O3 Objective 3

Maintain and enhance public access, where appropriate, to and along the coast and rivers.

RCM-O4 Objective 4

Recognise and protect riparian margins and the coastal environment as natural hazard buffers.

RCM-O5 Objective 5

The relationship of tangata whenua with their sites and other taonga is enhanced.

Explanation and Reasons: These objectives address the provision of safe public access to the coast, rivers and streams; the protection of conservation and cultural values; the provision of areas for water-related recreation activities; and the provision of areas for hazard mitigation alongside the coast, rivers and streams. The necessity for provision of public access will be assessed with regard to health and safety and cultural considerations.

Policies

RCM-P1 Riparian Management

To avoid the adverse effects of land use activities on the natural character and functioning of riparian margins of water bodies and the coast.

RCM-P2 Separation Distances

To ensure that land use activities avoid, remedy or mitigate adverse effects on water quality, by means which may include separating land use activities from water bodies and coastal waters and by encouraging the retention and enhancement of riparian vegetation as buffer areas.

Explanation and Reasons: Land use activities, such as filling and excavation, roading and building close to water bodies can affect amenity, cultural, ecological and natural character values of the water body. This policy is intended to ensure that the margins of water bodies are managed in a manner that retains these values, both adjacent to and within the water body. Separating land use activities from the margins of water bodies enables planting, possible public access and retention of an unmodified environment. In suitable locations, however, the provision of structures necessary for water-based recreation pursuits, conservation purposes and bridges is recognised. The management of water bodies is closely related to the functions of the Northland Regional Council.

RCM-P3 Esplanade Priority Areas

To identify esplanade priority areas within the coastal environment and alongside particular rivers, where the land involved will serve one or more of the purposes of esplanade reserves or esplanade strips set out in section 229 of the Resource Management Act 1991.

Explanation and Reasons: The development of esplanade reserves along all rivers and streams is not practicable, nor is it likely to be of community benefit. Emphasis has been placed on establishing esplanade reserves along the coast and particular rivers and streams which have recognised conservation and recreation value. These have been called Esplanade Priority Areas and have been listed in RCM - Appendix 1 of this Plan.

RCM-P4 Allotments Less than Four Hectares

To set aside esplanade reserves or strips on the subdivision of allotments of less than four hectares where the land involved will serve one or more of the purposes of esplanade reserves or strips set out in Section 229 of the Resource Management Act 1991.

Explanation and Reasons: Subdivision represents an intensification of land use and potentially affects the conservation of the environment and public access. Increased intensification of land use also commonly corresponds to increased population density and therefore increased demands for public access to amenities and recreation facilities. Esplanade reserves and strips provide a means by which conservation values or public access can be provided for when land is subdivided.

The coastal environment is significant, as it has ecological value and makes a significant contribution to the landscape quality of the District. Under section 6 of the Resource Management Act 1991, the preservation of the natural character of the coastal environment is a matter of national importance. Many coastal areas play an important part in the recreational activities of the community. There is an expectation that such areas will be available for public use and enjoyment.

RCM-P5 Allotments over Four Hectares

To provide for the establishments of esplanade reserves or strips on the subdivision of allotments of 4 hectares and greater where the following criteria are met:

- The land involved will serve one or more of the purposes of esplanade reserves or strips, as set out in Section 229 of the Resource Management Act 1991, and, where appropriate, will recognise and provide for the matters of national importance, as set out in Section 6 of that Act; and
- The compensation payable is commensurate with the public benefits likely to arise from their creation; and
- To show those esplanade reserves or strips identified as esplanade Priority Areas in RCM – Appendix 1 of the Esplanade Areas chapter of this Plan.

Explanation and Reasons: Subdivision into larger lot sizes represents an intensification of land use, and can lead to potential effects on the conservation of the environment and public access, but at a lesser scale than more intensive development. This policy recognises both the importance of Sections 6 and 229 of the Resource Management Act 1991 and the balancing of the costs and benefits of acquiring esplanade reserves on a case by case basis.

RCM-P6 Stopped Roads

To create esplanade reserves where a road is stopped around the margins of water bodies and the coast, in Esplanade Priority Areas identified in RCM - Appendix 1 of this Plan.

RCM-P7 Public Health and Safety

To avoid the creation of esplanade reserves on sites where the provision of an area for public access would impair public health and safety.

Explanation and Reasons: In some instances, allowing public access in some coastal or riparian areas would endanger people's health and safety. This is especially so around heavy industrial activities, such as ports. Three port areas, defined in RCM - Appendix 1, have been exempted from the esplanade requirement, even though they are within the coastal environment.

RCM-P8 Natural Hazards

To set aside esplanade reserves where they contribute to effective hazard management.

Explanation and Reasons: Esplanade reserves or strips can provide a natural buffer against natural hazards that affect the coast and the banks of streams and rivers, and help maintain flow capacities.

RCM-P9 Cultural Protection

To set aside esplanade reserves and to create esplanade strips to protect areas of significance to Māori.

Explanation and Reasons: This policy addresses the cultural uses of esplanade areas, which includes traditional food and resource gathering areas, as well as places of spiritual significance. These areas are to be identified by tangata whenua.

RCM-P10 Hierarchy of Values

To give priority to conservation values, cultural importance, hazard mitigation and public health and safety over recreation and public access values where there is a conflict between values.

Explanation and Reasons: In some circumstances, recreational use and public access may not always be compatible with other values identified for an Esplanade Priority Area. Section 6 of the Resource Management Act 1991 states that preservation of the natural character of the coastal environment, the protection of outstanding natural features and landscapes, and areas of significant indigenous vegetation and fauna, and the relationship of Māori with the land are matters of national importance. Public access to and along waterways is also a matter of national importance. However, this policy awards priority to conservation, cultural importance and hazard mitigation values over recreation and public access values.

RCM-P11 Esplanade Strips

To set aside esplanade strips instead of an esplanade reserve:

- Where a strip would attain the appropriate level of ecological, recreational or hazard protection;
- In areas where the potential for erosion or 'moving' of the banks or margins of a river is high;
- Where there are foreseeable difficulties with surveying;
- Where the cost to the Council of acquiring a reserve is not seen to be justified by public benefit, but the cost of a strip would be so justified;
- Where it is necessary or desirable to restrict public access;
- Where the efficient and effective management of these areas may be better achieved through private ownership.

Explanation and Reasons: This policy acknowledges that while the protection of rural riparian areas is important, the efficient and effective management of these areas may be better achieved through private ownership by individual landowners. This policy acknowledges the role of the Council in the acquisition and management of esplanade areas but also recognises that it must act responsibly, weighing public costs and benefits. The Resource Management Act 1991 requires compensation to be paid for esplanade areas on allotments greater than four hectares.

RCM-P12 Widths of Reserves and Strips

To ensure that the widths of esplanade reserves and strips are 20 metres, except where this width would impair public health or safety; the area would intrude unreasonably on the use of private property or legal structures on the site; or a different width would satisfy the objectives and policies of the Plan.

Explanation and Reasons: This policy acknowledges that the standard width of 20m is not appropriate in all circumstances. The widths of esplanade reserves and strips should reflect the natural character of the land and be sufficient to include notable trees, stands of bush and other outstanding ecological or landscape features.

RCM-P13 Access Strips

To require access strips, or an appropriate easement, to give public access to esplanade reserves, esplanade strips, or other public land with water frontage which otherwise would be landlocked.

RCM-P14 Financial Contribution

To allow esplanade reserves be set aside as a financial contribution, where the effects of land use activities on water bodies or the coastal marine area and their margins cannot otherwise be avoided, remedied or mitigated.

Explanation and Reasons: Large capital developments commonly represent a shift or intensification in land use and this potentially affects the landscape, amenity, heritage and intrinsic values of ecosystems, and public access. Obtaining an esplanade reserve will provide some environmental compensation.

RCM-P15 Future Availability

To ensure that buildings or structures do not compromise the future availability of land adjacent to water bodies and the coastal marine area for esplanade reserves or esplanade strips.

Explanation and Reasons: This policy applies to all areas, including those identified in RCM - Appendix 1, identified as having sufficient ecological and recreational value to be included as an esplanade reserve. This land should be protected from buildings or structures, which would limit its availability for esplanade reserve purposes in the future, or degrade its associated values.

RCM-P16 Riparian and Coastal Margins

To maintain and, where appropriate, enhance riparian vegetation.

Explanation and Reasons: The maintenance, and, where appropriate, the enhancement, of riparian vegetation helps to provide for water quality management, in-stream habitat enhancement and management, biodiversity and nature conservation, and recreation and amenity values. However, it should be recognised that it is not appropriate in all situations to maintain and enhance all riparian vegetation. Such situations may include where the vegetation is an identified noxious plant. When determining whether to maintain and/or enhance riparian vegetation, the Council will have regard to those matters set out in the Regional Policy Statement for Northland relevant to riparian management including clause 17.4.C.8.

Rules

RCM-R1 Esplanade Requirements – Sites Less than 4ha

Subdivision is a controlled activity if:

1. Where any allotment of less than 4ha in area is created, an esplanade reserve or esplanade strip of a minimum of 20m in width is set aside along the landward side of the line of mean high water springs of the sea, and along the bank of any river whose bed has a width of 3m or more, except in the areas specified in RCM - Appendix 1; and

2. Esplanade reserves or esplanade strips are vested in the Council, or registered, in accordance with Sections 231 and 232 of the Resource Management Act 1991.

Control is reserved over:

1. Whether an esplanade strip should be created instead of an esplanade reserve;
2. The width of an esplanade reserve or esplanade strip;
3. The need for an access strip joining an esplanade reserve or esplanade strip;
4. The matters to be provided for in an instrument creating an esplanade strip (Schedule 10 of the Resource Management Act 1991);
5. Whether or not any works might be required prior to vesting;
6. The additional matters listed in the Financial Contributions chapter.

Notes:

1. Where a proposed subdivision has lots which have areas greater than four hectares, and where these lots are located in an Esplanade Priority Area identified in RCM-Appendix 1 and on the Planning Maps, the Council may be interested to discuss with the subdivider whether an esplanade reserve or strip should be provided.
2. It should be noted that Esplanade Priority Areas include the whole of the coastal environment, excluding the three port areas identified in RCM-Appendix 1.
3. Any discussion about the provision of esplanade reserves or strips in respect of subdivisions of four hectares or greater, will be on the basis of the subdivider being willing to offer the land for sale, and the Council being willing to pay the purchase price. The Council is under no obligation to purchase land for an esplanade reserve or strip where these conditions apply, and the subdivider is under no obligation to offer the land for sale.

Any activity that does not comply with a standard for a controlled activity is a discretionary activity.

Principal Reasons for Rules/Explanations

Esplanade reserves and strips are used to protect significant ecological areas, riparian habitats and outstanding natural features, and to provide public access alongside the coast and rivers. Public access can be limited in areas that would be particularly vulnerable to human activity. A number of cultural sites are located along the coast and riparian margins. These are protected by setting aside esplanade reserves and esplanade strips in appropriate circumstances. Public access provided to, and along the coast, and those rivers identified as Esplanade Priority Areas in RCM-Appendix 1, will help to meet the diverse recreation needs of the District. Port areas specified in RCM-Appendix 1 are not included in the Esplanade Priority Areas.

Esplanade reserves will normally be required to be vested when land adjoining the sea coast or rivers and streams, with an average width of at least 3m is subdivided, or where the lots adjacent to the water area have an area less than four hectares. Esplanade strips may be required as an alternative.

Where lots in areas identified as Esplanade Priority Areas in RCM-Appendix 1 have an area greater than four hectares, an esplanade reserve or strip may be desirable where the public benefit of such a reserve or strip would be significant. However, the Council wishes to proceed on the basis of a willing seller and a willing buyer. Also, the Council wishes to retain the ability to decide whether the land in question has sufficient priority to be taken as a reserve or strip, and whether funds are available. For these reasons the Plan does not contain a rule requiring the setting aside of an esplanade reserve or strip in respect of subdivisions of lots exceeding four hectares.

The width of an esplanade reserve or esplanade strip will normally be 20m. In determining the appropriate width in any particular case, the Council will take into account the amount of land

necessary to enable the reserve or strip to provide, long term for the values to be secured. It may be appropriate for a lesser width at one point to be offset by a compensating increase in width elsewhere. The Council may agree not to require an esplanade reserve or strip. Where the reserve or strip is to be purchased, the Council may also consider a lesser width, where this is appropriate in terms of the Council's land acquisition priorities.

The Council will normally require an esplanade reserve to be vested although it is recognised that an esplanade strip may be preferable in some cases.

Methods

Regulatory Methods

- Identification of Esplanade Priority Areas on the Planning Maps (RCM-P3).
- Listing Esplanade Priority Areas in RCM-Appendix 1 of this Plan (RCM-P3).
- Rules regarding land use, subdivision and hazard mitigation (RCM-P1 to RCM-P15).
- Resource consent conditions (RCM-P1 to RCM-P15).

Information, Education and Advocacy

- Liaison with the Department of Conservation (RCM-P1 to RCM-P15).
- Liaison with the Northland Regional Council (RCM-P1 to RCM-P15).
- The Northland Regional Council's Environment Fund (RCM-P1, RCM-P5, RCM-P7, RCM-P8, RCM-P9).

Economic Instruments

- Financial contributions to acquire land or cash for future acquisition of land, or for maintenance of reserve land for reserve purposes (RCM-P14).
- Annual Plan allocation to fund Council purchase of land (RCM-P14).
- The Council will seek to negotiate with landowners in accordance with policy direction (RCM-P5, RCM-P13, RCM-P15).

Other Plans and Legislation

- Iwi Management Plans and hapū environmental Plans (TWP-P6).

Anticipated Environmental Results

The following results are expected to be achieved by the foregoing Objectives, Policies and Methods. The means of monitoring whether the Plan achieves the expected outcomes are set out in the Whangarei District Council Monitoring Strategy.

- The protection and/or enhancement of natural values and cultural/historic heritage along riparian and coastal margins.
- Improved access to and along riparian and coastal margins and enhanced opportunities for recreational use, where appropriate.
- The avoidance of natural hazards (particularly erosion and flooding) along riparian and coastal margins.

RCM - Appendix 1

This appendix contains details of Esplanade Priority Areas. These are areas relating to rivers, lakes and indigenous wetlands that are indicated on the Planning Maps. These have been identified in accordance with the policies in the Riparian and Coastal Margins Chapter.

Notes:

1. *This is not an exhaustive list and can be added to if studies identify further areas that comply with the policies and rules relating to Esplanade Priority Areas.*
2. *The Esplanade Priority Area may apply to sections of rivers, lakes, or indigenous wetlands or entire rivers, lakes, or indigenous wetlands as indicated on the Planning Maps.*

Table APP1: Esplanade Priority Areas

Esplanade Priority Areas		
Location	Value	Map Ref
The whole of the coastal environment, as indicated by the Coastal Marine Area (CMA) Boundary on the Planning Maps, excluding the 3 Port Areas mapped in Figures APP1 1-3 of the RCM - Appendix 1.	-	-
Awaroa	Outstanding Recreational Outstanding Ecological High Ecological	10, 63, 67, 69
Awarua River	Outstanding Recreational	4
Brynderwyn Scenic Reserve	High Ecological	20
Haranui Stream	High Ecological	1
Hātea River	Outstanding Recreational	10, 60, 63
Kaikou River	Outstanding Recreational	4, 5, 78
Kaimamaku Stream	Outstanding Recreational High Ecological	2
Kaimaro Stream	High Ecological	8
Kaitaringa Stream	High Ecological	15
Kareawhau Stream	High Ecological	1
Mangahahuru Stream	Outstanding Recreational	7
Mangakāhia River	Outstanding Recreational High Ecological	4, 8, 9, 12, 79, 81
Mangapai River	High Ecological	13
Māngere River	Outstanding Recreational High Ecological	9, 10, 61, 64, 65
Matukutuku Stream	High Ecological	12
Mōkau Stream	High Ecological	1
Ngunguru River	Outstanding Recreational High Ecological	6, 10, 11

Esplanade Priority Areas		
North River (includes North River Scenic Reserve)	Outstanding Recreational High Ecological	16, 17
Okarika Stream	High Ecological	7
Okoihu Stream	High Ecological	9
Opouteke Stream	Outstanding Recreational High Ecological	8
Otaika Stream	Outstanding Ecological	13, 75
Otakairangi Peat Bog	High Ecological	5, 7
Otangarei Stream	Outstanding Recreational	10, 58, 59, 60, 63
Owai Stream	Outstanding Ecological	3, 23
Paranui Stream	High Ecological	10, 63
Piroa Stream	Outstanding Recreational High Ecological	19, 20
Punaruku Stream	Outstanding Recreational High Ecological	1, 2
Raumanga Stream	Outstanding Recreational	10, 66, 68, 72
Ruakākā River	Outstanding Recreational High Ecological	13, 14, 17, 44, 46
Taheke River	Outstanding Recreational High Ecological	11
Taupari Stream	Outstanding Recreational High Ecological	3
Tauraroa River	Outstanding Ecological	15
Te Oriwa Stream	Outstanding Ecological	6, 26
Te Rewa Stream	High Ecological	3
Te Waiiti Stream	High Ecological	10, 13, 72
Te Wairoa Stream	Outstanding Recreational High Ecological	6, 28
Waiariki River	Outstanding Recreational	2, 7
Waiarohia Stream	Outstanding Recreational High Ecological	10, 62, 66, 67, 68
Waihoihoi River	High Ecological	20
Waikaraka Stream	Outstanding Recreational	13, 74
Waikokopa Stream	High Ecological	13
Waionehu Stream	High Ecological	20, 50
Waiotira Stream	Outstanding Ecological	15, 16, 17
Waiotu Riverine Remnants	Outstanding Recreational	7
Waipao Stream	High Ecological	9
Waipapa Stream	Outstanding Recreational High Ecological	13, 16

Esplanade Priority Areas		
Waiparera Creek	High Ecological	11
Waipū River	Outstanding Recreational Outstanding Ecological	17, 20, 48, 49
Waipui Stream	High Ecological	9, 10, 80
Wairahi Stream	High Ecological	20, 51
Wairua River (includes the Wairua Falls)	Outstanding Recreational High Ecological	5, 7, 9, 12, 14
Waitangata Stream	Outstanding Ecological	14
Waitangi River	Outstanding Recreational	7, 10, 11, 56
Waitaua Stream	High Ecological	10, 55, 58, 60
Waro Lake	Outstanding Recreational	7, 52
Whakapara River	Outstanding Recreational	7
Unnamed (Bream Head)	Outstanding Ecological	14, 40
Unnamed (Cattlemount Mountain)	High Ecological	20, 21
Unnamed (Hailes Road)	Outstanding Ecological	3
Unnamed (Hillcrest Road)	Outstanding Ecological	15
Unnamed (Huarua Mountain)	High Ecological	15, 16
Unnamed (Kauri Mountain Road)	High Ecological	14
Unnamed (Kauri Mountain)	High Ecological	14
Unnamed (Langs Beach)	High Ecological	20, 51
Unnamed (McKinley Road)	High Ecological	10
Unnamed (McLeods Bay)	Outstanding Ecological	14, 37, 38
Unnamed (Mititai Road)	Outstanding Ecological	17
Unnamed (Mt Lion)	Outstanding Ecological	14, 39
Unnamed (Mt Manaia)	Outstanding Ecological	14, 38
Unnamed (Ocean Beach)	Outstanding Ecological High Ecological	14, 40
Unnamed (Pukenui Forest)	High Ecological	10, 61, 62, 65, 66
Unnamed (Taurikura)	Outstanding Ecological	16
Unnamed (Waiotoi Road)	Outstanding Recreational High Ecological	6, 30
Unnamed (Waipū Caves Road)	High Ecological	16
Unnamed (Waipū Caves)	High Ecological	16
Unnamed (Waipū Cove)	High Ecological	20, 50, 51
Unnamed (Waipū State Forest)	High Ecological	20
Unnamed (Whananaki North Road)	High Ecological	3



Figure APP1 1: Port Areas exempt from Esplanade Requirements - Portland



Figure APP1 2: Port Areas exempt from Esplanade Requirements - Marsden Point

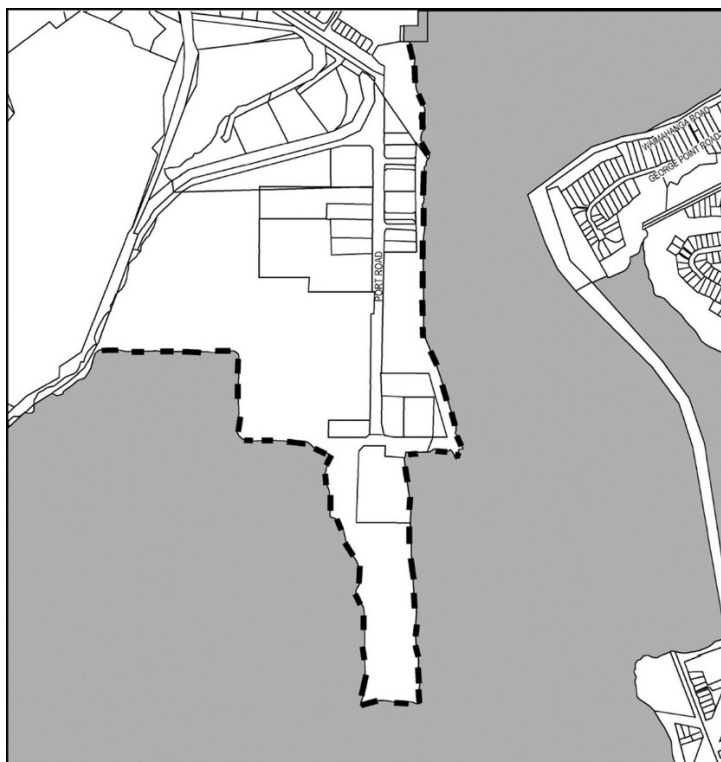


Figure APP1 3: Port Areas exempt from Esplanade Requirements - Port Whangārei

Waterbodies (WB)

Issues

Inappropriate subdivision, use and development on, or adjoining, water bodies can adversely affect the natural character of these areas and their margins.

The potential for land use activities on, or adjoining, water bodies to diminish the amenity, ecological, cultural and natural values, including the quantity and quality of water.

The actual and potential adverse effects generated by activities on the surface of water bodies.

Rivers and lakes are a valuable landscape and ecological resource, and are valued for recreation activities. Some activities on the surface of water bodies, or land adjoining water bodies, have few adverse effects. Other activities have the potential to compromise important water values by generating effects on amenity, cultural and ecological values, and on water quality and quantity. Past extractions from, and modifications to, these water bodies, have already significantly altered their natural character. Water bodies include springs and groundwater, both of which can become polluted from various land use activities. Safeguarding the life-supporting capacity of water is an important part of sustainable management and is of cultural importance to tangata whenua.

Both the District and Regional Councils have responsibilities under the Resource Management Act 1991 relating to water bodies and the need to achieve integrated management (refer also to Chapter 27: Local Authority Cross-Boundary Issues).

The District Council has primary responsibility for the control of any actual or potential effects of the use, development, or protection of land and associated natural and physical resources (which includes water), the control of subdivision of land and the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes.

The Northland Regional Council has primary responsibility for controlling the use of water, and water quantity, and the control of land for the purpose of maintaining and enhancing water quality. The Regional Water and Soil Plan for Northland controls discharges into water and onto land, the taking, damming and diverting of water, and the use of land that has actual and potential effects on soil conservation and water quality.

Objectives

WB-O1 Preservation and Protection

The preservation of the natural character of water bodies and their margins, and the protection of them from the adverse effects of inappropriate subdivision, use and development.

WB-O2 Effects of Activities

Activities on the surface of water bodies do not result in adverse environmental effects.

Explanation and Reasons: Water bodies have many environmental values and are sensitive to the effects of activities. The Council will minimise possible adverse effects upon water bodies by controlling public access, the location and scale of land use activities, and activities on the surface of the water.

Policies

WB-P1 Adverse Effects

To ensure that the adverse effects of subdivision, use and development adjoining water bodies or the coastal marine area, or activities on the surface of water bodies or the coastal marine area, on

water quality and quantity (including ground water), natural character, and cultural and ecological values of water bodies and the coastal marine area, are avoided, remedied or mitigated.

Explanation and Reasons: The quality of water bodies can be affected by adjoining land use activities and activities on the surface of water. Contamination and changes to flow regimes can result from runoff from the surface of roads, storage areas, disposal of stormwater and from industrial processes. Such activities must be assessed in terms of measures to avoid, remedy or mitigate adverse effects on the water resource.

WB-P2 Effects on Water Quality

To ensure that land use activities avoid, remedy or mitigate more than minor adverse effects on water quality, by means which may include separating land use activities from water bodies and coastal waters and by encouraging the retention and enhancement of riparian vegetation as buffer areas.

Explanation and Reasons: Land use activities such as filling and excavation, roading, buildings and major structures close to water bodies can affect the amenity, cultural, ecological and natural character values of the water body. This policy is intended to ensure that the margins of water bodies are managed in a manner that retains these values, both adjacent to and within the water body. Separating land use activities from the margins of water bodies enables planting, possible public access and retention of an unmodified environment. In suitable locations, however, the provision of structures necessary for water-based recreation pursuits, or conservation purposes, and bridges is recognised. The management of water bodies is closely related to the functions of the Northland Regional Council.

WB-P3 Surface of Water

To ensure that activities on the surface of water do not result in adverse effects on the natural character, ecological and amenity values of the surrounding environment, or on other users.

Explanation and Reasons: Given the important values that rivers have as publicly available resources, it is important that activities on the surface of water bodies are carefully managed. Activities which use the surface of water bodies, and promote public access to rivers, should be encouraged, provided they do not compromise the amenity values of adjacent land uses, Māori cultural values, or create conflict between users.

Methods

Regulatory Methods

- Water bodies are assessed within the same Zone rules as the land that surrounds them (WB-P3).
- Zone rules relating to setbacks from the banks of rivers, and performance conditions to control adverse effects of activities, including activities on the surface of water bodies (WB-P3).
- Subdivision rules relating to the taking of esplanade reserves (WB-P1).

Other Plans and Legislation

- The Regional Policy Statement for Northland (WB-P1 – WB-P3).
- The Northland Regional Water and Soil Plan (WB-P1 – WB-P3).
- Iwi/Hapū Environmental Management Plans (WB-P1 – WB-P3).

Information, Education and Advocacy

- Liaison with the Northland Regional Council (WB-P2).

- Liaison with the Department of Conservation (WB-P1).
- Liaison with non-statutory organisations that have an active involvement in the management of water bodies and their margins (WB-P1).
- Liaison with iwi authorities and tangata whenua (WB-P1).

Anticipated Environmental Results

The following results are expected to be achieved by the foregoing Objectives, Policies and Methods. The means of monitoring whether the Plan achieves the expected outcomes are set out in the Whangārei District Council Monitoring Strategy.

- The preservation and/or enhancement of the natural character (including water quality) of lakes, rivers, indigenous wetlands and groundwater and their margins, and the protection of them from inappropriate subdivision, use and development.
- Adverse effects of activities on the surface of water bodies are avoided, mitigated or remedied. These include effects on natural character (including water quality), ecological values, cultural and historic heritage, recreational and amenity values.
- The functions of water bodies in transporting and dispersing flood waters is maintained and/or enhanced.
- The cultural and spiritual values tangata whenua attach to water bodies is recognised and provided for.

Natural Features and Landscapes (NFL)

Issues

Landforms, the coast, rivers and wetlands, and vegetation, ranging from natural indigenous areas to cultivated pasture, combine to form a variety of landscapes within Whangārei District. These are further defined by the way buildings, roads and other structures are set amongst them. The varied combinations of natural and built elements provide a complexity that further characterises landscapes.

A diverse range of coastal landscapes is one of the strongest aspects of Whangārei District's identity. The expansive view of the Bream Bay shore with its Whangārei Heads backdrop that greets those entering the District over the Brynderwyn Hills, is a particularly striking visual introduction. Similarly, Pukenui Forest and Parihaka combine in creating a defining frame to Whangārei's central business area, while bush clad hill country, volcanic cones, extensive farmed flats, the fluent course of rivers and streams, and the influence of pockets of indigenous vegetation, create a varied and interesting rural landscape that is often distinctive to Whangārei.

Human activities such as buildings, earthworks and vegetation clearance can act to reduce the quality of landscapes. Special attention needs to be given to ensuring subdivision, use and development is sensitive to the particular landscape characteristics of the District, especially in areas where the collective characteristics and qualities are outstanding.

On the coast, the interaction between land and sea often provides a dynamic and scenic environment, and is also a popular place to live and visit. Pressures related to natural landscapes therefore tend to be more explicit in coastal areas than in rural or urban areas – though inland landscapes also face pressure. Catering for the needs of recreational users, and increasing demands for residential and lifestyle block subdivisions, places considerable strain upon areas of the coast that have significant landscape values.

The Resource Management Act 1991 (RMA) requires Councils to protect Outstanding Natural Features and Landscapes from inappropriate subdivision, use and development (section 6(b)). The New Zealand Coastal Policy Statement 2010 (NZCPS) reinforces this duty as it applies to the coastal environment (Coastal Area). It requires that district plans identify where protection of Outstanding Natural Features and landscapes is needed (NZCPS Policy 15). The New Zealand Coastal Policy Statement also expressly requires that adverse effects of activities on Outstanding Natural Features and Landscapes within the coastal environment be avoided.

Natural features are significant land (or water) features resulting from natural processes. Examples include mountain ranges, volcanic cones, coastal dunes, lakes, rivers and native forests. These features are an integral part of the District's landscape and on their own can significantly contribute to, or even define, the unique character and quality of an area.

Individual Outstanding Natural Features and Outstanding Natural Landscapes within the Whangārei District were identified and mapped as part of a regional mapping project undertaken in 2012.

Outstanding Natural Features were identified using an inventory of important geological sites and landforms in the Northland Region prepared by the Geological Society of New Zealand. The inventory identifies the best examples of the region's unique geology and landforms, including those in the Whangārei District, using the knowledge and advice of specialist New Zealand geological, geomorphological and soil science communities.

Outstanding Natural Landscapes were separately identified and mapped using best landscape assessment practice criteria which encompass natural science factors, aesthetic values and experiential values.

Some areas are identified as being outstanding as both a natural feature and as a natural landscape.

Some Outstanding Natural Landscapes contain ancestral Māori Land, as defined under Te Ture Whenua Act 1993. This land is ancestral land and, through Māori culture and traditions, is the central focus of Papakāinga and other development opportunities for the iwi, hapū and/or whanau concerned. Protection of Outstanding Natural Landscapes containing such land therefore needs to be carefully balanced against the requirements of Resource Management Act s6(e), s7(a) and s8. The objectives, policies and rules for Outstanding Natural Features and Outstanding Natural Landscapes as set out below, apply in addition to the rules for the underlying zones (e.g. Rural Production Zone, Settlement Zone and Residential Zones).

Objectives

NFL-O1 Identification

Identify Outstanding Natural Features and Outstanding Natural Landscapes within the Whangārei District.

NFL-O2 Protection

Protect the characteristics and qualities of identified Outstanding Natural Features and Outstanding Natural Landscapes from inappropriate subdivision, use and development.

NFL-O3 Coastal Environment

Provide greater protection for identified Outstanding Natural Features and Outstanding Natural Landscapes within the coastal environment over other features and landscapes.

NFL-O4 Conservation, Enhancement and Rehabilitation

Promote the conservation, enhancement and rehabilitation of Outstanding Natural Features and Outstanding Natural Landscapes.

NFL-O5 Existing Land Use and Development

Recognise existing land use and development, including regionally significant infrastructure, form part of the characteristics and qualities of the environment where they are located in or on Outstanding Natural Features and Outstanding Natural Landscapes.

NFL-O6 Māori Land

Recognise that some Outstanding Natural Landscapes contain undeveloped Māori Land and provide for the special relationship of Māori to this ancestral land.

NFL-O7 National Grid Electricity Infrastructure

Recognise and provide for new and existing National Grid Electricity Infrastructure that has a functional need or operational need to be located in an Outstanding Natural Landscape or on an Outstanding Natural Feature.

Policies

NFL-P1 Identification

To identify the location and extent of the District's Outstanding Natural Features and Outstanding Natural Landscapes, on the District Plan Resource Maps and describe their characteristics and qualities in landscape assessment worksheets (Outstanding Natural Landscapes) and NFL - Appendix 1 Outstanding Natural Features.

NFL-P2 Protection

To protect Outstanding Natural Features and Outstanding Natural Landscapes from inappropriate subdivision, use and development, with particular regard to their individual characteristics and qualities.

NFL-P3 Avoid Adverse Effects Within Coastal Environment

Within the Coastal Environment, to avoid adverse effects of subdivision, use and development on the characteristics and qualities of Outstanding Natural Features and Outstanding Natural Landscapes by controlling subdivision and restricting earthworks, mineral extraction, the extent of vegetation clearance, and rural production activities, and the location and design of buildings and structures including in relation to ridgelines, skylines and prominent headlands.

NFL-P4 Avoid Significant Adverse Effects Outside of Coastal Environment

Outside of the Coastal Environment, to avoid significant adverse effects and avoid, remedy or mitigate other adverse effects (including cumulative adverse effects) of subdivision, use and development on the characteristics and qualities of Outstanding Natural Features and Outstanding Natural Landscapes.

NFL-P5 Subdivision, Use and Development of an Outstanding Natural Landscape

Subdivision, use and development in or on an Outstanding Natural Landscape shall be located and designed to avoid, adverse effects on characteristics and qualities of the landscape and/or visual effects by:

1. Being integrated with identified characteristics and qualities of Outstanding Natural Landscapes;
2. Avoiding sensitive landforms such as ridgelines, headlands and peninsulas;
3. Being responsive to natural contours;
4. Being visually unobtrusive;
5. Maintaining established areas and patterns of indigenous vegetation cover; and
6. Avoiding permanent earthworks scarring.

NFL-P6 Effects of Subdivision, Use and Development

To assess the scale and significance of effects of subdivision, use and development on the characteristics and qualities of Outstanding Natural Features and Outstanding Natural Landscapes by having particular regard to:

1. The extent of the resource area affected;
2. The sensitivity of resource to change, recognising the effects of existing land use;
3. The degree of modification, damage, loss or destruction that will result from the activity;
4. The duration and frequency of adverse effects;
5. Whether adverse effects are reversible or irreversible;
6. Whether adverse effects are minor or transitory;
7. The potential for spatial or temporal cumulative adverse effects of the proposed activity on its own or in combination with other authorised activities, including permitted activities; and
8. Any restoration, rehabilitation or enhancement of the specific characteristics and qualities of the particular Outstanding Natural Feature or Outstanding Natural Landscape affected by the activity.

NFL-P7 Earthworks, Vegetation Clearance and Built Development

The location, scale and form of earthworks, vegetation clearance and built development in or on an Outstanding Natural Feature shall not reduce the overall form, integrity and extent of the feature and shall take into account the vulnerability of the feature to modification.

NFL-P8 Coastal Hazard Management

With respect to coastal hazard management within the Coastal Environment, avoid the use of hard protection structures such as seawalls and rock armouring along with other visible artificial elements where these would adversely affect the characteristics and qualities of the Outstanding Natural Features and Outstanding Natural Landscapes, except where such structures are the only practical means to protect significant existing development or infrastructure.

NFL-P9 Building, Structures and Regionally Significant Infrastructure

Buildings and structures, excluding land zoned as a Residential Zone or Settlement Zone Residential Sub-Zone, and regionally significant infrastructure, in Outstanding Natural Landscapes shall be located and designed so that they:

1. Are inconspicuous when viewed from public land;
2. Avoid locating upon, or intruding above, ridgelines, headlands and peninsulas where this results in adverse visual effects which cannot be remedied or mitigated;
3. Are visually recessive and blend with the surrounding vegetation and natural topography
4. Use recessive colours and materials with low light reflectivity;
5. Minimise artificial light spill.

NFL-P10 Buildings and Structures on Land Zoned Residential and Settlement Zone Residential Sub-Zone

To provide for buildings and structures on land zoned as a Residential Zone or Settlement Zone Residential Sub-Zone within an identified Outstanding Natural Landscape where any building or structures located and designed to:

1. Avoid locating upon, or intruding above, ridgelines, headlands and peninsulas where this results in adverse visual effects which cannot be remedied or mitigated.
2. Blend, as far as practicable, with the surrounding vegetation and natural topography accepting that there may be existing built development that affects or precludes this.
3. Use recessive colours and materials with low light reflectivity; and
4. Minimise artificial light spill.

NFL-P11 Regionally Significant Infrastructure and Community Facilities

To provide for adverse effects arising from the establishment and operation of regionally significant infrastructure and community facilities, excluding National Grid Electricity Infrastructure, in or on Outstanding Natural Features or Outstanding Natural Landscapes where:

1. It is demonstrated that there is no practical alternative location;
2. Regard has been had to policies NFL-P3 - 5, and taking into account policies NTW-P10 - 15 in the Network Utilities chapter.
3. Measures are in place to avoid adverse effects, and adverse effects that cannot be avoided are remedied or mitigated to the extent that they are no more than minor.

Note:

1. For the purposes of this policy: Regionally significant infrastructure means those structures and facilities listed within Appendix 3 Regional Significant Infrastructure of the Regional

Policy Statement for Northland; and community facilities include district parks, reserves and network infrastructure including roading.

NFL-P12 National Grid Electricity Infrastructure

To recognise and provide for the operation, maintenance and upgrading of existing National Grid Electricity Infrastructure in an Outstanding Natural Landscape or on an Outstanding Natural Feature.

NFL-P13 Major Upgrades and Development of National Grid Electricity Infrastructure

To recognise and provide for major upgrades of existing and the development of new National Grid Electricity Infrastructure in an Outstanding Natural Landscape or on an Outstanding Natural Feature by managing adverse effects on the qualities and characteristics of Outstanding Natural Landscapes and Outstanding Natural Features; by:

1. Ensuring route, site and method selection demonstrates that, to the extent practicable having regard to the functional, operational and technical needs of the National Grid, in order of preference:
 - a. Infrastructure will be located:
 - i. Outside of Outstanding Natural Landscapes and Outstanding Natural Features, or if not then;
 - ii. Outside of any part of an Outstanding Natural Landscapes and Outstanding Natural Features within the Coastal Environment.
 - b. Infrastructure will be located in the more compromised parts of the areas in (i);
 - c. Techniques (such as structure selection) will be used to avoid adverse effects;
 - d. Adverse effects that cannot be avoided will be remedied or mitigated; while:
2. Recognising that:
 - a. In some circumstances, adverse effects on the identified qualities and characteristics of Outstanding Natural Landscapes and Outstanding Natural Features will need to be avoided;
 - b. A minor or transitory effect may not be an adverse effect;
 - c. There may be more than minor cumulative effects from minor or transitory effects; and
 - d. Many areas contain ongoing use and development that was present when the area was identified as Outstanding or have subsequently been lawfully established.

NFL-P14 Large Scale Earthworks

To avoid large scale earthworks, including mineral extraction, in or on Outstanding Natural Features and Outstanding Natural Landscapes and manage adverse effects of other earthworks through permitted activity standards and consent requirements.

NFL-P15 Adverse Effects of Earthworks

To avoid the adverse effects of earthworks, including accessway and building platform creation, on the characteristics and qualities of the Outstanding Natural Features and Outstanding Natural Landscapes by:

1. Careful analysis of existing site conditions;
2. Consideration of alternative options and approaches; and
3. Applying measures to blend areas altered by earthworks with the existing site conditions.

Note:

1. Relevant site conditions include site elevation, slope and orientation drainage patterns, together with soil and slope stability.

NFL-P16 Cut and Fill Batters

To ensure that adverse visual effects of cut and fill batters in Outstanding Natural Landscapes are remedied or mitigated by requiring revegetation where this is consistent with local landscape character and is practicable.

NFL-P17 Indigenous Vegetation

To protect areas of indigenous vegetation which contribute to the slope or soil stability of Outstanding Natural Features or the character and visual quality of Outstanding Natural Landscapes.

NFL-P18 Remediation of Adverse Effects

To encourage the remediation of the adverse effects from past or existing inappropriate land use activities on Outstanding Natural Landscapes.

NFL-P19 Development Proposals that Enhance and Rehabilitate

To recognise the positive effects of development proposals that provide for the enhancement and rehabilitation of previously compromised localised areas within Outstanding Natural Landscapes.

NFL-P20 Regulatory Incentives and Non-Regulatory Methods

To promote the active management, enhancement, and voluntary protection of Outstanding Natural Features and Outstanding Natural Landscapes by utilising regulatory incentives and non-regulatory methods including:

1. Provision of guidelines for landowners and professional advisors on appropriate landscape assessment and effects management options within Outstanding Natural Landscapes;
2. Provision of a Council contribution toward the cost of professional landscape assessments required under information requirement rule NFL-REQ1;
3. Provision, through assessment criteria, for additional sites allotments to be approved during the subdivision application process if formal protection of all or part of an Outstanding Natural Feature or Outstanding Natural Landscapes is proposed;
4. Provision of rates relief for covenanted areas within Outstanding Natural Features and Outstanding Natural Landscapes; and
5. In partnership with the Northland Regional Council, assisting with landowner costs of pest control and/or fencing for exclusion of stock from Outstanding Natural Features or Outstanding Natural Landscapes.

NFL-P21 Existing Subdivision, Use and Development

To recognise that identified Outstanding Natural Features and Outstanding Natural Landscapes may contain existing and/or authorised subdivision, use and development, including infrastructure and rural production activities.

NFL-P22 Existing Land Use and Development

To provide for the maintenance and minor upgrading of existing authorised land use and development in or on Outstanding Natural Features or Outstanding Natural Landscapes, wherever it is located, where:

1. The adverse effects generated during the period the maintenance or minor upgrading is being undertaken are not significant; and

2. The adverse **effects** of the **land** use and development after the conclusion of the maintenance or **minor upgrading** are the same or similar to those that existed before the activity was undertaken.

NFL-P23 Papakāinga Development

To recognise that Outstanding Natural Landscapes may contain undeveloped ancestral Māori land and provide for **tangata whenua** needs for Papakāinga development on that **land** as far as is consistent with the overall protection of Outstanding Natural Landscapes.

Guidance Note

1. The following shall form the basis for resource consent applications in the NFL:
 - a. The objectives, policies and provisions for Natural Features and Landscapes.
 - b. The objectives, policies and provisions for CE Coastal Environment, for Outstanding Natural Landscapes and Outstanding Natural Features in the Coastal Environment.
 - c. The Strategic Direction objectives and policies.
 - d. The objectives policies and provisions for the underlying Zone in the District Plan.
 - e. The objectives, policies and provisions for Resource Areas in the District Plan.
 - f. The District-Wide objectives, policies and provisions in the District Plan
2. The NFL-ONL – Outstanding Natural Landscapes rules of this chapter apply to any **site** or portion of a **site** mapped as NFL-ONL.
3. The NFL-ONF – Outstanding Natural Features rules of this chapter apply to any **site** or portion of a **site** mapped as NFL-ONF.

General Rules

NFL-R1 Eligibility and Notification Rules

1. The rules below apply in addition to the rules of the underlying zone. Where the standards are different between the underlying zone and the Outstanding Natural Landscape or Outstanding Natural Feature area, the most restrictive rule shall apply.
2. All **land** use and **subdivision** proposals requiring consent shall be subject to the notification tests of the RMA

General Information Requirement Rules

NFL-REQ1 Landscape Evaluation Requirement

1. A **site** or property-specific landscape evaluation shall be submitted with all consent applications for **subdivision**, use or development within an Outstanding Natural Landscape. The landscape evaluation shall:
 - a. Address the requirements of the policies within this section;
 - b. Document how potential adverse **effects** are to be avoided on the characteristics and qualities of the Outstanding Natural Landscape;
 - c. Clearly identify where the avoidance of adverse **effects** is not considered practicable and record the nature and scale of those **effects**; and
 - d. Demonstrate how unavoidable adverse **effects** will be remedied or mitigated.

- e. Demonstrate any ways in which the proposal may conserve or heighten the characteristics and qualities of the Outstanding Natural Landscape through a comprehensive approach to landscape analysis and project design.

NFL-ONL – Outstanding Natural Landscapes Rules

Rules

NFL-ONL-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

NFL-ONL-R2 Minor Building

Activity Status: Permitted

Note:

1. *Minor buildings* are exempt from rules NFL-ONL-R3 – R5.

NFL-ONL-R3 Construction of Buildings and Major Structures

1. Activity Status: Permitted

Where:

- a. The building or major structure is non-habitable and ancillary to rural production or network utility activities provided that:
 - i. The maximum height does not exceed 5.5m above ground level.
 - ii. The highest point of the building or major structure is no less than 15m lower in elevation than the most proximate portion of ridgeline closest to the building or major structure.
 - iii. The exteriors do not utilise mirror glazing, and are coloured or painted with a colour with a reflectance value no greater than 35% (provided that 2% of each exterior is exempt) and with a roof colour with a reflectance value no greater than 30%.
 - iv. Within the Coastal Environment the gross floor area does not exceed 50m².
 - v. Outside the Coastal Environment the gross floor area does not exceed 100m².

2. Activity status: Controlled

Where:

- a. The building is a residential unit within or outside the Coastal Environment on a defined building platform, where the defined building platform has been identified through a professional landscape assessment and approved as part of the subdivision consent.

Matters of control:

1. The appropriateness of the landscape assessment in relation to the identified characteristics and qualities of the Outstanding Natural Landscape.
 2. The visual prominence of the building or major structure, and associated accessway(s), with reference to building, height, materials, and exterior reflectivity.
 3. The suitability of the defined platform for the proposed building.
 4. Effects of platform access and on-site infrastructure arrangements.
 5. Any mitigation measures proposed.
3. Activity status: Restricted Discretionary
- Where:

- a. The building is a residential unit within or outside the Coastal Environment not meeting the controlled activity criteria of rule NFL-ONL-R3, and:
 - i. The underlying zoning is a Residential Zone or Settlement Zone Residential Sub Zone; or
 - ii. The entire property title is included within the Outstanding Natural Landscape and does not include an existing dwelling.

Matters of discretion:

1. The visual dominance of the proposed building and associated accessways(s) and infrastructure with reference to building height, materials and exterior reflectivity.
2. The suitability of the defined platform for the proposed building in terms of mitigating the dominance of the proposed building and associated accessway(s) and infrastructure.
3. Any mitigation measures proposed including landscape treatment and screening.

Activity Status when compliance with the permitted, controlled or restricted discretionary activity criteria of rule NFL-ONL-R3 is not achieved for activities outside the Coastal Environment:

Discretionary

Activity Status when compliance with the permitted, controlled and restricted discretionary activity criteria of rule NFL-ONLR3 is not achieved for activities within the Coastal Environment: Non-Complying

NFL-ONL-R4 External Alteration or Extension to an Existing Building or Major Structure, including a Residential Unit

1. Activity Status: Permitted

Where:

- a. The alterations or extensions do not exceed 50m² in area.
- b. The alterations or extensions do not exceed the height of the existing building or major structure.
- c. The highest point of the alteration or extension is no less than 15m lower in elevation than the most proximate portion of ridgeline closest to the building or major structure.
- d. The exteriors do not utilise mirror glazing, and are coloured or painted with a colour with a reflectance value no greater than 35% (provided that 2% of each exterior elevation is exempt) and with a roof colour with a reflectance value no greater than 30%.

2. Activity status: Controlled

Where:

- a. Compliance is not achieved with the permitted activity criteria of rule NFL-ONL-R4; and
- b. The extension is to a residential unit on a defined building platform, where the defined building platform has been identified through a professional landscape assessment and approved as part of the subdivision consent.

Matters of control:

1. The appropriateness of the landscape assessment in relation to the identified characteristics and qualities of the Outstanding Natural Landscape.
2. The visual prominence of the building or major structure, and associated accessway(s), with reference to building, height, materials, and exterior reflectivity.
3. The suitability of the defined platform for the proposed building.
4. Effects of platform access and on-site infrastructure arrangements.
5. Any mitigation measures proposed.

Activity Status when compliance with the permitted and controlled activity criteria of rule NFL-ONL-R4 is not achieved within or outside the Coastal Environment: Discretionary

NFL-ONL-R5 Maintenance and Minor Upgrading of Buildings and Major Structures

Activity Status: Permitted

Where:

1. The maintenance and minor upgrading is associated with public parks, reserves, network utilities, or community infrastructure.

Activity Status when compliance not achieved outside the Coastal Environment: Discretionary

Activity Status when compliance not achieved for activities within the Coastal Environment: Non-Complying

NFL-ONL-R6 Installation of Underground Network Utilities

Activity Status: Permitted

Where:

1. There is compliance with Earthworks NFL-ONL-R7 and Vegetation Clearance Rule NFL-ONL-R9.

Activity Status when compliance not achieved outside the Coastal Environment: Discretionary

Activity Status when compliance not achieved for activities within the Coastal Environment: Non-Complying

NFL-ONL-R7 Earthworks

Activity Status: Permitted

Where:

1. The excavation and fill volume is less than 150m³ and the area is less than 150m² in any 12 month period within a site; and
2. Earthworks do not exceed a height or depth of 2m over a continuous distance of more than 50m within a site; OR
3. The activity is directly associated with:
 - a. The repair and maintenance of roads, fences, utility connections, accessways driveways, parking areas, effluent disposal systems, swimming pools, walking or cycling tracks or farm and plantation forestry tracks; or
 - b. Garden amenities, gardening or the planting of any vegetation; or
 - c. The burial of marine mammals; or
 - d. A sand dune restoration project; or
 - e. The provision of walking or cycling tracks less than 3m wide.

Notes:

1. The height or depth of excavation will be based on an average height from existing ground level over the length of the excavation or fill or over 50m continuous length, whichever is the lesser length.
2. Earthworks necessary to create a defined building platform are only required to comply with NFL-ONL-R10.

Activity Status when compliance not achieved outside the Coastal Environment: Discretionary

Activity Status when compliance not achieved for activities within the Coastal Environment: Non-Complying

NFL-ONL-R8 Farm Quarries

Activity Status: Permitted

Where:

1. The excavation and fill volume is less than 150m³ and the area is less than 150m² in any 12 month period within a site; and
2. Earthworks do not exceed a height or depth of 2m over a continuous distance of more than 50m within a site; OR
3. The activity is directly associated with:
 - a. The repair and maintenance of roads, fences, utility connections, accessways driveways, parking areas, effluent disposal systems, swimming pools, walking or cycling tracks or farm and plantation forestry tracks; or
 - b. Garden amenities, gardening or the planting of any vegetation; or
 - c. The burial of marine mammals; or
 - d. A sand dune restoration project; or
 - e. The provision of walking or cycling tracks less than 3m wide.

Notes:

1. The height or depth of excavation will be based on an average height from existing ground level over the length of the excavation or fill or over 50m continuous length, whichever is the lesser length.
2. Earthworks necessary to create a defined building platform are only required to comply with NFL-ONL-R10.

Activity Status when compliance not achieved outside the Coastal Environment: Discretionary

Activity Status when compliance not achieved for activities within the Coastal Environment: Non-Complying

NFL-ONL-R9 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of indigenous vegetation does not exceed 150m² per site within any 12 month period; and
2. Is directly associated with:
 - a. Removal or pruning of trees, live or dead, that are a danger to human life or structures.
 - b. Routine maintenance and repair:
 - i. Within 3m of the eaves of existing buildings and structures (including network utilities):
 - a) Including the removal of any tree where any part of the trunk is within the 3m distance.
 - b) Excluding damage to the roots or removal of any tree where the trunk is outside the 3m distance.
 - ii. Of tracks, lawns, gardens, fences, drains and other lawfully established activities.

- c. Understorey clearance permitted in accordance with REG93(1) and (2)(a) of the National Environmental Standard for Plantation Forestry 2017.
- d. Vegetation removal for customary rights.
- e. Conservation planting, including planting for ecological restoration purposes.
- f. Temporary military training activity.

Note:

1. Indigenous vegetation clearance necessary to create a defined building platform are only required to comply with NFL-ONL-R11.

Activity Status when compliance not achieved outside the Coastal Environment: Discretionary

Activity Status when compliance not achieved for activities within the Coastal Environment: Non-Complying

NFL-ONL-R10 Earthworks necessary to Create a Defined Building Platform

Activity Status: Controlled

Where:

1. The building platform has been identified through a professional landscape assessment; and approved as part of a subdivision consent.

Matters of control:

1. The appropriateness of the landscape assessment in relation to the identified characteristics and qualities of the Outstanding Natural Landscape.
2. The visual prominence of the building or major structure, and associated accessway(s), with reference to building, height, materials, and exterior reflectivity.
3. The suitability of the defined platform for the proposed building.
4. Effects of platform access and on-site infrastructure arrangements.
5. Any mitigation measures proposed.

Activity Status when compliance not achieved outside the Coastal Environment: Discretionary

Activity Status when compliance not achieved within the Coastal Environment: Non-Complying

NFL-ONL-R11 Indigenous Vegetation Clearance necessary to Create a Defined Building Platform

Activity Status: Controlled

Where:

1. The building platform has been identified through a professional landscape assessment; and approved as part of a subdivision consent.

Matters of control:

1. The appropriateness of the landscape assessment in relation to the identified characteristics and qualities of the Outstanding Natural Landscape.
2. The visual prominence of the building or major structure, and associated accessway(s), with reference to building, height, materials, and exterior reflectivity.
3. The suitability of the defined platform for the proposed building.
4. Effects of platform access and on-site infrastructure arrangements.
5. Any mitigation measures proposed.

Activity Status when compliance not achieved outside the Coastal Environment: Discretionary
 Activity Status when compliance not achieved within the Coastal Environment: Non-Complying

NFL-ONL-R12 Papakāinga Development

Activity Status: Restricted Discretionary

Where:

1. The activity is outside the Coastal Environment.

Matters of discretion:

1. The proposed siting of the activity in relation to ridgelines or other important natural landscape elements.
2. The proposed location and design of the Papakāinga development with respect to the concepts of tikanga Māori and kaitiakitanga.
3. The proposed location and design of buildings, structures, vehicle access ways, manoeuvring and parking spaces.
4. The extent of visible change to the Outstanding Natural Landscape which may result from the proposed activity.
5. The potential for more than minor adverse effects on the Outstanding Natural Landscape.
6. Any remediation or mitigation measures proposed to address adverse visual effects.

Activity Status for activities within the Coastal Environment: Discretionary

NFL-ONL-R13 The Establishment of New Production Plantation Forestry

Activity Status: Discretionary

Where:

1. The activity is outside the Coastal Environment.

Activity Status when compliance not achieved: Non-Complying

NFL-ONL-R14 Mineral Extraction outside of the Coastal Environment

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

NFL-ONL-R15 Any Activities Directly Associated with National Grid Infrastructure

Activity Status: Discretionary

Where:

1. The activities are not otherwise permitted.

NFL-ONL-R16 Subdivision where a Proposed Boundary is within an Outstanding Natural Landscape

Activity Status: Discretionary

Where:

1. The Outstanding Natural Landscape is outside of the Coastal Environment.

Note:

1. A proposed boundary does not include the boundary of the parent site allotment.

2. *Relevant criteria set out in information requirement rule NFL-ONF-REQ1 Assessment Criteria shall apply to the consideration of all resource consent applications for subdivision activity within Outstanding Natural Landscapes.*
3. *Subdivision proposals requesting additional sites allotments in accordance with NFL-P20.3 need to include sufficient supporting information to enable an accurate assessment against information requirement rule NFL-ONF-REQ1 Criterion m (i) and (ii).*

Activity Status when compliance not achieved: Non-Complying

Information Requirement Rules

NFL-ONL-REQ1 Assessment Criteria

1. Relevant criteria set out in information requirement rule NFL-ONF-REQ1 Assessment Criteria shall apply to the consideration of all resource consent applications for land use and development activities within Outstanding Natural Landscapes.

NFL-ONF – Outstanding Natural Features Rules

Rules

NFL-ONF-R1 Application of Outstanding Natural Features Rules

1. The rules applying to activities in Outstanding Natural Features outside the Coastal Environment are as specified in Tables NFL 1A-1D.
2. The rules applying to activities in Outstanding Natural Features within the Coastal Environment are as specified in Tables NFL 2A-D.

NFL-ONF-R2 Matters of Discretion for Restricted Discretionary Activities

1. Discretion will be restricted to the matters below for the activities listed as restricted discretionary in Tables NFL 1A-D:
 - a. The nature, form and extent of proposed works.
 - b. The degree of existing geological modification.
 - c. The need or purpose of the proposed **building** or **structure**.
 - d. Alternative methods and locations for the proposed activity.
 - e. The potential for erosion or other adverse **effect** on the Outstanding Natural Feature.

Tables NFL 1A-1D specify the activity status for activities in Outstanding Natural Features outside the Coastal Environment.

Land use and Development

Table NFL 1A. Land use and Development Activity Table for Outstanding Natural Features outside the Coastal Environment

Activity	Large landform A1	Large landforms A	Volcanic cones B	Smaller, more fragile landforms D	Exposure of geological material E	Caves F
New buildings and structures incl. network utilities up to 5.5m in height above ground level	PER	PER	RDIS	NC	NC	DIS
New buildings and structures incl. network utilities 5.5m up to 8m in height above ground level ; • Non-habitable	PER	RDIS	DIS	NC	NC	DIS
New buildings and structures 5.5m up to 8m in height above ground level ; • Residential dwellings	RDIS	RDIS	DIS	NC	NC	DIS

Activity	Large landform A1	Large landforms A	Volcanic cones B	Smaller, more fragile landforms D	Exposure of geological material E	Caves F
New <u>buildings</u> and <u>structures</u> incl. network utilities greater than 8m in <u>height</u> above <u>ground level</u>	RDIS	RDIS	DIS	NC	NC	DIS
<u>Artificial crop protection structures</u> complying with RPROZ-R12 and using green or black cloth on external vertical faces.	PER	-	-	-	-	-
<u>Minor upgrading</u> of network utilities and <u>buildings</u> and <u>structures</u> associated with public parks, reserves and community <u>infrastructure</u> .	PER	PER	PER	RDIS	RDIS	RDIS
<u>Buildings</u> or <u>major structures</u> associated with <u>temporary military training activity</u>	PER	PER	PER	RDIS	RDIS	RDIS
Fencing for ONF protection	PER	PER	PER	PER	PER	PER
Other fencing	PER	PER	PER	DIS	DIS	PER
Stock grazing	PER	PER	PER	PER	PER	PER
<u>Plantation forestry</u> harvesting and replanting	PER	PER	PER	PR	PR	PER
New <u>plantation forestry</u> planting	RDIS	PER	DIS	PR	PR	RDIS

PER = permitted; RDIS = restricted discretionary; DIS = discretionary; NC = non-complying; PR = prohibited; - = not applicable.

Earthworks

Table NFL 1B. Earthworks Activity Table for Outstanding Natural Features outside the Coastal Environment

Activity	Large landforms A1	Large landform A	Volcanic cones B	Smaller more fragile landforms D	Exposure of geological material E	Caves F
General <u>earthworks</u> not expressly either permitted or requiring resource consent in this table: <ul style="list-style-type: none"> Up to 50m³ 	PER	PER	RDIS	NC	NC	DIS
General <u>earthworks</u> not expressly either permitted or requiring resource consent in this table: <ul style="list-style-type: none"> 50m³ up to 150m³ 	PER	PER	RDIS	NC	PR	NC
General <u>earthworks</u> not expressly either permitted or requiring resource consent in this table: <ul style="list-style-type: none"> 150m³ up to 1000m³ 	PER	PER	DIS	NC	PR	NC
General <u>earthworks</u> not expressly either permitted or requiring resource consent in this table: <ul style="list-style-type: none"> greater than 500m³ 	DIS	DIS	DIS	NC	PR	NC
Maintenance and repair of network utilities, roading, tracks, <u>accessways</u> , <u>driveways</u> , carparking areas, parks, reserves and community <u>infrastructure</u>	PER	PER	PER	PER	PER	PER
<u>Land preparation</u>	PER	PER	RDIS	PR	PR	DIS

Activity	Large landforms A1	Large landform A	Volcanic cones B	Smaller more fragile landforms D	Exposure of geological material E	Caves F
New public walking and cycling tracks	PER	DIS	DIS	NC	PR	DIS
New farm and plantation forestry roading and tracking	PER	DIS	DIS	NC	PR	DIS
Farm and plantation forestry mineral extraction (quarrying)	PR	PR	PR	PR	PR	PR
Other mineral extraction	PR	PR	PR	PR	PR	PR

PER = permitted; RDIS = restricted discretionary; DIS = discretionary; NC = non-complying; PR = prohibited; - = not applicable.

Indigenous Vegetation Clearance

Table NFL 1C. Indigenous Vegetation Clearance Activity Table for Outstanding Natural Features outside the Coastal Environment

Activity	Large landforms A1	Large landform A	Volcanic cones B	Smaller more fragile landforms D	Exposure of geological material E	Caves F
up to 500m ²	PER	PER	RDIS	-	-	PER
greater than 500m ²	DIS	DIS	DIS	-	-	DIS

PER = permitted; RDIS = restricted discretionary; DIS = discretionary; NC = non-complying; PR = prohibited; - = not applicable.

National Grid

Table NFL 1D. National Grid Activity Table for Outstanding Natural Features outside the Coastal Environment

Activity	Large landforms A1	Large landform A	Volcanic cones B	Smaller more fragile landform D	Exposure of geological material E	Cave F
Any activities directly associated with National Grid Electricity Infrastructure that are not otherwise permitted, controlled,	DIS	DIS	DIS	DIS	DIS	DIS

Activity	Large landforms A1	Large landform A	Volcanic cones B	Smaller more fragile landform D	Exposure of geological material E	Cave F
restricted discretionary or prohibited in this table.						

PER = permitted; RDIS = restricted discretionary; DIS = discretionary; NC = non-complying; PR = prohibited; - = not applicable.

Tables NFL 2A-2D specify the activity status for activities in Outstanding Natural Features that are within the Coastal Environment.

Land use and Development

Table NFL 2A. Land use and Development Activity Table for Outstanding Natural Features within the Coastal Environment

Activity	Large landforms A	Dynamic landforms and features C	Smaller, more fragile landforms D	Exposures of geological material E	Caves F
New <u>buildings</u> and <u>structures</u> incl. network utilities.	NC	NC	NC	NC	NC
<u>Minor upgrading</u> of network utilities and <u>buildings</u> and <u>structures</u> associated with public parks, reserves and community <u>infrastructure</u> .	RDIS	RDIS	RDIS	RDIS	RDIS
<u>Buildings</u> or <u>major structures</u> associated with <u>temporary military training activity</u>	PER	PER	DIS	DIS	PER
Fencing for ONF protection	PER	PER	PER	PER	PER
Other fencing	PER	RDIS	DIS	DIS	PER
Stock grazing	DIS	DIS	PER	PER	-
<u>Plantation forestry</u> harvesting and replanting	-	NC	-	-	-
New <u>plantation forestry</u> planting	PR	NC	PR	-	-

PER = permitted; RDIS = restricted discretionary; DIS = discretionary; NC = non-complying; PR = prohibited; - = not applicable.

Earthworks

Table NFL 2B. Earthworks Activity Table for Outstanding Natural Features within the Coastal Environment

Activity	Large landforms A	Dynamic landforms and features C	Smaller, more fragile landforms D	Exposures of geological material E	Caves F
General <u>earthworks</u> not expressly either permitted or requiring resource consent in this table: up to 150m ³	DIS	NC	NC	NC	NC
General <u>earthworks</u> not expressly either permitted or requiring resource consent in this table: greater than 150m ³	NC	NC	NC	PR	NC
Maintenance and repair of network utilities, roading, tracks, <u>accessways</u> , <u>driveways</u> , carparking areas, parks, reserves and community <u>infrastructure</u> .	PER	PER	PER	PER	-
<u>Land preparation</u>	PER	NC	PR	PR	-
New public walking and cycling tracks	PER	PER	DIS	NC	-
New farm and <u>plantation forestry</u> , roading and tracking	DIS	NC	NC	PR	-
Farm Quarrying	PR	PR	PR	PR	PR
Other <u>mineral extraction</u>	PR	PR	PR	PR	PR

PER = permitted; RDIS = restricted discretionary; DIS = discretionary; NC = non-complying; PR = prohibited; - = not applicable.

Indigenous Vegetation Clearance

Table NFL 2C. Indigenous Vegetation Clearance Activity Table for Outstanding Natural Features within the Coastal Environment

Activity	Large landforms A	Dynamic landforms and features C	Smaller, more fragile landforms D	Exposures of geological material E	Caves F
up to 250m ²	DIS	NC	-	-	-
greater than 250m ²	NC	NC	-	-	-

PER = permitted; RDIS = restricted discretionary; DIS = discretionary; NC = non-complying; PR = prohibited; - = not applicable.

National Grid

Table NFL 2D. National Grid Activity Table for Outstanding Natural Features within the Coastal Environment

Activity	Large landforms A	Dynamic landforms and features C	Smaller, more fragile landforms D	Exposures of geological material E	Caves F
Any activities directly associated with <u>National Grid Electricity Infrastructure</u> that are not otherwise permitted, controlled, restricted discretionary or prohibited in this table.	DIS	DIS	DIS	DIS	DIS

PER = permitted; RDIS = restricted discretionary; DIS = discretionary; NC = non-complying; PR = prohibited; - = not applicable.

NFL-ONF-R3 Assessment Criteria

1. Relevant criteria set out in information requirement rule NFL-ONF-REQ1 Assessment Criteria shall apply to the consideration of all resource consent applications for land use and development activities within Outstanding Natural Features.

NFL-ONF-R4 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan

NFL-ONF-R5 New Buildings and Structures

Activity Status: Permitted

Where:

1. The maximum reflectance value is 30%.

Activity Status when compliance not achieved: Discretionary

NFL-ONF-R6 Earthworks

Activity Status: Permitted

Where:

1. The activity shall result in no more than a 1.5m vertical cut face which is to be subsequently screened by a building or grassed or mass planted.

Activity Status when compliance not achieved: Discretionary

NFL-ONF-R7 Subdivision where a Proposed Boundary is within an Outstanding Natural Feature

Activity Status: Discretionary

Where:

1. The Outstanding Natural Feature is outside of the Coastal Environment.

Notes:

1. A proposed boundary does not include the boundary of the parent site allotment.

2. *Relevant criteria set out in information requirement rule NFL-ONF-REQ1 Assessment Criteria shall apply to the consideration of all resource consent applications for subdivision activity within Outstanding Natural Features.*
3. *Subdivision proposals requesting additional sites allotments in accordance with NFL-P20.3 need to include sufficient supporting information to enable an accurate assessment against information requirement rule NFL-ONF-REQ1 Criterion m (i) and (ii).*

Activity Status when compliance not achieved: Non-Complying

Information Requirement Rules

NFL-ONF-REQ1 Assessment Criteria

1. The following criteria shall apply to the consideration of restricted discretionary (where relevant), discretionary and non-complying resource consent applications for subdivision, land use, and development activities within identified Outstanding Natural Features or Outstanding Natural Landscapes. The criteria apply to both Outstanding Natural Features and Outstanding Natural Landscapes unless specified otherwise.
 - a. To extent to which the proposal is consistent with and not contrary to the objectives and policies contained in this chapter.
 - b. The extent to which the proposal is consistent with the Council adopted 'Guidelines for Managing Change in Outstanding Natural Landscapes 2016'.
 - c. The elements which make up the distinctive character and qualities of the feature or landscape as recorded in NFL - Appendix 1 Outstanding Natural Features or applicable worksheet from 'Northland Regional Landscape Assessment Worksheets (for Whangārei District) February 2014' (Outstanding Natural Landscapes).
 - d. The specific characteristics of the application site, including its location, size, shape and topography.
 - e. The siting of the activity in relation to ridgelines or other important natural landscape elements.
 - f. The design of any building, structure, utility or any development.
 - g. The location and design of vehicle access ways, manoeuvring and parking spaces.
 - h. The extent of visible change to the Outstanding Natural Landscape which may result from an activity.
 - i. The potential for more than minor adverse effects on the Outstanding Natural Landscape.
 - j. The extent to which adverse visual effects may be mitigated through locally appropriate vegetative screening or other means.
 - k. The extent to which an application proposes revegetation and/or enhancement of the Outstanding Natural Landscape, and the measures to secure the long-term sustainability of the revegetation and/or enhancement.
 - l. Provisions for the permanent legal protection of the Outstanding Natural Feature or Outstanding Natural Landscape.
 - m. For subdivision activity where permanent legal protection or enhancement is proposed:
 - i. The number of additional sites allotments that may be appropriate given the value and areal extent of the area(s) that are proposed to be protected; and
 - ii. The potential adverse environmental effect of the increase in residential intensity, including any sites allotments, in relation to the benefits of achieving permanent

legal protection of an Outstanding Natural Feature or Outstanding Natural Landscape.

- n. For works associated with the provision or maintenance of network utilities and community infrastructure:
 - i. The extent to which the proposed works will protect the Outstanding Natural feature or outstanding Natural Landscape from damage.
 - ii. The extent to which modification of an Outstanding Natural Feature or Outstanding Natural Landscape is necessary to provide for the proposed infrastructure and to which the proposed structure had a functional or operational need to be in the location proposed.
 - iii. Whether the proposed works are necessary to improve the resilience and security of the relevant infrastructure.
2. Where excavation and/or filling is proposed within an Outstanding Natural Feature or Outstanding Natural Landscape, the following specific criteria will also be considered:
 - a. The location, scale and alignment of excavation and/or filling in relation to any existing indigenous vegetation, site features, and underlying landform including ridgelines; and
 - b. The nature of any avoidance, remediation or mitigation measures proposed, including consideration of alternatives, the profile of cut and fill batters, the likely long term stability of the works proposed, and provisions for revegetation.
 - c. The extent to which the proposed earthworks will cause any significant loss of geological value of the Outstanding Natural Feature, taking into account the extent to which a feature has already been modified and whether further modification will cumulatively result in a significant loss of geological value.
3. For the extension or alteration of exiting lawfully established hard coastal protection structures and for new hard coastal protection structures within an Outstanding Natural Feature or Outstanding Natural Landscape
 - a. Any relevant coastal hazard management strategy, plan or assessment relating to the area where hard protection structures are proposed, including the ability to relocate buildings, structures, infrastructure or land uses which the structure is designed to protect; and
 - b. The ability to use retain or enhance natural defences in place of hard protection structures.

NFL-ONF Appendix 1

Information Source

The source of information for identifying and mapping Outstanding Natural Features within the Whangārei District is the “Kenny, J.A. Hayward, B. W. (1996). Inventory and maps of Important Geological Sites and Landforms in the Northland Region”. “Geological Society of New Zealand Miscellaneous Publication No. 83, 51 pp.” This inventory identifies the best examples of Northland’s unique geology and landforms compiled using the combined knowledge and advice of a large sector of the specialist geological, geomorphological, speleological and soil science communities of New Zealand.

Significance and Vulnerability

The inventory provides a ranking of significance and vulnerability for each identified [site](#). The significance ranking provides three levels:

- A International
- B National
- C Regional

A vulnerability classification (1 - 4) is also assigned to each feature, depending on its perceived susceptibility to human activities:

- 1 Highly vulnerable to complete destruction or major modification by humans;
- 2 Moderately vulnerable to modification by humans;
- 3 Unlikely to be damaged by humans; and
- 4 Could be improved by human activity.

The intent is to manage Outstanding Natural Features on the basis of their significance and values and the risk of those values being compromised.

In order to assist management and decision-making, Outstanding Natural Features have also been categorised by type to provide an indication of the values that make them significant and potential risks to these values. The categories are described below.

Categories of Outstanding Natural Features

A Large landforms

These are landforms that are large and robust. The values of such features typically relate to the underlying geology which tells of the history of their formation and the resulting outstanding large-scale landforms, rather than or in addition to their visual amenity or landscape type factors. They can typically withstand moderate scale [earthworks](#) or constructions without significant impact. However, major multi-story developments, intense urban and industrial [subdivisions](#) or large scale [earthworks](#) can significantly detract from the integrity of these landforms and their geological features.

For the purpose of Tables NFL 1A-D, the subcategory A1 Large Landform Outstanding Natural Features relates only to the Whatitiri shield Volcano. This Outstanding Natural Feature is much larger and gentler sloping than others in the category and is therefore less vulnerable to rural production-related [land disturbance](#) or construction activity.

B Volcanic cones

These features derive their values from their distinctive conical form and prominence in the wider landscape setting. These scoria cones and tuff cones are sufficiently robust to withstand small-scale, localised [earthworks](#) or constructions without significant impact. However, [structures](#) in prominent positions, significant permanent [earthworks](#) such as farm [roads](#) across steep slopes, and rectangular exotic forest plantings can detract from or compromise these natural features,

particularly where they protrude significantly into the skyline, alter the cone form or disguise the underlying landform.

C Dynamic landforms and features

The values of these landforms or features relate to the ongoing natural physical processes that have constructed them and in many instances are necessary to maintain the landforms. Because of this, these dynamic landforms or features are not only susceptible to direct damage, but to more distant actions that may impact the continuation of the natural processes (e.g. sand supply; dune stabilisation; groundwater levels; soil erosion in cave catchments). Permanent earthworks, building construction, vegetation plantings, extraction of nearby groundwater or other actions could adversely affect the functioning and appearance of these features.

D Smaller more fragile landforms

The values of these often spectacular, localised landforms relate to their visual and aesthetic appeal and/or scientific interest. These are small landforms or other features that could be damaged or destroyed by relatively small scale earthworks or construction. Most earthworks, buildings, constructions or plantings would adversely impact on the visual and aesthetic appeal or scientific value of these fragile features.

E Exposures of geological material

These natural exposures of rock have values that relate to the geological features that can be seen within the rocks and the information they contain about the history of their formation, the geological origins of the region in general or the fossil history of the biota of New Zealand. Most of these exposures are sufficiently large and robust that small extents of earthworks or rock sampling will have no significant impact. Large-scale earthworks, construction of buildings, vegetation plantings or constructions of walls or erosion barriers could adversely impact the visual, educational or scientific values of these exposures.

F Caves

Caves, such as lava and sea caves and their entrances, may, depending upon their depth underground, be susceptible to damage from significant earthworks constructions above them, or from changes in their catchments that may fill them with eroded soil.

Identified Outstanding Natural Features by Category

Table NFL-ONF APP1 1: Category A - Large Landforms

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
Bream Head eroded stratovolcano	A	Best exposed section through the cone facies and underlying subvolcanic intrusions in the Taurikura volcanic centre around Whangārei Heads. Includes the rocky pinnacles of Bream Head ridge.	Virtually continuous exposure. Cone facies rubbly breccia and andesite flows in the E and subvolcanic andesite, dacite and rhyolite intrusions into the underlying Northland Allochthon in the W, just beneath the volcanic outcrop which forms the rocky peaks of Bream Head.	Coastal section and foreshore rocks, 5km length of coastline from Busby Point E to Bream Head and also the slopes up to the Bream Head ridge and rocky pinnacles.	C	3	
Hikurangi dacite dome	A	Large, prominent volcanic dome that dominates the landscape adjacent to SH1 N of Whangārei.	200m high, slightly eroded volcanic dacite dome, recently dated as < 2 million years old.	1.5km W of Hikurangi township.	C	2	
Lake Ora lava-flow-dammed lake	A	Excellent example of a small lake formed when a valley was dammed by a lava flow from Hurupaki volcano.	Small 2ha lake backed by a forested watershed growing on eroded greywacke basement.	At end of Lake Ora Road, 2km SW of Kamo.	C	3	
Parakiore rhyolite dome, Whangārei	A	Prominent volcanic landform, one of two young volcanic domes in Whangārei area.	200m high, slightly eroded dacite dome with two peaks, recently dated as less than 2 million years old.	1km W of SH1, 4km NW of Kamo.	C	3	
Whatitiri shield volcano	A	Only example of a large (4.4 cubic km), almost concentric shield volcano with gentle slopes in Northland. Best example in New Zealand of a small shield volcano.	A large concentric shield volcano with very gentle slopes and a diameter of 5-6km; not breached. Reaches a maximum height of 351m (ASL) and stands 154m above the surrounding landscape. Completely covered by farming and forested areas. Several houses and farm roads, but no quarries. The Titoki lava flows originate from this centre. They follow a valley to the N and then to the SW.	3.5km WNW of Maungatapere Mountain, approximately 5km WSW of Maungatapere township.	B	2	

Table NFL-ONF APP1 2: Category B - Volcanic Cones

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
Glenbervie (Maruata) volcanic cones	B	A well preserved young volcanic centre with two scoria cones.	There are two cones approximately 650m apart. The older farm covered cone lies to the W, Q06/319143, of the main cone Maruata, Q06/327147. Maruata shows two eruption points with the youngest, largest crater being breached to the S. The centre is approximately 2-3km in diameter and its height is 200m ASL, rising 80m above the surrounding area. Maruata cone has a distinct volcanic form and is bush covered. On the N side a small plantation forestry settlement has been established.	This centre lies between Maruata Road and Puketotara Road, approximately 5km NE of Kamo.	C	2	
Hurupaki scoria cone	B	One of three scientifically interesting scoria cones. A quarry exposes an eruption sequence showing that magma variation occurred during eruption. The best such exposure in a young Whangārei centre.	A steep sided, partly bush covered cone, 1-2km in diameter, breached to the SE, that stands 350m ASL and is extensively quarried on the W side. This is the E most cone of a group of three centres: (E to W) Hurupaki, Rawhitiroa and Ngararatunua.	This centre lies between Three Mile Bush Road and Dip Road, approximately 1.5km W of Kamo township.	C	1	
Maungakaramaea scoria cone	B	A well-preserved scoria cone with a distinct from that has not been quarried. The southernmost Quaternary Volcanic centre in Northland.	A steep sided, forested scoria cone standing approximately 150m above the surrounding plateau. Mostly covered with native bush, however some pines have been planted. A large flow to the SE (4-5km) ends in an 8m rock face, approximately 200m before Omana Road. A disused quarry site in the flow is now used as a rubbish tip. There is a small flow to NW of cone.	Lies between O' Carrol Road and Crawford Road, approximately 1km W of Maungakaramaea township.	C	1	
Maungatapere volcanic cone	B	An almost perfect, steep sided volcanic cone, not farmed or	A steep sided cone, approximately 1-1.5km diameter, with scrub and native bush cover and a farm on the flank. Small crater on top.	E of the intersection of Snooks Road and SH14, approximately	B	2	

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
		quarried. Largest and best preserved in Whangārei field.	Around 3.5km ESE of the Whatitiri centre, the peak is 359m (ASL) but the cone stands 185m above the surrounding plateau.	3km SSW of Maungatapere township.			
Maunu volcanic cone	B	A relatively well preserved cone near Whangārei, which has been modified a little by farming , minor quarrying and roading.	A 1-2km diameter cone, which stands 395m ASL and is breached to the W. The cone is very steep sided, particularly in the S. A TVNZ relay is located on the summit. Access to the summit is via Millington Road. There is a small quarry on the toe of the breached material which has been worked for private and for farm use. The W side is farmed but E and S slopes are covered with bush and pines. The cone rises 150m above the surrounding plateau, while flows extend approximately 6km E from the centre, almost to Whangārei City.	Just SW of Pukenui State Forest and NE of the intersection of Kara Road and SH14, approximately 2.5km NE of Maungatapere township.	C	1	
Ngararatunua volcanic cone	B	Distinct scoria cone breached to S.	The centre is a horseshoe-shaped scoria cone, breached to the S with small flows to the S and NE. It is a composite cone; an early cone to the N and a second higher cone to the S, which buried most of the first one before being reached. It is farmed on the W side and the E side is bush covered. The height of the cone is 325m ASL and it rises 125m above the lava field. The composite cone is approximately 1.2km in diameter. It is the western most cone of a group of three centres: (E to W) Hurupaki, Rawhitiroa and Ngararatunua.	This centre lies between Three Mile Bush Road, Church Road and Rotomate Road, approximately 3.5km W of Kamo.	C	1	
Onoke scoria cone, Kamo	B	Visually prominent, bush-clad peak of scoria cone is valuable part of Kamo's landscape and one of the volcanoes of the Whangārei basalt field. Overgrown remains of railway	200m high peak of remaining scoria cone rises 80m above Kamo. Disused quarry had access from railway line in NE and is overgrown with scrub and forest. Remains of a steam boiler still within the workings.	1km W of Kamo centre with access into the reserve off Dip Road.	C	2	

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
		ballast quarry and its associated earthworks is best example of this kind of industrial site in a scoria cone in New Zealand.					
Parihaka dacite dome, Whangārei	B	High eroded dome which dominates the eastern side of Whangārei City.	Early Miocene intrusive dome of dacite that has had the softer surrounding rocks eroded away leaving it's as a high and prominent dome-shaped hill above the E side of Whangārei City.	E side of Whangārei City.	C	3	
Pukepoto basalt cone	B	A young centre with a breached multi-vented cone, which shows good volcanic landform.	A steep sided bush and farm covered cone. Remnants of the first eruption form a boulder covered hill on the W flank of the younger Pukepoto cone. Pukepoto cone, covers the vent of the original hill, is steep sided and breached by rafting of lava to the S. The Waitangi stream flanking the lava field to the S has exposed basalt at locality QO6/368145. The cone stands 60m above the surrounding lava field Two periods of cone building resulted in three separate flows.	Adjacent to and N of Ngunguru Road, 7.5km ENE of Kamo township.	C	1	
Rawhitiroa scoria cone	B	One of three scientifically interesting scoria cones.	A low multi-vented cone with crater lake forms a small grass-covered knoll less than 150m high, on which a few houses stand, approximately 400m E of Hurupaki scoria cone.	This centre lies between Three Mile Bush Road, Dip Road and Rotomate Road, approximately 3km W of Kamo township.	C	1	

Table NFL-ONF APP1 3: Category C - Dynamic Landforms and Features

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
Ngunguru Sandspit	C	An excellent example of an unmodified sand barrier beach and dune field developed between a tidal estuary and a broad open bay. Significant example of a rapidly disappearing coastal feature.	Partially vegetated undeveloped barrier spit approximately 2.5km long and 300-600m wide. Dunes and spit relatively undisturbed.	Ngunguru sand spit, Ngunguru, 28km NE of Whangārei.	C	2	

Table NFL-ONF APP1 4: Category D - Smaller More Fragile Landforms

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
Abbey Caves and karst, Whangārei	D&F	One of the best preserved and most easily accessible areas of karst landforms and small caves in Northland.	About 4ha of vegetated karst with entrances to several caves on one partly underground stream , containing speleothems. Hundreds of limestone boulders with fluting and some castellated. Several 5m limestone pinnacles in middle of bushed reserve. Several sink holes.	300m E of Abbey Caves Road, half way between Whareora Road and Old Parua Bay Road; 2km E of Parihaka and 3km E of Whangārei.	C	2	
Hen Island pinnacles	D	Spectacular rock pinnacles on the main ridge of Hen Island seen for many km in all directions.	Pinnacles of volcanic breccia eroded from a 20 million year old stratovolcano. Includes one large rock balancing on a narrow pedestal.	W end of crest of Hen Island, including Balancing Rock.	C	3	
Hewlett Point karst, Whangārei Harbour	D	Small area of well-exposed coastal karst developed in autochthonous Whangārei limestone.	100 x 50m block of Whangārei Limestone with fluting, flagginess and small solution cracks.	NW tip of Hewlett Point.	C	2	

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
Kaiikanui basalt proto-karst, Helena Bay	D	One of the two best and most easily seen examples in the Helena Bay area of fluted surfaces (proto-karst) formed on basalt.	Cap of Horeke Basalt on greywacke. Numerous large scattered basalt boulders, some developing internationally-rare solution-weathered surfaces.	Tops of hills, both sides of Kaiikanui Road, southern road to Helena Bay.	B	2	
Kamo limestone pinnacles	D	Most spectacular and best preserved limestone karst pinnacles in Northland. Some of deepest and sharpest fluting on a limestone in NZ.	Three or four vertical sided, 10m high, 3-5m across pinnacles of Whangārei Limestone, on small low knoll in bush. Several fallen over. Many surrounding smaller limestone blocks - many with well-developed fluting, often deep and sharp. Several fallen over. Many surrounding smaller limestone blocks - many with well-developed fluting, often deep and sharp. The top of one fallen pinnacle is the best fluting in Northland, if not the country.	Approx. 1km E of SH1 on Kamo Springs flat, Whangārei. 100m SE of old house, now bed and breakfast called The Rocks. In small area close to Whangārei City, protected in private reserve with bush remnants and QE2 covenant.	B	1	
Manaia stratovolcano breccia pinnacles	D	Most prominent exposures of Miocene volcanic breccia and the better of two areas of ridge top tors in the Whangārei Heads area.	Weakly stratified andesite breccia forming bluffs and spectacular pinnacles along Manaia ridge - remnants of cone facies of a stratovolcano.	Forming Mt Manaia and ridge to N, Whangārei Heads.	B	3	
Matarau Road basalt proto-karst, Kamo	D	One of most easily seen examples of basalt proto-karst near Whangārei. Large fluted boulders near road with solution basins on top.	Boulders of basalt (derived from Whangārei Volcanic Field) with solution fluting and basins on their surface. Hillside covered with basalt boulders some fluted. Best boulders within 10m of road .	On E side of Matarau Road, 0.6-0.8km S of junction with Rushbrook Road, 8km NW of Kamo.	C	1	
Mokau Stream soda spring and travertine, Helena Bay	D	One of the two best examples of travertine deposits from active soda springs in northern New Zealand.	Eastern spring has built up a 10m wide and 2m high travertine apron flowing down into raupo swamp (photo p. 8 in ref).	4.2km SSW of Oakura beside plantation forestry road at end of Pukapuka Road. Springs just above	C	1	

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
				raupo swamp, 30m E of Orchard Road.			
Ngahere Drive karst, Whangārei	D	Small but spectacular, easily accessible outcrops of lapiez-weathered limestone close to Whangārei.	Fluted and castellated crystalline Whangārei Limestone outcrops in two small reserves and in steep bushed reserve along and on S side of Ngahere Drive and end of Hospital Road. High bluffs in southern reserve and Top Rocks are used for rock climbing.	Half way along Ngahere Drive where the road splits to go either side of it. Also 200m further E, on northern side of road , is a rock climbing reserve (Top Rocks and Main Crag). Steep hillside reserve with limestone bluffs on S side of ends of Ngahere Drive and Hospital Road.	C	1	
Old Woman Rock, Hen Island	D	Unusual intertidal rock stack eroded into shape of woman, name-bearer for adjacent Wahine Bay.	Rock stack sits on intertidal platform and is eroded out of volcanic breccia.	Western entrance of Wahine Bay, Hen Island.	C	2	
Paradise Quarry karst, Portland, Whangārei	D	A small area of limestone (Paradise Stone) karst in its naturally exposed and weathered form, protected by a QE2 covenant.	Adjacent to a small building stone quarry which produces "Paradise Stone" - a popular limestone, used for decorative flagstones. An unusual rock type in Northland and source of a fossil lanternfish.	Paradise Quarry, Old Stone Road, near Portland.	C	2	
Paranui Falls, Whangārei	D	One of the five most scenic waterfalls over basalt lava flows in Northland.	Paranui Stream flows over edge of eroding basalt lava flow with a vertical drop an incised gorge-like basin.	On Paranui Stream, adjacent to Whareora Road beside junction with Clapham Road, 4km N of centre of Whangārei.	C	3	

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
Stoney Knowe basalt proto-karst, Helena Bay	D	Excellent small example of well-developed basalt proto-karst boulders.	Cap of Horeke Basalt on greywacke. Numerous large scattered basalt boulders, some developing solution-weathered surfaces.	In small fenced triangle of land between small cattle yards and access road to Huruiki Trig on N side of Russell Road.	B	1	
Te Wairoa soda spring and travertine, Matapouri Bay	D	One of the two best examples of travertine deposited by an active soda spring in northern New Zealand.	6m diameter, 4m high travertine deposit extends from small spring down towards swamp. Mound is hard as concrete and orange stained on top.	3km SW of junction of Matapouri and Clements Road. 600 m up a true left tributary of Te Wairoa Stream from end of road where it crosses main stream . On true left bank of tributary adjacent to small area of toitoi swamp.	C	1	
Titoki Natural Bridge	D	Best natural bridge formed in lava in New Zealand.	Stream flows through tunnel in basalt lava flow with natural bridge above. Tunnel is about 15m wide, 30m long and 10m high. Valley in regenerating bush	On Waitomotomo Stream, 500m W of Pipiwai - Titoki Road / McCardle Road, 2km N of Titoki.	B	2	
Urquharts Bay concretions, Whangārei Heads	D	Most easily accessible large spherical concretions in the Whangārei area, Northland.	A number of spherical concretions up to 1.5m diameter on the beach and eroding out of the Cretaceous parent rocks at the S end of Urquharts Bay.	On beach and in low eroding banks at SW end of Urquharts Bay, Whangārei Heads.	C		
Waikiekie karst	D	Most accessible example of rare solution runnels developed in allochthonous Oligocene limestone of the Northland Allochthon.	A small area of karstic limestone protruding through grass and forming a small stream gorge. Karst is extremely rare in the Northland Allochthon as allochthonous limestone is usually too muddy to develop karst features.	From little gorge between Neville Road and Auckland-Dargaville railway line southwards between	C	2	

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
				Tapuha Road and railway line for 300m.			
Waipu Caves and karst	D&F	Best and largest area of limestone karst geomorphology in Northland, S of Whangārei. Includes largest cave passage in Northland. Fossil bone deposits in Paryphanta Passage.	Fluted boulders and sinkholes in Oligocene limestone at Waipu Caves reserve, Waipu Caves Walkway and along roadside. Best examples are N of Waipu Caves Road. About 3km horizontal <u>stream</u> cave. Includes both Waipu Cave and Elver Canyon Cave.	N of Waipu Caves Road, Waipu.	C	2	
Waipu Cove Oligocene-Miocene sequence and coastal karst	D&F	Only significant coastal karst and karstic sea cave in Northland. Exposes clear stratigraphic sedimentary relationship between Waitemata flysch, Te Kuiti Group limestone and basement.	Oligocene shallow <u>water</u> , flaggy, bioclastic, sandy limestone unconformably sits on Waipapa greywacke and passes abruptly and conformably up into deep <u>water</u> early Miocene Waitemata flysch. Outcrops and large fallen boulders developing solution runnels. One solution cave with speleothems around point from western end of Langs Beach (Q08 / 484 723).	Coastal section from 500m SE of Waipu Cove to point at W end of Langs Beach.	C	2	
Wairua Falls	D	One of the five largest waterfalls over basalt lava flows in Northland.	<u>River</u> falls over the edge of a lava flow from Whatitiri shield volcano and erodes into softer country rock alongside. A dam upstream diverts some of the <u>water</u> for hydro purposes.	At end of Wairua Falls Road, 2km from turnoff from SH14.	C	2	
Waro karst, Hikurangi	D	Excellent example of karst pinnacles close to highway.	In Oligocene limestone.	N side of Hikurangi.	C	2	
Whangārei Falls	D	One of the five best examples of a waterfall cascading over the edge of an eroding basalt lava flow in northern New Zealand.	A scenic 26m high waterfall where the Hatea River plunges over the eroding edge of a columnar-jointed basalt flow originating from Vinegar Hill. 30m total thickness, with the base of the basalt corresponding with the base of the falls. Shows change from platy jointing near top of flow to columnar jointing near base.	50m downstream from Tutukaka Road bridge over the Hatea River, approximately 1km E of Tikipunga, within the outer suburbs of Whangārei City.	C	3	

Table NFL-ONF APP1 5: Category E - Exposures of Geological Material

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
Coppermine Island copper mineralisation	E	Good example of a porphyry copper deposit.	Pyrrhotite-chalcopyrite hydrothermal mineralisation in pyroxene diorite and dacite breccia.	W end of Coppermine Island, Chickens Group.	B	2	
Coppermine Island diorite intrusion	E	Only diorite plutons in Whangārei Heads region.	A dark coloured, coarse grained, pyroxene diorite, roughly elliptical in shape, with weak foliations parallel to the margins.	Coastal cliffs on the western end of Coppermine Island.	C	2	
Houtospilite and conical hill	E	Oldest known occurrence of allochthonous ophiolites (Tangihua) in Northland. Forms iconic eroded conical hill.	Spilitic lava and pillows with intercalated red-brown marble and mudstone with earliest Cretaceous fossils (in <u>road</u> cut)	Forming Houto Hill and surrounding area, rock exposures are in <u>road</u> cuttings.	C	2	
Kamo Brickworks Eocene coal measures	E	Best remaining permanent exposure of Kamo Coal Measures. Easily viewed.	Jarositic carbonaceous mudstone, sandstone, conglomerate and coal sequence typical of the lithologies of the late Eocene Kamo Coal Measures.	In cutting alongside former Kamo Brickworks <u>building</u> , now a <u>garden centre</u> . On S side of main railway line just E of where it ran underneath the old North Road.	C	1	
Kauri Mountain hornfels and metallic mineralisation	E	Well-exposed example of hornfels (rocks metamorphosed by heat of intruding magma). Best example in Northland of veins of metallic mineralisation including galena, sphalerite and pyrite.	Hornfels up to 2m wide at contact with quartz-diorite are exposed in cliffs and shore platform.	In coastal cliff and foreshore at Flax Bay, E coast of Kauri Mt.	B	3	
Mangawhati Point limestone karst and greensand,	E	Well exposed autochthonous middle Tertiary sequence beneath Northland Allochthon. Includes excellent example of coastal karst,	Conglomerate, glauconitic calcareous sandstone and bioclastic limestone overlain by basal allochthon. Includes Eocene sandstone beds with moderately rich fossil bivalves and	Around Mangawhati Point extending 500m S on the E side along the foreshore.	C	2	

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
Whangārei Harbour		intensively burrowed (Scolicia) calcareous greensand, the best crab fossil locality in Northland.	crabs. Coastal karst extends around Mangawhati Pt. Allochthon lithologies include rare black chert.				
McLeod Bay Miocene unconformity, Whangārei Heads	E	Easily accessible and excellent exposure of deep water early Miocene thin-bedded sandstone and siltstone unconformably overlying Oligocene limestone and itself overlain by Northland Allochthon.	Sequence is near vertical and may be a block within Northland Allochthon. Provides a window into the history of the rocks deposited in this region prior to the incoming of the Northland Allochthon about 23 million years ago.	In foreshore 100-200m NE of wharf at W end of McLeod Bay.	C	2	
Ngunguru River mouth pillow basalt and peperite	E	The most accessible example of pillow basalt and peperite within basement greywacke (Waipapa Group) in northern New Zealand.	Coastal outcrops of Permian-Triassic Waipapa terrane pillow basalt with interbedded peperites (lava that has been brecciated by eruption into cold sea water).	Western end of Whangaumu (Wellingtons) Bay, 7km by road E of Ngunguru township, 30 km NE of Whangārei.	C	3	
Ocean Beach autochthon-allochthon contact, Whangārei Heads	E	One of very few exposures where the basal contact of Northland Allochthon can be seen and provides clues into how and when it was emplaced.	Waipapa greywacke unconformably overlain by Waitemata Group sandstone and pebble breccia, in turn overlain by Northland Allochthon melange.	In intertidal rocks and low cliffs at the N end of Ocean Beach, at end of Kauri Mt Road.	C	2	
One Tree Point interglacial beach and dune deposits	E	Well exposed Late Pleistocene regressive coastal sand sequence. Only remaining exposures in the area that are not obscured by coastal foreshore protection works, and should be left in their unmodified state.	Coastal cliff and foreshore exposures show a shallowing upwards regressive sequence from shallow marine sand through beach sand to coastal foredune, with overlying swamp deposits in interdune hollows.	Southern shore of Whangārei Harbour west of Marsden Point, from One Tree Point SW wards for 1km.	B	1	

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
Onemama Point allochthonous sediments, Whangārei Harbour	E	Excellent exposures documenting earliest allochthon emplacement in this region.	Allochthonous olistostromes within Waitakian shallow <u>water</u> bioclastic sandstone facies.	From tip of Onemama Point to 1.5km to NW.	B	3	
Parua Bay basal allochthon mélange	E	One of the classic localities in Northland showing the base of the allochthon sitting on early Miocene rocks and greywacke	Mélange overlying decollement cut into c.5m of Miocene Waitemata Group bioclastic limestone and flysch, upon greywacke basement.	At eastern end of Parua Bay extending along foreshore N of Nook Road	B	3	
Parua Bay red chert, Whangārei Harbour	E	Excellent and most easily accessible exposure of red chert within greywacke basement sequence in Northland.	Intertidal outcrop over 80 x 50 m of foreshore adjacent to <u>road</u> .	Between Parua Bay boat ramp carpark and hotel.	C	2	
Reserve Point nephelinite flows and garnet andesite	E	Only known nephelinite flow in northern New Zealand, adjacent to garnet andesite intrusion rich in mantle xenoliths.	Up to 4m thick columnar jointed nephelinite flow lens with Runangan shallow <u>water</u> sediment sequence sitting uncomfortably on greywacke. This sequence is intruded by garnet hornblende andesite rich in unusual mantle xenoliths.	Whangārei Harbour, coastal rocks and low cliffs on S side of Reserve Point, 1km E of tip	B	2	
Takahiwai algal limestone, Whangārei Harbour	E	One of the best examples of algal (rhodolith) limestones in New Zealand. Smallest of two known exposures in the vicinity.	Probably in-situ blocks of c. 5m thick late Eocene algal limestone. Concentrically banded algal rhodolith spheres 1-6cm diameter throughout, within distinctively bedded unit. Several blocks have been split open along bedding planes to expose plan views	Blocks cover area of c. 30 x 20m, beside farm track near junction of three forks of a small <u>stream</u> , c. 200m up flat section of valley from the coast. <u>Stream</u> valley mouth is largest and about midway between Mangawhati Pt and where	B	1	

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
				Takahiwai Road leaves coast.			
Taurikura Bay natural jetty	E	Best natural jetty formed by a dike in New Zealand.	2m wide andesite dike intruding Northland Allochthon and forming a 50m long jetty into bay. Fifty cm wide zone of baked muddy limestone on either side.	Foreshore of Taurikura Bay, adjacent to Ody Road junction.	B	1	
Te Ruatahi dune sequence, Mimiwhangata	E	Occurrence of rich Holocene terrestrial fossil faunas in eroding dune sand.	Dune field containing late Holocene fossil <u>land</u> snail assemblages	S end of Te Ruatahi Beach, Mimiwhangata.	C	1	

Table NFL-ONF APP1 6: Category F - Caves

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
Abbey Caves and karst, Whangārei	D&F	One of the best preserved and most easily accessible areas of karst landforms and small caves in Northland.	About 4ha of vegetated karst with entrances to several caves on one partly underground <u>stream</u> , containing speleothems. Hundreds of limestone boulders with fluting and some castellated. Several 5m limestone pinnacles in middle of bushed reserve. Several sink holes.	300m E of Abbey Caves Road, half way between Whareora Road and Old Parua Bay Road; 2km E of Parihaka and 3km E of Whangārei.	C	2	
Poor Knights sea arches and caves	F	Best developed sea arches, tunnels and caves in New Zealand. Includes completely submerged tunnels, air bubble caves - many of which have been named.	Numerous arches, tunnels and caves ranging up to 200m long and 50m wide, eroded by the sea along joints in silicified rhyolite breccia. Located at present sea level, depths up to 30-40m below present and uplifted to heights up to 80m above present. On and through Tawhiti	Around the coast of the Poor Knights Islands e.g. Rikoriko Cave; Maomao Arch; Cathedral Arch.	B	3	

Feature name	Category	Significance	Brief Description	Location	Importance	Vulnerability	Map No.
			Rahi, Aorangi, Aorangaia and Archway islands. Tawhiti Rahi itself contains uplifted sea cave c.60m asl (dimensions 12m deep, 8m wide, 5m high).				
Two Tone Cave, Waipu	F	One of the longest caves in Northland with numerous branches.	Horizontal stream cave about 3km long. In places the cave floor is on greywacke.	Caves Road, Waipu.	C	3	
Waipu Caves and karst	D&F	Best and largest area of limestone karst geomorphology in Northland, S of Whangārei. Includes largest cave passage in Northland. Fossil bone deposits in Paryphanta Passage.	Fluted boulders and sinkholes in Oligocene limestone at Waipu Caves reserve, Waipu Caves Walkway and along roadside. Best examples are N of Waipu Caves Road. About 3km horizontal stream cave. Includes both Waipu Cave and Elver Canyon Cave.	N of Waipu Caves Road, Waipu.	C	2	
Waipu Cove Oligocene-Miocene sequence and coastal karst	D&F	Only significant coastal karst and karstic sea cave in Northland. Exposes clear stratigraphic sedimentary relationship between Waitemata flysch, Te Kuiti Group limestone and basement.	Oligocene shallow water , flaggy, bioclastic, sandy limestone unconformably sits on Waipapa greywacke and passes abruptly and conformably up into deep water early Miocene Waitemata flysch. Outcrops and large fallen boulders developing solution runnels. One solution cave with speleothems around point from western end of Langs Beach (Q08 / 484 723).	Coastal section from 500m SE of Waipu Cove to point at western end of Langs Beach.	C	2	

**Note: Abbey Caves, Waipu Cave and Waipu Cove cave records are duplicated under Category F for ease of reference*

Minerals (MIN)

Issues

The management of mineral resources is addressed in several pieces of legislation; the main Acts being the Crown Minerals Act 1991 (CMA) and the Resource Management Act 1991 (RMA). Access to Crown-owned minerals is addressed in the Crown Minerals Act, while the mining activity itself, and its effects, is managed under the Resource Management Act.

Minerals are expressly excluded from 'sustainability' in section 5(2)(a) of the Resource Management Act 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 (2)(c)) to avoiding, remedying or mitigating any adverse effects of activities on the environment. To this extent, the activity of exploration, quarrying, mining and any other disturbance of land is covered by the Resource Management Act and addressed and regulated in district plans.

The Whangārei District contains mineral deposits that are of considerable social and economic importance to the district, region and the nation, but in some cases can be constrained by conflicting land uses. Mineral development and associated land restoration can provide an opportunity to enhance the land resource and landscape, and has done so in the past. However, the development of mineral resources has the potential to have significant adverse effects upon soil, water and air resources, and landscape and historic heritage values if not appropriately controlled.

The five iwi/hapū management plans for the Whangārei District identify as significant issues the following: the management of minerals within their rohe, the adverse effects from mining and the rehabilitation of sites. For example, Maunga are a particularly important feature of the historic and cultural landscape yet also a source of mineral deposits.

Significant mineral resources that are being extracted are identified on the District Plan Resource Area Maps and provided for through district-wide provisions (refer following section: MIN-QRA – Quarrying Resource Areas. This recognises the need for mineral (including aggregate) resources to be available for infrastructure and development. It also allows for the management of reverse sensitivity effects.

Mineral resources that are not currently being extracted are not identified on the District Plan Resource Area Maps due to a lack of information on their significance. Smaller scale mineral extraction activities which are directly associated with rural production activities (farm quarries) are provided for and assessed in accordance with the relevant zone provisions.

All other mineral extraction activities which involve exploration, extraction or processing of minerals are either managed under MIN-R1 – R3 or where located in a Quarrying Resource Area they are managed under Quarrying Resource Area provisions. District-wide provisions may apply more restrictive rules to the consideration of both farm quarries and mineral extraction due to the presence of significant or sensitive features.

Notes:

1. Rules for farm quarries are located in the zone sections of the District Plan.
2. The following shall form the basis for resource consent applications for mineral extraction activities (including exploration, extraction and processing):
 - a. The objectives, policies and provisions for MIN and other Resource Areas in the District Plan.
 - b. The objectives, policies and provisions for Zones in the District Plan.
 - c. The Strategic Direction objectives and policies.

d. The district-wide objectives, policies and provisions in the District Plan.

Objectives

MIN-O1 Management of Mineral Resources

Whangārei's mineral resources are efficiently and effectively managed recognising the social and economic benefits of such resources, while ensuring adverse effects are associated with mineral extraction are avoided, remedied or mitigated.

MIN-O2 Activities in Quarrying Resource Areas

Mineral extraction activities are enabled within identified Quarrying Resource Areas

MIN-O3 Adverse Effects

Exploration, extraction and processing of minerals avoids, remedies or mitigates any adverse effects on the environment and community.

MIN-O4 Tangata Whenua

Exploration, extraction and processing of minerals avoids, remedies or mitigates any adverse effects on the relationship of tangata whenua with their ancestral lands, sites, water, wāhi tapu and other taonga.

MIN-O5 Existing Mineral Extraction Activities

New subdivision, use and development of land does not compromise existing mineral extraction activities (including within Quarrying Resource Areas), including access to and development of these identified regionally significant mineral resources.

MIN-O6 Regionally Significant Mineral Resources

New subdivision, use and development does not constrain the potential to access and develop identified regionally significant mineral resources.

Policies

MIN-P1 Nationally and Regionally Significant Mineral Resources

To identify and provide for nationally and regionally significant mineral resources (where extraction rates are known) by mapping Quarrying Resource Areas and applying provisions to facilitate mineral extraction activities.

MIN-P2 Avoiding, Remediating or Mitigating Adverse Effects

To avoid, remedy or mitigate the adverse effects of exploration, extraction and processing of minerals on the ecological, landscape, historic heritage and amenity values of surrounding areas and on the amenity values of existing residential areas by applying zone and district-wide provisions.

MIN-P3 Mineral Extraction and Tangata Whenua

To avoid, remedy or mitigate adverse effects of exploration, extraction and processing of minerals on the relationship of tangata whenua with their ancestral lands, sites, water, wāhi tapu and other taonga by requiring a Cultural Impact Assessment for all resource consent applications for mineral extraction.

MIN-P4 Effects on Sites of Significance to Māori

To avoid adverse effects on significant areas by avoiding mineral extraction within identified Sites of Significance to Māori.

MIN-P5 Managing Conflicting Activities

To manage conflicts between mineral extraction activities and other land uses by ensuring that activities that are incompatible with the effects of mineral extraction activities are not established close to existing quarry or mining activities.

MIN-P6 Rehabilitation of Sites

To rehabilitate sites used for mineral exploration and extraction to enable the land to be used for other activities.

MIN-P7 Provision of Farm Quarries

To enable rural production activities to utilise aggregate resources by providing for farm quarries where they are limited in scale and operation and are not located within areas with significant or sensitive features, or in zones intended to accommodate sensitive activities.

MIN-P8 New Mineral Extraction Activities

To require proposals for new mineral extraction activities outside of a Quarrying Resource Area to provide adequate information on the establishment, operation and rehabilitation of the mineral extraction activity.

Rules

MIN-R1 General Rules

1. Mineral extraction activities within specified resource areas may be subject to more stringent controls.
2. Mineral extraction activities not provided for as a permitted, controlled, discretionary, non-complying or prohibited activity will be considered as a discretionary activity.

MIN-R2 Mineral Prospecting as Defined in the Crown Minerals Act 1991

Activity Status: Permitted

Where:

1. No disturbance of land occurs.

MIN-R3 Mineral Extraction Activities

RPROZ, LIZ, HIZ

Activity Status: Discretionary

Matters of Discretion:

When assessing resource consent applications for discretionary activities the assessment shall include (but is not limited to) the following matters (where relevant):

1. The size and scale of extraction activities and the expected length of operation of the extraction site;
2. The design and layout of the site, access roads and supporting facilities;
3. The measures proposed to manage:
 - a. Noise, vibration, dust and illumination to maintain amenity values of the surrounding land uses, particularly at night-time;

- b. Adverse effects of traffic generation and maintain safety to all road users, particularly measures to manage heavy vehicles entering or exiting the site;
 - c. Adverse effects on soil and water, watercourses and fauna and flora;
 - d. Effects on or exacerbation of natural hazards including land stability;
 - e. Significant adverse effects on visual and landscape values;
 - f. The values of identified historic heritage or archaeological sites, buildings, places or areas;
4. Effects on the relationship of tangata whenua with their ancestral lands, sites, water, wāhi tapu and other taonga;
 5. 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;
 6. The benefits likely to be derived from the mineral extraction activities;
 7. Any positive transport effects from having a mineral extraction site closer to the area of demand;
 8. Having regard to 1 – 7 above, the extent to which significant adverse effects can be avoided; and the extent to which adverse effects can be remedied, mitigated or, where not mitigated, can be offset.

RLZ

Activity Status: Non-Complying

SETZ, FUZ, OSZ, SARZ and Urban Zones (excluding LIZ and HIZ)

Activity Status: Prohibited

Information Requirement Rules

MIN-REQ1 Resource Consent Applications

1. All applications for resource consent for mineral extraction activities, including applications for farm quarrying where resource consent is required for the extraction of more than the permitted volume of material in any 12 month period, shall include:
 - a. The size and scale of exploration, extraction or processing activities and the expected length of operations of the extraction site;
 - b. The design and layout of the site, access roads and supporting facilities;
 - c. The proposed measures to manage noise, vibration, dust and lighting to maintain amenity values of the surrounding land use;
 - d. The proposed measures to manage effects on the surrounding road network and maintain safety to all road users, particularly measures relating to heavy vehicles entering or exiting the site;
 - e. The proposed measures to avoid, remedy or mitigate adverse effects on the natural environment including watercourses within the extraction site and the effects from the site into the neighbouring environment;
 - f. As relevant how land stability will be impacted and the measures in place to prevent the exacerbation of existing natural hazards;

- g. The proposed measures to mitigate adverse effects on visual and landscape values; and identified historic heritage; and maintain the relationship of tangata whenua with their ancestral lands, sites, water, wāhi tapu and other taonga;
 - h. Options anticipated for the rehabilitation of the site, either by a staged process or at the end of the economic life of the mineral extraction activity, having regard to the expected life of the mineral extraction site.
- 2. All applications for resource consent for mineral extraction activities, including applications for farm quarrying where resource consent is required for the extraction of more than the permitted volume of material in any 12 month period, shall include a Cultural Impact Assessment.
- 3. Where no Sites of Significance to Māori are shown on the district plan maps applicants should check with Council to determine if further information on areas or Sites of Significance to Māori is held in relation to their proposed mineral extraction activity.
 - a. If Council holds information indicating that there are areas or Sites of Significance to Māori within the proposed mineral extraction area a Cultural Impact Assessment is required to address these areas/sites; and
 - b. The Cultural Impact Assessment shall address if there are adverse effects on natural and physical resources having historical, spiritual or cultural value.

MIN-QRA – Quarrying Resource Area Provisions

Issues

Nine Quarrying Resource Areas are shown on the district plan Resource Area Maps. The purpose of identifying Quarrying Resource Areas is to facilitate the operation of commercial extraction activities.

The Quarrying Resource Areas identify established mineral extraction activities primarily aggregates, which are, at a volume, among other factors, that qualify these as nationally and/or regionally significant mineral resources (refer *MIN-QRA Appendix 1 - Quarrying Resource Area*). Currently the mapped Quarrying Resource Areas contain quarrying activities involving extraction and processing mineral resources.

The extent of the Quarrying Resource Areas shows the area of mineral extraction where the effects of the activities will generally be contained. However, some effects such as noise, vibration and visual effects may be evident beyond the boundary of the Quarrying Resource Areas.

Within each Quarrying Resource Areas there is a Mining Area where the full range of mineral extraction activities may be undertaken. In some cases, the Quarrying Resource Area also contains a Buffer Area beyond the Mining Area where effects such as noise and vibration cannot reasonably and economically be contained within the Mining Area.

Beyond the mapped Quarrying Resource Areas area, a Setback Area is also identified. This Setback Area has rules associated with it and are contained within the underlying Zone adjacent to the mapped Quarrying Resource Areas.

It is important to note that there are rules applying to the underlying zone and other district-wide rules that must also be taken into account.

Specific exemptions from rules within the underlying zone are provided for some components of mineral extraction activities. For example, stockpiles for mineral extraction purposes in Quarrying Resource Areas are excluded from the rules applying to outdoor storage in the Rural Zones. In some instances where the underlying zone allows for a greater level of development, the activity will be exempt from the Quarrying Resource Area provisions and assessed in accordance with the provisions in the underlying zone.

Note:

1. *The following shall form the basis for resource consent applications for land use and subdivision in Quarrying Resource areas:*
 - a. *The objectives, policies and provisions for Quarrying Resource areas and other Resource areas in the District Plan.*
 - b. *The objectives, policies and provisions for Zones in the District Plan.*
 - c. *The district-wide objectives, policies and provisions in the District Plan.*
2. *The rules of this chapter apply to any site or portion of a site mapped as Quarrying Resource areas.*

Objectives

MIN-QRA-O1 Extraction Activities in Quarrying Resource Areas

Mineral extraction activities including the processing in the Quarrying Resource areas are enabled.

MIN-QRA-O2 Adverse Effects

The adverse effects of mineral extraction activities in the Quarrying Resource areas are avoided, remedied or mitigated.

Policies

MIN-QRA-P1 Provision of Mineral Extraction

To provide for the continued mineral extraction in the Quarrying Resource Area, Mining Area and Buffer Area.

MIN-QRA-P2 Conflict Avoidance

To avoid conflicts between the effects of mineral extraction activities and other land uses by ensuring that sensitive activities are not established close to Quarrying Resource Area through the identification of Quarrying Resource Area Setback Areas.

MIN-QRA-P3 Buffer Areas

To identify a Buffer Area within a Quarrying Resource Area to:

1. Ensure that reverse sensitivity effects are avoided on the Mining Area.
2. Ensure that adverse effects, including those from noise, vibration and dust, associated with the Mining Area of the Quarrying Resource Area are appropriately managed within the Quarrying Resource Area.
3. Maintain an effective separation between incompatible land uses by limiting mineral extraction activities in the Buffer Area to ensure that adverse effects on adjoining land uses, particularly existing sensitive land uses, are first avoided and otherwise remedied or mitigated.

MIN-QRA-P4 Mining Areas

To identify Mining Area within the Quarrying Resource Area to enable mineral extraction activities within this area having particular regard to policies MIN-QRA-P5 – P8.

MIN-QRA-P5 Adverse Effects

To avoid, remedy or mitigate the adverse effects of mineral extraction within Quarrying Resource areas, on the ecological, landscape, historic heritage and amenity values of surrounding areas.

MIN-QRA-P6 Adverse Visual Impacts

To avoid, remedy or mitigate adverse visual impacts from Quarrying Resource areas on significant landscapes, significant natural areas and significant natural features by applying the district-wide provisions.

MIN-QRA-P7 Height Requirements

To provide for the height requirements of mineral extraction activities, such as overburden placement and buildings such as silos, while mitigating the potential adverse effects by requiring setbacks and considering screening and topography in site design.

MIN-QRA-P8 Roding Network

To avoid compromising the safety and efficiency of the roading network by limiting traffic movements on minor roads associated with Quarrying Resource areas and by providing for traffic controls and forming or upgrading roads in the vicinity of the Quarrying Resource Area where necessary.

Rules

MIN-QRA-R1 General Rules

1. All activities and development (except mineral extraction activities) proposed within a Quarrying Resource Area will be subject to the controls in the underlying zone.
2. Proposals for extensions or changes to existing Quarrying Resource areas, or for new Quarrying Resource areas will require a plan change.
3. The Quarrying Resource Area rules do not apply to earthworks which are not associated with mineral extraction activities as defined in the Definitions Chapter.

Note:

1. All mineral extraction activities are subject to the notification tests of the RMA.

MIN-QRA-R2 Minor Building

Activity Status: Permitted

Note:

1. Minor buildings are exempt from MIN-QRA Rules.

MIN-QRA-R3 Construction or Alteration of any Building and Major Structure

Activity Status: Permitted

Where:

1. In the Mining Area:
 - a. The maximum building height and major structure height is 15m above ground level.
2. In the Buffer Area:
 - a. The maximum building height and major structure height is 15m above ground level or the limit allowed by the building height rules in the underlying zone, whichever is the greater.

Note:

1. Mineral extraction activities with the Strategic Rural Industries Zone are exempt and will be assessed through the Zone provisions.

Activity Status when compliance not achieved: Discretionary

MIN-QRA-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are setback:
 - a. At least 10m from the boundary of the Mining Area.
 - b. More than 10m and less than 20m from the boundary of the Mining Area where the building or major structure height is greater than 10m above ground level.

Note:

1. Mineral extraction activities with the Strategic Rural Industries Zone are exempt and will be assessed through the Zone provisions.

Activity Status when compliance not achieved: Discretionary

MIN-QRA-R5 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The stockpile is setback at least 10m from the boundaries of a Mining Area.

Note:

1. Outdoor areas of storage or stockpiles within a QRA and may exceed the building and major structure height, setbacks and height in relation to boundary rules within the underlying zone they are located in.

Activity Status when compliance not achieved: Discretionary

MIN-QRA-R6 Quarry Face

Activity Status: Permitted

Where:

1. The excavation of a quarry face is setback at least 20m from the boundaries of a Mining Area.

Activity Status when compliance not achieved: Discretionary

MIN-QRA-R7 Traffic Generation

Activity Status: Permitted

Where:

1. Traffic generation from the Quarrying Resource Area does not exceed:
 - a. 100 traffic movements in any 24-hour period; where the site directly connects to a public road with a sealed carriageway of at least 6m wide or where all vehicle manoeuvring associated with the activity occurs within the site; or
 - b. The limit allowed by the traffic movements rules in the underlying Zone where that limit is less than 100 movements in any 24-hour period.

Note:

1. Mineral extraction activities with the Strategic Rural Industries Zone are exempt and will be assessed through the Zone provisions.

Activity Status when compliance not achieved: Discretionary

MIN-QRA-R8 Accessways, Road or Parking Space

Activity Status: Permitted

Where:

1. The establishment of any accessway, road or parking space or associated facility which complies with the Transport Chapter.

Activity Status when compliance not achieved: Discretionary

MIN-QRA-R9 Disturbance or Removal of Material

Mining Area

Activity Status: Controlled

Where:

1. The disturbance or removal of more than 5,000m³ of material within the Mining Area of the Quarrying Resource Area in any 12 month period where a Mineral Extraction Management

Plan is submitted to Council and which addresses the relevant matters identified in information requirement rule MIN-QRA-REQ1.

Matters of Control:

1. The extent to which off-site effects (such as dust, odour and glare) adversely affect the amenity values of sites in the vicinity.
2. The extent of any adverse effects on land stability.
3. The extent of any adverse effects on ecological values or water quality.
4. The extent to which landscape proposals (including the height, shape and form of topography and screening) and the provision of setbacks mitigate potential adverse effects on the amenity of land adjoining the Quarrying Resource Area.
5. The extent to which any rehabilitation programme will enable the land to be returned to a state suitable for use for other activities.

MIN-QRA-R10 Sensitive Activity

1. Activity Status: Discretionary
 - a. In the Buffer Area:
 - i. The establishment of sensitive activities or the construction of or alteration to any building containing a sensitive activity within the Buffer Area of a Quarrying Resource Area.
 - ii. The establishment of any sensitive activity in the General Residential Zone, Medium Density Residential Zone or the Low Density Residential Zone within 500m of the Mining Area of the Quarrying Resource Area 8 - Dicksons Quarry Urban Expansion Setback Area.
2. Activity Status: Non-Complying
 - a. In the Mining Area:
 - i. The establishment of sensitive activities or the construction of or alteration to any building containing a sensitive activity within the Mining Area of a Quarrying Resource Area.

Assessment Criteria for Discretionary Activities:

1. When assessing resource consent applications for discretionary activities the assessment shall include (but is not limited to) the matters of control in MIN-QRA-R9 and the following matters (where relevant):
 - a. Reverse sensitivity effects from new sensitive activities establishing in close proximity to existing mineral extraction activities.
 - b. Hours of operation of the activity.
 - c. The outlook, privacy, health, safety and amenity of adjoining and adjacent neighbours.
 - d. Effects on river maintenance and hazards.
 - e. Effects on the natural functioning of ecosystems.
 - f. Type, frequency and timing of traffic.
 - g. Effects of increased traffic on road safety, maintenance and efficiency.
 - h. Need for forming or upgrading roads in the vicinity of the site.
 - i. Need for traffic control, including signs, signals and traffic islands.
 - j. The scale and bulk of any building or major structure (excluding minor buildings) in relation to the site.
 - k. The extent to which the effects of height can be mitigated by setbacks, planting, design or the topography of the site.

Note:

1. Rules requiring a 500m setback from a Mining Area of a Quarrying Resource Area, for sensitive activities, are found in the relevant zone chapters: FUZ-R10, RPROZ-R9, RLZ-R11 and LLRZ-R11.

MIN-QRA-R11 Mineral Extraction Activities

Activity Status: Discretionary

Where:

1. The activity is within the Buffer Area of Quarrying Resource Area.
2. The activity is within the Mining Area of the QRA which do not meet the requirements for a controlled activity under MIN-QRA-R9.

Matters of Discretion:

1. When assessing resource consent applications for discretionary activities the assessment shall include (but is not limited to) the matters of control in MIN-QRA-R9 and the following matters (where relevant):
2. Reverse sensitivity effects from new sensitive activities establishing in close proximity to existing mineral extraction activities.
3. Hours of operation of the activity.
4. The outlook, privacy, health, safety and amenity of adjoining and adjacent neighbours.
5. Effects on river maintenance and hazards.
6. Effects on the natural functioning of ecosystems.
7. Type, frequency and timing of traffic.
8. Effects of increased traffic on road safety, maintenance and efficiency.
9. Need for forming or upgrading roads in the vicinity of the site.
10. Need for traffic control, including signs, signals and traffic islands.
11. The scale and bulk of any building or major structure (excluding minor buildings) in relation to the site.
12. The extent to which the effects of height can be mitigated by setbacks, planting, design or the topography of the site.

Note:

1. Mineral extraction activities within the Strategic Rural Industries Zone are exempt from MIN-QRA-R3, MIN-QRA-R4, MIN-QRA-R7 and MIN-QRA-10.1 and will be assessed by applying the Strategic Rural Industries Zone provisions.
2. Mineral extraction Activities that are not controlled activities or discretionary activities are permitted activities.
3. All mineral extraction activities are subject to the notification tests of the RMA.

MIN-QRA-R12 Subdivision and Quarrying Resource Area 8

Activity Status: Discretionary

Where:

1. All subdivision in the General Residential Zone, Medium Density Residential Zone or the Low Density Residential Zone within 500m of the Mining Area of Quarrying Resource Area 8 – Dicksons Quarry Urban Expansion Setback Area.

MIN-QRA-R13 Subdivision within the Quarrying Resource Area

Activity Status: Discretionary

Matters of discretion:

1. When considering subdivision within QRAs, the potential for subdivision to compromise mineral extraction activities needs to be recognised. Any subdivision should only occur if it avoids, remedies or mitigates adverse effects on mineral extraction activities.

Note:

1. Refer to the How the Plan Works Chapter for Assessment of Discretionary Activities.
2. All subdivision activities are subject to the notification tests of the RMA.

Information Requirement Rules

MIN-QRA-REQ1 Mineral Extraction Management Plan

1. All applications for mineral extraction activities shall include a Mineral Extraction Management Plan.
2. A Mineral Extraction Management Plan shall include a description of the extent of the mineral extraction to be undertaken, and the means by which the Consent Holder will comply with the relevant rules in the Plan and the conditions of the consent. In particular it shall include:
 - a. A plan showing the boundaries of the Quarrying Resource Area including the Mining Area and any Buffer Area.
 - b. A plan showing topography, drainage, natural watercourses, existing vegetation cover and any other significant landforms or features.
 - c. The design and location of buildings and major structures (excluding minor buildings) and any plant or machinery to be used in a fixed position.
 - d. The anticipated life span of operation, the estimated volume of material to be excavated and any staging of works.
 - e. The proposed location and dimensions of overburden storage and deposition areas and stockpiles of mineral material.
 - f. The proposed location and dimension of areas of excavation, including pits and faces.
 - g. Any proposed setbacks, landscaping or screening measures.
 - h. Assessment of slope stability including, where applicable, a slope stability analysis allowing for an appropriate surcharge.
 - i. Proposed access to the Quarrying Resource Area and internal circulation within it.
 - j. The anticipated average daily number of vehicle movements to and from the Quarrying Resource Area.
 - k. The number of people proposed to be employed, and parking spaces provided on-site.
 - l. A description of the proposed methods of overburden stripping and mineral extraction.
 - m. A description of the proposed excavation and blasting programme.
 - n. A description of the methods by which the environmental effects of the operation will be managed and controlled to comply with all relevant rules of the Plan and the conditions of consent and to avoid, remedy or mitigate any adverse effects in regard to those matters which are relevant to the Council's assessment.
 - o. A description of the methods for protecting and maintaining areas of significant landforms or features.
 - p. A description of any future objectives for the Mining Area of the Quarrying Resource Area and any proposed rehabilitation programme.

MIN-QRA Appendix 1 - Quarrying Resource Areas

Table MIN-QRA 1. Quarrying Resource Areas

Quarry Name	Quarrying Resource Area	Planning Map Number	Noise Limit
GBC Winstone – Portland Quarry	QRA1	15, 50	Daily, between the hours of 06:30 and 21:30 - 55dB <u>LAeq</u> ; and Daily, between the hours of 21:30 and 06:30 - 45dB <u>LAeq</u> ; and 70dB LAFmax
GBC Winstone - Wilsonville Quarry	QRA2	7, 28	The <u>noise</u> limit imposed by <u>Land</u> Use Consent LU 00/573
GBC Winstone – Otaika Quarry and <u>access</u> way	QRA3	12, 45	Daily, between the hours of 06:30 and 21:30 - 55dB <u>LAeq</u> ; and Daily, between the hours of 21:30 and 06:30 - 45dB <u>LAeq</u> ; and 70dB LAFmax; and Subject to any restrictions on <u>night</u> time operation of the <u>access</u> way contained in LUC RC38907, as may be amended from time to time
McBreen Jenkins – Takahiwi Quarry	QRA4	15	Daily, between the hours of 06:30 and 21:30 - 50dB <u>LAeq</u> ; and Daily, between the hours of 21:30 and 06:30 - 40dB <u>LAeq</u> ; and 65dB LAFmax
United Carriers – Woods <u>Road</u> Quarry	QRA5	11	Daily, between the hours of 06:30 and 21:30 - 50dB <u>LAeq</u> ; and Daily, between the hours of 21:30 and 06:30 - 40dB <u>LAeq</u> ; and 65dB LAFmax
Balance Agriculture – Mata Quarry	QRA6	15	Daily, between the hours of 06:30 and 21:30 - 50dB <u>LAeq</u> ; and Daily, between the hours of 21:30 and 06:30 - 40dB <u>LAeq</u> ; and 65dB LAFmax
Mountfield <u>Road</u> Quarry	QRA7	18	Daily, between the hours of 06:30 and 21:30 - 50dB <u>LAeq</u> ; and Daily, between the hours of 21:30 and 06:30 - 40dB <u>LAeq</u> ; and 65dB LAFmax
Dicksons Transport – Dicksons <u>Road</u> Quarry	QRA8	12, 36	The <u>noise</u> limit imposed by <u>Land</u> Use Consent RC 37434
J Pullman – Robsons Quarry, Otaika	QRA9	45	The <u>noise</u> limit imposed by <u>Land</u> Use Consent LU 98/904

Subdivision (SUB)

Issues

Subdivision is the process of dividing a site or building into one or more additional sites or units, or changing an existing boundary location. The way a site is subdivided, including its size and shape, is important as it not only determines the quality and character of development, but also impacts on adjacent sites and the future use of the land. Subdivision affects the natural and physical environment by introducing long-term development patterns that cannot be easily changed.

Large-scale and greenfield subdivisions should be designed in an integrated way that contributes to sense of place, supports connectivity to the surrounding neighborhood, and provides well-designed, accessible, sunny and safe open spaces.

Subdivision of land within overlays is subject to additional subdivision rules and standards in the relevant chapter (e.g. Outstanding Natural Features and Landscapes, Historical Heritage, Coastal Environment, Natural Hazard Areas).

Provision of infrastructure and services with the subdivision of land is achieved by compliance with district-wide chapters such as Transport and Three Waters Management.

Māori land is exempt from the subdivision provisions of the Resource Management Act 1991 and must be undertaken through the Māori Land Court.

PC 1 (see
current Plan
Changes)

Objectives

SUB-O1 Zone, Overlay and District- Wide Objectives

Land is subdivided to achieve the objectives of each relevant zone, overlays and district-wide provisions.

SUB-O2 Valued Features and Resources

Subdivision provides for the protection and enhancement of the District's:

1. Highly versatile soils.
2. Outstanding Natural Features.
3. Outstanding Natural Landscapes.
4. Coastal Environment.
5. Areas of High Natural Character.
6. Outstanding Natural Character.
7. Significant Natural Areas.
8. Sites of Significance to Māori.
9. Historical Heritage.

SUB-O3 Community Needs

Land is subdivided in a manner that provides for the changing needs of people and communities, and for future generations, while taking into account:

1. Amenity values including good quality urban design.
2. Local character and sense of place.
3. The outcomes anticipated by the relevant zone, overlay and district-wide provisions.

SUB-O4 Infrastructure

Subdivision and development provides for the efficient and orderly provision of services and infrastructure.

SUB-O5 Managing Adverse Effects

Subdivision is designed to avoid, remedy or mitigate any adverse effects on the environment and occurs in a sequenced and coherent manner.

PC 1 (see
current Plan
Changes)

Policies

SUB-P1 Zone, Overlay and District-Wide Policies

To enable subdivision where it meets the relevant zone, overlay and district-wide policies, where subdivision and development is designed to:

1. Reflect patterns of development that are compatible with the role, function, amenity values and predominant character of the zone.
2. Maintain the integrity of the zone with site allotment sizes sufficient to accommodate intended land uses.
3. Respond positively to and integrate with the surrounding context.
4. Appropriately avoid, remedy or mitigate adverse effects on:
 - a. Outstanding Natural Features.
 - b. Outstanding Natural Landscapes.
 - c. Coastal Environment.
 - d. Areas of High Natural Character.
 - e. Areas of Outstanding Natural Character.
 - f. Sites of Significance to Māori.
 - g. Historical Heritage.
 - h. Significant Natural Areas.
 - i. Highly versatile soils.

SUB-P2 Existing Development

To provide for subdivision:

1. That creates sites to recognise existing development.
2. Where it enables the creation of sites for uses that are expressly allowed by a resource consent.
3. Where there is compliance with district-wide, overlay and zone rules.

SUB-P3 Boundary Adjustment

To provide for minor boundary adjustments in specified zones which enable a more efficient and effective use of land where:

1. There is compliance with district-wide, overlay and zone rules.
2. The number and location of accessways is not altered.
3. The number of sites is not altered.
4. Additional capacity for residential units is not created in the Rural Production Zone.

SUB-P4 Minor Residential Unit

To protect amenity and character by avoiding the subdivision of minor residential units from principal residential units where resultant sites allotments do not comply with minimum site allotment size and residential density.

SUB-P5 Infrastructure

To achieve efficient and effective provision of services and infrastructure by ensuring new sites allotments are capable of being provided with adequate services and infrastructure.

Note: This chapter uses unique identifiers in some of the rule tables below. Please use the following list to determine what each unique identifier is referring to.

FUZ Future Urban Zone

GRZ General Residential Zone

HIZ Heavy Industrial Zone

LIZ Light Industrial Zone

LLRZ Large Lot Residential Zone

MRZ Medium Density Residential Zone

RLZ Rural Lifestyle Zone

RPZ Rural Production Zone

SETZ Settlement Zone

SUB Subdivision

SRIZ Strategic Rural Industries Zone

[PC 1 \(see current Plan Changes\)](#)

Rules

SUB-R1 Any Subdivision

1. Is subject to all relevant Overlay, Resource Area and District-Wide subdivision and land use rules.
2. Is subject to all relevant Matters of Control and Matters of Discretion detailed in the Relationship Between Spatial Layers Chapter.
3. In the following Zones, shall refer to the relevant zone chapter for subdivision rules (except for SUB-R2 below):
 - a. Ruakaka Equine Zone.
 - b. Port Nikau Development Area.

SUB-R2 Any Subdivision

1. Activity Status: Controlled
Where:
 - a. In All Zones:
 - i. The land contains a Site of Significance to Māori, or an area of historic heritage and the proposed boundaries are located to ensure that the whole Site of Significance to Māori or area of historic heritage is entirely within one of the sites allotments produced by the subdivision.
 - ii. The land contains existing buildings or major structures and the boundaries of the proposed sites allotments result in compliance with the relevant zone permitted

- activity building and major structure setback, building coverage, impervious areas, outdoor living court, and height in relation to boundary rules.
- iii. An underground electrical supply system is provided where the subdivision is within an Outstanding Landscape Area or Outstanding Natural Character Area.
 - iv. The most efficient route for electrical supply to any site allotment is across other sites allotments or other land owned by the subdivider, easements are provided to secure the route.
- b. In All Zones other than SRIZ, HIZ, LIZ, FUZ, RLZ, RPZ, SETZ Centre and Industry Sub-Zones:
- i. Every site allotment is provided with:
 - a) An underground connection or easements to secure connection to a reticulated electrical supply system at the boundary of the site allotment.
 - b) A connection, or the ability to connect to a wireless, above ground, or underground telecommunications system.
- c. In the FUZ:
- i. Every site allotment is provided with:
 - a) A connection, or easements to secure connection, to a reticulated electrical supply system at the boundary of the net site area of the site allotment.
 - b) A connection, or the ability to connect to a wireless, above ground, or underground telecommunications system.
- d. In RPZ and RLZ:
- i. Every site allotment is provided with:
 - a) The ability to connect, or easements to secure the ability to connect, to an electrical supply system at the boundary of the site allotment.
 - b) A connection, or the ability to connect to a wireless, above ground, or underground telecommunications system.
- e. In SRIZ, HIZ, LIZ, SETZ Centre Sub-Zone and SETZ Industry Sub-Zone:
- i. Every site allotment is provided with:
 - a) A connection to a reticulated electrical supply system at the boundary of the site allotment; and the electrical supply is underground where new roads are to be formed within the subdivision or the existing electrical supply is underground.
 - b) A connection, or the ability to connect to a wireless, above ground, or underground telecommunications system.

Matters of control:

1. Matters listed in the Relationship Between Spatial Layers Chapter, HPW-R9.
2. Activity Status when compliance not achieved with SUB-R2.1.a.ii.: Restricted Discretionary Where:
 - a. The activity status of the infringement with the zone building and major structure setback, building coverage, impervious areas, outdoor living court, and height in relation to boundary rules is Restricted Discretionary.

Matters of discretion:

1. The effect of the design and layout of the sites allotments and whether it enables the efficient use of land.
2. The effects of infrastructure and servicing.

3. The matters of discretion of the relevant zone land use rule that is infringed.
 4. Matters listed in the Relationship Between Spatial Layers Chapter, HPW-R9.
3. Activity Status when compliance is not achieved with any rule other than SUB-R2.1.a.ii or the subdivision is not a Controlled or Restricted Discretionary activity: Discretionary.

SUB-R3 Subdivision in the Large Lot Residential Zone

1. Activity Status: Controlled

Where:

- 1.a. 50% of the total site allotment area (excluding public road, access ways and impervious areas) shall be retained indefinitely:
 - a.i. By legal protection such as covenant, consent notice or encumbrance that precludes building principal residential units and minor residential units.
 - b.ii. As a contiguous area.
- 2.b. The maximum site allotment size does not exceed 2,500m², except that:
 - a.i. 1 site allotment may be larger.
 - b.ii. Any site allotment may be larger where that site allotment in its entirety is subject to a conservation covenant, Reserve Act covenant or similar restriction.
- 3.c. Every site allotment connected to a reticulated sewerage system has a minimum net site area of at least 500m².
- 4.d. The yield of a subdivision shall not exceed 1 site allotment per 5,000m² of net site area.
- 5.e. Every site allotment shall identify a building area within 50m of an existing building or proposed building area within the Large Lot Residential Zone.
- 6.f. Every site allotment contains an identified building area of at least 100m² within which a residential unit can be built so that there is compliance as a permitted activity with the zone rules relevant rules in the District Plan.
- 7.g. Every site allotment can contain a circle with a diameter of 16m, or a square of at least 14m by 14m.

Matters of control:

1. Matters listed in the Relationship Between Spatial Layers Chapter, HPW-R9.

2. Activity Status when compliance not achieved: Discretionary

3. Activity Status: Non-Complying

Where:

- a. The subdivision is of a site containing an area subject to any form of covenant, consent order, or encumbrance that was created after 23 June 2013 and that precludes building a principal residential unit and minor residential unit.

SUB-R4 Subdivision in the Low Density Residential Zone

Activity Status: Controlled

Where:

1. Every site allotment:

- a. Where the **site allotment** is vacant contains an identified **building area** of at least 100m² within which a **residential unit** can be built so that there is compliance as a permitted activity with the **relevant rules in the District Plan Low Density Residential Zone rules**.
- b. Has a **net site area** of at least 2,000m².
- c. Can contain a circle with a diameter of 16m, or a square of at least 14m by 14m.

Matters of control:

1. Matters listed in the Relationship Between Spatial layers Chapter, HPW-R9.

Activity Status when compliance not achieved: Discretionary

SUB-R5 Subdivision in the General Residential Zone and Neighbourhood Centre Zone

Activity Status: Controlled

Where:

1. Every vacant **site allotment**:
 - a. For subdivisions involving parent sites of less than 1ha, has a **net site area** of at least 400m²; or
 - b. For **subdivisions** involving parent sites equal to or greater than 1ha:
 - i. Has a **net site area** of at least 320m²; and
 - ii. The average **net site area** of all proposed **sites allotments** is at least 400m².
2. Every **site allotment** can contain a rectangle of at least 8m by 15m; and
3. Every **site allotment** has a minimum **frontage** width of 14m in the Neighbourhood Centre Zone.
4. The **site allotment** is in the General Residential Zone and is vacant, contains an identified **building area** of at least 100m² within which a **residential unit** can be built so there is compliance:
 - a. As a permitted activity with the **relevant rules in the District Plan (except NAV-R9) General Residential Zone**.
 - b. As a controlled activity with NAV-R9.

Matters of control:

1. Matters listed in the Relation Between Spatial Layers Chapter, HPW-R9.
2. The ability of future **buildings** and **accessways** to comply with the relevant district-wide and zone rules.
3. The location and design of **sites allotments** to enable efficient use of **land**.

Compliance Standard:

1. For the purposes of SUB-R5.1 and R5.4, “vacant” means a **site allotment** that does not contain an existing **residential unit**.

Activity Status when compliance not achieved: Discretionary

SUB-R6 Subdivision in the Medium Density Residential Zone

Activity Status: Controlled

Where:

1. Every unit title **site allotment** created under the Unit Titles **Act** 2010 has a **net site area** of at least 50m².

2. Every vacant **site allotment**:
 - a. For subdivisions involving parent sites of less than 1ha, has a **net site area** of at least 300m²; or
 - b. For subdivisions involving parent sites equal to or greater than 1ha, has a **net site area** of at least 240m².
3. Every **site allotment** can contain a rectangle of at least 8m by 15m.
4. Where the **site allotment** is vacant, contains an identified **building area** of at least 100m² within which a **residential unit** can be built so there is compliance as a permitted activity with the **relevant rules in the District Plan Medium-Density Residential Zone rules**.

Matters of control:

1. Matters listed in the Relationship Between Spatial Layers Chapter, HPW-R9.
2. The ability of future **buildings** and **accessways** to comply with the relevant district-wide and zone rules.
3. The location and design of **sites allotments** to enable efficient use of **land**.

Compliance Standard:

1. For the purposes of SUB-R6.2 and R6.4, “vacant” means an **site allotment** that does not contain an existing **residential unit**.

Activity Status when compliance not achieved: Discretionary

SUB-R7 Subdivision in the City Centre, Mixed Use, Waterfront or Local Centre Zones

Activity Status: Controlled

Where:

1. Every unit title **site allotment** created under the Unit Titles Act 2010 has a **net site area** of at least 50m².
2. Every **site allotment** has a:
 - a. **Net site area** not less than 100m².
 - b. **Frontage** no less than 6m, or 12m in the case of a corner **site allotment**.
 - c. **Frontage** no greater than 30m, or 60m in the case of a corner **site allotment**.

Matters of control:

1. Matters listed in the Relationship between Spatial Layers Chapter, HPW-R9.
2. Physical and visual linkages provided between **sites allotments** and surrounding **public places**.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The **effect** of the design and layout of the **sites allotments** and whether it enables the efficient use of **land**.
2. The **effects** of **infrastructure** and servicing.
3. Matters listed in the Relationship Between Spatial Layers Chapter, HPW-R9.

SUB-R8 Subdivision in the Marsden City Town Centre Zone

Activity Status: Controlled

Where:

1. Every unit title **site allotment** created under the Unit Titles Act 2010 has a net site area of at least 50m².
2. Every **site allotment** has a:
 - a. Net site area not less than 100m².
 - b. Frontage no less than 6m, or 12m in the case of a corner **site allotment**.
 - c. Frontage no greater than 30m, or 60m in the case of a corner **site allotment**.
3. An area of land is proposed as publicly accessible open space reserve that:
 - a. Has an area of at least 1,800m² with a minimum dimension of 30m over that area.
 - b. Is not a rear site.
 - c. Has at least two site boundaries directly adjoining a road where at least one of those boundaries is on the northern side of the reserve area.

Matters of control:

1. Matters listed in the How the Plan Works Chapter HPW-R9.
2. Physical and visual linages provided between **sites allotments** and surrounding public places.
3. The vesting of the reserve with the Whangarei District Council or where alternative ownership arrangements are proposed, appropriate mechanisms for ongoing management and maintenance.
4. The design and location of the reserve, including access.

Compliance Standard:

1. SUB-R8.3 does not apply where an area of land that complies with SUB-R8.3(a) – (c) has already been confirmed as reserve elsewhere within the TCZ.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of Discretion:

1. The effect of the design and layout of the **sites allotments** and whether it enables the efficient use of land.
2. The effects of infrastructure and servicing.
3. Where SUB-R8.3 is infringed:
 - a. The matters which control is reserved.
 - b. The extent to which the open space areas and reserves have already been provided within the TCZ.
 - c. The extent to which any proposed open space and reserve areas provide sufficient recreational and leisure opportunities for residents, employees and visitors within the TCZ.

SUB-R9 Subdivision in the Commercial Zone

Activity Status: Controlled

Where:

1. Every unit title **site allotment** created under the Unit Titles Act 2010 has a **net site area** of at least 50m².

2. Every **site allotment** has a:
 - a. Net site area not less than 300m².
 - b. Frontage no less than 15m, or 30m in the case of a corner **site allotment**.

Matters of control:

1. Matters listed in the Relationship Between Spatial Layers Chapter, HPW-R9.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The effect of the design and layout of the **sites allotments** and whether it enables the efficient use of land.
2. The effects of infrastructure and servicing.
3. Matters listed in the Relationship Between Spatial Layers Chapter, HPW-R9.

SUB-R10 Subdivision in the Light Industrial Zone

Activity Status: Controlled

Where:

1. Every **site allotment** has a net site area greater than 500m².

Matters of control:

1. Matters listed in the Relationship Between Spatial Layers Chapter, HPW-R9.
2. The location and design of **sites allotments** to ensure that they are suitable for future industrial activities.

Activity Status when compliance not achieved: Discretionary

SUB-R11 Subdivision in the Heavy Industrial Zone

Activity Status: Controlled

Where:

1. Every **site allotment** has a net site area greater than 8,000m².

Matters of control:

1. Matters listed in the Relationship Between Spatial Layers Chapter, HPW-R9.
2. The location and design of **sites allotments** to ensure that they are suitable for future industrial activities.

Activity Status when compliance not achieved: Discretionary

SUB-R12 Subdivision in the Rural Lifestyle Zone

1. Activity Status: Controlled

Where:

- a. The proposed **sites allotments** are created from an **site allotment** that existed on 12 December 2018.
- b. The proposed **sites allotments** have an average size of at least 2ha and a minimum size of 4,000m².

- c. Every proposed **site allotment** can accommodate a minimum 100m² **building area** on which a sensitive activity can be built so that there is compliance as a permitted activity with the relevant rules in **this the District Plan**.
2. Activity Status when compliance not achieved with SUB-R12.1(a-c): Discretionary
3. Activity Status: Non-Complying

Where:

 - a. A minimum 100m² **building area** is located within 500m of a **Strategic Rural Industries Zone** or a **Mining Area** of a Quarrying Resource Area; or
 - b. The average **site allotment** size is less than 1ha; or
 - c. Any **site allotment** is less than 2,000m².
4. Activity Status: Prohibited

Where:

 - a. A minor residential unit is subdivided from a principal residential unit.

SUB-R13 Subdivision in the Settlement Zone

1. Activity Status: Controlled

Where:

 - a. In the SETZ-Residential Sub-Zone:
 - i. Every **site allotment** connected to a public **reticulated wastewater** system has a **net site area** of at least 500m².
 - ii. Every **site allotment** not connected to a public **reticulated wastewater** system has a **net site area** of at least 2,000m².
 - iii. Every **site allotment** contains an identified **building area** of at least 100m² on which a **residential unit** can be built so that there is compliance as a permitted activity with the relevant rules in **this the District Plan**.
 - b. In the SETZ Centre Sub-Zone:
 - i. Every **site allotment** connected to a public reticulated wastewater system has a minimum net site area of at least 100m².
 - ii. Every **site allotment** not connected to a public reticulated wastewater system has a minimum net site area of at least 2,000m².
 - c. In the SETZ Industry Sub-Zone:
 - i. Every **site allotment** has a net site area of at least 1,000m².
 - ii. Every **site allotment** is provided with connections to Council maintained services (water, wastewater, stormwater, roading) within the net site area.
2. Activity Status when compliance not achieved with SUB-R13.1(a-c): Discretionary
3. Activity Status: Prohibited

Where:

 - a. In All SETZ:
 - i. A minor residential unit is subdivided from a principal residential unit that is not serviced by a public reticulated wastewater system.

Note:

1. Any application for **subdivision** within Lot 1 DP 559393 (Mahanga Road) shall comply with information requirement rule SUB-REQ1.

SUB-R14 Subdivision in the Future Urban Zone

1. Subdivision where the proposed sites allotments will be connected to Council reticulated water, wastewater and stormwater services and have a net site area of at least 500m² shall be:
 - a. Addressed using the objectives, policies and rules that apply to the serviced sites allotments in the General Residential Zone.
2. Activity Status: Controlled
 Where every proposed site allotment:
 - a. contains an identified building area of at least 100m² within which a residential unit can be built so that there is compliance as a permitted activity with the relevant rules in this the District Plan.
 - b. has a net site area of at least 1ha.
 - c. contains an identified building area that is located further than 500m from all Strategic Rural Industries Zones and all Mining Areas of a Quarrying Resource Area.
 - d. Except:
 - i. in ToeToe Road and Whau Valley Road, the subdivision design and layout sets aside (by way of easements, bonds, covenants, consent notices or segregation strips) land for the future provision or extension of reticulated water, wastewater and stormwater and of roads, within the site and to adjoining sites to urban standards.

Matters of control:

1. Matters listed in Relationship Between Spatial Layers Chapter.
2. The extent to which the sites allotments appropriately address effects on the transportation network, including through:
 - a. The current or future provision of a well-connected street and transport network.
 - b. Facilitation of walking, cycling and public transport.
 - c. Methods to manage significant localised traffic effects.

Note:

1. *The Council will use information requirement rule SUB-REQ2 for assessing compliance with SUB-R14.2(d).*

Activity Status when compliance not achieved with SUB-R14.2(a): Discretionary

Activity Status when compliance not achieved with SUB-R14.2(b)-(d): Non-Complying

~~SUB-R15 — Boundary Relocation Subdivision in the Rural Production Zone~~

~~Activity Status: Controlled~~

~~Where:~~

- ~~1. Sites which are existing at 12 December 2018 result in:~~
 - ~~a. The boundaries of all allotments being drawn relative to existing buildings and major structures so that there is compliance as a permitted activity with any relevant zone, overlay or district-wide rules.~~
 - ~~b. No additional vehicle accesses.~~
 - ~~c. Every proposed allotment being able to accommodate a minimum 100m² building area on which a residential unit can be built so that there is compliance as a permitted activity with the relevant rules in the District Plan.~~

- ~~d. A minimum net site area of at least 2,000m².~~
- ~~e. No additional capacity for residential units permitted on the proposed allotments beyond the overall number of residential units permitted on the parent sites in accordance with rule RPROZ-R7 and RPROZ-R8(1).~~

~~Activity Status when compliance not achieved with SUB-R15.1(a) – (d): Discretionary~~

~~Activity Status when compliance not achieved with SUB-R15.1(e): Non-Complying~~

SUB-R16 Subdivision in the Rural Production Zone

1. Activity Status: Controlled

Where:

- a. Every site allotment has a minimum net site area of 20ha.
- b. Every site allotment can accommodate an identified building area of at least 100m² on which a residential unit can be built so that there is compliance as a permitted activity with the relevant rules in the District Plan.

2. Activity Status: Discretionary

Where:

- a. The subdivision is of existing lawfully established residential units:
 - i. With a net site area of 2,000m² or less that are able to accommodate on-site servicing of wastewater disposal.
 - ii. Resulting in no more than one additional title from the parent title within any 10-year period.
 - iii. Providing a balance site allotment equal to or greater than 80ha in net site area.

3. Activity Status: Discretionary

Where the subdivision is of a site greater than 20ha that existed on 12 December 2018:

- a. For categories A and C, that are outside areas of Outstanding Natural Landscape, Outstanding Natural Feature, Outstanding Natural Character or High Natural Character Resource Area and do not contain a Heritage Building or Site of Significance to Māori.
- b. Where the environmental protection area is:
 - i. For Category A, an existing area of wetland or indigenous vegetation (terrestrial bush, riparian margin or coastal dune) of significant ecological value as determined by Appendix 5 of the Northland Regional Policy Statement 2016.
 - ii. For Category B:
 - a) An area of land identified in the District Plan Resource Area Maps as one or more of the following: Outstanding Natural Feature, Outstanding Natural Landscape, Outstanding Natural Character or High Natural Character; or
 - b) A Heritage Building or Site of Significance to Māori; and
 - c) To include a covenant forming a legally established buffer of 50m around any area of Outstanding Natural Landscape, Outstanding Natural Character or High Natural Character to be protected, preventing future buildings and major structures and accessways.
 - iii. For Category C:
 - a) An unvegetated area or area in pasture or non-indigenous plants to be retired and rehabilitated identified either as Highly Erodible Land or as land within a riparian margin of a stream, river, estuary or the coast located

- within Acutely or Chronically threatened land environments associated with Land Environments of New Zealand Level 4.
- b) To be planted to an average density of 1.4m centres (5,100 stems per hectare), reducing to 1m centres (10,000 stems per hectare) in kikuyu and riparian margins and 0.5 – 1m centres in wetland environments.
 - iv. Legally unprotected at the time of application.
 - v. To be:
 - a) Legally protected in perpetuity in its entirety.
 - b) Managed on an on-going basis in accordance with a Management Plan.
 - c) Held within a single site.
 - c. Where the environmental protection area shall include the entire area within the site that meets Category A, B or C (excluding any Highly Erodible Land not proposed to be retired and rehabilitated under this rule).
 - d. Where every site allotment shall be:
 - i. Between 2,000m² and 4,000m² in net site area:
 - a) Excluding one balance site allotment.
 - b) Provided that one site allotment may contain the environmental protection area plus 2,000m² -4,000m² net site area.
 - ii. In-situ.
 - iii. Able to accommodate a minimum 100m² building area.
 - a) On which a residential unit can be built so that there is compliance as a permitted activity with the relevant rules within the district plan.
 - b) Located no closer than 50m from the environmental protection area.
 - e. Where the extent of the environmental protection area and the maximum number of additional sites allotments shall comply with the requirements specified in Figure SUB 1., provided that an area of land must be nominated under only one type of environmental protection area.
4. Activity Status: Non-Complying
- Where:
- a. Compliance is not achieved with SUB-R16.1 – 3.
 - b. A minimum 100m² building area is located within 500m of a Strategic Rural Industries Zone or a Mining Area of a Quarry Resource Area.
 - c. Any subdivision under SUB-R16.3, where the site is located in the Coastal Environment, resulting in 4 or more additional sites allotments (excluding 1 balance site allotment).
5. Activity Status: Prohibited
- Where:
- a. A minor residential unit is subdivided from a principal residential unit.

Notes:

1. Any subdivision under SUB-R16.3(b)(i) shall comply with information requirement rule SUB-REQ3.1.
2. Any subdivision under SUB-R16.3(b)(iii) shall comply with information requirement rule SUB-REQ3.2 – 3.

3. Any subdivision under SUB-R16.3 where the site is located in the Coastal Environment, shall comply with information requirement rule SUB-REQ3.3.
4. Any subdivision under SUB-R16.3 resulting in 3 or less additional sites allotments (excluding one balance site allotment) shall comply with information requirement rule SUB-REQ3.5
5. Any subdivision under SUB-R16.3 resulting in 4 or more additional sites allotments (excluding one balance site allotment) shall comply with information requirement rule SUB-REQ3.6.
6. Any subdivision under SUB-R16.3 shall comply with information requirement rule SUB-REQ3.7.
7. Any non-complying subdivision that proposes environmental protection and on-going management of an area or feature shall comply with information requirement rule SUB-REQ3.6 – 7.
8. Boundary relocation adjustment under SUB-R17A5 is exempt from SUB-R16.

Type of environmental protection area(s)	Extent of environmental protection area(s) (increments)	Must be contiguous	Maximum number of additional allotments (per increment) (excluding 1 balance allotment)			
			Category A. Indigenous Vegetation	Category B. Resource Areas	Category C. Retirement & Rehabilitation	
Wetland or Coastal dunes	5,000m ² – 1.99ha	No	1	Nil	Nil	
	2ha – 4ha		+1			
	Every additional 2ha, beyond the first 4ha		+1			
Terrestrial indigenous vegetation (bush)	4ha – 9.99ha *Where at least 4ha must be contiguous	Yes*	1			
	10ha – 15ha	No	+1			
	Every additional 10ha, beyond the first 15ha	No	+1			
Riparian margins of both banks of a freshwater stream or river in Acutely or Chronically threatened land environments associated with the LENZ Level 4.	At least 2ha*	Yes	1			1
	Every additional 2ha, beyond the first 2ha* *Where every 2ha has a minimum width of 15m on each side of the water body, and a minimum lineal length along the water body of 300m (except for one elevated stock crossing with a maximum width of 20m).	No	+1			+1
Resource Areas identified in the District Plan (High Natural Character, Outstanding Natural Character, Outstanding Natural Feature or Outstanding Natural Landscape)	All mapped Resource Area(s) on the site, where the minimum extent of Resource Area(s) on the site is 1ha.	No	Nil	1	Nil	
A Heritage Building or Site of Significance to Māori identified in the District Plan	All present on the site.	No	Nil	1	1	
Highly Erodible Land	At least 4ha.	Yes		Nil		1
	Every additional 4ha, beyond the first 4ha*	No			+1	
Coastal or estuarine margins in Acutely or Chronically threatened land environments associated with LENZ Level 4	At least 2ha*.	Yes	1	Nil	1	
	Every additional 2ha, beyond the first 2ha* *Where every 2ha has a minimum width of 50m from the Coastal Marine Area and a minimum lineal length along the water body of 300m	No	+1		+1	

Figure SUB 1. Environmental Protection Area Requirements for SUB-R16.3

SUB-R17 Subdivision in the Open Space and Recreation Zones by way of Boundary Adjustment in the Open Space Zone, Sport and Active Recreation Zone and Natural Open Space Zone

Activity Status: Controlled

Where:

- No additional allotments are created. The subdivision is a boundary adjustment subdivision.

Matters of control:

- Matters listed in the Relationship Between Spatial Layers Chapter, HPW-R9.

Activity Status when compliance not achieved: Discretionary

SUB-R17A Boundary Adjustment Subdivision

LRZ, GRZ, MRZ, LCZ, NCZ, COMZ, MUZ, CCZ, WZ, SCZ, LIZ, HIZ, RPROZ, SETZ, and SRIZ

Activity Status: Controlled

Where:

1. The boundary adjustment subdivision does not alter:
 - a. The ability of existing permitted activities to continue to be permitted under the relevant rules in the District Plan.
 - b. The extent or degree to which any consented or otherwise lawfully established activity does not comply with the relevant rules in the District Plan.
 - c. The number and location of any vehicle crossings.
 - d. The number of sites.
2. The boundary adjustment subdivision results in sites which comply with the relevant rules in the District Plan, except where an existing site is already non-compliant, the extent and degree of non-compliance shall not be increased.
3. In the Rural Production Zone, the boundary adjustment subdivision does not:
 - a. Result in the potential for additional principal residential units as a permitted activity.
 - b. Reduce the area of any site which contains highly productive land.

Matters of control:

1. Matters listed in the Relationship Between Spatial Layers Chapter, HPW-R9.
2. Effects on the overall productive capacity of highly productive land.
3. The size, design, and layout of sites and allotments that would exist after the boundary adjustment subdivision, including:
 - a. The effects of any additional permitted activity development potentially resulting from the reconfigured layout.
 - b. The ability to accommodate permitted land uses.
4. Legal and physical access affected by the boundary adjustment.

Compliance Standard:

1. For the purposes of SUB-R17A.3(b), "highly productive land" means land that is identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification.

Activity Status when compliance not achieved with SUB-R17A.1 – 2: Discretionary

Activity Status when compliance not achieved with SUB-R17A.3: Non-Complying

SUB-R18 Subdivision of Consented Residential Units

GRZ and MRZ

Activity Status: Restricted Discretionary

Where:

1. The subdivision enables the creation of sites allotments for residential units that have an approved land use consent under GRZ-R15.1, GRZ-R21, MRZ-R14.1 or MRZ-R20.

Matters of discretion:

1. Matters listed in the Relationship Between Spatial Layers Chapter, HPW-R9.
2. The extent to which the design and layout of the proposed sites allotments result in new or increased non-compliance with the underlying zone or district-wide rules.
3. The extent to which there is appropriate provisions made for infrastructure.
4. The extent to which there is appropriate creation of common areas over parts of the parent site allotment that require access by more than one site within the subdivision.

Compliance Standard:

1. Any subdivision proposed under SUB-R18 is exempt from compliance with SUB-R5 and R6 but shall be assessed against all other relevant subdivision rules.

Activity Status when compliance not achieved: Discretionary

SUB-R19 Subdivision in the Strategic Rural Industries Zone

All SRIZ Areas

Activity Status: Discretionary

SUB-R20 Subdivision in the Shopping Centre Zone, Port Zone, Airport Zone or Hospital Zone

Activity Status: Discretionary

SUB-R21 Subdivision within Areas Subject to a 'No Residential Unit' Restriction

LLRZ

Activity Status: Prohibited

Where:

1. Any proposed allotment or part of any proposed allotment is within an area subject to any form of covenant, consent notice or encumbrance that precludes building principal residential units and minor residential units.

Information Requirement Rules

SUB-REQ1 Subdivision Information Requirement for Lot 1 DP 559393

SETZ-Residential Sub-Zone

1. Any application for subdivision within Lot 1 DP 559393 (Mahanga Road) shall include a comprehensive visual and landscape assessment and design, prepared by a suitably qualified and experienced landscape architecture professional which shall be referred to Council's Parks and Landscape Officer for review. The assessment shall provide detail regarding the following matters over which control is reserved (in addition to those contained within the Relationship Between Spatial Layers Chapter):

- a. The location, height and appearance of future buildings and major structures and their potential effect on the amenity and landscape values of the locality.
- b. The visibility of future buildings and major structures from the marine environment.
- c. Effect of buildings and major structures on the appearance of skylines and ridgelines.
- d. Effect of access ways and buildings and major structures on known historic heritage sites and Sites of Significance to Māori.
- e. Location and finished appearance of access wayses.
- f. The potential effect of subdivision patterns on the landscape values of the locality.
- g. Extent and nature of landscape planting proposed, and measures proposed to implement and maintain such plantings.
- h. The use of recessive colours and non-reflective finishes to minimise potential adverse effects on landscape values.

Note:

1. Refer to the Relation Between Spatial Layers Chapter HPW-R8 and HPW-R9.

SUB-REQ2 Assessment Criteria for Subdivision in Future Urban Zone

FUZ

1. When assessing whether provision SUB-R14.2(d) has been complied with Council will consider whether a plan has been provided that includes the following:
 - a. Indication of proposed urban site allotment boundaries.
 - b. The location of future urban infrastructure that demonstrates ease of access to the infrastructure for maintenance purposes and is sensitively placed to avoid environmental damage, including reticulated water, wastewater, and stormwater, roading network, and pedestrian network.
 - c. Consideration of how future urban infrastructure will link to adjacent land and to any existing areas set aside for future urban infrastructure.
 - d. How areas set aside for future urban infrastructure will be protected (for example through easements, covenants, bonds, consent notices or segregation strips).
 - e. Regard to the natural features of the site, including recognising the natural values of streams, vegetation and fauna habitat and linkages between these areas.
 - f. Identification and protection of any heritage and natural features.
 - g. Provision of linkages to existing open space and consideration of proposed open space.

Note:

1. *Acceptable means of compliance for urban standards required under SUB-R14.2(d) can be found in the Whangarei District Council Engineering Standards.*

SUB-REQ3 Information Requirement for Subdivision in Rural Production Zone

1. Any application under rule SUB-R16.3.b.i (Category A) must include an ecological report prepared by a suitably qualified ecologist which shall address the following matters:
 - a. The ecological significance value of the indigenous vegetation or habitat within the site in terms of the standard ecological criteria - Representativeness, Rarity/Distinctiveness, Diversity and Pattern, and Ecological Context. Further details on the definitions of these criteria, and the matters that should be assessed are contained within:
 - i. Appendix 5 of the Northland Regional Policy Statement 2016.

- ii. Department of Conservation guidelines for assessing significant ecological values 2016.
- b. The report shall also include at a minimum the following information:
 - i. Size and extent of the environmental protection area.
 - ii. Any other feature or area that does not meet the criteria in rule 1a that may require protection.
 - iii. Quantitative data confirming the current wildlife habitat values, where relied upon for assigning significance values.
 - iv. The ecological long term viability of the environmental protection area, including but not limited to:
 - a) Ecosystem function.
 - b) Structure.
 - c) Indigenous integrity, i.e. how natural is the environmental protection area? Is it self-sustaining and resilient?
 - d) Health, i.e. the extent to which a more modified ecosystem (e.g. condition varies due to exotics, drainage, fragmentation etc.) is still stable and resilient.
 - e) Restoration potential.
 - v. The underlying physical characteristics of the environmental protection area, including but not limited to:
 - a) Soil type.
 - b) Topography.
 - c) Aspect.
 - d) LENZ classification.
 - e) PNAP classification.
 - vi. The effects of the potential development on the environmental protection area, including but not limited to:
 - a) Location and proximity of proposed sites allotments and building platforms to the environmental protection area;
 - b) Orientation of light, noise, reflective sources to minimise impact on resident fauna
 - c) Building platforms;
 - d) Accessways;
 - e) Earthworks;
 - f) Services, including:
 - i. Stormwater to achieve hydrological neutrality;
 - ii. Reticulated sewer or septic tanks, particularly effects on wetland fertility;
 - iii. Reticulated freshwater or water tanks;
 - iv. Telecommunications networks;
 - v. Energy (electricity or gas) networks;
 - g) Pets, farmed animals, weeds, garden escapes and green waste dumping.
- 2. Any application under rule SUB-R16.3(b)(iii) (Category C) where the environmental protection area is located on highly erodible land must include a soil assessment report

prepared by a suitably qualified soil scientist or Engineer to assess the suitability of the existing conditions of the site and land to be retired and rehabilitated including the following:

- a. Topography and slope analysis;
 - b. Existing vegetation;
 - c. Hydrology;
 - d. Soil analysis;
 - e. Land use capability;
 - f. Any factors that will influence the successful implementation of the area to be retired and rehabilitated.
3. Any application under rule SUB-R16.3(b)(iii) (Category C) must include an ecological report prepared by a suitably qualified ecologist which shall address the following matters:
- a. A planting plan for the proposed revegetation planting which considers and identifies:
 - i. The appropriateness and practicability of the proposed replanting:
 - a) To be native vegetation which is sourced from the ecological district and to be appropriate for the soil, aspect, exposure and topography;
 - b) To reflect the composition of former natural vegetation likely to have occupied the site and include appropriate native species that will enable natural processes of succession.
 - ii. The ecological district of the site.
 - iii. The characteristics of the soil (i.e. clay, silt, loam etc.).
 - iv. Soil drainage.
 - v. Topography of the area to be planted.
 - vi. Aspect of the area to be planted.
 - vii. Exposure of site to wind, frost, sunlight and salt spray.
 - viii. Presence of plant and animal pests.
 - ix. Any restrictions on planting, such as safety or existing access issues etc.
 - x. The purpose of the planting in relation to the surrounding environment (including buffering, corridors, linkages).
 - xi. The location and extent of planting.
 - xii. Site preparation for planting, including stock-proof fencing of planting areas, weed and animal pest control.
 - xiii. Site planting, including species to be planted, size and spacing of plants and where they are to be planted, requirements for replacement of pest plants with appropriate native species and measures to minimise reinvasion of pest plants.
 - xiv. Maintenance plan of planting, including releasing plants, fertiliser, plant and animal pest control and mulching and replacement of plants which do not survive, and a management plan for animal and plant pest control.
 - xv. An assessment of the effects of the potential development on the environmental protection area, including but not limited to SUB-REQ3(1)(b)(vi).
 - b. A plan that specifies the protection measures proposed to ensure the indigenous vegetation remain protected in perpetuity, that includes how all of the following matters will be implemented prior to the Council issuing section 224(c) certificate:
 - i. The establishment of secure stock exclusion.
 - ii. The maintenance of plantings, which must occur until the plantings have reached 80% canopy closure. Forest diversity planting (typically at Year 4 of the project)

- will have occurred. The survival rate must ensure a minimum 90% of the original density and species.
- iii. The maintenance of plantings must ensure that all invasive plant pests are eradicated from the planting site both at the time of planting and on an on-going basis to ensure adequate growth.
 - iv. The maintenance of indigenous vegetation must ensure animal and plant pest control occurs.
4. Any subdivision under rule SUB-R16.3, where the site is located within the Coastal Environment, shall provide an assessment of environmental effects, which shall contain the following information:
- a. Context analysis, including how development integrates with existing and possible development in adjacent properties and other Environments.
 - b. Future building and access way location and design assessment including consideration of building envelopes, exterior materials and colours, factors contributing to low energy sustainable design.
 - c. Timing of development.
 - d. Landscape and visual effects assessment, including natural character and rural character.
 - e. The extent to which the proposed location of any new sites allotments utilises existing topography and/or vegetation to integrate the development into the landscape and reduce its visibility, including opportunities to locate and design development within areas where impacts on the Coastal Environment can be avoided or reduced.
 - f. The location of future building areas and access ways, and the extent to which the proposal will mitigate adverse visual effects on the Coastal Environment, including through methods such as landscaping, screening, building height, design and/or reflectivity.
5. Any application under rule SUB-R16.3 resulting in 3 or less additional sites allotments (excluding one balance site allotment) must include an assessment of effects from the design and layout of the subdivision including the following:
- a. The potential for reverse sensitivity effects arising from the location of the proposed sites allotments in relation to any existing rural production activity or strategic rural industry.
 - b. Adverse effects on the productive potential of the site based on the topography and characteristics of the site, including soil qualities.
 - c. Where the proposed sites allotments are not arranged in a cluster to share common boundaries:
 - i. Adverse effects in relation to the fragmentation of productive land.
 - ii. Adverse effects on the openness and extent of rural outlook arising from sporadic and/or ribbon development.
 - iii. Adverse effects on natural character elements such as indigenous vegetation, landforms and water bodies.
 - iv. Adverse effects on the transport network where multiple access wayses are proposed.
6. Any application under rule SUB-R16.3 resulting in 4 or more additional sites allotments (excluding one balance site allotment), or any non-complying subdivision that proposes environmental protection and on-going management of an area or feature, must include the following:

- a. An Assessment of Environmental Effects, which shall contain the following information, as is relevant to the proposed development and activities and to a level of detail that is commensurate with the anticipated effects associated with the subdivision and/or development:
 - i. Context analysis, including how development integrates with existing activities and possible development in adjacent properties and other zones/Environments.
 - ii. Traffic effects assessment, within the site and on the local roading and state highway networks.
 - iii. Building and major structure design assessment including consideration of exterior materials and colours, and factors contributing to low energy sustainable design.
 - iv. Consideration of Adaptive Management Staging.
 - v. Timing of development.
 - vi. Landscape and visual effects assessment, including natural character and assessment of urban form.
 - vii. Infrastructure effects assessment.
 - viii. Stormwater management effects assessment.
 - ix. Cultural effects assessment by tangata whenua.
 - x. Archaeological effects assessment.
 - xi. Urban design assessment where development results in urban form.
 - xii. Additional management methods, such as Council bylaws, Memoranda of Encumbrance, and Memoranda of Understanding.
- b. A Subdivision Layout Plan, which shall set out how the site allotment area is to be subdivided or developed, responding to, and compatible with, the assessment of environmental effects and relevant objectives and policies and must depict, as a minimum, the following (as relevant):
 - i. Location and types of proposed activities.
 - ii. Building envelopes (footprints, height, separation/setbacks, coverage).
 - iii. Proposed public road and internal accessway layout.
 - iv. Pedestrian and cycle facilities.
 - v. Proposed landscaping.
 - vi. Proposed fencing.
 - vii. Areas of cultural significance, including archaeological sites.
 - viii. Subdivision or development design, including number, size and shape of sites allotments or building sites; infrastructure, servicing, accessways and engineering details; land tenure (e.g. freehold, leasehold, cross lease, company leases, unit titles); and any staging/timing of subdivision or development.
- c. An Ecological Plan, which shall describe the values on-site to be protected and demonstrate how the attributes and values of the environmental protection area are to be maintained or restored and protected, including means of managing potential ecological effects identified in the ecological effects assessment. The ecological plan shall:
 - i. Be prepared by a suitably qualified ecologist.
 - ii. Provide a description and assessment of the existing ecological values of the site. It should detail the range of existing vegetation, wildlife, habitat values and special values within the application area and the surrounding area.

- iii. Provide an assessment of ecological effects.
- iv. Specify the range of management strategies required to avoid, remedy or mitigate adverse effects of development.
- v. Specify monitoring requirements and performance indicators to identify when successful implementation of management options has been achieved and if desired outcomes have been realised.
- d. An Ecological Effects Assessment, which shall identify and assess actual and potential ecological effects arising from human disturbance and plant and animal pests associated with existing and proposed development within the application area. The Ecological Effects Assessment shall take into account:
 - i. The nature of development and level of intensity proposed.
 - ii. Direct effects (resulting from physical development of the application area including land clearance, earthworks, construction, stormwater).
 - iii. Secondary effects (resulting from increased activities and habitat modifications within the application area and the surrounding area, following proposed development).
 - iv. Cumulative effects (resulting from future development that might occur, and additional to the effects that can be expected to have already occurred as a result of development of the wider area which will also increase in the future).
 - v. Existing threats and risks including:
 - a) Weed and plant pests.
 - b) Increased people pressure.
 - c) Threats/risks to plant communities based on existing and proposed use of site (e.g. fire, vehicle accessways, grazing, stock access, and plant pests).
 - d) Range of animal pest species.
 - e) Risks to wildlife from known animal pests.
 - f) Disturbance as a result of existing land use and activities.
 - g) Threats/risks to habitats as a whole from existing land use (e.g. stock access, human activities/disturbance, stormwater, wastewater).
 - h) Other threats/risks to special values.
- e. Any proposed conditions of consent, which may include (but shall not be limited to) the following matters:
 - i. Visual amenity, car parking, traffic management.
 - ii. Building and major structure design implementation.
 - iii. Fencing.
 - iv. Landscaping.
 - v. Adaptive Management Staging/Timing of development (if proposed).
 - vi. Stormwater management, including groundwater quality.
 - vii. Identification, protection, and monitoring of areas of cultural significance, including archaeological sites.
 - viii. Ecological requirements.
 - ix. Subdivision or development design and associated Whangarei District Council engineering standards including financial and monitoring mechanisms such as bonds.
 - x. A means by which conditions are binding such as covenants or consent notices.
 - xi. Compliance with Subdivision Layout Plan.

- f. A soil assessment report prepared by a suitably qualified soil scientist or Engineer to assess the suitability of any land to be retired and rehabilitated including the existing conditions on the site including:
 - i. Topography and slope analysis.
 - ii. Existing vegetation.
 - iii. Hydrology.
 - iv. Soil analysis.
 - v. Freshwater habitat.
 - vi. Land use capability.
 - vii. Any factors that will influence the successful implementation of the area to be retired and rehabilitated.
- 7. Any subdivision under rule SUB-R16.3 or any non-complying subdivision that proposes environmental protection and on-going management of an environmental protection area, must provide a Management Plan setting out (to the extent relevant to the proposal):
 - a. The key protection and enhancement objectives and outcomes to be met, including the qualities and characteristics of the environmental protection area that are to remain protected in perpetuity
 - b. The protection and ongoing management methods required to achieve the objectives and outcomes, including but not limited to:
 - i. Weed control.
 - ii. Pest animal control.
 - iii. Pest organism control, including kauri dieback disease and myrtle rust.
 - iv. Pet (including cat and dog) control.
 - v. Re-vegetation and restoration opportunities.
 - vi. Fencing plan.
 - vii. Fire risk management.
 - viii. Access limitations.
 - ix. Nutrient and sediment control.
 - x. Building, major structure and accessway location.
 - c. The on-going monitoring methods to measure the success or otherwise of the implementation of the management methods, including feedback to Council and provision for review of the management plan.
 - d. The mechanisms to ensure that the management plan applies to and binds future owners as responsible for the costs of implementing the management plan.

Note:

- 1. *Refer to the Relationship Between Spatial Layers Chapter HPW-R8.*

Coastal Environment (CE)

Issues

Whangārei boasts a long and varied coastline stretching from Bream Tail in the south to Ngaiotonga in the north. The coastline is made up of rugged cliffs and rocky headlands, mangrove-lined harbours and estuaries, sandy beaches and sheltered bays interspersed with small rural villages.

Over the years, the coastal environment has been substantially modified, with coastal forests, dune vegetation and indigenous wetlands being largely replaced by productive land, residential development and industrial developments that rely on their proximity to the coast for their ongoing operations. Historically the coastal environment was extensively settled by Māori and early Europeans and contains many archaeological sites as well as other cultural and natural heritage features.

The coastal environment has high recreational, amenity, landscape, intrinsic, cultural and ecological value and as such is a highly desirable place to live. It is also a valuable resource to the District's economy, attracting holiday makers from within and outside the region to experience the many safe swimming and surf beaches, and the world renowned recreational opportunities based around the coast and offshore islands.

Due to pressure for residential development it is important that the coastal environment is managed to ensure that its use and development does not exceed the capacity of the environment to absorb any adverse effects, and that the amenity, landscape, ecological, historic heritage and natural character values that make it special are not compromised. This includes requirements to avoid adverse effects on the characteristics and qualities of outstanding natural character areas.

The preservation of the natural character of the coastal environment is a matter of national importance under Section 6(a) of the Resource Management Act 1991. The Resource Management Act, the New Zealand Coastal Policy Statement and the Regional Policy Statement direct Council to preserve and protect the natural character of the coastal environment from inappropriate subdivision, use and development. Whether subdivision, use or development in the coastal environment is appropriate will be dependent on the natural character values of the location, and importantly the extent to which any subdivision, use or development will adversely affect those values.

Undeveloped parts of the coastal environment have largely been identified as High Natural Character Areas or Outstanding Natural Character Areas with rules and policies applying to them to protect their ecological, recreational, and landscape values. The remainder of the coastal environment has a higher degree of human modification, and while parts are still relatively undeveloped, it can accommodate low density rural residential development without generating unacceptable adverse effects provided that development is well designed and located. Development in these areas can also provide a catalyst for environmental enhancement and ecological restoration programs. It is however expected that most development in the coastal environment should be consolidated around existing coastal villages.

Land within the coastal environment requires some additional controls to manage the effects of land use and development on the coastal environment. The Coastal Environment has been identified and is an 'overlay' that applies to land where the coast has a significant influence, and where land use activities can have effects on the coastal marine area. The objectives, policies and rules for the Coastal Environment, as set out below, apply in addition to the rules for the underlying zone unless otherwise stated (e.g. Rural Production Zone, Settlement Zone and General Residential Zones).

Objectives

CE-O1 Natural Character

Identify and protect the qualities and characteristics that contribute to the natural character of the Coastal Environment from inappropriate subdivision, use and development.

CE-O2 Outstanding Natural Character Areas

Avoid adverse effects on the characteristics and qualities of identified Outstanding Natural Character Areas.

CE-O3 High Natural Character Areas

Avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects on the natural character, natural features and natural landscapes of the Coastal Environment including identified High Natural Character Areas.

CE-O4 Cumulative Effects

Manage the cumulative effects of subdivision, use and development on the amenity, landscape, and ecological values of the Coastal Environment.

CE-O5 Future Development

Direct development to established coastal villages and areas with existing development while retaining the values of undeveloped parts of the coast.

CE-O6 Public Access

Maintain and enhance public access to and along the coast where appropriate.

CE-O7 Coastal Hazards

Avoid increasing the risk of social, environmental, and economic harm from coastal hazards.

CE-O8 Natural Defences

Protect and enhance natural defences against coastal hazards.

CE-O9 Enhancement and Rehabilitation

Encourage the enhancement and rehabilitation of the Coastal Environment.

CE-O10 Activities Provided For

Recognise and provide for:

1. Existing development;
2. Activities located within the Portland Strategic Rural Industries Zone; and
3. Regionally significant infrastructure and regionally significant mineral resources; which have a functional or operational need to be located in the Coastal Environment.

CE-O11 Māori Land

Recognise that the Coastal Environment contains undeveloped Māori Land and provide for the special relationship of Māori to this ancestral land.

CE-O12 Indigenous Biodiversity

Identify and protect the values and attributes of indigenous biodiversity within the Coastal Environment in accordance with Policy 4.4.1(1) of the Northland Regional Policy Statement 2016 ("Significant Natural Areas").

CE-O13 Indigenous Biodiversity not in a Significant Natural Area

Avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of subdivision, use and development on indigenous biodiversity in the Coastal Environment that is not a Significant Natural Area.

Policies

CE-P1 Natural Character, Natural Features, and Natural Landscapes

To protect natural character, natural features and natural landscapes in the Coastal Environment by:

1. Avoiding adverse effects on the qualities and characteristics of areas identified as Outstanding Natural Character Areas;
2. Avoiding significant adverse effects and avoid, remedy, or mitigate other adverse effects on the qualities and characteristics of natural character, natural features and natural landscapes outside Outstanding Natural Character Areas;
3. Controlling subdivision and restricting earthworks, mineral extraction activities and farm quarries, the extent of indigenous vegetation clearance, and the location and design of buildings and structures including in relation to ridgelines, skylines and prominent headlands.

CE-P2 Natural Character of the Coastal Environment outside Outstanding Natural Character Areas

To design development to avoid, remedy or mitigate adverse effects on the natural character, natural features and natural landscapes of the Coastal Environment outside of Outstanding Natural Character Areas, by controlling subdivision, managing the visual effects of buildings and structures, and minimising indigenous vegetation clearance and earthworks.

CE-P3 Assessment of Effects

To assess the scale and significance of effects of subdivision, use and development on the characteristics and qualities of natural character, natural features and natural landscapes in the Coastal Environment by having particular regard to:

1. The extent of the natural character, natural feature or natural landscape affected;
2. The sensitivity of the natural character, natural feature or natural landscape to change, recognising the effects of existing land use;
3. The degree of modification, damage, loss or destruction that will result from the activity;
4. The duration and frequency of adverse effects;
5. Whether adverse effects are reversible or irreversible;
6. Whether adverse effects are minor or transitory;
7. The potential for spatial or temporal cumulative adverse effects of the proposed activity on its own or in combination with other authorised activities, including permitted activities; and
8. Any restoration, rehabilitation or enhancement of the specific characteristics and qualities of the particular natural character, natural feature or natural landscape affected by the activity.

CE-P4 Biodiversity within Significant Natural Areas

To avoid adverse effects of subdivision, use and development on:

1. Indigenous taxa that are listed as threatened or at risk in the NZ Threat classification system lists;

2. The ecological values and attributes of areas of indigenous vegetation and habitats of indigenous fauna that are significant using the assessment criteria in Appendix 5 of the Northland Regional Policy Statement 2016; and
3. The ecological values and attributes of areas set aside for full or partial protection of indigenous biodiversity under other legislation;
4. By controlling subdivision (including weed and pest management) and restricting indigenous vegetation clearance.

CE-P5 Biodiversity Outside of Significant Natural Areas

To avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of subdivision, use and development on:

1. Areas of predominantly indigenous vegetation;
2. Habitats of indigenous species that are important for recreational, commercial, traditional, or cultural purposes; and
3. Indigenous ecosystems and habitats that are particularly vulnerable to modification; by controlling subdivision (including weed and pest management) and restricting indigenous vegetation clearance.

CE-P6 Significant Natural Areas and Biodiversity

To assess the scale and significance of effects of subdivision, use and development on the values and attributes of Significant Natural Areas and other indigenous biodiversity in the Coastal Environment by having particular regard to:

1. The extent of the ecological site affected;
2. The sensitivity of the ecological site to change, recognising the effects of existing land uses;
3. The degree of modification, damage, loss or destruction that will result from the activity;
4. The duration and frequency of adverse effects;
5. Whether adverse effects are reversible or irreversible;
6. Whether adverse effects are minor or transitory;
7. The potential for spatial or temporal cumulative adverse effects of the proposed activity on its own or in combination with other authorised activities, including permitted activities.

CE-P7 Low Density Residential Development

To provide for low density residential development in the Coastal Environment by identifying areas outside High Natural Character Areas and Outstanding Natural Character Areas appropriate for carefully designed development.

CE-P8 Visual Impacts

To manage the visual impacts of buildings and major structures in the Coastal Environment outside coastal villages by limiting the height of buildings and major structures and ensuring exterior colour schemes are of low reflectivity value.

CE-P9 Avoidance of Ribbon Development

To avoid sprawling, sporadic and ribbon development in the Coastal Environment through the location and design of subdivision.

CE-P10 Consolidation of Residential Development

To consolidate residential development in areas where landscape values and natural character have already been compromised.

CE-P11 Use of Natural Features

To use natural features and contours to define boundary lines and to guide fencing, planting and accessways.

CE-P12 Design of New Sites Allotments and Building Platforms

To design new sites allotments and building platforms that avoid impacts on natural features or areas with high biodiversity, landscape, conservation, cultural or historic heritage values.

CE-P13 Public Access

To ensure provision of public access to the coast and riparian margins at the subdivision design stage by creating esplanade reserves or esplanade strips, access strips or easements.

CE-P14 Environmental Enhancement and Improvements in Natural Character

To recognise opportunities for environmental enhancement and improvements in natural character at subdivision stage by:

1. Protecting habitats of indigenous vegetation and species such as wetlands, duneland and riparian margins.
2. Excluding stock from remnants of native vegetation, the coastal marine area and riparian margins.
3. Replanting land to provide habitat for indigenous species.
4. Implementing weed and pest management programs.
5. Providing public access to the coast through the creation of walkways, easements, and esplanade reserves and esplanade strips.

CE-P15 Landscape Planting

To promote enhancement and rehabilitation in natural character by encouraging landscape planting that follows landform patterns, and softens or screens the appearance of built development.

CE-P16 Visual Effects of Earthworks Scarps

To ensure that adverse visual effects of earthworks scarps on the characteristics and qualities of Outstanding Natural Character Areas are avoided and that significant adverse visual effects on High Natural Character Areas and coastal landscapes are avoided, remedied or mitigated, by encouraging re-vegetation of earthworks scarps.

CE-P17 Coastal and Fresh Water Quality

To protect coastal and fresh water quality by using best practice methods to reduce the sedimentation effects of earthworks and by re-vegetating exposed scarps.

CE-P18 Earthworks in Sand Dunes

To avoid earthworks in sand dunes where this will diminish their ability to protect development from coastal hazards.

CE-P19 Protecting Indigenous Vegetation

To protect indigenous vegetation which contributes to either the character and visual quality of the Coastal Environment or protects against natural hazards.

CE-P20 Coastal Hazard Areas

To reduce the risk of property damage by ensuring that building platforms meet minimum floor levels, and are identified outside coastal hazard areas in subdivision plans.

CE-P21 Low Impact Stormwater Design

To utilise low impact stormwater design to protect coastal water quality and marine ecosystems.

CE-P22 Protecting and Enhancing Coastal Water Quality and Ecosystems

To protect and enhance coastal water quality and ecosystems by including riparian planting, indigenous vegetation protection and wetland enhancement in subdivision plans.

CE-P23 Enabling Rural Production Activities

To enable the continuation of rural production activities in the Coastal Environment by allowing the construction of non-habitable buildings ancillary to rural production activities subject to standards being applied on building scale and reflectivity.

CE-P24 Papakāinga Development

To recognise that the Coastal Environment may contain undeveloped ancestral Māori land and provide for tangata whenua needs for papakāinga development on that land as far as is consistent with the overall protection of the natural character of the Coastal Environment.

CE-P25 Infrastructure, Commercial Activities and Industrial Activities

To recognise that there can be a functional need to locate, operate and maintain and upgrade infrastructure, commercial activities and industrial activities in certain locations in the Coastal Environment proximate to existing infrastructure, commercial activities and industrial activities.

CE-P26 Sites with Limited Indigenous Biodiversity, Landscape and Natural Character Values

To recognise that the following sites within the Coastal Environment have limited indigenous biodiversity, landscape and natural character values and to provide for the operation, maintenance and upgrading of:

1. Mineral extraction activities within Quarrying Resource Area 1;
2. Activities within Portland Strategic Rural Industries Zone Area; and by specifying that Coastal Environment rules do not apply to those sites.

CE-P27 Existing National Grid Electricity Infrastructure

To recognise and provide for the operation, maintenance and upgrading of existing National Grid Electricity Infrastructure in the Coastal Environment.

CE-P28 Major Upgrades of Existing and the Development of New National Grid Electricity Infrastructure

To recognise and provide for major upgrades of existing and the development of new National Grid Electricity Infrastructure in the Coastal Environment by managing adverse effects on:

1. The qualities and characteristics of Outstanding Natural Character Areas;
2. The qualities and characteristics of natural character, natural features and natural landscapes in other parts of the Coastal Environment (including High Natural Character Areas);
3. The ecological values and attributes of Significant Natural Areas and other indigenous biodiversity in the Coastal Environment. By:
 - a. Ensuring route, site and method selection demonstrates that, to the extent practicable having regard to the functional, operational and technical needs of the National Grid, in order of preference:
 - i. Infrastructure will be located:
 - a) Outside of the Coastal Environment in its entirety, or if not then;

- b) Outside of Significant Natural Areas and outside of Outstanding Natural Character Areas and High Natural Character Areas (i.e. within other parts of the Coastal Environment), or if not then;
 - c) Outside of Significant Natural Areas and outside of Outstanding Natural Character Areas (i.e. within High Natural Character Areas).
- ii. Infrastructure will be located in the more compromised parts of the areas in (a).
- iii. Techniques (such as structure selection) will be used to avoid adverse effects.
- iv. Adverse effects that cannot be avoided, will be remedied or mitigated. While:
- b. Recognising that:
 - i. In some circumstances adverse effects on the identified qualities and characteristics of Outstanding Natural Character Areas will need to be avoided.
 - ii. In some circumstances adverse effects on the ecological values and attributes of Significant Natural Areas will need to be avoided
 - iii. A minor or transitory effect may not be an adverse effect.
 - iv. There may be more than minor cumulative effects from minor or transitory effects.
 - v. For Significant Natural Areas, where effects are or may be irreversible then they are likely to be more than minor.
 - vi. Many areas contain ongoing use and development that was present when the area was identified as Significant, High or Outstanding or have subsequently been lawfully established.

Guidance Note

1. The following shall form the basis for resource consent applications in the Coastal Environment:
 - a. The objectives, policies and provisions for the Coastal Environment.
 - b. The objectives, policies and provisions for Natural Features and Landscapes, for Outstanding Natural Landscapes and Outstanding Natural Features in the Coastal Environment.
 - c. The Strategic Direction objectives and policies.
 - d. The objectives policies and provisions for the underlying Zone in the District Plan.
 - e. The objectives, policies and provisions for Resource Areas in the District Plan.
 - f. The District-Wide objectives, policies and provisions in the District Plan.
2. CE-R1 – CE-R12 of this chapter apply to any site or portion of a site mapped as Coastal Environment (except sites specified in CE-R1.2 to CE-R1.4) but not mapped as High Natural Character Area or Outstanding Natural Character Area.
3. CE-HNC-R1 – CE-HNC-R12 of this chapter apply to any site or portion of a site mapped as High Natural Character Area.
4. CE-ONC-R1 – CE-ONC-R12 of this chapter apply to any site or portion of a site mapped as Outstanding Natural Character Area.
5. The subdivision rules of this chapter apply to any site or portion of a site mapped as Coastal Environment, High Natural Character Area or Outstanding Natural Character Area.

General Rules

CE-R1 Application of the Coastal Environment Land Use Rules

1. The rules below apply in addition to the rules of the underlying zone, unless otherwise stated. Where the standards are different between the underlying zone and the Coastal Environment the most restrictive rule shall apply.
2. Any mineral extraction activity that is located within Quarrying Resource Area 1 shall not be subject to the Coastal Environment land use rules.
3. Any activity within the Portland Strategic Rural Industries Zone Area shall not be subject to the Coastal Environment land use rules.
4. Any activity related to the primary function of and within the Marsden Point Energy Precinct shall not be subject to the Coastal Environment land use rules.
5. The Coastal Environment rules of this chapter apply to any site or portion of a site mapped as Coastal Environment (except sites specified in CE-R1.2 to CE-R1.4) but not mapped as High Natural Character Area or Outstanding Natural Character Area.
6. The subdivision rules of this chapter apply to any site or portion of a site mapped as Coastal Environment, High Natural Character Area or Outstanding Natural Character Area.
7. The CE-HNC rules of this chapter applies to any site or portion of a site mapped as High Natural Character Area.
8. The CE-ONC rules of the Natural Features and Landscapes chapter applies to any site or portion of a site mapped as Outstanding Natural Character Area.

CE-R2 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

CE-R3 Minor Building

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules CE-R5.

CE-R4 Construction, Alteration and Maintenance of Buildings and Structures within the Heavy Industrial Zone

Activity Status: Permitted

Where:

1. The activity is outside of a High Natural Character Area or Outstanding Natural Character Area.

CE-R5 Construction and External Alteration of a Buildings and Major Structures

Within the RPZ, but outside of a High Natural Character Area or Outstanding Natural Character Area.

Activity Status: Permitted

Where:

1. The activity is within both the Coastal Environment and the Rural Production Zone, but outside a High Natural Character Area or Outstanding Natural Character Area and:
 - a. The maximum building and major structure height is 8.5m above ground level.

- b. Exteriors are not coloured or painted with a colour with a light reflectance value greater than 35%, provided that 2% of each exterior elevation is exempt
- c. Exteriors do not utilise mirror glazing.
- d. The roof colour does not have a light reflectance value greater than 30%.

Activity Status when compliance not achieved: Discretionary

CE-R6 Maintenance and Minor Upgrading of Buildings and Structures

Activity Status: Permitted

Where:

1. The activity is a primary activity or an ancillary activity.

Note:

1. Buildings and structures include those associated with public parks and reserves, network utilities, or community infrastructure.

CE-R7 Earthworks within Sand Dunes

Activity Status: Permitted

Where:

1. The earthworks are associated with:
 - a. A dune restoration project.
 - b. A weed or pest management program.
 - c. The provision and maintenance of public accessways.
 - d. The burial of marine mammals.
 - e. A temporary military training activity.
 - f. The maintenance, minor upgrading or replacement of existing lawfully established pipeline infrastructure, provided that the dunes are returned to the same form to that which existed prior to the earthworks being undertaken.

Activity Status when compliance not achieved: Discretionary

CE-R8 Earthworks in the Coastal Environment

Within the Coastal Environment but outside of Sand Dunes or the Heavy Industrial Zone or the Strategic Rural Industries zone

Activity Status: Permitted

Where:

1. The earthworks:
 - a. do not exceed the maximum volume of 500m³ material disturbed or removed within each 10-year period from 21 February 2019; and
 - b. Do not exceed the maximum face height of any cut, fill, and/or batter faces of 2m. OR
 - c. Are associated with:
 - i. The repair and maintenance of fences, utility connections, accessways driveways, parking areas, effluent disposal systems, swimming pools, or farm and plantation forestry tracks.
 - ii. Garden amenities, gardening or the planting of any vegetation.
 - iii. The provision and maintenance of walking or cycling tracks.

- iv. The burial of marine mammals.
- v. Any lawfully established mineral extraction activity.

Activity Status when compliance not achieved: Discretionary

CE-R9 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of indigenous vegetation does not exceed 500m² per site within each 10-year period from 21 January 2019 unless the clearance is associated with:
 - a. Routine maintenance within 3m of the eaves of existing buildings:
 - i. Including the removal of any tree where any part of the trunk is within the 3m distance.
 - ii. Excluding damage to the roots or removal of any tree where the trunk is outside the 3m distance.
 - b. Maintenance and repair of existing tracks, lawns, gardens, fences, or drains.
 - c. Pest plant removal and biosecurity works.
 - d. Vegetation removal for customary rights.
 - e. Conservation planting, including planting for ecological restoration purposes.
 - f. Routine maintenance for the safe operation of the transport network.
 - g. Understorey clearance permitted in accordance with REG93(1) and (2)(a) of the National Environmental Standard for Plantation Forestry 2017.

Activity Status when compliance not achieved: Discretionary

CE-R10 Farm Quarrying

Activity Status: Permitted

Where:

1. The activity does not disturb or move more than 500m³ of material in any 12 month period; or
2. The activity does not have any cut fill and/or batter faces which exceeds 2m; or
3. The activity does not involve blasting; or
4. The activity does not involve excavations and processing which are undertaken within 200m of a road boundary; or an existing residential unit.

Activity Status when compliance not achieved: Discretionary

CE-R11 National Grid Electricity Infrastructure

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

CE-R12 All other Mineral Extraction (excluding Farm Quarries)

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

CE-HNC – High Natural Character Area Rules

Rules

CE-HNC-R1 General Rules

The rules below apply in addition to the rules of the underlying zone and Coastal Environment Overlay, unless otherwise stated. Where the standards are different between the underlying zone and the High Natural Character Area the most restrictive rule shall apply.

CE-HNC-R2 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

CE-HNC-R3 Minor Building

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rule CE-HNC-R4.

CE-HNC-R4 ~~Construction or External Alteration of a Buildings~~ and Major Structures

Activity Status: Permitted

Where:

1. The maximum building and major structure height does not exceed 5.5m above ground level.
2. Exteriors are not coloured or painted with a colour with a light reflectance value greater than 35%, provided that 2% of each exterior elevation is exempt.
3. The roof colour does not have a light reflectance value greater than 30%.
4. The building and major structure do not exceed a gross floor area of 50m² in the Rural Production Zone.

Activity Status when compliance not achieved: Discretionary

CE-HNC-R5 Earthworks within Sand Dunes

Activity Status: Permitted

Where:

1. The earthworks are associated with:
 - a. A dune restoration project.
 - b. A weed or pest management program.
 - c. The provision and maintenance of public accessways.
 - d. The burial of marine mammals.
 - e. A temporary military training activity.
 - f. The maintenance, minor upgrading or replacement of existing lawfully established pipeline infrastructure, provided that the dunes are returned to the same form to that which existed prior to the earthworks being undertaken.

Activity Status when compliance not achieved: Discretionary

CE-HNC-R6 Earthworks

In High Natural Character Areas outside of Sand Dunes

Activity Status: Permitted

Where:

1. The earthworks:
 - a. Do not exceed the maximum volume of 250m³ material disturbed or removed within each 10-year period from 21 February 2019; and
 - b. Do not exceed the maximum face height of any cut, fill, and/or batter faces of 2m. OR
 - c. Are associated with:
 - i. The repair and maintenance of fences, utility connections, accessways driveways, parking areas, effluent disposal systems, swimming pools, or farm and plantation forestry tracks.
 - ii. Garden amenities, gardening or the planting of any vegetation.
 - iii. The provision and maintenance of walking or cycling tracks.
 - iv. The burial of marine mammals.
 - v. Any lawfully established mineral extraction activity.

Activity Status when compliance not achieved: Discretionary

CE-HNC-R7 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of indigenous vegetation does not exceed 250m² per site within each 10-year period from 21 January 2019 unless the clearance is associated with:
 - a. Routine maintenance within 3m of the eaves of existing buildings:
 - i. Including the removal of any tree where any part of the trunk is within the 3m distance.
 - ii. Excluding damage to the roots or removal of any tree where the trunk is outside the 3m distance; or
 - b. Maintenance and repair of existing tracks, lawns, gardens, fences, or drains; or
 - c. Pest plant removal and biosecurity works; or
 - d. Vegetation removal for customary rights; or
 - e. Conservation planting, including planting for ecological restoration purposes.

Activity Status when compliance not achieved: Discretionary

CE-HNC-R8 Farm Quarries

Activity Status: Permitted

Where:

1. The activity does not disturb or move more than 250m³ of material; or
2. The activity does not have any cut, fill, and/or batter faces which exceed 2m; or
3. The activity does not involve blasting; or

4. The activity does not involve excavations and processing which are undertaken within 200m of a road boundary; or an existing residential unit.

Activity Status when compliance not achieved: Discretionary

CE-HNC-R9 Mineral Extraction (excluding Farm Quarries)

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

CE-HNC-R10 National Grid Electricity Infrastructure

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

CE-HNC-R11 Papakāinga Development on Ancestral Māori Land

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

CE-HNC-R12 Subdivision within a High Natural Character Area

Activity Status: Discretionary

Where:

1. A proposed boundary is within a High Natural Character Area.

Notes:

1. All subdivision proposals will also be assessed against the policies and provisions of the underlying Zone.
2. For the purposes of CE-HNC-R12.1 a proposed boundary does not include the boundary of the parent site allotment.

CE-ONC – Outstanding Natural Character Area Rules

Rules

CE-ONC-R1 General Rules

The rules below apply in addition to the rules of the Coastal Environment and underlying zone, unless otherwise stated. Where the standards are different between the underlying zone and the Outstanding Natural Character Area the most restrictive rule shall apply.

CE-ONC-R2 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

CE-ONC-R3 Minor Building

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules CE-ONC-R4 and CE-ONC-R5.

CE-ONC-R4 Construction of a Buildings and Major Structures

Activity Status: Permitted

Where:

1. The maximum building height and major structure height does not exceed 5.5m above ground level.
2. Exteriors are not coloured or painted with a colour with a light reflectance value greater than 35%, provided that 2% of each exterior elevation is exempt.
3. Exteriors do not utilise mirror glazing.
4. The roof colour does not have a light reflectance value greater than 30%.
5. The building and major structure do not exceed a gross floor area of 25m².

Activity Status when compliance not achieved: Non-Complying

CE-ONC-R5 External Alterations or Extensions to an Existing Building and Major Structure

Activity Status: Permitted

Where:

1. The extension or alteration does not add more than 50m² gross floor area to an existing building or major structure.

Activity Status when compliance not achieved: Discretionary

CE-ONC-R6 Earthworks

1. Activity Status: Permitted

Where:

- a. The earthworks are directly associated with:

- i. The repair and maintenance of fences, utility connections, **accessways**, **driveways**, parking areas, effluent disposal systems, swimming pools, or farm and **plantation forestry** tracks.
 - ii. Garden amenities, gardening or the planting of any vegetation.
 - iii. The provision and maintenance of walking or cycling tracks.
 - iv. **Earthworks** within sand dunes associated with a dune restoration project, weed or pest management program, or the provision and maintenance of public accessways.
 - v. The burial of marine mammals (within sand dunes or otherwise).
 - vi. The maintenance, **minor upgrading** or replacement of existing lawfully established pipeline **infrastructure**, provided that the dunes are returned to the same form to that which existed prior to the **earthworks** being undertaken.
2. Activity Status: Discretionary
- Where:
- a. The **earthworks** are to provide for a **building** platform or **accessway** and:
 - i. Do not exceed the maximum volume of 150m³ material disturbed or removed within each 10-year period from 21 February 2019, and
 - ii. Do not exceed the maximum face **height** any cut, **fill**, and/or batter faces of 2m.
3. Activity Status when compliance not achieved with CE-ONC-R6.1 or CE-ONC-R6.2: Non-Complying

Note:

1. **Earthworks** are a non-complying activity where they are not to provide for a **building** platform or **accessway** in accordance with CE-ONC-R6.2 and are not directly associated with the activities listed in CE-ONC-R6.1.

CE-ONC-R7 Indigenous Vegetation Clearance

1. Activity Status: Permitted
- Where:
 - a. The clearance of **indigenous vegetation** is for the repair and maintenance of existing **buildings** and **structures**, tracks, fences, or other lawfully established activities.
2. Activity Status: Discretionary
- Where:
 - a. The clearance of **indigenous vegetation** does not exceed 150m² per **site** within each 10-year period from 21 February 2019.
3. Activity Status when compliance not achieved with CE-ONC-R7.1-2: Non-Complying

CE-ONC-R8 Farm Quarries

Activity Status: Permitted

Where:

1. The activity does not disturb or move more than 150m³ of material.
2. The activity does not have any cut, **fill**, and/or batter faces which exceed 2m.
3. The activity does not involve blasting.
4. The activity does not involve excavation and processing which are undertaken within 200m of a **road boundary** or existing **residential unit**.

Activity Status when compliance not achieved: Non-complying

CE-ONC-R9 National Grid Electricity Infrastructure

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

CE-ONC-R10 Papakāinga Development on Ancestral Māori Land

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

CE-ONC-R11 Mineral Extraction (excluding Farm Quarries)

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CE-ONC-R12 Subdivision within an Outstanding Natural Character Area

Activity Status: Non-Complying

Where:

1. A proposed boundary is within an Outstanding Natural Character Area.

Notes:

1. All subdivision proposals will also be assessed against the policies and provisions of the underlying Zone.
2. A proposed boundary does not include the boundary of the parent site allotment.

Earthworks (EW)

Issues

The Earthworks Chapter manages earthworks associated with subdivision to ensure that sites are suitable for development, and that instability hazards and adverse effects on heritage values and New Zealand kauri trees are managed.

Whangārei District has varied geology, soil type and ground water levels. This combined with variable climatic conditions creates a risk of land instability hazards. Generally, where there are steep slopes, little vegetation and high rainfall, land is likely to be subject to erosion and movement. Some land formations, including caves and sinkholes, are inherently unstable and constitute a major hazard.

Land instability issues can be created or exacerbated by inappropriate earthworks. Earthworks are a necessary part of subdivision but need to be managed to ensure that the risk of land instability is avoided, remedied or mitigated and that adverse effects on heritage values and New Zealand kauri trees are managed.

The objectives, policies and rules set out below apply to earthworks undertaken in anticipation of, or as part of, a subdivision and apply in addition to the provisions for the underlying zone and any relevant District-Wide and Resource Area provisions. In addition to the District Plan, earthworks are also regulated under the Regional Plan.

Objectives

EW-01 Land Instability

Minimise the risk of land instability when undertaking earthworks associated with subdivision.

EW-02 Kauri Dieback Disease

Avoid the spread of plant pathogens including *Phytophthora Agathidicida* (Kauri Dieback Disease).

Policies

EW-P1 Adverse Effects

To avoid where practicable, or otherwise remedy or mitigate, adverse effects associated with land instability by managing earthworks associated with subdivision.

EW-P2 Risk

To design and undertake earthworks associated with subdivision to minimise potential risks to people, property and the environment from land instability.

EW-P3 Kauri Dieback Disease

To discourage earthworks within the vicinity of New Zealand Kauri tree (*Agathis Australis*) and to ensure that earthworks are designed so as to avoid the spread of plant pathogens including *Phytophthora Agathidicida* (Kauri Dieback Disease).

PC 1 (see
current Plan
Changes)

PC 1 (see
current Plan
Changes)

Rules

EW-R1 Earthworks Associated with Subdivision

All Zones

Activity Status: Controlled

Where:

1. The earthworks associated with subdivision do not occur within:
 - a. A Site of Significance to Māori.
 - b. 10m of any archaeological site.
 - c. Three times the maximum radius of the canopy dripline of a New Zealand Kauri tree (*Agathis Australis*).
2. A site suitability report prepared by a suitably qualified and experienced professional (e.g. Chartered Professional Engineer) is provided which certifies that:
 - a. A 100m² building area within each site allotment is suitable to construct a building either:
 - i. In accordance with NZS 3604/2011; or
 - ii. With specific engineering design of foundations.
 - b. An Accessway to the certified building area within each site allotment is suitable to construct.

Matters of control:

1. Effects on the stability and safety of surrounding land, buildings and structures, including infrastructure.
2. Protocol for accidental discovery of kōiwi, archaeology and artefacts of Māori origin.
3. Appropriate methods to avoid, or where avoidance is not possible, contain or control the spread of plant pathogens.
4. Building and accessway location, scale and design.
5. The adequacy of the site suitability report and any further information provided through the consent process and any conditions, recommendations and development restrictions.

Note:

1. *Acceptable means of compliance for the site suitability report are contained within the Whangarei District Council Environmental Engineering Standards.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The matters of control listed in EW-R1.
2. Effects on heritage values.
3. The potential increased risk of instability based on the location, layout and design of the subdivision.
4. The likelihood of a hazard arising from an unstable land event and the likely extent of any damage.
5. Any exacerbation of an existing land instability hazard or creation of a new land instability hazard and possible effects on public health and safety and other property.
6. The proposed use of, necessity for and design of hard engineering solutions for land instability hazards.

7. The ability to design, construct and maintain future buildings, structures and accessways so that they are resilient to land instability hazards.
8. The need for a site suitability report or geotechnical assessment.
9. The potential effects on sources of drinking water for human consumption.
10. The extent to which appropriate methods are used to prevent the spread of plant pathogens or unwanted organisms (as listed under the Biosecurity Act 1993), including but not limited to Kauri Dieback Disease.

EW-R2 Earthworks, Land Preparation, Cultivation, or Land Disturbance within a Kauri Hygiene Area

All Zones and Development Areas

Activity Status: Permitted

Where:

1. The works are undertaken for the purpose of gardening on a site less than 2,000m² and:
 - a. The maximum area disturbed within a single kauri hygiene area is 250m² within a site; and
 - b. All soil, organic material (excluding crops grown for consumption) and surface water from the works within the kauri hygiene area are retained within the kauri hygiene area; and
 - c. All tools, equipment, clothing and footwear are cleaned to the greatest extent practicable of all soil and organic material prior to entry into and exit from the kauri hygiene area; and
 - d. Any planting uses either:
 - i. Sterilised seeds or
 - ii. Seeds that have been harvested without coming into contact with soil; or
 - iii. Cuttings free of soil; or
 - iv. Accredited Phytophthora agathidicida free plants; or
 - v. Plants with their root system within the same kauri hygiene area;
 - e. The Whangarei District Council is notified within 3 months of the kauri hygiene area being established. OR:
2. The works are undertaken in accordance with an approved subdivision consent under EW-R1.1(c). OR:
3. The works are undertaken by a local authority or a Network Utility Operator in relation to infrastructure and are for the purpose of:
 - a. Emergency works as defined by section 330 of the Resource Management Act 1991; or
 - b. Works that are necessary to avoid or remedy unplanned network outages; OR:
4. The works are undertaken for the purpose of:
 - a. An emergency regulation made under section 150 of the Biosecurity Act 1993; or
 - b. Scientific work in relation to testing and monitoring for kauri dieback disease that is carried out with authority of the Minister under section 52 of the Biosecurity Act 1993.

Compliance Standard:

1. *From 30 June 2023 permitted activity Rule EW-R2.3 is conditional on the management plan in information requirement rule EW-REQ2:*

- a. *Containing a section on Emergency works and works that are necessary to avoid or remedy unplanned network outages; and*
 - b. *Having been certified by the Council.*
2. *Non-compliance with compliance standard (1)(a) or (b) above falls under controlled activity rule EW-R2.1.*

Activity Status when compliance not achieved: Controlled

Where:

1. The works are undertaken by a local authority or a Network Utility Operator for the purpose of the operation, repair, maintenance or minor upgrading of infrastructure.

Matters of Control:

1. The extent to which the kauri dieback management plan is likely to be effective in avoiding the spread of kauri dieback disease.
2. Any recommendations and proposed mitigation measures of the kauri dieback management plan and any further information provided through the consent process.
3. The extent of earthworks, land preparation, cultivation or land disturbance within the kauri hygiene area.
4. Procedures for implementing, monitoring, reviewing and amending the kauri dieback management plan.
5. Operational needs of the local authority or Network Utility Operator.

Activity Status when compliance not achieved, and the activity is not a Controlled activity:

Restricted Discretionary

Matters of discretion:

1. The matters of control listed in EW-R2.1 – 5.

Compliance Standard:

1. *Controlled activity Rule EW-R2.1 takes effect on 30 June 2023.*
2. *Note: An application may be made for a district-wide resource consent rather than a site-specific consent pursuant to controlled activity Rule EW-R2.1.*
3. *Any application for a controlled or restricted discretionary activity that is not a district-wide resource consent shall comply with information requirement rule EW-REQ1.*
4. *Any application for a district-wide resource consent shall comply with information requirement rule EW-REQ2.*

Information Requirement Rules

EW-REQ1 Kauri Dieback Management Plan

All Zones and Development Areas

1. Any application for a controlled or restricted discretionary activity under rule EW-R2.1 that is not for a district-wide resource consent shall prepare and implement a kauri dieback management plan.
2. The purpose of the kauri dieback management plan is to set out the procedures that will be followed to avoid the risk of the spread of kauri dieback disease. These hygiene procedures are based on the knowledge that all kauri hygiene areas have the potential to contain *Phytophthora agathidicida*.

3. The kauri dieback management plan shall detail, where relevant:
 - a. An assessment of the overall risk of spreading kauri dieback, including:
 - i. The activities proposed and their potential vectoring of *Phytophthora agathidicida*.
 - ii. The frequency, duration and scale of the proposed activities.
 - iii. The risk associated with each activity before any procedures to mitigate risks are implemented.
 - iv. The procedures that will be implemented for each activity to mitigate the risks.
 - v. The risk of each activity after those procedures are implemented and followed.
 - b. The kauri dieback management plan objectives to prevent or minimise the spread of kauri dieback.
 - c. The procedures that will be followed to prevent or minimise the spread of kauri dieback disease.
 - d. A site description relating to the area of proposed works (site name, site location and other identification details).
 - e. A map or maps showing:
 - i. The area that the management plan applies to.
 - ii. The location of each kauri tree within that area and its associated kauri hygiene area.
 - iii. Locations where access to the kauri hygiene area will be prevented (e.g. by fencing off, covering the soil with protective surface).
 - iv. The boundary of any kauri dieback disease containment areas.
 - v. Equipment and vehicle cleaning points (which are to be located within the kauri hygiene area or kauri dieback disease containment area).
 - vi. Any water bodies, fences, roads, tracks or structures within the kauri hygiene area and kauri dieback disease containment area.
 - vii. Proximity to other kauri trees.
 - viii. Areas where livestock have access to the kauri hygiene area or kauri dieback disease containment area.
 - f. The method by which the boundaries of any kauri hygiene area and kauri dieback disease containment area will be clearly marked out.
 - g. The procedures to be followed to ensure that any vehicles, equipment, clothing and footwear are cleaned to the greatest extent reasonably practicable prior to entry into and exit from the kauri hygiene area and kauri dieback disease containment area.
 - h. The procedures to be followed to ensure that any soil, organic material or surface water not retained within the kauri hygiene area are either:
 - i. Stored within a kauri dieback disease containment area; or
 - ii. Transported in a sealed vehicle/container to a landfill and the facilities at the landfill are suitable to dispose of infected or suspected infected material.
 - i. The water management procedures to be used for the washdown of vehicles, equipment and footwear used in a kauri hygiene area, including:
 - i. Methods to ensure that run-off does not enter any water bodies, the coastal marine area or separate kauri hygiene areas of any neighbouring kauri trees.
 - ii. If on-site washdown is impracticable, procedures to undertake washdown at a facility where water is treated and managed.

- j. For works within the kauri hygiene area that are likely to take longer than 12 months, the procedures to be followed to monitor, review and amend the kauri dieback management plan, including an annual report to Council until the completion of the works within the kauri hygiene area which details:
 - i. All works undertaken in a kauri hygiene area in the preceding 12 months including the date, type of equipment and vehicle used, the cleaning procedures followed and the disposal location of all disturbed soil and organic material.
 - ii. A review of the kauri dieback management plan to ensure the continued effectiveness of the management plan, this may include auditing of kauri dieback management procedures and soil sampling within and surrounding hygiene areas.
 - iii. Any proposed amendments to the kauri dieback management plan.
- k. Any consultation undertaken with mana whenua and a summary of the results of that consultation.

EW-REQ2 District-Wide Kauri Dieback Management Plan

1. Any application for a controlled or restricted discretionary activity under rule EW-R2.1 for a district-wide resource consent shall prepare and implement a kauri dieback management plan.
2. The purpose of the kauri dieback management plan is to set out the procedures that will be followed to avoid the risk of the spread of kauri dieback disease. These hygiene procedures are based on the knowledge that all kauri hygiene areas have the potential to contain *Phytophthora agathidicida*.
3. For local authorities and Network Utility Operators, the District-Wide management plan shall include a section on emergency works and works that are necessary to avoid or remedy unplanned network outages. The purpose of this section of the management plan is to set out the procedures that will be followed to avoid the risk of the spread of kauri dieback disease in the context of emergency works and unplanned network outages which are, by their nature, dynamic, urgent and complex.
4. For emergency works and unplanned network outages, the management plan shall include:
 - a. An assessment of the activities including the:
 - i. Type, frequency, duration and scale of activities, so far as can be reasonably anticipated;
 - ii. The context in which the activities are performed, including the purpose of the activities and the community benefit that the infrastructure provides;
 - b. An assessment of the risk of spreading kauri dieback by reference to the activities identified in accordance with 4(a)(i);
 - c. The controls to be implemented to minimise and mitigate the risk identified in the assessment in 4(b) and to address the interests identified in the assessment in 4(a)(ii);
 - d. The residual risk.
5. The controls in 4(c) may include general or flexible controls which are capable of tailoring to a particular activity and must include reasonably practicable methods to:
 - a. Identify and record kauri and kauri hygiene areas;
 - b. Identify and record vehicles that enter those areas;
 - c. Minimise soil disturbance within kauri hygiene areas;
 - d. Clean vehicles, equipment and items that contact soil and organic matter in kauri hygiene areas. This can include cleaning vehicles when back at a depot or facility; and

- e. Minimise the movement of potentially infected water, soil and organic matter between kauri hygiene areas or into waterways;
6. The management plan must establish:
 - a. A record keeping and audit process; and
 - b. A process for annual notification to the Whangarei District Council, including identification of activities undertaken with kauri hygiene areas.
7. For all other works, the kauri dieback management plan shall detail, where relevant:
 - a. An assessment of the risk of spreading kauri dieback, including:
 - i. The activities proposed and their potential vectoring of *Phytophthora agathidicida*.
 - ii. The potential frequency, duration and scale of the proposed activities.
 - iii. The risk associated with each activity before any procedures to mitigate risks are implemented.
 - iv. The procedures that will be implemented for each activity to mitigate the risks.
 - v. The risk of each activity after those procedures are implemented and followed.
 - b. The kauri dieback management plan objectives to prevent or minimise the spread of kauri dieback.
 - c. The procedures that will be followed to prevent or minimise the spread of kauri dieback disease.
 - d. Details of a suitable process for undertaking risk assessments, including pre-start site inspections to identify any necessary kauri dieback protection measures to be employed.
 - e. The method by which the boundaries of any kauri hygiene area and kauri dieback disease containment area will be clearly marked out.
 - f. The procedures to be followed to ensure that any vehicles, equipment, clothing and footwear are cleaned, to the greatest extent reasonably practicable, prior to entry into and exit from the kauri hygiene area and kauri dieback disease containment area. This can also include cleaning of vehicles when back at a depot or facility.
 - g. The procedures to be followed to ensure that any soil, organic material or surface water not retained within the kauri hygiene area are either:
 - i. Stored within a kauri dieback disease containment area; or
 - ii. Transported in a sealed vehicle/container to a landfill and the facilities at the landfill are suitable to dispose of infected or suspected infected material.
 - h. The water management procedures to be used in relation to the washdown of vehicles, equipment and footwear used in a kauri hygiene area, including:
 - i. Methods to ensure that run-off does not enter any water bodies, the coastal marine area or non-contiguous kauri hygiene areas of any neighbouring kauri trees.
 - ii. If on-site washdown is impracticable, procedures to undertake washdown at a facility where water is treated and managed.
 - i. The procedures to be followed to monitor, review and amend the kauri dieback management plan, including an annual report to Council identifying the locations of earthworks undertaken within kauri hygiene areas,
 - j. Any consultation undertaken with mana whenua and a summary of the results of that consultation.

Light (LIGHT)

Issues

Artificial lighting enables a variety of activities to occur beyond daylight hours. Lighting is provided to illuminate work areas (including for health and safety purposes) and to provide for recreational and entertainment activities such as sporting events. Artificial lighting is also important to maintain security and support the safe use of areas after dark. Lighting infrastructure, such as street lighting, is necessary for transport network safety and accessibility and the well-being of people and communities. Unless appropriately designed, managed and located, the obtrusive effects of lighting can adversely impact on other properties (including the transport network) due to light spill and glare. If lighting is not appropriately designed, it can result in 'light pollution' which can adversely affect the ability to view the night sky.

The artificial lighting provisions in this chapter both manage and require artificial lighting, in order to support the health and safety of people and to ensure that lighting levels are compatible with the existing lighting character of the surrounding environment and that the amenity of the night sky is preserved.

Measurement of artificial lighting can be undertaken both in relation to light spill and in terms of glare. Light spill is generally measured using lighting lux levels while glare can be measured in intensity (candelas) or against a surrounding background darkness (candelas per square metre).

Objectives

LIGHT-O1 Provision of Lighting

Artificial lighting is provided to enable activities to occur outside of daylight hours and to support the health, safety and security of people, communities, and their property.

LIGHT-O2 Adverse Effects

Artificial lighting maintains, and where appropriate enhances, the amenity and character of the surrounding environment while avoiding, remedying and mitigating adverse effects associated with light spill and glare.

LIGHT-O3 Lighting Infrastructure

The subdivision and development of land provides artificial lighting infrastructure to support the safety and security of people and property and to maintain public pedestrian and traffic safety.

Policies

LIGHT-P1 Amenity and Character

To maintain, and where appropriate enhance, the amenity and character of each zone by controlling the intensity, location and direction of artificial lighting.

LIGHT-P2 Health and Safety

To enable the use of artificial lighting where it is required for health and safety reasons, traffic, cyclist and pedestrian safety or navigational purposes.

LIGHT-P3 Mineral Extraction

To provide for the use of artificial lighting where it is required as a functional or operational component of mineral extraction activities in identified Quarrying Resource Areas, while ensuring any adverse effects of the artificial lighting are minimised.

LIGHT-P4 Safety

To enable safe and efficient use of areas which will be accessed by the general public after daylight hours by requiring appropriately designed, installed and maintained artificial lighting to be provided when developing or redeveloping these areas.

LIGHT-P5 Road Network

To support the safe and efficient use of the roading, cycling and pedestrian network while maintaining the character and amenity of the surrounding environment by requiring street lighting to be provided at the time of subdivision.

Rules

LIGHT-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

LIGHT-R2 Any Artificial Lighting

Activity Status: Permitted

Where:

1. The artificial lighting is shielded or a suitable luminaire optic deployed, so that light emitted by the luminaire is projected below a horizontal plane running through the lowest point on the fixture as represented in LIGHT Appendix Illustration of District Wide Lighting Standard.
2. The light is static and is not moving or flashing.
3. Artificial lighting located in the Sport and Active Recreation Zone or the Open Space Zone complies with the AS/NZS 1158 and AS/NZS4282 standards.
4. The added illuminance onto any other site or a road reserve, measured at the boundary, does not exceed the following limits:
 - a. All zones (excluding the Sport and Active Recreation Zone and the Open Space Zone):
 - i. Artificial lighting measured at the receiving site allotment boundary with a road reserve – 15 Lux.
 - ii. Artificial lighting measured at the receiving site allotment boundary other than with a road reserve – 10 Lux.
 - b. Sport and Active Recreation Zone and Open Space Zone:
 - i. Artificial lighting measured at the receiving site boundary with a road reserve – 15 Lux.
 - ii. Artificial lighting measured at the receiving site allotment boundary with the Residential Zone, Natural Open Space Zone, Rural Lifestyle Zone, Settlement Zone Residential and Future Urban Zones – 10 Lux.
 - iii. Artificial lighting measured at the receiving site boundary with all other zones – 20 Lux.

5. The activity complies with LIGHT-REQ-1.

Notes:

1. The limits identified do not apply to internal site allotment boundaries where multiple sites allotments are held in the same ownership.
2. Any artificial road lighting, health and safety or navigational artificial lighting, and artificial lighting for mineral extraction activities in Quarrying Resource Areas is not required to comply with LIGHT-R2.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The effects of artificial lighting and glare on the amenity values and the character of the zone or surrounding environment.
2. The effects of lighting on traffic and pedestrian safety.

LIGHT-R3 Any Artificial Road Lighting

Activity Status: Permitted

Where:

1. The artificial lighting is erected by a road controlling authority (or their authorised representative).
2. The artificial lighting is for the purpose of traffic control or public safety.
3. The artificial lighting is located within the road reserve.
4. The artificial lighting complies with the AS/NZS 1158 series of standards.

Note:

1. Road lighting includes street lighting and illuminated traffic signals.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The effects of artificial lighting and glare on the amenity values and the character of the zone or surrounding environment.
2. The effects of lighting on traffic and pedestrian safety.

LIGHT-R4 Any Health and Safety or Navigational Artificial Lighting

Activity Status: Permitted

Where:

1. Artificial lighting is required for health and safety purposes and complies with the requirements of the relevant standards or legislation.
2. Artificial lighting which is a navigational aid or installation is erected or constructed by the relevant authority (or their authorised representative) and operated in accordance with the relevant legislation.

Note:

1. *Navigational aids may be provided by but are not limited to the following authorities: Maritime New Zealand, Civil Aviation Authority, a Regional Council or a District Council.*

Activity Status when compliance not achieved: Discretionary

LIGHT-R5 Any Artificial Lighting for Mineral Extraction Activities in Quarrying Resource Areas

Activity Status: Permitted

Where:

1. Artificial lighting is on vehicles associated with mineral extraction activities and the vehicles are located within an identified QRA Quarrying Resource Area (as identified in the Planning Maps and in QRA Appendix 1 Schedule of Existing Quarrying Resource Areas).

Activity Status when compliance not achieved: Discretionary

LIGHT-R6 Any Car Parking or Loading Spaces in the City Centre Zone, Commercial Zone, Light Industrial Zone, Heavy Industrial Zone, Waterfront Zone, Marsden City Precinct, Settlement Zone Centre and Settlement Zone Industry

Activity Status: Permitted

Where:

1. Artificial lighting is provided for all parking and loading areas associated with an activity that:
 - a. Is not a residential activity.
 - b. Operates after daylight hours.
2. The artificial lighting complies with AS/NZS1158 and AS/NZS4282 standards.
3. The artificial lighting complies with all standards in LIGHT-R2 for the relevant zone.

Compliance Standard:

1. *All zones not listed in LIGHT-R6 must comply with LIGHT-R2 – R5 for all artificial lighting.*

Activity Status when compliance not achieved: Discretionary

LIGHT-R7 Any Subdivision

Activity Status: Controlled

Where:

1. Artificial lighting is provided for all streets, walkways, cycleways and roads created by the subdivision.
2. The artificial lighting complies with the AS/NZS1158 series of standards.

Matters of control:

1. Amenity and character of the surrounding environment.
2. Traffic and pedestrian safety.

Notes:

1. *Lighting and traffic signals which are to be vested in Council may also require additional approvals to be obtained from the Council's roading department in relation to design and construction.*
2. *Acceptable means of compliance can also be found in the Whangārei District Council Engineering Standards.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The effects of artificial lighting and glare on the amenity values and the character of the zone or surrounding environment.
2. The effects of lighting on traffic and pedestrian safety.

Information Requirement Rules

LIGHT-REQ1 Lighting Measurement

1. Unless specified otherwise, lighting shall be measured by calculation with a proprietary lighting design programme which details the direct, horizontal and vertical plane illuminance with a maintenance factor set at 1.0 at any point and height of an adjacent property boundary.
2. The light intensity shall be measured by calculation with a proprietary lighting design programme at a height of 1.5m above ground level at any point on the adjacent property boundary.
3. Road lighting and lighting for parks, reserves, publicly accessible/used areas and pedestrian areas shall be calculated in accordance with the methods described in the AS/NZS 1158 series of standards as listed in REF.1 Referenced Documents at REF.1.2 b. or alternative method of compliance certified in a statement by a suitably qualified and experienced professional (e.g. Chartered Professional Engineer or Independently Qualified Person).

Notes:

1. *Measurements relating to illuminated signage are contained in the Signage Chapter.*
2. *Measurement of the final installation may be required in order to ensure compliance.*

LIGHT Appendix 1 - Illustration of District Wide Lighting Standard

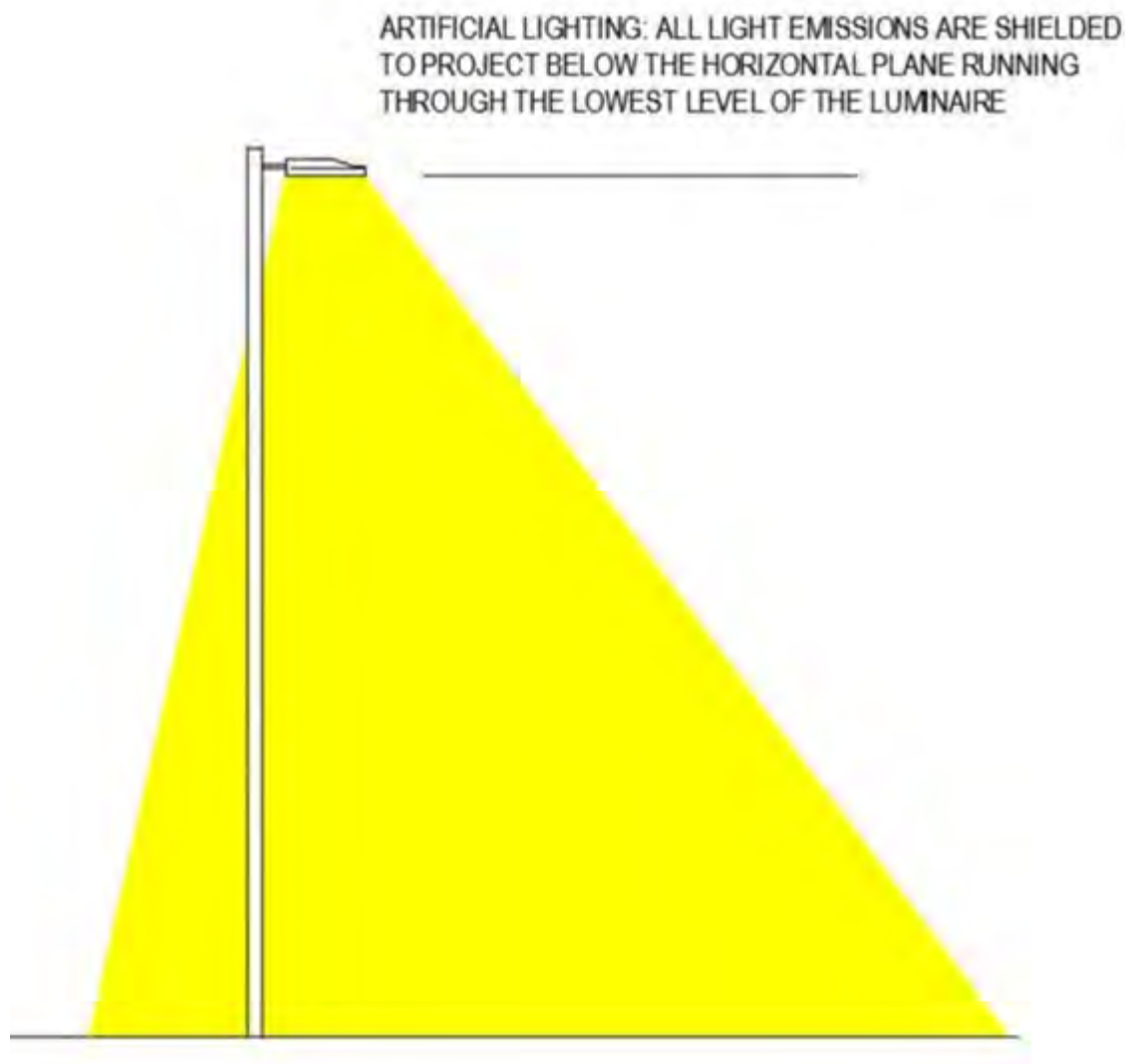


Figure LIGHT 1. Illustration of District Wide Lighting Standard

Noise and Vibration (NAV)

Issues

Noise has the potential to cause adverse **effects**, depending on a number of factors including frequency, timing, volume and the type of **noise**. Disturbance of sleep is often the greatest complaint in relation to **noise**, however other adverse **effects** include general nuisance, psychological and chronic health **effects**, interference with speech communication and interference with learning processes, thinking and education.

Excessive **noise** can detract from the character and **amenity values** associated with the local **environment**. **Noise** generating activities can also be restricted by **noise** 'sensitive' activities in proximity that seek a higher level of amenity (**reverse sensitivity**). In an urban sense **noise** is a significant issue (especially at **night**) in mixed use zones and in 'interface' areas where **noise sensitive activities** (e.g. residential uses) are located in close proximity to high **noise** emitting **land** uses (e.g. bars and panel beaters).

The Resource Management Act 1991 (RMA) addresses **noise** in two ways. First, under section 16 there is a duty on every occupier of **land** and every person carrying out an activity in, on, or under a **water body** or the **coastal marine area** to adopt the best practical option to not emit more than a reasonable level of **noise**. Section 16 of the Resource Management Act 1991 states that a national environmental standard, plan or resource consent may prescribe **noise** emission standards. Section 16 therefore guides how district plans can address **noise** emissions.

The other way the RMA addresses **noise** is through the control of excessive **noise**. There are specific provisions in the Resource Management Act 1991 to deal with excessive **noise**, which normally involves intermittent **noise** sources that require immediate attention, for example loud stereos associated with parties. The excessive **noise** provisions stand apart from district plan provisions.

Noise rules have been designed to provide an adequate level of protection from the potential **effects** of **noise**. The rules within this chapter provide certainty about the level of ambient sound permitted during specific time frames within each Zone and acknowledge that there will be some **noise** associated with activities. The rules aim to strike a balance between the need for **land** to be used for its intended purpose while ensuring that other **land** users are not exposed to unreasonable levels of **noise**.

Permitted **noise** levels are set at a limit that is consistent with the character and **amenity values** anticipated in each Zone. Differing **noise** limits are established in interface areas between Zones to ensure that reasonable **noise** limits can be maintained. Reasonable **noise** limits are established for other activities such as, construction and **demolition**, airport operation, **temporary military training**, use of explosives, helicopter landing areas, shooting ranges and **wind turbines**.

In certain areas **noise sensitive activities** are restricted in order to ensure the unhindered and continued operation of high **noise** generating activities. In other areas the provision of acoustic insulation requirements for **buildings** containing **noise sensitive activities** in high **noise** environments will allow various activities to co-exist in Zones anticipating **mixed-use**. Guidance from the most recent New Zealand Standards will ensure that **noise** levels are measured and analysed in accordance with international best practice.

Vibration is generally only a concern adjacent to construction or **demolition** projects; where there is operation of mechanical plant near or attached to **buildings** or **structures**; or in relation to explosives use and blasting. Accordingly, vibration limits have been provided to ensure that vibration from construction, **demolition**, fixed mechanical plant and use of explosives and blasting does not exceed reasonable levels. - For construction, **demolition** and fixed mechanical plant, a simplified approach has been taken whereby single velocity limits have been specified. This

approach is considered to be the least complicated and will ensure the required level of amenity if maintained. For explosives use and blasting a more flexible approach has been adopted to achieve operational efficiency and to ensure the required level of amenity is maintained.

Eligibility

The following provisions shall apply district-wide in addition to any other provisions in this District Plan applicable to the same area or site.

Objectives

NAV-O1 Objective 1

To enable a mix of activities to occur across a range of zones, while ensuring that noise and vibration is managed within appropriate levels for the health and wellbeing of people and communities, and for the amenity and character of the local environment.

NAV-O2 Objective 2

To ensure that activities that seek a high level of acoustic and vibration amenity do not unduly compromise the ability of other lawful activities to operate.

Policies

NAV-P1 Policy 1

To establish reasonable noise and vibration limits and controls that enable appropriate activities to operate while maintaining the characteristic amenity values of each zone.

NAV-P2 Policy 2

To avoid reverse sensitivity effects by:

- Requiring suitable acoustic design standards for noise sensitive activities located in or adjacent to areas anticipating high noise levels.
- Restricting noise sensitive activities in zones where they could unduly compromise the continuing operation of appropriate business activities.
- Considering the use of other mechanisms, such as noise control boundaries, buffer areas or building setbacks, as appropriate tools to protect existing or future activities.

NAV-P3 Policy 3

To ensure that high noise generating activities located in noise sensitive areas maintain the characteristic amenity values of each zone by:

- Establishing noise limits that are consistent with anticipated noise and vibration levels in each zone.
- Requiring high noise generating activities to provide suitable mitigation measures to maintain appropriate noise levels for the health and wellbeing of people and communities, and for the amenity and character of the local zone.

NAV-P4 Policy 4

To avoid restricting primary production activities by providing provisions that acknowledge their seasonal characteristics, transitory periods of noisiness and the effects of reverse sensitivity.

NAV-P5 Policy 5

To ensure that **noise** associated with activities in open spaces and on public recreational areas is appropriate to the **amenity values** anticipated in the surrounding **environment**.

Noise Measurement and Assessment

Unless specified otherwise, **noise** shall be measured in accordance with New Zealand Standard NZS 6801:2008 “Acoustics – Measurement of environmental sound” and assessed in accordance with New Zealand Standard NZS6802:2008 “Acoustics - Environmental **Noise**.”

Rules

NAV-R1 Permitted Activities

Unless specifically stated otherwise, any activity shall be a permitted activity provided it complies with all of the **noise** standards given in the following section(s) NAV-R1 – NAV-R18 and all other relevant zone and District-Wide rules.

NAV-R2 Noise Arising from Activities within Zones

The **noise** limits that shall apply within and between Zones are set out in Tables NAV 1A and NAV 1B below:

*Note: Except that where **noise** is generated from the Fonterra Kauri Milk Processing **Site**, the **noise** rules shall apply at the Fonterra Kauri Milk Processing **Site** – **Noise** Control **Boundary** as shown on the Planning Maps.*

Table NAV 1A. Noise Limits within and between zones

Noise emitted from any site in the following Zone	Noise measured within the applicable boundary of any of the following Zones (refer to Table NAV 2 for applicable assessment location)	Daytime 07:00 to 22:00 hours	Night-time 22:00 to 07:00 hours	Notes (8,9)
<ul style="list-style-type: none"> Light Industrial Zone Commercial Zone Sport and Active Recreation Zone 	<ul style="list-style-type: none"> Residential Zones Neighbourhood Centre Zone Natural Open Space Zone Open Space Zone Rural Production Zone Rural Lifestyle Zone Settlement Zone Future Urban Zone 	55dB L_{Aeq}	45dB L_{Aeq} 75dB L_{AFmax}	
<ul style="list-style-type: none"> Port Zone Settlement Zone Industrial Sub-Zone Heavy Industrial Zone 	<ul style="list-style-type: none"> Residential Zones Neighbourhood Centre Zone Natural Open Space Zone Open Space Zone Rural Production Zone Rural Lifestyle Zone Settlement Zone Future Urban Zone 	55dB L_{Aeq}	45dB L_{Aeq} 75dB L_{AFmax}	

Noise emitted from any site in the following Zone	Noise measured within the applicable boundary of any of the following Zones (refer to Table NAV 2 for applicable assessment location)	Daytime 07:00 to 22:00 hours	Night-time 22:00 to 07:00 hours	Notes (8,9)
All Zones other than: <ul style="list-style-type: none"> • Heavy Industrial Zone • Light Industrial Zone • Commercial Zone • Sport and Active Recreation Zone • Settlement Zone Industrial Sub-Zone • Strategic Rural Industries Zone [All SIRZ] 	<ul style="list-style-type: none"> • Residential Zones • Neighbourhood Centre Zone • Rural Lifestyle Zone • Settlement Zone • Future Urban Zone 	50dB L_{Aeq}	40dB L_{Aeq} 70dB L_{AFmax}	1, 2, 3
All Zones other than: <ul style="list-style-type: none"> • Heavy Industrial Zone • Light Industrial Zone • Commercial Zone • Sport and Active Recreation Zone • Settlement Zone Industrial Sub-Zone • Strategic Rural Industries Zone [All SIRZ] 	<ul style="list-style-type: none"> • Open Space Zone • Natural Open Space Zone • Rural Production Zone 	55dB L_{Aeq}	40dB L_{Aeq} 70dB L_{AFmax}	1, 2, 3
All Zones other than: <ul style="list-style-type: none"> • Strategic Rural Industries Zone [All SIRZ] 	<ul style="list-style-type: none"> • City Centre Zone • Waterfront Zone 	60dB L_{Aeq}	55 dB L_{Aeq} 80dB L_{AFmax}	4, 5
All Zones other than: <ul style="list-style-type: none"> • Strategic Rural Industries Zone [All SIRZ] 	<ul style="list-style-type: none"> • Light Industrial Zone • Commercial Zone • Sport and Active Recreation Zone • Shopping Centre Zone • Hospital Zone • Airport Zone 	65dB L_{Aeq}	60 dB L_{Aeq} 80dB L_{AFmax}	
All Zones other than: <ul style="list-style-type: none"> • Strategic Rural Industries Zone [All SIRZ] 	<ul style="list-style-type: none"> • Mixed Use Zone • Local Centre Zone • Settlement Zone Centre Sub-Zone • Town Centre Zone 	60dB L_{Aeq}	50dB L_{Aeq} 75dB L_{AFmax}	
All Zones other than: <ul style="list-style-type: none"> • Strategic Rural Industries Zone [All SIRZ] 	<ul style="list-style-type: none"> • Heavy Industrial Zone • Settlement Zone Industrial Sub-Zone • Strategic Rural Industrial Zone [All SIRZ] 	75dB L_{Aeq}	75dB L_{Aeq}	

Noise emitted from any site in the following Zone	Noise measured within the applicable boundary of any of the following Zones (refer to Table NAV 2 for applicable assessment location)	Daytime 07:00 to 22:00 hours	Night-time 22:00 to 07:00 hours	Notes (8,9)
All Zones other than: • Strategic Rural Industries Zone [All SIRZ]	• Port Nikau Development Area	60dB L_{Aeq}	55dB L_{Aeq} 70dB L_{AFmax}	3
• Kauri Strategic Rural Industries	• At the Kauri Milk Processing Site – Noise Control Boundary • Outer	55dB L_{Aeq}	45dB L_{Aeq} 75dB L_{AFmax}	9

Table NAV 1B. Noise Limits within and between Mineral Extraction areas and any noise sensitive activity not owned or controlled by the quarry owner or operator

Noise emitted from any site in the following Area	Noise measured within the boundary of the following (refer to Table NAV 2 for applicable assessment location)	Daytime 07:00 to 22:00 hours	Night-time 22:00 to 07:00 hours	Notes (8,9)
<u>Mineral Extraction Areas</u>	Any <u>noise sensitive activity</u> not owned or controlled by the quarry owner or operator	Low <u>noise Environment</u> : • 50 dB L_{Aeq} High <u>noise Environment</u> : • 55 dB L_{Aeq}	Low <u>noise Environment</u> : • 40 dB L_{Aeq} • 70 dB L_{AFmax} High <u>noise Environment</u> : • 45 dB L_{Aeq} • 75 dB L_{AFmax}	6, 7

Notes:

- Normal residential activity occurring in any zone such as children's play, spontaneous social activities, lawnmowing and home maintenance work undertaken by/for the occupier is excluded from compliance with the noise rules during the daytime provided such activity is reasonable in terms of duration and noise level and in the case of home maintenance does not exceed the rules for construction noise. This exclusion does not apply to non-residential land use within the Residential Zones (such as childcare centres).
- NAV-R2 shall not apply to mobile machinery used for a limited duration as part of agricultural or horticultural activities occurring in the Rural Production Zone, Rural Lifestyle Zone, Future Urban Zone or Large Lot Residential Zones. Limited duration events are those activities normally associated with industry practice, of relatively short duration, and where no reasonable alternative is available. Any such activity shall be subject to Section 16 of the Resource Management Act. "Limited duration activities" in this context include, but are not limited to:
 - Spraying and harvesting of crops and/or weeds for horticultural or agricultural purposes e.g. topdressing or Aerial spraying
 - Primary plantation forestry activities (not including milling or processing). This exclusion does not apply to:
 - Static irrigation pumps;
 - Motorbikes that are being used for recreational purposes;

3. NAV-R2 shall not apply if the activity under consideration is a mineral extraction activity included in MIN-QRA Appendix 1 of the Minerals Chapter. Where this occurs the limits and stated timeframes in MIN-QRA Appendix 1 shall apply.
4. Noise generated by temporary activities in the Waterfront Zone may exceed the noise rules in any Zone for 12 days every calendar year provided that noise does not exceed a level of 65 dB L_{Aeq} between 09:00 and 23:00 hours at the boundary of any Residential Zone.
5. In the City Centre Zone the “daytime” noise standard shall apply between 07:00 and 00:00 hours (midnight) on Fridays and Saturdays. The “night-time” noise standard shall apply between 00:00 and 07:00 hours on Saturday and Sunday mornings.
6. In Mineral Extraction Areas the “daytime” noise standard shall apply between 0630 and 2130 hours. The “night-time” noise standard shall apply between 2130 and 0630 hours.
7. Except where an alternative noise limit is provided for the activity within the District Plan [See MIN-QRA Appendix 1 of the Minerals Chapter] then the activity shall comply with the noise limit stated within the notional boundary of a noise sensitive activity not owned or controlled by the quarry owner or operator.
8. NAV-R2 shall not apply to the following specific activities which are provided for elsewhere:
 - a. Construction activities. Refer to Section NAV-R3 for specific rule.
 - b. Wind turbines and wind farms. Refer to Section NAV-R4 for specific rule.
 - c. Shooting ranges. Refer to Section NAV-R5 for specific rule.
 - d. Helicopter and aircraft landing areas. Refer to Section NAV-R10 for specific rule.
 - e. Engine testing at the airport. Refer to Section NAV-R11 for specific rule.
 - f. Noise from explosives. Refer to Section NAV-R12 for specific rule.
 - g. Temporary military training activities. Refer to Section NAV-R13 for specific rule.
 - h. Bird Scaring devices. Refer to Section NAV-R14 for specific rule.
 - i. Road traffic noise. Refer to Section NAV-R15 for specific rule.
 - j. Frost fans. Refer to Section NAV-R16 for specific rule.
 - k. Emergency Generator Testing. Refer to Section NAV-R17 for specific rule.
9. The noise rules shall not apply to the following activities:
 - a. Level crossing warning devices.
 - b. The operation of emergency service vehicles or emergency callout sirens.
 - c. Noise from aircraft and helicopters when in flight.
 - d. Unamplified noise from sporting events in Open Space and Sport and Active Recreation Zone where these occur for up to 20 hours per week between 07:00 and 21:00 hours.
 - e. Unamplified noise from standard school outdoor activities where this occurs between 07:00 and 18:00 hours Monday to Sunday.
 - f. Rail movements within Fonterra’s Kauri Milk Processing site (the area encompassed within Scheduled Activity 15); excluding the loading and unloading of goods from trains within the site.
 - g. Emergency generators used to ensure the continued operation of network utilities. This exemption shall not include emergency generator testing which are required to comply with NAV-R17.
10. The noise limits do not apply to noise generated within the Marsden Point Energy Precinct when measured within a Conservation or Open Space zone.

The noise rules set out in Tables NAV 1A and NAV 1B shall apply within the relevant boundary assessment location as set out in Table NAV 2.

Table NAV 2. Boundary Assessment Locations

Site Boundary	Notional Boundary
<ul style="list-style-type: none"> • Open Space Zone • Airport Zone • Port Zone • Port Nikau Development Area • Town Centre Zone • City Centre Zone • Mixed Use Zone • Commercial Zone • Local Centre Zone • Shopping Centre Zone • Light Industrial Zone • Heavy Industrial Zone • Sport and Active Recreation Zone • Waterfront Zone • Medium Density Residential Zone • General Residential Zone • Neighbourhood Centre Zone • Hospital Zone • Settlement Zone 	<ul style="list-style-type: none"> • Any <u>noise sensitive activity</u> not owned or controlled by the quarry owner or operator in a Quarrying Resource Area • Rural Production Zone • Rural Lifestyle Zone • Future Urban Zone • Low Density Residential Zone • Large Lot Residential Zone • Natural Open Space Zone

NAV-R3 Construction Noise

1. Noise from demolition and construction, including that undertaken as part of temporary military training activities, shall comply with the guidelines and recommendations of NZS 6803: 1999 “Acoustics - Construction Noise”. Noise levels shall be measured and assessed in accordance with New Zealand Standard NZS 6803: 1999 “Acoustics - Construction Noise”. NAV-R3 shall not apply to permitted Maintenance or utility works undertaken within the road carriageway of a road where:
 - a. It has been demonstrated to Council that these works cannot reasonably comply with the referenced noise guidelines at the time when they must be carried out; and
 - b. A construction noise and vibration management plan, as prepared by a Recognised Acoustician, has been provided to Council.

NAV-R4 Wind Turbines

Noise from wind turbines and wind farms shall comply with NZS6808:2010 “Acoustics – Wind farm noise”.

NAV-R5 Shooting Ranges

1. Where any new shooting range is established, or an existing shooting range or its use is altered or extended:
 - a. Between 09:00 and 18:00 sound levels from the shooting range activity shall not exceed 50 dB L_{AFmax} from the notional boundary of any noise sensitive activity or visitor accommodation and;
 - b. Between 18:00 and 22:00 and 07:30 and 09:00 sound levels from the shooting range activity shall not exceed 40 dB L_{AFmax} from the notional boundary of any noise sensitive activity or visitor accommodation and;

- c. No shooting shall occur between 22:00 and 07:30.

For the avoidance of doubt, in relation to alterations or extensions to an existing shooting range, compliance with items a, b and c is required for the altered or extended component of the activity.

NAV-R6 Sound Insulation Requirements

1. Any noise sensitive activity established within a City Centre Zone, Mixed Use Zone, Commercial Zone, Waterfront Zone, Local Centre Zone, Sport and Active Recreation Zone, Settlement Zone Centre Sub-Zone, Port Nikau Development Area, or Town Centre Zone, or within the Fonterra Kauri Milk Processing Site – Noise Control Boundary shall be designed and constructed to ensure the internal design noise levels set out in Table NAV 3.
2. For design purposes, the external L_{eq} noise levels set out in Tables NAV 4A and NAV 4B shall be used. These noise levels shall be assumed to be incident on the façade.
3. Where any activity listed in Tables NAV 5A to NAV 5D is located partly or wholly within the State Highway Noise Control Boundary or the Rail Noise Control Boundary, the entire room or space shall be designed, constructed and maintained to achieve the indoor design noise levels set out in Tables NAV 5A to NAV 5D.
4. NAV-R6(3) does not apply where any of NAV-R6(4)(a) – (f) apply:
 - a. The nearest exterior façade of the building accommodating the activity listed in Tables NAV 5A to NAV 5D is at least 50m from the formed carriageway of the state highway and 50m from the formed railway track and there is a solid building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors to that activity to:
 - i. All parts of the formed carriageway of the state highway.
 - ii. All points 3.8m directly above the formed railway track; or
 - b. It can be demonstrated by way of prediction or measurement by a Recognised Acoustician that the noise at all exterior façades of the listed activity is no more than 15 dB above the relevant noise levels in Tables NAV 5A to NAV 5D; or
 - c. An alteration or extension to an existing building other than a residential unit does not increase the gross floor area of an activity listed in Tables NAV 5A to NAV 5D within the State Highway Noise Control Boundary or the Rail Noise Control Boundary; or
 - d. An external alteration or extension to an existing residential unit does not increase the gross floor area of an activity listed in Tables NAV 5A to NAV 5D within the State Highway Noise Control Boundary or the Rail Noise Control Boundary; or
 - e. An internal alteration to an existing residential unit does not increase the total gross floor area of activities listed in Tables NAV 5A to NAV 5D by more than 5m² within each 10-year period from 18 January 2023 within the State Highway Noise Control Boundary or the Rail Noise Control Boundary; or
 - f. The activity is designed, constructed and maintained in accordance with the construction schedule in NAV Appendix 1 and meets the ventilation requirements at NAV-R6(5).
5. Where windows are required to be closed to achieve the sound levels in NAV-R6(1)-(3), the room or space shall be designed, constructed and maintained to:
 - a. Provide mechanical ventilation that satisfies clause G4 of the New Zealand Building Code and is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
 - b. Provide relief for equivalent volumes of spill air; and
 - c. Provide cooling and heating that is controllable by the occupant and that can maintain the inside temperature of the room or space between 18°C and 25°C; and

- d. Ensure that where a ventilation or cooling system is used that it does not generate more than 35dB L_{Aeq} when measured 1m away from any grille or diffuser at the minimum level required to achieve the temperatures in NAV-R6(5)(c).
6. Any activity which does not comply with NAV-R6(3) is a Restricted Discretionary activity. Discretion is restricted to:
 - a. The effects on people's health and internal residential amenity, including effects on future residents and effects from future levels of noise anticipated when the application is being assessed.
 - b. Whether activity listed in Tables NAV 5A to NAV 5D could be designed or located to achieve compliance with the rules.
 - c. The extent to which non-compliance with the rules could unduly compromise the continuing operation of the state highway corridor, or railway corridor as enabled within Designations KRH-1 and KRH-2.
 - d. Any natural or built features of the site or surrounding area which will mitigate noise effects.
 - e. The outcome of any consultation undertaken with Waka Kotahi or KiwiRail.

Notes:

1. NAV-R6(4)(d) and (e) apply where an existing building continues to be used as a residential unit.
2. NAV-R6(4)(e) provides for:
 - a. alterations that partition, combine, or re-allocate space between, habitable rooms.
 - b. the incorporation of a maximum of 5m² of non-habitable space into habitable rooms.

Compliance Standards:

1. A certificate from a Recognised Acoustician is required to confirm compliance with the acoustic requirements of NAV-R6. When confirming compliance with NAV-R6(3) and NAV-R6(4)(b):
 - a. Railway noise is assumed to:
 - i. be 70 dB L_{Aeq}(1h) at a distance of 12m from the track; and
 - ii. reduce at a rate of 3 dB per doubling of distance of up to 40m and 6 dB per doubling of distance beyond 40m.
 - b. Road noise is based on measured or predicted noise levels plus 3 dB.
2. Where more than one standard within NAV-R6 applies that requires insulation of a noise sensitive activity or a noise sensitive space from an external noise source, each of those standards must be complied with.

Notification:

1. Any restricted discretionary activity under NAV-R6(6) shall not be notified or limited notified unless Waka Kotahi or KiwiRail (as relevant) is determined to be an affected person in accordance with section 95B of the Resource Management Act 1991 or Council decides that special circumstances exist under section 94A(4) of the Resource Management Act 1991.

Table NAV 3. Internal Design Noise Levels

Zones	Bedrooms and sleeping areas within dwellings or units 22:00 – 07:00 hours	Other habitable spaces within dwellings or units 07:00 – 22:00 hours	Teaching spaces, places of religious assembly, health and veterinary service buildings 07:00 – 22:00 hours
City Centre Zone Sport and Active Recreation Zone Mixed Use Zone Local Centre Zone Waterfront Zone Settlement Zone Centre Sub-Zone Town Centre Zone Fonterra Kauri Milk Processing <u>Site</u>	30 dB <u>L_{Aeq}</u>	40 dB <u>L_{Aeq}</u>	35 dB <u>L_{Aeq}</u>
Port Nikau Development Area	35 dB <u>L_{Aeq}</u>	45 dB <u>L_{Aeq}</u>	35 dB <u>L_{Aeq}</u>

Table NAV 4A. Bedrooms and sleeping areas Leq noise levels for design purposes by zone

Bedrooms and sleeping areas design noise level (dB Leq) – incident								
	63 Hz	125 Hz	250 Hz	500 Hz	1k Hz	2k Hz	4k Hz	dBA
Waterfront Zone	66	65	55	54	49	42	38	55
City Centre Zone Sport and Active Recreation Zone Port Nikau Development Area	67	64	61	58	55	52	49	60
Mixed Use Zone Local Centre Zone Town Centre Zone	57	54	51	48	45	42	39	50
Fonterra Kauri Milk Processing <u>Site</u> – <u>Noise</u> Control <u>Boundary</u>	65	60	53	45	40	38	35	50

Table NAV 4B. Other habitable room Leq noise levels for design purposes by zone

Other habitable room design noise level (dB Leq) – incident								
	63 Hz	125 Hz	250 Hz	500 Hz	1k Hz	2k Hz	4k Hz	dBA
City Centre Zone Waterfront Zone Mixed Use Zone Local Centre Zone Town Centre Zone	71	70	60	59	54	47	43	60

Other habitable room design noise level (dB Leq) – incident								
Sport and Active Recreation Zone Port Nikau Development Area	72	69	66	63	60	57	54	65
Fonterra Kauri Milk Processing Site – Noise Control Boundary	65	60	54	45	40	38	35	50

Table NAV 5A: Indoor Design Noise Levels – Residential Activity

Activity	State Highway Noise Control Boundary	Rail Noise Control Boundary
Residential	<u>L_{Aeq}</u>(24h) from state highway noise	<u>L_{Aeq}</u>(1h) from railway corridor noise
Bedrooms	40 dB	35 dB
All other <u>habitable rooms</u>	40 dB	40 dB

Table NAV 5B: Indoor Design Noise Levels – Educational Activity

Activity	State Highway Noise Control Boundary	Rail Noise Control Boundary
Educational	<u>L_{Aeq}</u>(24h) from state highway noise	<u>L_{Aeq}</u>(1h) from railway corridor noise
Lecture rooms / theatres, music studios, assembly halls	35 dB	35 dB
Teaching areas, conference rooms and drama studios,	40 dB	40 dB
Libraries	45 dB	45 dB
Designated sleeping rooms for children aged 6 years or younger	40 dB	40 dB

Table NAV 5C: Indoor Design Noise Levels – Hospital Activity

Activity	State Highway Noise Control Boundary	Rail Noise Control Boundary
Hospitals	<u>L_{Aeq}</u>(24h) from state highway noise	<u>L_{Aeq}</u>(1h) from railway corridor noise
Overnight medical care, wards	40 dB	40 dB
Clinics, consulting rooms, theatres, nurses' stations	45 dB	45 dB

Table NAV 5D: Indoor Design Noise Levels – Place of Assembly Activity

Activity	State Highway Noise Control Boundary	Rail Noise Control Boundary
<u>Place of Assembly</u>	<u>L_{Aeq}</u>(24h) from state highway noise	<u>L_{Aeq}</u>(1h) from railway corridor noise
Church, place of worship, marae	35 dB	35 dB

NAV-R7 Activities within the Rail Noise Alert Area

1. Within the Rail Noise Alert Area any activity is a permitted activity where:
 - a. Resource consent is not required under any rule of the District Plan.
 - b. The activity is not prohibited under any rule of the District Plan.

Note:

1. The Rail Noise Alert Area identifies the noise-sensitive area within a 53dB rail noise contour each side of the rail corridor. Properties within this area may experience rail noise. No specific district plan rules or notification requirements apply as a result of this Rail Noise Alert Area.

NAV-R8 Activities within the Rail Vibration Alert Area

1. Within the Rail Vibration Alert Area any activity is a permitted activity where:
 - a. Resource consent is not required under any rule of the District Plan.
 - b. The activity is not prohibited under any rule of the District Plan.

Note:

1. The Rail Vibration Alert Area identifies the vibration-sensitive area within 60metres each side of the rail corridor. Properties within this area may experience rail vibration. No specific district plan rules or notification requirements apply as a result of this Rail Vibration Alert Area.

NAV-R9 Activities Establishing near the Airport Zone

1. Within the Air Noise Margin:
 - a. A minor addition or alteration to an existing building, which is not to be used as a habitable room, is a permitted activity.
 - b. The following are controlled activities within the Outer Control Boundary:
 - i. The addition of a habitable room;
 - ii. The construction of a new residential unit if:
 - a) The net site area associated with each residential unit is at least 1,000m².
 - b) The proposed construction is the first residential unit upon an site allotment that is less than 1,000m² and that site allotment existed before 1 December 2005.
 - iii. Visitor's accommodation.
 - c. Control is reserved over:
 - i. The effect of aircraft noise on the living standard within buildings or habitable rooms. Whether the design and materials used in the construction achieves an internal design level of 40 dB L_{dn} for noise within any habitable room.
 - d. Any activity that does not comply with the standard for a permitted or controlled activity is a discretionary activity. See NAV-R19 for Discretionary activity criteria.
2. Within the Air Noise Boundary:
 - a. New noise sensitive activities are prohibited activities
 - b. Visitor Accommodation is a discretionary activity:

Notes:

1. Conditions of consent: Any application for land use consent for a residential or other noise sensitive activity in the Outer Control Boundary, will be required to have a notice registered against its title and included in the LIM report which alerts the owner that the property falls

within a noise sensitive area and can therefore expect noise levels higher than would normally be expected in that Zone.

2. Notification: Council has identified reverse sensitivity effects that new noise sensitive activities may have on the safe and efficient operation of the Whangārei Airport. It has also identified potential adverse effects of the Airport on noise sensitive activities. Therefore, applications for resource consent may require the written approval of the Whangārei Airport as an affected party if such applications are to be considered on a non notified basis.

NAV-R10 Aircraft and Helicopter Landing Areas

Helicopter landing areas, including those used for military training activities, shall comply with and be measured and assessed in accordance with NZS 6807:1994 "Noise Management and Land Use Planning for Helicopter Landing Areas". NAV-R10 shall not apply to emergency services helicopter movements. Noise from aircraft other than helicopters shall comply with NZS6805:1992 "Airport Noise Management and Land Use Planning."

Compliance Standard:

1. The use of aircraft and helicopters undertaking rural production activities on an intermittent and infrequent basis are exempt from compliance with NAV-R10.

NAV-R11 Engine Testing

1. Aircraft engine testing in the Airport Zone is a permitted activity if:
 - a. Between the hours of 07:00 and 23:00, the noise generated by aircraft engine testing, assessed at any point within the boundary of any Residential Zone, does not exceed 55 dB L_{Aeq} (16 hours) and 65 dB L_{Aeq} (15 minutes);
 - b. Between the hours of 23:00 and 07:00, noise generated by aircraft engine testing assessed at any point within the boundary of any Residential Zone, does not exceed 45dB L_{Aeq} (8 hours) and 65 dB L_{AFmax};
 - c. Between the hours of 23:00 and 07:00, for the purposes of essential, unscheduled Maintenance and engine testing on a maximum of 15 occasions within any calendar year, noise generated within the boundary of any Residential Zone does not exceed 55 dB L_{Aeq} (8 hours) and 70 dB L_{AFmax}. In these circumstances the noise limits set out in b. above shall not apply;
 - d. The time, duration and other essential details of any testing undertaken in accordance with the requirements of c. above shall be recorded and advised to the Whangarei District Council within two weeks of any such event.

NAV-R12 Explosives Use

Peak noise levels from explosives, excluding those from Temporary Military Training Activities, use shall not exceed the following limits when measured within the notional boundary of any building set out in Table NAV 6.

Table NAV 6. Peak Noise Levels from Explosives

Affected building type	Permitted blasting time window	Number of blasts per year	Max peak sound level applying to all blasts dB L _{peak}
Occupied <u>noise sensitive activity</u> and <u>visitor accommodation</u>	07:00 to 19:00 hours	≤ 20 >20	120 115
Occupied commercial and industrial <u>buildings</u>	All hours of occupation	All	125
Unoccupied <u>buildings</u>	All times	All	140

NAV-R13 Temporary Military Training Activities

Temporary military training activities are permitted activities provided that they comply with the following rules:

1. Weapons firing and/or the use of explosives:
 - a. on any site shall not exceed a total of 31 days in any 365 day period.
 - b. shall comply with Table NAV 7A.
 - c. Where minimum separation distances for sources set out in Table NAV 7A cannot be met rules to be complied with are those set out in Table NAV 7B and the following rule:
 - i. A Noise Management Plan prepared by a suitably qualified expert is provided to Council at least 15 working days prior to the activity taking place. The Noise Management Plan shall, as a minimum, contain:
 - a) A description of the site and activity including times, dates, and nature and location of the proposed training activities.
 - b) Methods to minimise the noise disturbance at noise sensitive receiver sites such as selection of location, orientation, timing of noisy activities to limit noise received at sensitive receiver sites.
 - c) A map showing potentially affected noise sensitive sites and predicted peak sound pressure levels for each of these locations.
 - d) A programme for notification and communication with the occupiers of affected noise sensitive sites prior to the activities commencing, including updates during the event.
 - e) A method for following up any complaints received during or after the event, and any proposed de-briefing meetings with Council.
2. Mobile noise sources, excluding sources listed in Table NAV 7A:
 - a. Activities shall comply with the “typical duration” noise limits set out in Tables 2 and 3 of NZS6803:1999 Acoustics – Construction Noise (with reference to ‘construction noise’ taken to refer to other, mobile noise sources) provided that no building housing a noise sensitive activity is exposed to noise above 35 dB L_{AFmax} from a Temporary Military Activity mobile source for more than a total of 31 days in any 365 day period.
 - b. Activities that do not comply with the duration limit in NAV-R13(2)(a) shall comply with the noise limits in NAV-R13(3) Fixed (stationary) noise sources.
3. Fixed (stationary) noise sources, excluding sources identified in Table NAV 7A shall meet the noise level set out in Table NAV 8.
4. Helicopter landing areas shall comply with noise limits set out in NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.
5. Any activity that does not comply with rules NAV-R13(1)-(4) shall be a Restricted Discretionary Activity. Discretion is restricted to those matters listed in NAV-19(1)(a)-(m).

Table NAV 7A. Rule NAV-R13(1)(b)

Activity (sources)	Time (Monday to Sunday)	Separation distance required between the Boundary of the activity and the notional boundary to any building housing a noise sensitive activity
Live firing of weapons and single or multiple explosive events	07:00 to 19:00 hours	At least 1,500m
Live firing of weapons and single or multiple explosive events	19:00 to 07:00 hours	At least 4,500m
Firing of blank ammunition	07:00 to 19:00 hours	At least 750m
Firing of blank ammunition	19:00 to 07:00 hours	At least 2,250m

Note:

1. Mobile **noise** sources (other than firing of weapons) include sources such as personnel, light and **heavy vehicles**, self-propelled equipment, earthmoving equipment.

Table NAV 7B. Rule NAV-R13(1)(b)

Time (Monday to Sunday)	Noise level at the notional boundary to an individual building housing a noise sensitive activity
07:00 to 19:00 hours	<ul style="list-style-type: none"> For the use of explosives: 120 dB L_{peak} For the use of small arms and pyrotechnics: 90 dB L_{peak} with one period in any 365 day period of up to five days consecutive use up to 120 dB L_{peak}
19:00 to 07:00 hours	<ul style="list-style-type: none"> For the use of explosives: 90 dB L_{peak} For the use of small arms and pyrotechnics: 60 dB L_{peak} with one period in any 365 day period of up to five days consecutive use up to 90 dB L_{peak}

Note:

1. "Small arms" include, but are not limited to, revolvers, self-loading pistols, rifles and carbines, assault rifles, submachine guns and light machine guns.
2. "Explosives" include but are not limited to explosive charges, cannons, grenades, mortars and rockets.

Table NAV 8. Fixed (Stationary) noise sources

Time (Monday to Sunday)	Noise level at the notional boundary to any building housing a noise sensitive activity *
07:00 to 19:00 hours	55 dB L_{Aeq} (15 min)
19:00 to 22:00 hours	50 dB L_{Aeq} (15 min)
22:00 to 07:00 hours the next day	45 dB L_{Aeq} (15 min) 75 dB L_{AFmax}

Note:

1. Fixed (stationary) **noise** sources (other than firing of weapons and explosives) include **noise** sources such as power generation, heating, ventilation or air conditioning systems, or **water** or **wastewater** pumping/treatment systems.

NAV-R14 Bird Scaring Devices

1. The use of **bird scaring devices** is a permitted activity in the Rural Production Zone if:

- a. Bird scaring devices do not operate between half an hour after sunset and half an hour before sunrise.
 - b. Each device operates at not more than 6 “events” per hour where an “event” includes clusters of up to three shots from gas operated devices or three individual shots from a firearm in quick succession. This rule does not apply to bird scaring devices that generate a noise level of less than 55 dB L_{AE} within the notional boundary of any noise sensitive activity not owned by the operator of the device.
 - c. The sound level from any event does not exceed 65 dB L_{AE} within the notional boundary of any noise sensitive activity not owned by the operator of the device.
 - d. The bird scaring device is only operated when a crop is at risk from bird damage.
2. The use of bird scaring devices in other Zones is a discretionary activity.
- Note:*
1. Existing use rights may apply where a bird scaring device has been lawfully established prior to the operative date 24 May 2016 of the NAV chapter.

NAV-R15 Road Traffic

1. Noise from any new or altered road shall be assessed in accordance with and meet the provisions of New Zealand Standard NZS 6806:2010 “Acoustics - Road-traffic noise - New and altered roads.”
2. The installation and operation of Audio-Tactile pedestrian call buttons at traffic signal controlled intersections and pedestrian crossings is a permitted activity. Installations shall comply with Australian Standard AS2353: 1999 Pedestrian Push- button Assemblies.

NAV-R16 Frost Fans

1. The use of frost fans is a permitted activity in the Rural Production Zone if:
 - a. Noise generated by single or multiple frost fans on a site does not exceed 55 dB L_{Aeq} (10 minute) at any time when assessed at the notional boundary of any noise sensitive activity on a separate site under different ownership.
 - b. Operation of frost fans during the night period shall be for protection of crops from frost only. Any other operation, such as for the purposes of maintenance, shall be undertaken during the day period.
 - c. A legible notice shall be fixed to the road frontage of the property on which the frost fan is being used giving the name, address and telephone number of the person responsible for its operation.
2. The use of frost fans in any other Zone is a discretionary activity.

Note:

1. *The noise rule includes a correction for the special audible characteristics of frost control fans and no further penalty shall be applied to measured noise levels.*
2. Existing use rights may apply where a frost fan has been lawfully established prior to the operative date 24 May 2016 of the NAV chapter.

NAV-R17 Emergency Generator Testing

1. The testing of emergency generators is a permitted activity in all Zones if:
 - a. The duration of testing does not exceed 12 hours total per annum;
 - b. Testing occurs between 09:00 and 17:00 hours only;
 - c. Noise levels do not exceed the following:

- i. 60 dB $L_{Aeq}(15 \text{ min})$ within the relevant **boundary** assessment location of any Open Space, Natural Open Space Rural Production, Rural Village Residential or **Residential Zones**.
- ii. 65 dB $L_{Aeq}(15 \text{ min})$ within the **site boundary** of any Business 1, 3, Rural Village Centre, City Centre, Mixed Use, Local Centre, Neighbourhood Centre or Waterfront Zones or Port Nikau Development Area, or Town Centre Zone.
- iii. 70 dB $L_{Aeq}(15 \text{ min})$ within the **site boundary** of any Light Industrial, Commercial, Sport and Active Recreation, Hospital or Airport Zone.
- iv. 85 dB $L_{Aeq}(15 \text{ min})$ within the **site boundary** of any Heavy Industrial, Strategic Rural Industries, Rural Village Industry or Port Zone.

NAV-R18 Vibration

1. Vibration from **building** services is a permitted activity if vibrating, reciprocating and rotating machinery and all piping, ducting and other equipment attached to such machinery is installed and maintained so that any resulting vibration does not exceed the levels in Table NAV 9 when measured in adjacent **buildings** or areas of **buildings** under different ownership from the source of vibration.
2. Vibration from construction and **demolition** activity is a permitted activity if it does not exceed the levels set out in Table NAV 10 when measured at the point of **effect**.
 - a. For human annoyance, vibration should be assessed at the location of the affected person inside the **building**, typically on the appropriate floor. Vibration should be measured in three orthogonal directions orientated to the axes of the **building** and assessed in the single axis in which vibration is greatest.
 - b. For **building** damage, vibration should be assessed at the horizontal plane of the highest floor of the **building**. Vibration should be measured in two horizontal orthogonal directions orientated to the axes of the **building** and assessed in the single axis in which vibration is greatest. For the **building** damage criteria in Table NAV 10, an alternative measurement location is defined in Note 2 below.
3. Vibration from explosive use and blasting from activity other than provided for in NAV-R18(2) is a permitted activity if it does not exceed the levels set out in Table NAV 13, when measured in general accordance with the provisions of Australian Standard AS2187.2: 2006 Explosives – **Storage** and use – Use of explosives.

Table NAV 9. Maximum continuous vibration level from stationary machinery

Affected occupied building type	Time	Maximum vibration level in mm/s rms between 8 and 80 Hz
Industrial	All	0.8
Commercial	All	0.4
Noise sensitive activity	07:00 to 22:00 hours	0.2
Noise sensitive activity	22:00 to 07:00 hours	0.14
Surgery rooms of healthcare facilities	All	0.1

Table NAV 10. Maximum vibration levels for construction and demolition activities

Effect	Affected occupied building	Activity and Time	Maximum vibration level mm/s ppv	Notes
Annoyance	Occupied <u>noise sensitive activity</u> or <u>visitor accommodation</u> in any Zone	General construction activity - 22:00 to 07:00	0.3	1
Annoyance	Occupied <u>noise sensitive activity</u> or <u>visitor accommodation</u> in any Zone	General construction activity - 07:00 to 22:00	1	1
Annoyance	Occupied commercial or <u>industrial activity</u> in any Zone	General construction activity – 22:00 to 07:00	5	
Annoyance	Occupied commercial or <u>industrial activity</u> in any Zone	General construction activity - 07:00 to 22:00	1	
<u>Building Damage</u>	Unclassified <u>structures</u> of great intrinsic value such as historic <u>buildings</u>	All activity - all times	2.5	
<u>Building Damage</u>	Non-occupied dwellings and <u>buildings</u> of similar design	All activity - all times	5	
<u>Building Damage</u>	Non-occupied commercial and industrial <u>buildings</u>	All activity - all times	10	

Note:

1. Except that in surgery rooms of hospital facilities, maximum vibration levels from construction and demolition activities shall not exceed 0.1mm/s rms between 8 and 80Hz.
2. NAV-R18(2) shall not apply to permitted maintenance or utility works undertaken within the road carriageway where the levels in Table NAV 11 and NAV 12 are achieved.

Table NAV 11. Alternative measurement location for permitted maintenance or utility works undertaken within the road carriageway

Effect	Receiver	Location	Details	Maximum vibration level (mm/s PPV)
Annoyance and <u>building damage</u>	Occupied <u>noise sensitive activity</u> or <u>visitor accommodation building</u> in any Zone	As set out in NAV-R18(2)	20:00 to 06:30 hours	1
Annoyance and <u>building damage</u>	Occupied <u>noise sensitive activity</u> or <u>visitor accommodation building</u> in any Zone	As set out in NAV-R18(2)	06:30 to 20:00 hours	5

Effect	Receiver	Location	Details	Maximum vibration level (mm/s PPV)
Annoyance and building damage	Occupied commercial or industrial activity building in any Zone	Inside the building	06:30 to 20:00 hours	5
Building damage	Unoccupied buildings	Base of building on side of building facing vibration source or, where this is not practicable, on the ground outside the building	Vibration – transient (including blasting)	Refer to Table NAV 12
Building damage	Unoccupied buildings	Base of building on side of building facing vibration source or, where this is not practicable, on the ground outside the building	Vibration – continuous	Refer to Table NAV 12 - 50% of Table NAV 12 values

Table NAV 12. Peak component velocity in frequency range of predominant pulse

Peak component velocity (PPV) in frequency range of predominant pulse		
Type of building	4 to 15 Hz	15 Hz and above
Reinforced or framed structures Industrial and heavy commercial buildings	50 mm/s	50 mm/s
Unreinforced or light framed structures Residential and light commercial buildings	15 mm/s at 4Hz increasing to 20 mm/s at 15 Hz	20 mm/s at 15Hz increasing to 50 mm/s at 40 Hz

Notes:

1. All values referred to in Table NAV 12 are at the base of the **building**
2. For unreinforced or light framed **structures** and residential and light commercial **buildings** at frequencies below 4 Hz a maximum displacement of 0.6mm (zero to peak) is not to be exceeded.

Table NAV 13. Vibration from explosive use and blasting

Category	Type of blasting operations	Peak component particle velocity (mm/s)
Occupied noise sensitive activities and visitor accommodation	Operations lasting longer than 12 months or more than 20 blasts per year	5 mm/s for 95% blasts per year 10 mm/s maximum unless agreement is reached with the occupier that a higher limit may apply
Occupied noise sensitive activities and visitor accommodation	Operations lasting less than 12 months or less than 20 blasts per year	10 mm/s unless agreement is reached with the occupier that a higher limit may apply

Category	Type of blasting operations	Peak component particle velocity (mm/s)
Occupied non-sensitive <u>site</u> , such as factories and commercial premises	All blasting	25 mm/s unless agreement is reached with the occupier that a higher limit may apply

NAV-R19 Discretionary Activities

1. Unless specifically stated otherwise, any activity shall be a discretionary activity where it does not comply with all of the permitted noise and vibration provisions given in the previous sections NAV-R2 to NAV-R18. When assessing discretionary applications pursuant to these sections, the assessment shall include (but is not limited to):
 - a. The level of sound likely to be received
 - b. The existing ambient sound levels
 - c. The nature and frequency of the noise including the presence of any special audible characteristics
 - d. The effect on noise sensitive activities within the environment
 - e. The likely time when noise will be audible and the extent of the exceedance of the noise rule at that time
 - f. Whether the level and character of the noise is below recognised guidelines or standards for the preservation of amenity
 - g. The potential for cumulative effects to result in an adverse outcome for receivers of noise
 - h. The effects of noise on recreation or Conservation areas within the Natural Open Space Zone.
 - i. The value and nature of the noise generating activity and the benefit to the wider community having regard to the frequency of noise intrusion and the practicality of mitigating noise or using alternative sites.
 - j. Any proposed measures to avoid, remedy or mitigate noise received off-Site
 - k. The potential for any reverse sensitivity effects
 - l. The level of involvement of a Recognised Acoustician in the assessment of potential noise effects and/or mitigation options to reduce noise.
 - m. The ability of noise sensitive activities to unduly compromise the continuing operation or future development of other lawful activities
2. When assessing discretionary applications pursuant to section NAV-R9, the assessment shall include (but is not limited to):
 - a. Consideration of the proposed location of the noise sensitive activity in relation to airport activities;
 - b. Effects, or potential effects arising from the proximity of the airport, aircraft approach/takeoff paths, lead-in lighting, navigational aids; and the potential of buildings or structures to create glare, electromagnetic interference, smoke, mechanical turbulence or other adverse effects;
 - c. The effect, or potential effect of the noise sensitive activity on the operation of Whangārei Airport; particularly having regard to helicopter TLOF and hover points and the runway centreline alignments, requirements for aircraft on approach, and aircraft utilising navigational aids/lighting.
 - d. The effect, or potential effect of airport operations, in particular noise, and health/safety effects from low flying aircraft, on the noise sensitive activity, given low ground

clearances for aircraft on approach/ takeoff over this area, and high single event noise levels and average daily noise levels;

- e. The effect of topographical characteristics of the land in relation to shielding of airport noise;
- f. Relevant objectives and policies, as they relate to the protection of a regionally significant transportation resource;
- g. Any remedial measures to avoid, remedy or mitigate potential conflict with the safe and efficient operation of the airport;
- h. Whether there has been adequate and meaningful consultation with the Airport Authority with respect to the current or potential effects associated with the operation of the airport resource, whether any issues have been resolved and any mitigation measures that have been proposed.

NAV Appendix 1 - NAV-R6(4)(f) Alternative Construction Schedule for Road and Rail Noise Control Heading

Table 14: NAV-R6(4)(f) Alternative Construction Schedule for Road and Rail Noise Control

Minimum construction for noise control in addition to the requirements of the New Zealand Building Code			
Exterior Walls	Roof / Ceiling	Glazed Areas	Exterior Doors
Wall cavity infill of fibrous insulation, batts or similar (minimum density of 9 kg/m ³)	Ceiling cavity infill of fibrous insulation, batts or similar (minimum density of 7 kg/m ³)	Aluminium frames with full compression seals on opening panes	<p>Exterior door: within the state highway noise control boundary with a line-of-sight to any part of the state highway road surface; or within the railway corridor noise control boundary with a line-of-sight to any point 3.8m directly above the formed railway track.</p> <ul style="list-style-type: none"> Solid core exterior door, minimum surface mass 24 kg/m², with edge and threshold compression seals; or other doorset with minimum performance of Rw 30 dB
Cladding and internal wall lining complying with either Options A, B or C below.	Ceiling penetrations, such as for recessed lighting or ventilation, shall not allow additional noise break-in.	Glazed areas shall be less than 35% of each room's gross floor area	<p>Exterior door outside of the state highway noise control boundary and railway corridor noise control boundary, or with no line-of-sight to any part of the state highway road surface or to any point 3.8m directly above the formed railway track.</p> <ul style="list-style-type: none"> Exterior door with edge and threshold compression seals
<p>Option A:</p> <p>Light cladding: timber weatherboard or sheet materials with surface mass between 8 kg/m² and 30 kg/m² of wall cladding</p> <ul style="list-style-type: none"> Internal lining of minimum 17 kg/m² plasterboard, such as two layers of 10 mm 	Roof type and internal ceiling lining complying with either Options A, B or C below.	<p>Either:</p> <ul style="list-style-type: none"> double-glazing with: <ul style="list-style-type: none"> a laminated pane of glass at least 6 mm thick; a cavity between the two panes of glass at least 	

Minimum construction for noise control in addition to the requirements of the New Zealand Building Code			
thick high-density plasterboard, on resilient/isolating mountings		12 mm deep; and <ul style="list-style-type: none"> a second pane of glass at least 4 mm thick; Or any other glazing with a minimum performance of R_w 33 dB 	
Option B: Medium cladding: surface mass between 30 kg/m ² and 80 kg/m ² of wall cladding <ul style="list-style-type: none"> Internal lining of minimum 17 kg/m² plasterboard, such as two layers of 10 mm thick high-density plasterboard 	Option A: Skillion roof with light cladding: surface mass up to 20 kg/m ² of roof cladding <ul style="list-style-type: none"> Internal lining of minimum 25 kg/m² plasterboard, such as two layers of 13 mm thick high-density plasterboard 		
Option C: Heavy cladding: surface mass between 80 kg/m ² and 220 kg/m ² of wall cladding <ul style="list-style-type: none"> No requirements additional to New Zealand Building Code 	Option B: Pitched roof with light cladding: surface mass up to 20 kg/m ² of roof cladding. <ul style="list-style-type: none"> Internal lining of minimum 17 kg/m² plasterboard, such as two layers of 10 mm thick high-density plasterboard 		
	Option C: Roof with heavy cladding: surface mass between 20 kg/m ² and 60 kg/m ² of roof cladding <ul style="list-style-type: none"> No requirements additional to New Zealand Building Code 		

Signs (SIGN)

Issues

Signs play an important role in communication and may be used to identify places, provide information about community facilities and services, convey important health and safety messages, and control and direct traffic. Signs also enable businesses to advertise goods and services which is important in supporting the social and economic wellbeing of the District.

The importance of the role of signs needs to be balanced against the impact that excessive, poorly designed or inappropriately located signs can have, particularly on the safety of the transport network and the amenity values of an area.

It is appropriate that some signs be allowed in order to support the communication of important information and enable the identification of facilities, directions and goods and services. However, controls on the design, number, size and location of signage are also required in order to ensure that the amenity values of the various zones within the District are maintained and so that signs do not compromise the safe and efficient operation of the transport network and/or the legibility of certain areas.

Illumination of signage is increasingly used within the Whangarei District and may be associated with businesses advertising or the conveyance of safety information (including traffic safety).

Illuminated signage is generally considered an effective method of conveying information due to its predominance against a dark background. However careful consideration needs to be applied to the design and location of illuminated signage. This is because poorly designed and located illuminated signage can have a detrimental impact on the surrounding environment including amenity and the safe and efficient operation of the transport network. For clarity purposes, the definition of Illuminated Sign includes reflective signs, digital signs, and signs that incorporate flashing, animation and variable message displays.

The District Plan controls apply to permanent signage where it is located on private land, public spaces such as parks and reserves and other civic spaces, and within the road, including footpaths and verandahs of buildings. Temporary signage which can be seen from public areas and the road, such as electoral signage, real estate signage and temporary event signage, is controlled through Council Bylaws. It is important to note that permanent signs located on or over roads, footpaths and public places are also subject to standard construction requirements for public safety purposes as specified in the Council Bylaw. Signs may also be subject to landowner approval and requirements imposed by the road controlling authority under the Land Transport Act 1998. All signs located on or over a state highway are subject to the NZ Transport Agency Signs on State Highways Bylaw 2010.

Objectives

SIGN-O1 Provision for Signs

Signage is provided for across a range of zones where:

1. It maintains, or where appropriate enhances, the character and amenity of the surrounding zone.
2. It does not adversely impact heritage values, the transport network, pedestrian and cyclist safety, or impede the efficient use of infrastructure.
3. It is provided in a manner which is efficient, legible and functional.

SIGN-O2 Illuminated Sign

Illuminated sign is provided for where it contributes to the social, cultural and economic wellbeing of the District in a manner which:

1. Maintains or enhances the amenity and character of the surrounding environment.
2. Avoids or mitigates adverse effects on the safe and efficient operation of the transport network, heritage values, amenity, and the health and safety of people.

Policies

SIGN-P1 Scale and Intensity

To provide for signage across a range of zones at a scale and intensity which ensures that the signage maintains the character and amenity of these zones and traffic safety within these zones by:

1. Requiring signage to relate to the goods or services available on-site.
2. Limiting the size, location, and design of signage.
3. Requiring the consideration of cumulative effects of signage, taking into account whether the signage in conjunction with existing signs will create visual clutter or other adverse cumulative effects on amenity values or traffic safety.

SIGN-P2 Built Heritage

To avoid adverse effects of signage on scheduled built heritage items or within their surroundings by:

1. Restricting unnecessary, unsympathetic, large-scale or inappropriate signage.
2. Avoiding signs that will damage, dominate, obscure or detract from the built heritage item or surrounds.

SIGN-P3 Health and Safety Signs

To provide for signage required to protect the health and safety of the community and enable navigation.

SIGN-P4 Traffic Safety Signs

To manage signs visible from roads, including the state highway, to maintain traffic safety by:

1. Providing for road signs associated with road safety where they are designed and erected by the relevant authorities for the purpose of traffic control or public safety.
2. Controlling the location, size and design of signage visible from roads.

SIGN-P5 Community Signs

To provide for permanent community signage where:

1. It clearly displays the location of public facilities, place-names and their distances, destinations of historical, cultural, spiritual, sporting, or scenic significance.
2. It does not result in significant adverse effects, including cumulative effects, on the character and amenity of the zone in which it is located.

SIGN-P6 Shared Location and Consolidated Signage

To encourage the shared location of signage, such as community, directional and commercial signage, where it is located beyond the site or activity to which it relates.

SIGN-P7 Illuminated Signage (Amenity and Character)

To require illuminated signage to maintain the amenity and character of the zone and Resource Areas in which it is located by controlling:

1. The use of illuminated signage in zones where amenity values are higher and the background lighting levels are generally lower.
2. The design, location and brightness of illuminated signage in the City Centre, Mixed Use, Commercial, Shopping Centre, Light Industrial, Heavy Industrial, Local Centre, Sport and Active Recreation, Port, Town Centre, Strategic Rural Industries and Hospital Zones.

SIGN-P8 Illuminated Signage (Traffic Safety)

To require illuminated signage to be located and designed to minimise the potential for adverse effects on traffic safety.

Rules

SIGN-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rules of the District Plan.

Notes:

1. All temporary signs located on vehicles, within the legal road boundary, on road verges, road reserves, or on private land where they are visible from an adjoining or adjacent property and roads, are regulated by Council Bylaws and the New Zealand Transport Agency (in relation to state highways).
2. Signage content (such as offensive messages), whether temporary or permanent, located on vehicles within the legal road boundary, on road verges, road reserves, or on private land where they are visible from an adjoining or adjacent property(s) and roads are regulated by Council Bylaws, the New Zealand Transport Agency (in relation to state highways) and may also be subject to the provisions of SIGN.

SIGN-R2 Any Official Sign

Activity Status: Permitted

Where:

1. If illuminated, the sign satisfies the Illuminated Signage Brightness Limits specified in Rule SIGN-R19.2(d) – (e).

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The effects of the illuminated sign, specifically light spill and glare, on the amenity values and character of the surrounding zone(s).
2. Scale, location, and hours of operation/duration of illumination.
3. The effects of illumination/animation on traffic safety and the efficient and safe function of the roading network.
4. Cumulative effects.

SIGN-R3 Any Road Sign

Activity Status: Permitted

Where:

1. Signs:
 - a. Are erected by a road controlling authority or their authorised representative.
 - b. Are for the purpose of traffic control, direction or public safety.
 - c. Are located within the legal road reserve.
 - d. Comply with the AS/NZS 1158 series of standards.
 - e. That are illuminated satisfy the Illuminated Signage Brightness Limits specified in Rule SIGN-R19.2(d) – (e).

Note:

1. *Signage erected in the road reserve and areas subject to the control of the roading authority may also be subject to requirements imposed by the road controlling authority under the Land Transport Act 1998.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity effects.
2. Scale, location and design.
3. Lighting and traffic safety effects.
4. Effects on landscape values and natural character.
5. Effects on cultural and heritage values.
6. Cumulative effects.
7. Duration of consent.
8. The effects of the illuminated sign, specifically light spill and glare, on the amenity values and character of the surrounding zone(s).

SIGN-R4 Any Community Sign

Activity Status: Permitted

Where:

1. The sign complies with the permitted standards of SIGN-R5 for signs visible beyond the site.
2. Any illuminated sign satisfies the Illuminated Signage Brightness Limits specified in Rule SIGN-R19.2(d) – (e).
3. The sign relates to the display of information for non-profit community associations/groups.
4. The sign is located within the road or any public place, the following controls are met:
 - a. No more than one community sign is permitted per site frontage to the road.
 - ~~b. The total display area shall comply with the permitted activity sign rules for the underlying zone.~~
 - c.b. The sign is not within a vehicular carriageway, shared path, cycleway or footpath.
 - d.c. Where located within a state highway reserve area, the speed limit is less than 70km/hour.

Note:

1. *Signs located on or over roads, footpaths and public places are also subject to standard construction requirements for public safety purposes as specified in the Council Bylaw.*

Signs may also be subject to landowner approval and subject to requirements imposed by the road controlling authority under the Land Transport Act 1998.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity effects.
2. Scale, location and design.
3. Lighting and traffic safety effects.
4. Effects on landscape values and natural character.
5. Effects on cultural and heritage values.
6. Cumulative effects.
7. Duration of consent.
8. The effects of the illuminated sign, specifically light spill and glare, on the amenity values and character of the surrounding zone(s).

SIGN-R5 Any Sign Visible from Beyond the Site on which it is Located

All Zones and Port Nikau Development Area

Activity Status: Permitted

Where:

1. The sign:
 - a. Does not obscure any official sign, traffic sign or traffic signal.
 - b. Is located so as to provide an unrestricted view to the motorist for a minimum distance of 250m if the sign is visible from a road which has a speed limit of 70kph or greater.
 - c. Relates to goods and services available on the site, except for a property naming sign or number, official signs, road signs and community signs.
 - d. Complies with the relevant building and major structure height in relation to boundary setback when located on a site adjacent to a Residential Zone or Open Space and Recreation Zone.
 - e. Does not resemble any official sign, road sign or Traffic Signal.
 - f. Is not located:
 - i. Within 100m of an intersection and/or a traffic signal on legal road corridors with a posted speed limit of less than 70kph.
 - ii. Within 200m of an intersection and/or a traffic signal on legal road corridors with a posted speed limit of greater than 70kph.

Rule Exemption:

1. SIGN-R5.1(d) does not apply where the sign is located within the Open Space and/or Sport and Active Recreation Zone and the adjoining zone is also an Open Space and/or Sport and Active Recreation Zone.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity including:
 - a. Within the zone it is located.
 - b. On adjacent or adjoining zones.

- c. On public spaces.
2. Scale, location and design.
3. Lighting and traffic safety.
4. Impacts on landscape values and natural character.
5. Impacts on cultural and heritage values.
6. Cumulative **effects**.
7. Duration of consent.

SIGN-R6 Any Sign in Residential, Neighbourhood Centre, Town Centre Zone, Settlement Zone Residential and Future Urban Zones and Port Nikau Development Area – Residential Areas A - C

Activity Status: Permitted

Where:

1. There is no more than one **sign** per **site**.
2. The **height** of the **sign** does not exceed 2m (applicable to **freestanding signs** and to **signs** affixed to a **structure** or **building**).
3. The area of the **sign** does not exceed 1m².

Rule Exemption:

1. **Official signs, road signs and community signs** are only required to comply with **SIGN-R2 - R5**.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity and character **effects** including:
 - a. Within the zone it is located.
 - b. On adjacent or adjoining zones.
 - c. On public spaces.
2. Scale, location and design.
3. Lighting and traffic safety **effects**.
4. **Effects** on landscape values and natural character.
5. **Effects** on cultural and heritage values.
6. Cumulative **effects**.
7. Duration of consent.

SIGN-R7 Any Sign in Rural Production and Rural Living Zones

Activity Status: Permitted

Where:

1. There is no more than one **sign** per **site**.
2. The **height** of the **sign** does not exceed 3m (applicable to **freestanding signs** and to **signs** affixed to a **structure** or **building**).
3. The area of the **sign** does not exceed 3m².

Rule Exemption:

1. **Official signs, road signs and community signs** are only required to comply with **SIGN-R2 – R5**.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity and character effects including:
 - a. Within the zone it is located.
 - b. On adjacent or adjoining zones.
 - c. On public spaces.
2. Scale, location and design.
3. Lighting and traffic safety effects.
4. Effects on landscape values and natural character.
5. Effects on cultural and heritage values.
6. Cumulative effects.
7. Duration of consent.

SIGN-R8 Any Sign within Open Space and Natural Open Space Zones

Activity Status: Permitted

Where:

1. There are no more than three signs per site.
2. The height of any sign does not exceed 3m (applicable to freestanding signs and to signs affixed to a structure or building).
3. The area of any sign does not exceed 3m². OR where:
4. Any sign is in accordance with an approved Reserve Management Plan authorised under the Reserves Act 1977.

Rule Exemption:

1. Official signs, road signs and community signs are only required to comply with SIGN-R2 – R5.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity and character effects including:
 - a. Within the zone it is located.
 - b. On adjacent or adjoining zones.
 - c. On public spaces.
2. Scale, location and design.
3. Lighting and traffic safety effects.
4. Effects on landscape values and natural character.
5. Effects on cultural and heritage values.
6. Cumulative effects.
7. Duration of consent.

SIGN-R9 Any Sign in the Waterfront Zone and Settlement Zone

Activity Status: Permitted

Where:

1. There are no more than three signs per site.

2. The height of any sign does not exceed 3m (applicable to freestanding signs and signs affixed to a structure or building).
3. Any individual sign is no larger than 1m² and the total area of all signs is no greater than 3m².

Rule Exemption:

1. Official signs, road signs and community signs are only required to comply with SIGN-R2 – R5.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity and character effects including:
 - a. Within the zone it is located.
 - b. On adjacent or adjoining zones.
 - c. On public spaces.
2. Scale, location and design.
3. Lighting and traffic safety effects.
4. Effects on landscape values and natural character.
5. Effects on cultural and heritage values.
6. Cumulative effects.
7. Duration of consent.

SIGN-R10 Any Sign in the Airport Zone

Activity Status: Permitted

Where:

1. There are no more than two signs per site.
2. The height of any freestanding sign does not exceed 2m above ground level.
3. The height of any sign affixed to a structure or building does not exceed the height of the structure or building to which the sign is affixed.
4. On a site with a frontage less than 25m, the area of the signage does not exceed 2.5m².
5. On a site with a frontage greater than 25m, the area of the signage does not exceed 0.1m² per metre of frontage to a maximum of 6m².

Rule Exemption:

1. Official signs, road signs and community signs are only required to comply with SIGN-R2 – R5.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity and character effects including:
 - a. Within the zone it is located.
 - b. On adjacent or adjoining zones.
 - c. On public spaces.
2. Scale, location and design.
3. Lighting and traffic safety effects.
4. Effects on landscape values and natural character.
5. Effects on cultural and heritage values.

6. Cumulative effects.
7. Duration of consent.

SIGN-R11 Any Sign within the Ruakaka Equine Zone

Activity Status: Permitted

Where:

1. Signs visible from beyond the zone only relate to the goods and services available within the Ruakaka Equine Zone, equine related activities, or information related to the management of the Ruakaka Equine Zone.

Rule Exemption:

1. Official signs, road signs and community signs are only required to comply with SIGN-R2 – R5.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity and character effects including:
 - a. Within the zone it is located.
 - b. On adjacent or adjoining zones.
 - c. On public spaces.
2. Scale, location and design.
3. Lighting and traffic safety effects.
4. Effects on landscape values and natural character.
5. Effects on cultural and heritage values.
6. Cumulative effects.
7. Duration of consent.

SIGN-R12 Any Sign within the City Centre, Sport and Active Recreation, Settlement Zone Industry, Mixed Use, and Local Centre Zones and Port Nikau Development Area – Local Commercial Area D

Activity Status: Permitted

Where:

1. There are no more than five signs per site (excluding directional signs). Any sign standards specified below contribute to the five-sign maximum.
2. No more than one freestanding sign is shared by establishments on a rear site sharing an accessway.
3. No more than one freestanding sign is permitted per road frontage where a single establishment occupies a site. If a site has two frontages the signs shall have a separation distance of 25m.
4. The height of any freestanding sign does not exceed 8.5m above ground level, except within the City Centre Zone where the height does not exceed 4m above ground level.
5. On a site with a frontage of less than 25m, the total signage area does not exceed 3m².
6. On a site with a frontage greater than 25m:
 - a. The total signage area does not exceed 0.12m² per metre of frontage up to a maximum area of 6m².
 - b. No sign has an area greater than 3m².

7. The height of any sign affixed to a building or structure does not exceed the height of the building or structure.
8. Directional signs with signage content for directional purposes only shall not exceed 1m² in area and 1.5m in height and do not contribute to the five-sign maximum.

Rule Exemption:

1. Official signs, road signs and community signs are only required to comply with SIGN-R2 – R5.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity and character effects including:
 - a. Within the zone it is located.
 - b. On adjacent or adjoining zones.
 - c. On public spaces.
2. Scale, location and design.
3. Lighting and traffic safety effects.
4. Effects on landscape values and natural character.
5. Effects on cultural and heritage values.
6. Cumulative effects.
7. Duration of consent.

SIGN-R13 Any Sign within the Commercial, Shopping Centre, Light Industrial Zones

Activity Status: Permitted

Where:

1. There are no more than five signs per site (excluding directional signs). Any sign standards specified below contribute to the five-sign maximum.
2. No more than one freestanding sign is shared by establishments on a rear site sharing an accessway.
3. No more than one freestanding sign is permitted per road frontage where a single establishment occupies a site. If a site has two frontages the signs shall have a minimum separation distance of 25m.
4. The height of any freestanding sign does not exceed 8.5m above ground level.
5. On a site with a frontage of less than 25m, the total signage area does not exceed 6m².
6. On a site with a frontage greater than 25m:
 - a. The total signage area does not exceed 0.24m² per metre of frontage up to a maximum area of 12m².
 - b. No sign has an area greater than 6m².
7. The height of any sign affixed to a building or structure does not exceed the height of the building or structure.
8. Directional signs with signage content for directional purposes only shall not exceed 1m² in area and 1.5m in height and do not contribute to the five-sign maximum.

Rule Exemption:

1. Official signs, road signs and community signs are only required to comply with SIGN-R2 – R5.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity and character effects including:
 - a. Within the zone it is located.
 - b. On adjacent or adjoining zones.
 - c. On public spaces.
2. Scale, location and design.
3. Lighting and traffic safety effects.
4. Effects on landscape values and natural character.
5. Effects on cultural and heritage values.
6. Cumulative effects.
7. Duration of consent.

SIGN-R14 Any Sign within the Heavy Industrial, Port and Strategic Rural Industries Zones

Activity Status: Permitted

Where:

1. The height of any sign affixed to a building or structure does not exceed the height of the building or structure to which the sign is affixed.
2. The height of any freestanding sign does not exceed 9m above ground level.

Rule Exemption:

1. Official signs, road signs and community signs are only required to comply with SIGN-R2 – R5.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity and character effects including:
 - a. Within the zone it is located.
 - b. On adjacent or adjoining zones.
 - c. On public spaces.
2. Scale, location and design.
3. Lighting and traffic safety effects.
4. Effects on landscape values and natural character.
5. Effects on cultural and heritage values.
6. Cumulative effects.
7. Duration of consent.

SIGN-R15 Any Sign within the Hospital Zone

Activity Status: Permitted

Where:

1. Signs visible from beyond the zone only relate to the goods and services available within the Hospital Zone, or information related to the management of the Hospital Zone.

Rule Exemption:

1. Official signs, road signs and community signs are only required to comply with SIGN-R2 – R5.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity and character effects including:
 - a. Within the zone it is located.
 - b. On adjacent or adjoining zones.
 - c. On public spaces.
2. Scale, location and design.
3. Lighting and traffic safety effects.
4. Effects on landscape values and natural character.
5. Effects on cultural and heritage values.
6. Cumulative effects.
7. Duration of consent.

SIGN-R16 Any Sign on a Verandah

Activity Status: Permitted

Where:

1. The signs comply with the permitted sign rules for the relevant zone.
2. No more than one sign is located on the verandah fascia.
3. No more than one sign is attached beneath the verandah.
4. No sign is located on top of the verandah.
5. Any signs located on or attached to or beneath the verandah:
 - a. Do not exceed a combined total area of 2.5m².
 - b. Are located at least 2.4m above the footpath.
 - c. Are setback 600mm horizontally from a vertical line taken from the road kerb, except for signs located on the verandah fascia.
 - d. Are no more than 900mm in depth.
 - e. Protrude no more than 200mm from the fascia.
 - f. Where the sign is located under the verandah, is at right angles to the fascia.

Rule Exemption:

1. Official signs, road signs and community signs are only required to comply with SIGN-R2 – R5.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion are restricted to:

1. Visual amenity and character effects including:
 - a. Within the zone it is located.
 - b. On adjacent or adjoining zones.
 - c. On public spaces.
2. Scale, location and design.
3. Lighting and traffic safety effects.

4. Effects on landscape values and natural character.
5. Effects on cultural and heritage values.
6. Cumulative effects.
7. Duration of consent.

SIGN-R17 Any Sign on a Scheduled Built Heritage Item or with the Site Surrounds

Activity Status: Permitted

Where:

1. The sign:
 - a. Only provides information directly related to the item's heritage value.
 - b. Will not damage the built heritage item or the site surrounds.
 - c. Does not contain illuminated, flashing or moving elements.
2. Total signage does not exceed an area of 0.25m² in Residential Zones.
3. Total signage does not exceed an area of 2.5m² in Business Zones.
4. Total signage does not exceed an area of 1.5m² in all other zones.

Note:

1. Site surrounds is defined in the Definitions Chapter.

Activity Status when compliance not achieved: Discretionary

SIGN-R18 Any Illuminated Sign Not Visible from Beyond the Site Boundary

Activity Status: Permitted

SIGN-R19 Any Illuminated Sign Visible from Beyond the Site Boundary

Activity Status: Restricted Discretionary

Where:

1. The illuminated sign is located within the following zones and Port Nikau Development Area:
 - a. City Centre Zone
 - b. Mixed Use Zone
 - c. Commercial Zone
 - d. Shopping Centre Zone
 - e. Local Centre Zone
 - f. Light Industrial Zone
 - g. Heavy Industrial Zone
 - h. Sport and Active Recreation Zone
 - i. Port Zone
 - j. Marsden City Precinct
 - k. Strategic Rural Industries Zone
 - l. Hospital Zone
2. The illuminated sign:
 - a. Complies with the signage controls for the zone in which the sign is located and the requirements of SIGN-R5.
 - b. Is not animated, moving or flashing and does not contain any moving image or wording.
 - c. Is not located within 20m of any road intersection.

- d. Complies with the Illuminated Signage Brightness Limits in the SIGN Table 1 below.
- e. The maximum brightness levels have been measured by calculation or certified by a suitably qualified and experienced professional (e.g. Chartered Professional Engineer or Independently Qualified Person).
- f. Complies with a 0.5 second transition time between images.
- g. Has a minimum dwell time of 8 seconds per image.

SIGN Table 1: Illuminated Signage Brightness Limits

Low light environment	Medium light environment	High light environment
Future Urban, Rural Lifestyle, Rural Production, Ruakaka Equine, Natural Open Space, Low Density Residential, Large Lot <u>Residential Zones</u> , Port Nikau Development Area – Residential Areas A - C	Settlement Zone Centre, <u>Strategic Rural Industries</u> , Local Centre, Neighbourhood Centre, General Residential, Medium Density Residential, Open Space Zones, Port Nikau Development Area – Local Commercial Area D	Settlement Zone Industry, City Centre, <u>Mixed Use</u> , Waterfront, Commercial, Shopping Centre, Light Industrial, Marsden City Precinct, Heavy Industrial, Sport and Active Recreation, Port, Airport and <u>Hospital</u> Zones
150 Maximum candelas per m ² (cd/ m ²) during the <u>hours of darkness</u>	300 Maximum candelas per m ² (cd/ m ²) during the <u>hours of darkness</u>	350 Maximum candelas per m ² (cd/ m ²) during the <u>hours of darkness</u>

Matters of discretion:

1. The effects of the illuminated sign, specifically light spill and glare, on the amenity values and character of the surrounding zone(s).
2. Scale, location, and hours of operation/duration of illumination.
3. The effects of illumination/animation on traffic safety and the efficient and safe function of the roading network.
4. Cumulative effects.

Notes:

1. All official signs, road signs, community signs or signs not visible from beyond the site boundary refer to rule SIGN-R2 – R4 and SIGN-R18 above.
2. During daylight hours, an exterior digital sign may have a significantly higher luminance to stand-out from a higher (daylight) background luminance, provided these signs are programmed to reduce their luminance down to a much lower level during the night hours.

Activity Status when compliance not achieved: Discretionary

SIGN-R20 Any Illuminated Sign Visible from Beyond the Site Boundary

Activity Status: Discretionary

Where:

1. The sign is located within the following zones and Port Nikau Development Area:
 - a. Residential Zones
 - b. Neighbourhood Centre Zone

- c. Open Space Zone
- d. Natural Open Space Zone
- e. Waterfront Zone
- f. Town Centre Zone
- g. Airport Zone
- h. Ruakaka Equine Zone
- i. Rural Production Zone
- j. Rural Lifestyle Zone
- k. Settlement Zone Residential
- l. Future Urban Zone
- m. Settlement Zone Industry
- n. Settlement Zone Centre

Note:

1. All official signs, road signs, community signs or signs not visible from beyond the site boundary refer to rule SIGN-R2 – R4 and SIGN-R18 above.

SIGN-R21 Consolidated Sign Installations

Activity Status: Restricted Discretionary

Matters of discretion are restricted to:

1. The effects of the consolidated signage installation, specifically on the amenity values and character of the surrounding zone(s).
2. Scale, location and content of consolidated signage installations.
3. The effects of consolidated signage installations on traffic safety and the efficient and safe function of the roading network.
4. Cumulative effects.

Note:

1. Signs proposed to be displayed within legally established sign parks may require the approval of Council and may also require payment of a fee in accordance with Council's current Fees and Charges schedule.

Genetically Modified Organisms (GMO)

Issues

The purpose of this chapter is to manage the outdoor use of Genetically Modified Organisms (GMOs). The outdoor use of Genetically Modified Organisms can have adverse effects on people, communities, tangata whenua, social and cultural wellbeing, the environment and the economy.

Sources of risk from the outdoor use of Genetically Modified Organisms include:

- Socio-cultural risk - concerns of Māori, such as mauri, whakapapa, tikanga, including the integrity of nature, the mixing of genes from unrelated species, and effects on indigenous flora and fauna.
- Environmental risk - including adverse effects on non-target species (e.g. birds and insects), Genetically Modified (GM) plants becoming invasive and disrupting ecosystems, and altered genes transferring to other organisms.
- Economic risk - the risk that cultivation of Genetically Modified crops will cause economic damage, in particular through accidental or unintentional migrations of Genetically Modified Organisms resulting in Genetically Modified contamination appearing in non-Genetically Modified crops and associated market rejection and loss of income, negative effects on marketing and branding opportunities, and costs associated with environmental damage.

There is a lack of information, including scientific uncertainty, concerning the effects of Genetically Modified Organisms in the environment and risks of irreversible, adverse effects which could be substantial. In order to manage the effects of outdoor use, storage, cultivation, harvesting, processing or transportation of Genetically Modified Organisms, an adaptive precautionary approach to risk management is adopted for the Whangarei District.

The application of a precautionary approach shall mean that the Release of a Genetically Modified Organism is prohibited and that Field Trials of a Genetically Modified Organism (where the proponents of such activities have prior approval from the Environmental Protection Authority (EPA)) shall be a discretionary activity so as to avoid the risks of potential adverse effects. Some activities, such as research within contained facilities, some veterinary vaccines and certain medical applications are permitted activities. The classification is based upon a hierarchy of risks, from negligible for permitted activities to high risk for prohibited activities. Discretionary activities (Field Trials) are subject to development and performance standards, including a requisite for bonds to cover possible environmental or economic damage and monitoring requirements.

The application of an adaptive risk management approach is to avoid foreclosure of potential opportunities associated with a Genetically Modified Organism development that could benefit the district. There is the ability to review a particular Genetically Modified Organism activity if it were to become evident during the field trial stage, or in light of other new information, that the particular Genetically Modified Organism activity would be of net benefit to the district and that potential risks can be managed to the satisfaction of Council. Council or a Genetically Modified Organism developer can initiate a plan change to change the status of an activity.

It is anticipated that the objectives, policies, eligibility rules and general development and performance standards in this chapter will achieve the following results:

1. Adoption of a precautionary approach to manage potential risks (social, cultural, environmental and economic) associated with the outdoor use of Genetically Modified Organisms.
2. Ensuring users of Genetically Modified Organisms are financially accountable in the long-term through bonding and financial fitness provisions for the full costs associated with the

- Genetically Modified Organism activity. This includes accidental or unintentional contamination, clean-up, monitoring and remediation.
3. Protection of local/regional marketing advantages through reducing risks of adverse effects associated with market rejection and loss of income from Genetically Modified contamination of non-Genetically Modified crops, and negative effects on marketing, branding and tourism opportunities.
 4. Addressing cultural concerns of Māori, particularly given that Māori make up a considerably greater proportion of the population in Northland than is represented nationally.

Objectives

GMO-O1 Potential Adverse Effects

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

GMO-O2 Sustainable Management

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

Policies

GMO-P1 Precautionary Principle

To adopt a precautionary approach by prohibiting Release of a Genetically Modified Organism, and by making Field Trials of a Genetically Modified Organism and the use of viable Genetically Modified veterinarian vaccines not supervised by a veterinarian a discretionary activity.

GMO-P2 Financial Accountability

To ensure that a resource consent granted for the Field Trials of a Genetically Modified Organism is subject to conditions that ensures that 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.

GMO-P3 Risk Avoidance

To ensure that a resource consent granted for the Field Trials of a Genetically Modified Organism 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 Genetically Modified Organism.

GMO-P4 Monitoring Costs

To ensure that a resource consent granted for the Field Trials of a Genetically Modified Organism is subject to a condition requiring that monitoring costs are met by the consent holder.

GMO-P5 Liability

To require consent holders for a Genetically Modified Organism 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.

GMO-P6 Adaptive Approach

To adopt an adaptive approach to the management of the outdoor use, storage, cultivation, harvesting, processing or transportation of a Genetically Modified Organism in the district through periodic reviews of these plan provisions, particularly if new information on the benefits and/or adverse effects of a Genetically Modified Organism activity becomes available.

Rules

GMO-R1 Permitted Activities

Where:

1. Research within contained laboratories involving Genetically Modified Organisms.
2. Medical applications involving the manufacture and use of non-viable Genetically Modified products.
3. The use of non-viable genetically modified veterinary vaccines and viable genetically modified veterinary vaccines with a specific delivery dose supervised by a veterinarian.
4. Other Genetically Modified Organism activities not requiring consent as a discretionary activity or listed as a prohibited activity are permitted activities.

Note:

1. *Permitted activities may require consents and/or permits under other legislation/plans.*

GMO-R2 Discretionary Activities

Where:

1. The use of viable genetically modified veterinary vaccines not supervised by a veterinarian.
2. Field Trials of Genetically Modified Organisms (where the proponents of such activities have prior approval of the Environmental Protection Authority)

Notification:

1. *All applications for resource consent under GMO-R2 must be publicly notified.*

Note:

1. *Refer to information requirement rule GMO-REQ1.*

GMO-R3 Prohibited Activities

1. Food-related and non-food-related Genetically Modified Organism Releases.

GMO-R4 General Development and Performance Standards

1. Without limiting the discretion reserved to Council on any application for consent, discretionary activities are to comply with the following minimum controls in order to establish in the district. The general development and performance standards are in addition to any controls/conditions that are imposed and monitored by the Environmental Protection Authority under the Hazardous Substances and New Organisms (HSNO) Act.
 - a. Bond: Council requires the applicant for the resource consent to provide a performance bond, with an approved trading bank guarantee, in respect of the performance of any one or more conditions of the consent, including conditions relating to monitoring required of the Genetically Modified Organism activity (prior to, during and after the

activity). This bond is to be available for payment to redress any adverse environmental effects and any other adverse effects to third parties (including economic effects) that become apparent during or after the expiry of the consent. The form of, time and manner of implementing and discharging the bond shall be decided by, and be executed to the satisfaction of Council.

- b. Monitoring Costs: All costs associated with monitoring required for discretionary activities will be borne by the consent holder. This includes any monitoring that is required to be undertaken beyond the consent duration, as required by a resource consent condition.
- c. Assessment of Applications and Conditions: Where necessary, more stringent measures than those required under the provisions of the Hazardous Substances and New Organisms Act may be imposed to manage potential risks. A review clause (pursuant to Section 128 Resource Management Act) may be included in the conditions, where deemed necessary, to address any future changes in technology, and the scope of environmental, economic and cultural effects. An application for a discretionary activity may be granted with or without conditions, or be declined by the Council having regard to the relevance of the following matters:
- d. Site Design, Construction and Management: Site design conditions should ensure Genetically Modified Organism sites are designed and managed in a manner that avoids or minimises risks of adverse effects from activities carried out on the site. This shall include provisions to prevent the migration of Genetically Modified Organisms beyond the area designated for the activity.
- e. Transport: Ensure the transportation of Genetically Modified Organisms is carried out in a manner that minimises the risk of adverse effects by preventing the escape of Genetically Modified Organisms from the transporting vehicles. Appropriate procedures must be in place to ensure that any vehicle visiting the site is thoroughly cleaned and checked prior to leaving the site to avoid unintentional Genetically Modified Organism distribution.
- f. Monitoring: A Genetically Modified Organism discretionary activity may require monitoring during, and beyond the duration of consent. Monitoring is to be carried out by either the Council or consent holder with appropriate reporting procedures to the relevant regulatory authority.
- g. Reporting: Reporting requirements by the consent holder will be stipulated in the consent conditions.

GMO-R5 Particular Matters

1. Matters that will be considered when determining the amount of bond required are:
 - a. What adverse effects could occur and the potential significance, scale and nature of those effects, notwithstanding any measures taken to avoid those effects.
 - b. The degree to which the operator of the activity has sought to avoid those adverse effects, and the certainty associated with whether the measures taken will avoid those effects.
 - c. The level of risk associated with any unexpected adverse effects from the activity.
 - d. The likely scale of costs associated with remediating any adverse effects that may occur.
 - e. The timescale over which effects are likely to occur or arise.
 - f. The extent of monitoring that may be required in order to establish whether an adverse effect has occurred or whether any adverse effect has been appropriately remedied.

2. A monitoring strategy for a Genetically Modified Organism discretionary activity can include the following matters:
 - a. Inspection schedules for the site, storage areas and equipment (daily, weekly, monthly, events based).
 - b. Testing of procedures (e.g. accidental release response).
 - c. Training programmes for new staff, updates for existing staff.
 - d. Audits of sites and site management systems.
 - e. Sample testing of plants, soils and water in neighbouring properties or localities for the presence of migrated Genetically Modified Organisms.

Information Requirement Rules

GMO-REQ1 Information Requirement

1. Applications for Genetically Modified Organism Field Trials are to provide:
 - a. Evidence of approval from the Environmental Protection Agency for the specific Genetically Modified Organism for which consent is sought. The duration of any consent granted will be aligned with Environmental Protection Authority approval terms.
 - b. Details of proposed containment measures for the commencement, duration and completion of the proposed activity.
 - c. Details of the species, its characteristics and lifecycle, to which the Genetically Modified Organism activities will relate.
 - d. Research on adverse effects to the environment, cultural values and economy associated with the activity should Genetically Modified Organisms escape from the activity area, and measures that will be taken to avoid, remedy or mitigate such effects.
 - e. Evidence of research undertaken that characterises and tests the Genetically Modified Organism, and the certainty associated with the accuracy of that information.
 - f. A management plan outlining on-going research and how monitoring will be undertaken during, and potentially beyond, the duration of consent.
 - g. Details of areas in which the activity is to be confined.
 - h. Description of contingency and risk management plans and measures.

Large Lot Residential Zone (LLRZ)

Issues

The Large Lot Residential Zone (LLRZ) provides for people who wish to live in close proximity to Whangārei City and associated amenities, but prefer to live in areas that have a rural outlook, ambiance and amenity on a section large enough to achieve a high degree of privacy without being a maintenance burden. The Large Lot Residential Zone is a residential zone with a rural outlook. Infrastructure and network utility operations are located within, and in proximity to this zone.

The Large Lot Residential Zone is situated on the fringes between Whangārei City Urban Zones and Rural Production Zone, where there has traditionally been a demand for this type of lifestyle. In addition to providing a rural outlook for the residential enclaves, the uninhabited areas are being preserved for their recreational or conservation potential. Some of these areas contain highly versatile soils, so the protection of these areas for their food producing potential by avoiding fragmentation and over capitalisation of the land is also expected.

The clustered large lot residential enclave development pattern that is envisaged in the Large Lot Residential Zone constitutes the 'final form' of development for these areas. There is no intention that this will be a transition to a 'Future Urban Zone'. Accordingly, notwithstanding the proximity of any strictly 'urban' services (such as reticulated wastewater and water supply), Council will resist service expansion on the basis that it would constitute unplanned expansion of services beyond their predetermined limits.

Objectives

LLRZ-01 Living Opportunities

Provide opportunities for people to live in close proximity to Whangārei City and associated amenities, in a manner that safeguards rural character and ecological and productive values.

LLRZ-02 Character and Amenity

Preserve rural character and amenity whilst enabling large lot residential development.

LLRZ-03 Clusters

Maximise the extent of privacy, openness and rural outlook between residential clusters.

LLRZ-04 Reverse Sensitivity

Manage reverse sensitivity where the uninhabited spaces around clusters are, or can be, used for productive agricultural or horticultural activities.

LLRZ-05 Non-Residential Activities

Small scale non-residential activities are provided for where their effects are compatible with a Large Lot Residential Zone.

LLRZ-06 Site Allotment Size

Residential site allotment sizes are no larger than necessary to provide sufficient area for dwellings, accessory buildings and curtilage.

Policies

LLRZ-P1 Rural Character and Amenity

To preserve rural character and amenity whilst enabling large lot residential development in a transitional zone and maintaining factors that contribute to rural character including:

1. Dominance of natural landforms with built features and roading subservient to and cohesive with these.
2. A sense of spaciousness.
3. Low night time light levels.
4. Dominance of natural features including landforms, watercourses, and vegetation.

LLRZ-P2 Earthworks

To manage the effects of soil disturbance, dust, and sediment runoff by limiting the maximum area of exposed earthworks.

LLRZ-P3 Reverse Sensitivity

To manage reverse sensitivity effects by preventing sensitive activities from being located in close proximity to the boundary of a Quarrying Resource Area, the Heavy Industrial Zone or the Rural Production Zone.

LLRZ-P4 Privacy and Sunlight

To maintain amenity, avoid dominance of buildings and loss of access to sunlight, and to maintain a high level of privacy by:

1. Managing the height of buildings and the height of buildings in relation to the distance from site boundaries.
2. Locating and orientating building areas to ensure each have a rural outlook.

LLRZ-P5 Highly Versatile Soils

To preserve the productive capacity of highly versatile soils by:

1. Limiting the extent of building coverage.
2. Requiring the indefinite retention of 50% of the site.
3. Requiring subdivision design and location of proposed building areas to be located on the least productive land.

LLRZ-P6 Biodiversity

To preserve rural character and amenity and to enhance biodiversity by protecting areas of indigenous vegetation and habitats, and precluding earthworks or the construction of buildings or structures in identified areas.

LLRZ-P7 Road Setbacks

To avoid ribbon development and maintain the rural outlook from state highways and roads shown on the planning maps, by ensuring buildings and building areas are setback from the road boundary.

LLRZ-P8 Residential Intensity and Yield of Subdivision

To avoid the loss of a sense of open space and rural outlook by:

1. Limiting the density of residential units.
2. Limiting the yield of subdivision to reflect a large lot residential intensity of development.

3. Requiring uninhabited spaces between residential clusters to be contiguous and protected in perpetuity.

LLRZ-P9 Non-Residential Activities

To protect character and amenity by restricting the establishment of non-residential activities and ensuring that any non-residential ancillary activities are of a design, scale and appearance that is compatible with a large lot residential context.

LLRZ-P10 Esplanade Areas

To protect esplanade areas and to reserve waterfront walkways by avoiding impervious areas adjacent to Mean High Water Springs and river banks.

LLRZ-P11 Site Allotment Size

To minimise the amount of unproductive land use and unnecessary curtilage by requiring additional residential sites allotments to be as small as practicable.

LLRZ-P12 Clustering

To consolidate built form and locate new building areas near any existing or proposed building areas so as to maximise the extent of uninhabited space between residential clusters.

LLRZ-P13 Subdivision Design

To design subdivision and development to preserve rural character and amenity by:

1. Recognising and taking into account all site specific elements and features.
2. Requiring the maintenance and enhancement of any existing indigenous vegetation and habitats and natural waterbodies.
3. Recognising and maintaining any Sites of Significance to Māori.

LLRZ-P14 Environmental Enhancement

To consider multi-unit or infill development on those sites lots smaller than 2,500m² where higher densities of development are off-set by significant enhancement of natural and environmental features.

LLRZ-P15 Indigenous Vegetation

To preserve rural character and amenity and to enhance biodiversity by limiting clearance of indigenous vegetation or the disturbance of land in identified significant habitats.

Rules

LLRZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

LLRZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules LLRZ-R3 – R6.

LLRZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 8m above ground level.

Activity Status when compliance not achieved: Discretionary

LLRZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 20m from road boundaries shown on the planning maps.
 - b. 27m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).
2. All buildings and major structures are located within 50m of:
 - a. An existing building or major structure; or
 - b. An approved building area within the Large Lot Residential Zone; or
 - c. A site within a Residential Zone.

Activity Status when compliance not achieved: Discretionary

LLRZ-R5 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any site boundary.

Activity Status when compliance not achieved: Discretionary

LLRZ-R6 Building and Major Structure Coverage

Activity Status: Permitted

Where:

1. The maximum cumulative building and major structure coverage is 500m² on any site.

Activity Status when compliance not achieved: Discretionary

LLRZ-R7 Impervious Areas

Activity Status: Permitted

Where:

1. All cumulative impervious areas (including buildings) within the site are less than 1,000m² of the site area.
2. The impervious area is set back at least 5m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

LLRZ-R8 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of indigenous vegetation either:
 - a. Does not exceed 500m² per site within each 10-year period from 15 September 2022; and
 - b. Is not within 20m of a water body; or
 - c. Is within a single urban environment allotment; or
 - d. Is associated with:
 - i. Routine maintenance within 7.5m of the eaves of existing buildings:
 - a) Including the removal of any tree where any part of the trunk is within the 7.5m distance.
 - b) Excluding damage to the roots or removal of any tree where the trunk is outside the 7.5m distance.
 - ii. Operation, maintenance and repair of existing tracks, lawns, gardens, fences, drains and other lawfully established activities.
 - iii. Pest plant removal and biosecurity works.
 - iv. Vegetation removal for customary rights.
 - v. Conservation planting, including planting for ecological restoration purposes.

Activity Status when compliance not achieved: Discretionary

LLRZ-R9 Earthworks

Activity Status: Permitted

Where:

1. Within a 12 month period less than 2,000m² of soil is exposed at any one time.
2. Any cut or fill height is less than 2m.

Activity Status when compliance not achieved: Discretionary

LLRZ-R10 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rules LLRZ-R3 – R6.
 - b. Is screened from view from adjacent public places and surrounding sites, except for construction materials to be used on-site for a maximum period of 12 months within each 10-year period from 15 September 2022.

Activity Status when compliance not achieved: Discretionary

LLRZ-R11 Residential Unit

Activity Status: Permitted

Where:

1. The maximum density will not exceed one residential unit per 5,000m², provided that one residential unit is permitted on a site allotment of any size with the exception being any site allotment in areas protected under LLRZ-R11.2 and SUB-R3.1.
2. The residential unit is not constructed or located within an area previously identified as an area for indefinite retention, such as a no build, no residential or conservation covenant, consent notice or similar.

Activity Status when compliance not achieved with LLRZ-R11.1: Discretionary

Activity Status when compliance not achieved with LLRZ-R11.2: Prohibited

LLRZ-R12 Sensitive Activity

Activity Status: Permitted

Where:

1. The sensitive activity is set back further than:
 - a. 500m from a Quarrying Resource Area.
 - b. 500m from a Heavy Industrial Zone
 - c. 30m from the Rural Production Zone.

Activity Status when compliance not achieved: Discretionary

LLRZ-R13 Commercial Service

Activity Status: Permitted

Where:

1. The activity:
 - a. Is an ancillary activity to a residential unit on-site.
 - b. Does not exceed the use of 45m² gross floor area or 15% of the total gross floor area of all buildings on the site, whichever is the lesser.
 - ~~c. Has a total area of signage no greater than 0.25m² per site.~~
 - ~~d. Does not have illuminated or moving signage.~~
 - ~~e-c.~~ Generates less than 20 traffic movements per site, per day.
 - ~~f.d.~~ Does not operate or open for visitors, clients, deliveries or servicing outside of the hours of 06:00 – 22:00.
 - ~~g.e.~~ Does not have car parking located between the activity and the road.
 - ~~h.f.~~ Does not involve, in addition to the principal operator, more than two other persons engaged in providing the activity.

Activity Status when compliance not achieved: Discretionary

LLRZ-R14 Artisan Industrial Activities

Activity Status: Permitted

Where:

1. The activity:
 - a. Is an ancillary activity to a residential unit on-site.
 - b. Does not exceed the use of 45m² gross floor area or 15% of the total gross floor area of all buildings on the site, whichever is the lesser.
 - ~~c. Has a total area of signage no greater than 0.25m² per site.~~

~~d. Does not have illuminated or moving signage.~~

~~e.c.~~ Generates less than 20 traffic movements per site, per day.

~~f.d.~~ Does not operate or open for visitors, clients, deliveries or servicing outside of the hours of 06:00 – 22:00.

~~g.e.~~ Does not have car parking located between the activity and the road.

~~h.f.~~ Does not involve, in addition to the principal operator, more than two other persons engaged in providing the activity.

Activity Status when compliance not achieved: Discretionary

LLRZ-R15 Farming

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R16 Place of Assembly

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R17 Recreational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R18 Educational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R19 Supported Residential Care

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R20 Retirement Village

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R21 Visitor Accommodation

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R22 Care Centre

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R23 Plantation Forestry

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R24 Intensive Livestock Farming

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R25 Farm Quarrying

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R26 General Industry

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R27 Manufacturing

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R28 Storage

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R29 Repair and Maintenance Services

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R30 Marine Industry

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R31 Retail Activity

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R32 Service Stations

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R33 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R34 Food and Beverage Activity

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R35 Entertainment Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R36 Emergency Services

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R37 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R38 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R39 General Community

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R40 Waste Management Facility

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

LLRZ-R41 Landfill

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

Low Density Residential Zone (LRZ)

Issues

The Low Density Residential Zone (LRZ) provides for low density residential living on the periphery of the Urban Area where more intensive residential development is inappropriate. The zone forms a transition between urban density and the rural environment.

The principal focus of the Low Density Residential Zone is residential activities. Development patterns will generally be characterised by large un-serviced residential sites lots containing mid to large scale principal residential units, surrounded by large areas of open space. Commercial activities are actively discouraged in the Low Density Residential Zone. However, small scale non-residential activities are provided for where they are ancillary to residential activities.

Objectives

LRZ-O1 Character

Maintain and enhance the low density and spacious character of the Low Density Residential Zone.

LRZ-O2 Amenity

Subdivision and development maintain on-site amenity and the amenity of adjoining Low Density Residential Zone sites.

LRZ-O3 Non-Residential Activities

Residential activities remain the dominant activity in the Low Density Residential Zone and any non-residential activities are compatible with residential amenity.

Policies

LRZ-P1 Density and Character

To achieve a low density and spacious character by:

1. Managing the density of residential activities and minimum site lot sizes.
2. Managing the height, bulk and form of development.
3. Enabling residential units on sites allotments of a size consistent with the low-density character of the Zone and that are able to accommodate on-site wastewater treatment and disposal.

LRZ-P2 Non-Residential Activities

To protect the predominately residential nature of the zone by managing the establishment of non-residential activities and ensuring that any non-residential activities are of a nature, design, scale and appearance that is compatible with a residential context.

LRZ-P3 Supported Residential Care and Retirement Villages

To enable a range of appropriate residential activities by providing for supported residential care and retirement villages where they are designed, located and managed to:

1. Provide a high level of amenity for residents.
2. Ensure any adverse effects on surrounding Residential Zones and Open Space and Recreation Zones are avoided.

3. Maintain the existing residential character of the surrounding environment.
4. Avoid, remedy or mitigate any adverse effects on infrastructure, including the transport network.

LRZ-P4 Impervious Areas

To restrict impervious areas within sites in order to:

1. Manage stormwater runoff.
2. Protect and enhance amenity values.
3. Safeguard esplanade areas and waterfront walkways.

LRZ-P5 Subdivision

To encourage design and layout of subdivision which achieves the following:

1. Sites Lots are shaped and sized to allow generous sunlight to living and outdoor spaces, and provide high levels of on-site amenity and privacy.
2. Where possible, sites lots are located so that they overlook and front the road and Open Space and Recreation Zones.
3. The creation of multiple rear sites is limited, and where practicable avoided.

Rules

LRZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

LRZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules LRZ-R3 – R6.

LRZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 8m above ground level.

Activity Status when compliance not achieved: Discretionary

LRZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 4.5m from road boundaries.
 - b. 3m from side and rear boundaries, allowing for one 2m setback.
 - c. 27m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved with LRZ-R4.1(a) – (b): Restricted Discretionary
 Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining properties.
3. Effects on the streetscape character of the area.
4. Effects on the safety and efficiency of the transport network.

Activity Status when compliance not achieved with LRZ-R4.1(c): Discretionary

LRZ-R5 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any boundary that is not adjoining a road.

Compliance Standard:

1. *Measurements for this rule can be taken from the furthest boundary when adjoining an access lot ~~access leg~~.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining and adjacent properties.

LRZ-R6 Building and Major Structure Coverage

Activity Status: Permitted

Where:

1. The maximum cumulative building and major structure coverage is 25% of the net site area.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The scale and bulk of buildings and major structures in relation to the site and the existing built density of the locality.
2. The outlook and privacy of adjoining and adjacent properties.
3. Visual dominance of buildings and major structures.

LRZ-R7 Impervious Areas

Activity Status: Permitted

Where:

1. The impervious area within the site does not exceed 35% of the net site area.
2. The impervious area is set back at least 5m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

LRZ-R8 Fences

Activity Status: Permitted

Where:

1. The fence has a maximum height of 2m above ground level.
2. The fence is not fortified with broken glass.
3. The fence is not fortified with any form of electrification or barbed wire except for stock exclusion purposes.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects of shading and visual dominance on adjoining properties.
2. Urban design and passive surveillance.
3. Effects on streetscape character and amenity.
4. Health and safety effects.

LRZ-R9 Car Parking

Activity Status: Permitted

Where:

1. Formed car parking spaces are located at least 2m from any road boundary, excluding any on-street car parking.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects on the safety and efficiency of the transport network.
2. Effects on pedestrian and cyclist safety and navigability.
3. Effects on streetscape character and amenity.

LRZ-R10 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of indigenous vegetation either:
 - a. Does not exceed 500m² per site within each 10-year period from 15 July 2020; and
 - b. Is not within 20m of a water body; or
 - c. Is within a single urban environment allotment; or
 - d. Is associated with:
 - i. Routine maintenance within 7.5m of the eaves of existing buildings:
 - a) Including the removal of any tree where any part of the trunk is within the 7.5m distance.
 - b) Excluding damage to the roots or removal of any tree where the trunk is outside the 7.5m distance.
 - ii. Operation, maintenance and repair of existing tracks, lawns, gardens, fences, drains and other lawfully established activities
 - iii. Pest plant removal and biosecurity works.
 - iv. Vegetation removal for customary rights.

- v. Conservation planting, including planting for ecological restoration purposes.

Activity Status when compliance not achieved: Discretionary

LRZ-R11 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rule LRZ-R3.
 - b. Complies with rules LRZ-R4 – R6.
 - c. Is screened from view from adjacent public places and surrounding sites, except for construction materials to be used on-site for a maximum period of 12 months within each 10-year period from 15 July 2020.

Activity Status when compliance with LRZ-R11.1(b) – (c) not achieved: Restricted Discretionary
Matters of discretion:

1. Effects in relation to dust and odour.
2. Visual amenity effects.
3. The matters of discretion in LRZ-R4 – R6.

Activity Status when compliance with LRZ-R11.1(a) not achieved: Discretionary

LRZ-R12 Farming

Activity Status: Permitted

LRZ-R13 Supported Residential Care

Activity Status: Permitted

Where:

1. The activity generates less than 25 traffic movements per site, per day.

Activity Status when compliance not achieved: Discretionary

LRZ-R14 Retirement Village

Activity Status: Permitted

Where:

1. The activity generates less than 25 traffic movements per site, per day.

Activity Status when compliance not achieved: Discretionary

LRZ-R15 Principal Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 principal residential unit per 2,000m² net site area, provided that 1 principal residential unit is permitted on a site of any size.

Activity Status when compliance not achieved: Discretionary

LRZ-R16 Minor Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 minor residential unit per principal residential unit on the site.
2. The nearest distance between the minor residential unit and the principal residential unit, excluding any accessory buildings and detached garages associated with either residential unit, does not exceed 15m.
3. The combined area of the minor residential unit building coverage (including accessory buildings and garages) and associated decking is not larger than maximum gross floor area of the minor residential unit (including decking and garage areas) is 90m².

Activity Status when compliance not achieved: Discretionary

LRZ-R17 Retail Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.
8. The total area of signage is less than 0.25m² per site.
9. There is no illuminated or moving signage.
- 10.8. Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of rules LRZ-R17.4 – 10 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules LRZ-R17.1 – 3 is not achieved: Non-Complying

LRZ-R18 Commercial Services

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.

6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.
- ~~8. The total area of signage is less than 0.25m² per site.~~
- ~~9. There is no illuminated or moving signage.~~
- ~~10.8.~~ Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of rules LRZ-R18.4 – 10 is not achieved:
 Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules LRZ-R18.1 – 3 is not achieved: Non-Complying

LRZ-R19 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.
- ~~8. The total area of signage is less than 0.25m² per site.~~
- ~~9. There is no illuminated or moving signage.~~
- ~~10.8.~~ Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of rules LRZ-R19.4 – 10 is not achieved:
 Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules LRZ-R19.1 – 3 is not achieved: Non-Complying

LRZ-R20 Care Centre

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.

6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.
- ~~8. The total area of signage is less than 0.25m² per site.~~
- ~~9. There is no illuminated or moving signage.~~
- ~~10.8.~~ Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of rules LRZ-R20.4 – 10 is not achieved:
 Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules LRZ-R20.1 – 3 is not achieved: Non-Complying

LRZ-R21 Visitor Accommodation

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.
- ~~8. The total area of signage is less than 0.25m² per site.~~
- ~~9. There is no illuminated or moving signage.~~
- ~~10.8.~~ Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of rules LRZ-R21.4 – 10 is not achieved:
 Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules LRZ-R21.1 – 3 is not achieved: Non-Complying

LRZ-R21A Artisan Industrial Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.

5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

Activity Status when compliance with up to two of the rules LRZ-R21A.4 – 7 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules LRZ-R21A.1 – 3 is not achieved: Non-Complying

LRZ-R22 Place of Assembly

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LRZ-R23 Educational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LRZ-R24 Entertainment Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LRZ-R25 Service Stations

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LRZ-R26 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LRZ-R27 Recreational Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LRZ-R28 Emergency Services

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LRZ-R29 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LRZ-R30 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LRZ-R31 General Community

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LRZ-R32 Plantation Forestry

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

LRZ-R33 Intensive Livestock Farming

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

LRZ-R34 Farm Quarrying

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

LRZ-R35 Industrial Activities (Excluding Artisan Industrial Activities)

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

PREC12 – Parihaka Environmental Benefit Precinct (PEBP)

Issues

The Parihaka Environmental Benefit Precinct considers opportunities for subdivision resulting in sites allotments below the minimum site lot size in the Low Density Residential Zone where:

- Positive ecological outcomes are achieved; and
- Development is designed to minimise the risks of natural hazards.

Subdivision in the Parihaka Environmental Benefit Precinct may be undertaken using either:

- a. The Parihaka Environmental Benefit Precinct subdivision rules; or
- b. The underlying Low Density Residential Zone subdivision rules in the Subdivision Chapter.

All relevant district-wide provisions apply.

All relevant underlying Low Density Residential Zone provisions apply, except that the more permissive bulk and location rules in PREC12-R2 – R6 apply to sites that have been created under PREC12-R8.

Objectives

PREC12–01 Subdivision

Have particular regard to opportunities for increased residential density where adverse effects are appropriately managed and existing ecological and biodiversity values are protected.

PREC12–02 Infrastructure

Adverse effects on the reticulated water supply network are minimised.

PREC12–03 Natural Hazards

Subdivision and future land uses are managed to minimise the risks from natural hazards.

PREC12–04 Ecology and Biodiversity

Subdivision, land use and development are managed to enhance and permanently protect ecological and biodiversity values.

Policies

PREC12-P1 Residential Subdivision

To provide for a range of site sizes by enabling subdivision below the Low Density Residential Zone minimum site size where the existing ecological and biodiversity values within the site are enhanced and permanently protected.

PREC12–P2 Water Supply Infrastructure

To ensure that subdivision and future land uses are well integrated with the reticulated water supply network by:

1. Ensuring that sufficient capacity exists within the network to accommodate the proposed development; or
2. Requiring any upgrades which are needed to service the development to an appropriate level of service.

PREC12-P3 Natural Hazards

To manage subdivision and future land uses to:

1. Avoid locating activities and development in areas with a high risk of land instability hazard events.
2. Locate and design subdivision and future land uses to minimise risks and adverse effects on people, property and the environment.
3. Ensure that any adverse effects and the existing and residual risks do not endanger human life and are not likely to cause material damage to property or the environment.

PREC12-P4 Ecology and Biodiversity

To ensure that subdivision, land use and development:

1. Enhance and permanently protect the area of indigenous vegetation identified in Figure PREC12 Map 1.
2. Locate vehicle access ways routes outside of the area of indigenous vegetation identified in Figure PREC12 Map 1 unless:
 - a. There is a functional need to locate vehicle access ways routes within that area of indigenous vegetation; and
 - b. Adverse effects on ecological and biodiversity values within that area of indigenous vegetation will be no more than minor.

Rules

PREC12-R1 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rule PREC12-R2.

PREC12-R2 Building and Major Structure Setbacks in any Site Created Under PREC12-R8

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 4.5 from road boundaries.
 - b. 3m from side and rear boundaries, allowing for one 1.5m setback.
 - c. 20m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).
2. Except that non-habitable major structures and buildings, and non-habitable rooms of buildings, may be set back 0m for a maximum length of 7.5m on a single side or rear boundary and a maximum total length of 10.5m on all side and rear boundaries, provided they are setback at least 2.5m from habitable rooms on any other site.

Activity Status when compliance not achieved with PREC12-R2.1(a) – (b) or R4.2: Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining properties.

3. Impacts on the amenity of any adjacent public walkway.
4. Where PREC12-R2.1(a) is infringed, the effects on the:
 - a. Streetscape character anticipated within the Parihaka Environmental Benefit Precinct.
 - b. Safety and efficiency of the transport network.

Activity Status when compliance not achieved with PREC12-R2.1(c): Restricted Discretionary
 Matters of discretion:

1. The effectiveness of the proposed method for controlling stormwater runoff.
2. That the proposal will maintain and enhance the amenity values of the area.
3. That esplanade areas and waterfront walkways are appropriately safeguarded.
4. The potential to establish an esplanade reserve.

PREC12-R3 Outdoor Living Court in any Site Created Under PREC12-R8

Activity Status: Permitted

Where:

1. Every principal residential unit:
 - a. With 1 or more habitable rooms at ground floor level provides an outdoor living court of which at least 20m² has a minimum depth of 4m.
 - b. With all habitable rooms above ground floor provides an outdoor living court of which at least 8m² has a minimum depth of 2m.
2. Every minor residential unit:
 - a. With 1 or more habitable rooms at ground floor level provides an outdoor living court of which at least 10m² has a minimum depth of 2.4m.
 - b. With all habitable rooms above ground floor provides an outdoor living court of which at least 6m² has a minimum depth of 1.8m.
3. The outdoor living court is able to receive direct sunlight for at least 5 hours on the winter solstice over at least 50% of the minimum space required under PREC12-R3.1 – 2.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Appropriate privacy and amenity of the occupants on-site.
2. Sufficient sunlight access to outdoor living spaces within the site.
3. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.

Notification:

Any restricted discretionary activity under PREC12-R3 shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

PREC12-R4 Impervious Areas in any Site Created Under PREC12-R8

Activity Status: Permitted

Where:

1. The impervious area within the site does not exceed 60% of the net site area.
2. The impervious area is set back at least 5m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Restricted Discretionary

Matters of Discretion:

1. The effectiveness of the proposed method for controlling stormwater runoff.
2. That the proposal will maintain and enhance the amenity values of the area.
3. That esplanade areas and waterfront walkways are appropriately safeguarded.

PREC12-R5 Building and Major Structure Coverage in any Site Created Under PREC12-R8

Activity Status: Permitted

Where:

1. The maximum cumulative building and major structure coverage is 40% of the net site area.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The scale and bulk of buildings and major structures in relation to the site and the existing built density of the locality.
2. The outlook and privacy of adjoining and adjacent properties.
3. Visual dominance of buildings and major structures.

PREC12-R6 Fences in any Site Created Under PREC12-R8

Activity Status: Permitted

Where:

1. The fence has a maximum height of 2m above ground level.
2. Fencing within 3m of a road boundary is at least 50% visually permeable for any portion above 1m high.
3. Fencing along a boundary shared with an Open Space and Recreation Zone is at least 50% visually permeable for any portion above 1.5m high.
4. The fence is not fortified with broken glass.
5. The fence is not fortified with or any form of electrification or barbed wire except for stock exclusion purposes.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects of shading and visual dominance on adjoining properties.
2. Urban design and passive surveillance.
3. Effects on streetscape character and amenity.
4. Health and safety effects.

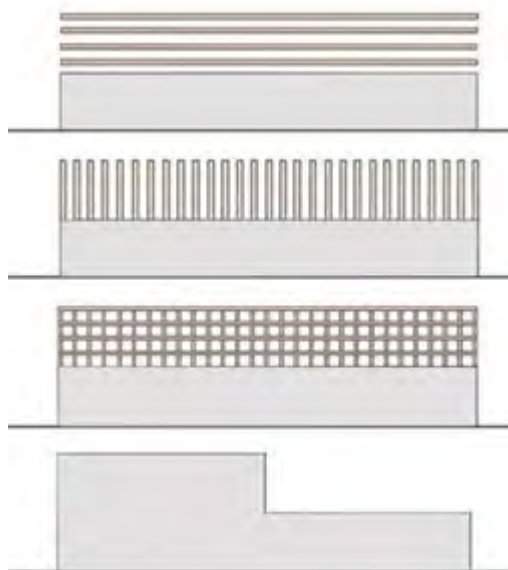


Figure 1: Examples of fences solid up to 1m and 50% visually permeable between 1m and 2m

PREC12-R7 Principal Residential Unit in any Site Created Under PREC12-R8

Activity Status: Permitted

Where:

1. The maximum density is 1 principal residential unit per 400m² net site area provided that 1 principal residential unit is permitted on a site of any size.
2. Every principal residential unit is separated by at least 3m from any other detached residential unit (excluding any ancillary minor residential unit).
3. Every principal residential unit is separated by at least 6m from any other detached residential unit where there is an outdoor living court between the residential units (excluding any ancillary minor residential unit).
4. Every residential unit provides a living area that can receive direct sunlight for at least 5 hours on the winter solstice.
5. There is a separation distance of at least 6m from any window in a habitable room to a window of a habitable room in a separate residential unit (excluding any ancillary minor residential unit) where there is a direct line of sight between the windows.

Activity Status when compliance not achieved: Discretionary

Note:

1. Any application shall comply with information requirement rule PREC12-REQ4.

PREC12-R8 Subdivision

Activity Status: Restricted Discretionary

Where:

1. Every site can contain a rectangle of at least 8m by 15m.
2. Every vacant site contains an identified building area of at least 100m² within which a residential unit can be built so that there is compliance as a permitted activity with the relevant rules in the District Plan Parihaka Environmental Benefit Precinct and Low Density Residential Zone rules.
3. Every site has a minimum net site area of at least 400m².

4. The area of indigenous vegetation identified on Figure PREC12 Map 1 is proposed to be legally protected in perpetuity in its entirety and managed on an on-going basis in accordance with an Ecological Management Plan, except that 1 internal vehicle access way route may be provided within the area of indigenous vegetation identified on Figure PREC12 Map 1.

Matters of discretion:

1. The matters over which control is reserved in SUB-R5.
2. Effects on the existing reticulated water supply network, including effects on the water pressure available to the proposed sites and existing sites in the area.
3. Whether the servicing needs of the proposal require upgrades to the existing reticulated water supply network.
4. Effects on the ecological and biodiversity values within the site and within mapped features in the surrounding area that are greater than effects enabled by the underlying Low Density Residential Zone.
5. The location and design of vehicle access ways within the area of indigenous vegetation identified on Figure PREC12 Map 1 and alternative route options for vehicle access ways outside of that area of indigenous vegetation.
6. Effects on the stability of land or any existing or future structures, and the potential to create new or exacerbate existing land instability hazards.
7. Effects of remediating the land instability hazard.
8. The intend use of the land and its vulnerability to the potential effects of land instability.
9. The design and location of any infrastructure and on-site services and their susceptibility to adverse effects from land instability hazards and potential risks to public health and the environment.
10. Recommendations and proposed conditions and remediation or mitigation measures of the site suitability report and any further information provided through the consent process.
11. The extent to which site boundaries reflect natural and physical boundaries, including mapped district-wide resources.

Notes:

1. Any application shall comply with information requirement rules PREC12-REQ1 – REQ3.
2. All relevant District-Wide and Overlay subdivision objectives, policies and rules apply in addition to PREC12-R8 except for SUB-R4.
3. PREC12-R8 may be used as an alternative to the Low Density Zone subdivision rules in SUB-R4.

Activity Status when compliance is not achieved with PREC12-R8.1 – R8.2: Discretionary

Activity Status when compliance is not achieved with PREC12-R8.3 – R8.4: Non-Complying



Figure PREC12 Map 1. Lot 1 DP 310956 Indigenous Vegetation to be Protected (shown in Yellow Hatching)

Information Requirement Rules

PREC12-REQ1 Ecological Report and Ecological Management Plan

1. Any application under rule PREC12-R8 must include an ecological report prepared by a suitably qualified and experienced ecologist which shall address the following matters:
 - a. An assessment of the effects of the potential development on the indigenous vegetation identified on Figure PREC12 Map 1, including but not limited to:
 - i. Location and proximity of proposed sites and building platforms to that indigenous vegetation.
 - ii. Orientation of light, noise, reflective sources to minimise impact on resident fauna.
 - iii. Building platforms.
 - iv. Access, in particular vehicle access ways through that indigenous vegetation and consideration of alternative routes outside of that indigenous vegetation.
 - v. Earthworks.
 - vi. Services, including stormwater, wastewater, water supply, telecommunications networks, and energy (electricity or gas) networks.
 - vii. Pets, farmed animals, pests, weeds, garden escapes and green waste dumping.
 - b. An Ecological Management Plan that specifies the protection measures proposed to ensure that the indigenous vegetation identified on Figure PREC12 Map 1 remains protected in perpetuity, that includes how all of the following matters will be implemented prior to the Council issuing section 224(c) certificate:
 - i. The establishment of secure stock exclusion.
 - ii. Methods of animal and plant pest control.
 - iii. Identification of any indigenous taxa within the site and surrounding area that are listed as threatened or at risk in the NZ Threat classification system lists.

- iv. An assessment of the effects of the potential development on any identified species in information requirement rule PREC12-REQ1.1(b)(iii) and the methods proposed to protect the species and monitoring on-going effects after subdivision.
- v. Any additional protection and on-going management methods including but not limited to methods of weed and pest management and any measures to control cats, dogs, rabbits, rats, mustelids and possums.

PREC12-REQ2 Connection to Public Reticulated Water Supply Network

1. Any application under rule PREC12-R8 must include an assessment detailing:
 - a. Information from Council as to whether the existing reticulated water supply network can service the proposed development with sufficient water pressure.
 - b. Any upgrades and/or extensions to existing public reticulated water supply network that are proposed or necessary.
 - c. Where sufficient pressure is not available within the reticulated water supply network:
 - i. Upgrades proposed by the developer that are necessary to increase the network's pressure to accommodate the development; or
 - ii. The proposed timing and staging of development to ensure that it is coordinated with any planned Long Term Plan upgrades identified by Council which will provide adequate pressure.
 - d. Land and infrastructure to be vested in the Council.

PREC12-REQ3 Land Instability Hazards

1. Any application under rule PREC12-R8 must provide a site suitability report for the entire area of Lot 1 DP 310956 prepared by a suitably qualified and experienced geotechnical professional (e.g. Chartered Professional Engineer) which includes (but is not limited to) the following:
 - a. Topographic Survey (if not already available).
 - b. A description of the geology and geomorphology of the site and immediate surrounding areas.
 - c. Definition of the nature and continuity of the strata over the site to a depth below which slipping is most likely, by means of test pits and/or continuous recovery core drilling (unless existing exposures are adequate).
 - d. Determination of the peak and residual shear strength parameters (either from laboratory tests or back analysis of relevant slope failures) and the sensitivity of the soil in each stratum in which, or interface on which, sliding is practicable.
 - e. Assessment of groundwater levels and piezometric pressures in the strata during extreme infiltration conditions.
 - f. Analysis of practicable failure mechanisms, relevant to the specific geology and geomorphology of the site using effective stresses.
 - g. The geo-professional's opinion as to the stability of the ground and the preventative (or remedial) measures to be incorporated in the development.
 - h. The geo-professional's opinion as to the stability of the whole slope (upon which the development site may form only part of) and the effects of the development (such as excavation, filling, removal of vegetation, disposal of stormwater or effluent wastewater into or over the area) on the whole slope.
 - i. The geo-professional's opinion as to the suitability of the proposed subdivision and future land uses (including the nature, scale, density and location of future residential

units and associated services that may be developed through the Parihaka Environmental Benefit Precinct rules) within the site.

- j. Definite conclusions and recommendations on any development restrictions, specifically addressing Section 106 of the Resource Management Act 1991 for any subdivision.

PREC12-REQ4 Urban Design and Density

1. All applications for resource consent pursuant to PREC12-R7 shall include an urban design assessment prepared by a suitably qualified and experienced professional which details:
 - a. An analysis of the site in relation to its context, including:
 - i. The key characteristics of the local area, including the character and scale of surrounding development including any cultural relationships or historic heritage features and clearly recording any matters which particularly contribute to the character of the area, that detract from the area.
 - ii. The landform and topography of the site and surrounding environment.
 - iii. The ecology and habitat of the site and surrounding environment.
 - iv. Access to public and active transport infrastructure.
 - b. An assessment of how the proposal contributes to the planned suburban environment of the area and is consistent with best practice urban design, including:
 - i. Effects on the character of the area and neighbourhood, residential amenity and pedestrian and vehicular movements.
 - ii. The relationship of the proposed development to public places and how the proposal responds to any issues or characteristics identified in the site analysis.
 - iii. Any proposed measures to avoid or mitigate adverse effects on adjacent public places and residential sites.
 - iv. Any proposed measures to incorporate Māori design elements.
 - v. Any proposed measures to facilitate active and public transport.
 - c. Any consultation undertaken as part of any pre-application meetings with Council and any mitigation measures that were recommended by Council.
 - d. Any consultation undertaken with mana whenua and a summary of the results of that consultation.

Note:

1. *Acceptable means of compliance and best practice urban design guidance is contained within Whangārei District Council's Urban Design Guidelines.*

PREC17 – O’Shea Road Environmental Benefit Precinct (OEBP)

Issues

The O’Shea Road Environmental Benefit Precinct enables development consistent with the Low Density Residential Zone where:

- Development is designed to minimise the risks of land instability natural hazards; and
- Positive ecological outcomes are achieved.

All relevant district-wide and underlying Low Density Residential Zone provisions apply in addition to the PREC17 provisions.

Objectives

PREC17–O1 Natural Hazards

Subdivision and future land uses are managed to minimise the risks from land instability natural hazards.

PREC17–O2 Ecology and Biodiversity

Subdivision, land use and development are managed to enhance and permanently protect ecological and biodiversity values.

Policies

PREC17–P1 Natural Hazards

To manage subdivision and future land uses to:

1. Avoid locating activities and development in areas with a high residual risk of land instability hazard events.
2. Locate and design subdivision and future land uses to minimise risks and adverse effects on people, property and the environment.
3. Ensure that any adverse effects and the existing and residual risks of natural hazards do not endanger human life and are not likely to cause material damage to property or the environment.

PREC17–P2 Ecology and Biodiversity

To ensure that subdivision, land use and development enhance and permanently protect the areas of indigenous vegetation identified in Figure PREC17 Map 1.

Rules

PREC17-R1 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance is permitted under LRZ-R10; and
2. The clearance is either:
 - a. Outside of the areas of indigenous vegetation identified on Figure PREC17 Map 1; or
 - b. Within the areas of indigenous vegetation identified on Figure PREC17 Map 1 and is associated with:

- i. Operation, maintenance and repair of existing tracks, fences and drains; or
- ii. Pest plant removal and biosecurity works; or
- iii. Conservation planting, including planting for ecological restoration purposes.

Activity Status when compliance not achieved: Discretionary

PREC17-R2 Subdivision

Activity Status: Controlled

Where:

1. The areas of indigenous vegetation identified on Figure PREC17 Map 1 are:
 - a. Proposed to be legally protected in perpetuity in their entirety.
 - b. Managed on an on-going basis in accordance with an Ecological Management Plan.

Matters of control:

1. The matters over which control is reserved in SUB-R4.
2. Effects on the ecological and biodiversity values within the site.
3. Effects on the stability of land or any existing or future structures, and the potential to create new or exacerbate existing land instability hazards.
4. Effects of remediating the land instability hazard.
5. The intended use of the land and its vulnerability to the potential effects of land instability.
6. The design and location of any infrastructure and on-site services and their susceptibility to adverse effects from land instability hazards and potential risks to public health and the environment.
7. Recommendations and proposed conditions and remediation or mitigation measures of the site suitability report and any further information provided through the consent process.
8. The extent to which site boundaries take account of natural and physical boundaries, including mapped district-wide resources and overlays.

Notes:

1. Any application shall comply with information requirement rules PREC17-REQ1 – REQ2.
2. All relevant District-Wide and Overlay subdivision objectives, policies and rules apply in addition to PREC17-R2.

Activity Status when compliance is not achieved: Discretionary



Figure PREC17 Map 1. Areas of Indigenous Vegetation to be Protected (shown in Yellow Hatching)

Information Requirement Rules

PREC17-REQ1 Ecological Report and Ecological Management Plan

1. Any application under rule PREC17-R2 must include an ecological report prepared by a suitably qualified and experienced ecologist which shall address the following matters:
 - a. An assessment of the effects of the potential development on the indigenous vegetation identified on Figure PREC17 Map 1, including but not limited to:
 - i. Location and proximity of proposed sites to that indigenous vegetation.
 - ii. Orientation of light, noise, reflective sources to minimise impact on resident fauna.
 - iii. Building platforms.
 - iv. Accessways.
 - v. Earthworks.
 - vi. Services, including stormwater, wastewater, water supply, telecommunications networks, and energy (electricity or gas) networks.
 - vii. Pets, farmed animals, pests, weeds, garden escapes and green waste dumping.
 - viii. The location of site boundaries, any adverse effects which may arise from the boundary location proposed (including where applicable any adverse effects which may arise as a result of fragmentation of contiguous indigenous vegetation if it is not held within a single site), and how the vegetation will be appropriately managed on an on-going basis.
 - ix. The mechanisms to ensure that the management plan required under information requirement rule PREC17-REQ1.1(b) applies to and binds future owners.
 - b. An Ecological Management Plan that specifies the protection measures proposed to ensure that the indigenous vegetation identified on Figure PREC17 Map 1 remains protected in perpetuity, including how all of the following matters will be implemented prior to the Council issuing section 224(c) certificate:
 - i. The establishment of secure stock exclusion.
 - ii. Methods of animal and plant pest control.

- iii. Identification of any indigenous taxa within the site and surrounding area that are listed as threatened or at risk in the NZ Threat classification system lists.
- iv. An assessment of the effects of the potential development on any identified species in information requirement rule PREC17-REQ1.1(b)(iii) and the methods proposed to protect the species and monitoring on-going effects after subdivision.
- v. Any additional protection and on-going management methods including but not limited to methods of weed and pest management and any measures to control cats, dogs, rabbits, rats, mustelids and possums.

PREC17-REQ2 Land Instability Hazards

1. Any application under rule PREC17-R2 must provide a site suitability report for the entire area of PREC17 prepared by a suitably qualified and experienced geotechnical professional (e.g. Chartered Professional Engineer) which includes (but is not limited to) the following:
 - a. Topographic Survey (if not already available).
 - b. A description of the geology and geomorphology of the site and immediate surrounding areas.
 - c. Definition of the nature and continuity of the strata over the site to a depth below which slipping is most likely, by means of test pits and/or continuous recovery core drilling (unless existing exposures are adequate).
 - d. Determination of the peak and residual shear strength parameters (either from laboratory tests or back analysis of relevant slope failures) and the sensitivity of the soil in each stratum in which, or interface on which, sliding is practicable.
 - e. Assessment of groundwater levels and piezometric pressures in the strata during extreme infiltration conditions.
 - f. Analysis of practicable failure mechanisms, relevant to the specific geology and geomorphology of the site using effective stresses.
 - g. The geo-professional's opinion as to the stability of the ground and the preventative (or remedial) measures to be incorporated in the development.
 - h. The geo-professional's opinion as to the stability of the whole slope (upon which the development site may form only part of) and the effects of the development (such as excavation, filling, removal of vegetation, disposal of stormwater or effluent wastewater into or over the area) on the whole slope.
 - i. The geo-professional's opinion as to the suitability of the proposed subdivision and future land uses (including the nature, scale, density and location of future residential units and associated services that may be developed through the Low Density Residential Zone rules) within the site.
 - j. Definite conclusions and recommendations on any development restrictions, specifically addressing Section 106 of the Resource Management Act 1991 for any subdivision.

General Residential Zone (GRZ)

Issues

The General Residential Zone (GRZ) provides predominantly for residential development within the Urban Area of Whangārei. The General Residential Zone provides for traditional suburban densities and housing forms and is currently characterised by one to two storey stand-alone (detached) residential units on larger properties set back from boundaries with landscaped gardens. However, the zone also contemplates incremental intensification to provide for a range of housing needs while retaining a suburban built character.

Commercial activities are discouraged in the General Residential Zone. However, some opportunities are provided for non-residential activities such as retail activities, commercial services, community activities and visitor accommodation, while ensuring that residential amenity and character are not compromised and that activities are sympathetic to the surrounding residential context.

Objectives

GRZ-O1 Density

Subdivision and development are consistent with the planned suburban built character and are compatible with the amenity levels of existing residential development.

GRZ-O2 Housing Variety

Enable a variety of housing densities and types to provide for affordable, diverse and multi-generational living.

GRZ-O3 Amenity

Subdivision and development provide quality residential amenity for residents, adjoining sites and the street.

GRZ-O4 Non-Residential Activities

Residential activities remain the dominant activity in the General Residential Zone and any non-residential activities are compatible with residential amenity.

Policies

GRZ-P1 Density and Character

To achieve the planned suburban built character by:

1. Managing the scale, intensity, height, bulk and form of development.
2. Requiring sufficient outdoor living space and landscaping within each site.
3. Enabling residential development on sites of an appropriate size and shape.

GRZ-P2 On-Site Amenity

To require residential activities to achieve appropriate levels of on-site amenity by providing:

1. Useable outdoor living courts.
2. Sufficient access to sunlight throughout the year.
3. Adequate space to accommodate typical residential living requirements.

GRZ-P3 Adjacent Properties

To mitigate adverse amenity effects on adjacent properties by sensitively designing development to:

1. Manage the intrusion on privacy and the extent of building dominance on adjacent residential units and outdoor living spaces.
2. Minimise the degree of overshadowing to any adjoining site or residential unit.

GRZ-P4 Residential Amenity and Character

To manage adverse effects on residential amenity and character by requiring developments to have regard to the way the development:

1. Provides street activation through connection between front doors and the street.
2. Provides landscaping that enhances on-site and local residential amenity, with particular regard to site frontage.
3. Minimises large monotonous building façades and walls that do not include design variation or are not broken down into smaller elements.
4. Relates to neighbouring properties by employing setbacks, sensitive building orientation and design, and landscaping to mitigate dominance and privacy impacts.
5. Provides an active interface to Open Space and Recreation Zones onto which it fronts.
6. Is sympathetic to the amenity and character of the locality and other buildings in the vicinity, having regard to:
7. Building bulk, scale and symmetry.
8. Site sizes and providing for a more spacious form of development.

GRZ-P5 Impervious Areas

To restrict impervious areas within sites in order to:

1. Manage stormwater runoff.
2. Maintain and enhance amenity values.
3. Safeguard esplanade areas and waterfront walkways.

GRZ-P6 Supported Residential Care and Retirement Villages

To enable a range of appropriate residential activities by providing for supported residential care and retirement villages where they are designed, located and managed to:

1. Provide a high level of amenity for residents.
2. Ensure any adverse effects on surrounding Residential Zones and Open Space and Recreation Zones are minimised.
3. Maintain the residential character of the surrounding environment.
4. Avoid, remedy or mitigate any adverse effects on infrastructure, including the transport network.

GRZ-P7 Non-Residential Activities

To only enable non-residential activities where they:

1. Will not detract from the vitality and viability of Business Zones.
2. Are complementary in design, scale, nature and intensity to the residential context.
3. Avoid, remedy or mitigate adverse effects on residential amenity values such as noise, traffic, parking, lighting, glare and visual impact.

GRZ-P8 Comprehensive Design

To encourage subdivision and land use proposals to be undertaken concurrently as part of a comprehensive design process.

GRZ-P9 Subdivision

To promote good design and layout of subdivision which achieves the following:

1. Sites Lots are shaped and sized to allow adequate sunlight to outdoor living spaces, and to provide adequate on-site amenity and privacy.
2. Where possible, sites lots are located so that they overlook and front roads and Open Space and Recreation Zones.
3. Rear sites are limited.
4. A permeable street network where the use of cul-de-sacs is limited.
5. Connections within a development, and between developments and the public realm, are maximised.
6. Opportunities for connections to public open space, services and facilities in the neighbourhood are identified and created.

GRZ-P10 Density

To provide for a range of site sizes and densities by considering reduced site allotment sizes or increased residential density where:

1. A mixture of site allotment sizes and housing typologies, including low-cost options, are provided.
2. The location is supportive of pedestrians, cyclists and public transport.
3. The area is in proximity to Open Space and Recreation Zones and the City Centre Zone, Mixed Use Zone, Local Centre or Neighbourhood Centre Zones.
4. There is sufficient infrastructure to accommodate the development.
5. The development is sympathetic to the surrounding environment and adverse effects on adjoining sites are minimised.
6. The parent site allotment size and site frontage are sufficient to enable comprehensive development and provide quality on-site amenity.
7. The potential for cumulative adverse effects associated with incremental vacant site lot subdivision which does not comply with the minimum site lot size are assessed and managed.

Rules

GRZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

GRZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules GRZ-R3 – R5 and R8.

GRZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 8m above ground level, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m where the entire roof slopes 15 degrees or more.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects on the amenity of adjoining sites.
2. The extent to which visual dominance effects are minimised.

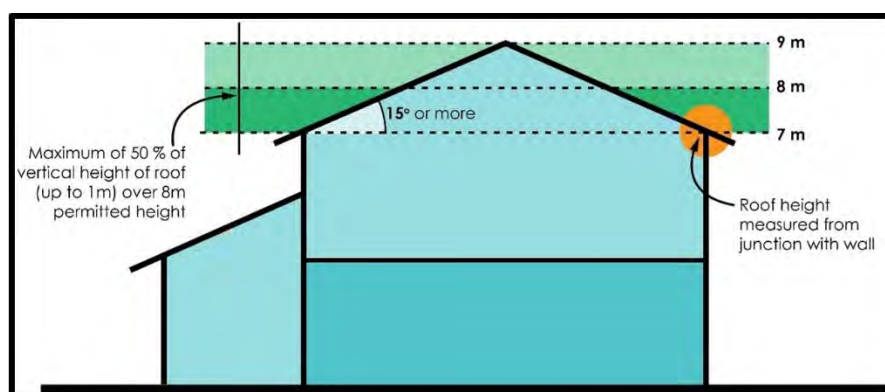


Figure 1: Diagram of GRZ-R3 Building and Major Structure Height Rule

GRZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 3m from road boundaries.
 - b. 1.5m from side and rear boundaries.
 - c. 20m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).
 - d. Except that:
 - i. GRZ-R4.1(b) does not apply where there is an existing or proposed common wall between two buildings on adjacent sites; and
 - ii. Non-habitable major structures and buildings, and non-habitable rooms of buildings, may be set back 0m for a maximum cumulative length of 7.5m on a single side or rear boundary and a maximum total cumulative length of 10.5m on all side and rear boundaries, provided they are setback at least 2.5m from habitable rooms on any other site.

Activity Status when compliance not achieved with GRZ-R4.1(a) – (b) or GRZ-R4.1(d): Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining properties.
3. Impacts on the amenity of any adjacent public walkway.

4. Where GRZ-R4.1(a) is infringed, the effects on the:
 - a. Streetscape character anticipated within the General Residential Zone.
 - b. Safety and efficiency of the adjacent transport network

Activity Status when compliance not achieved with GRZ-R4.1(c): Restricted Discretionary Matters of discretion:

1. The effectiveness of the proposed method for controlling stormwater runoff.
2. That the proposal will maintain and enhance the amenity values of the area.
3. That esplanade areas and waterfront walkways are appropriately safeguarded.
4. The potential to establish an esplanade reserve.

GRZ-R5 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any side or rear boundary, except any boundary:
 - a. Where there is an existing or proposed common wall between two buildings on adjacent sites; or
 - b. That is adjoining a business zone; or
 - c. That is adjoining an Open Space and Recreation Zone where the Open Space and Recreation Zone site is:
 - i. Greater than 2,000m²; and
 - ii. Greater than 20m in width when measured perpendicular to where the measurement of GRZ-R5.1 is taken from.
 - d. Except that, any parts of the buildings or major structures that are within 20m of the site frontage may exceed the maximum height in relation to boundary in GRZ-R5.1(a)-(c), provided they:
 - i. Do not exceed a height of 3.6m above ground level where they are 1.5m or less from side and rear boundaries adjoining the General Residential Zone or Medium Density Residential Zone; and
 - ii. Thereafter, are set back 0.3m for every additional metre in height (73.3 degrees) up to 6.9m and then 1m for every additional metre in height (45 degrees).

Compliance Standards:

1. Where an Open Space and Recreation Zone comprises multiple adjoining sites but has a common zoning, the cumulative area of the sites can be used for the purposes of calculating GRZ-R5.1(c)(i) – (ii).
2. Measurements for GRZ-R5.1 can be taken from the furthest boundary when adjoining an access lot.
3. Up to two gable ends, dormers or portions of a roof may exceed the height in relation to boundary plane on each site boundary where each portion exceeding the height in relation to boundary is no greater than the following when measured in accordance with Figure 3 below:
 - a. 1.5m² in area; and
 - b. 1m in height; and
 - c. 2.5m in length.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining and adjacent properties.
3. Effects on sunlight access to outdoor areas and habitable rooms on adjoining sites

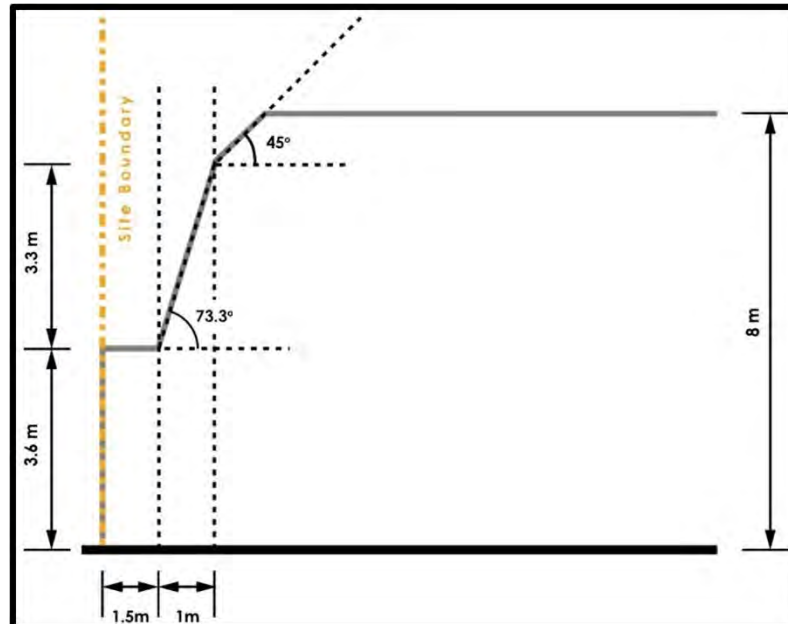


Figure 2: Diagram of GRZ-R5.1(d) Alternative Height in Relation to Boundary Rule

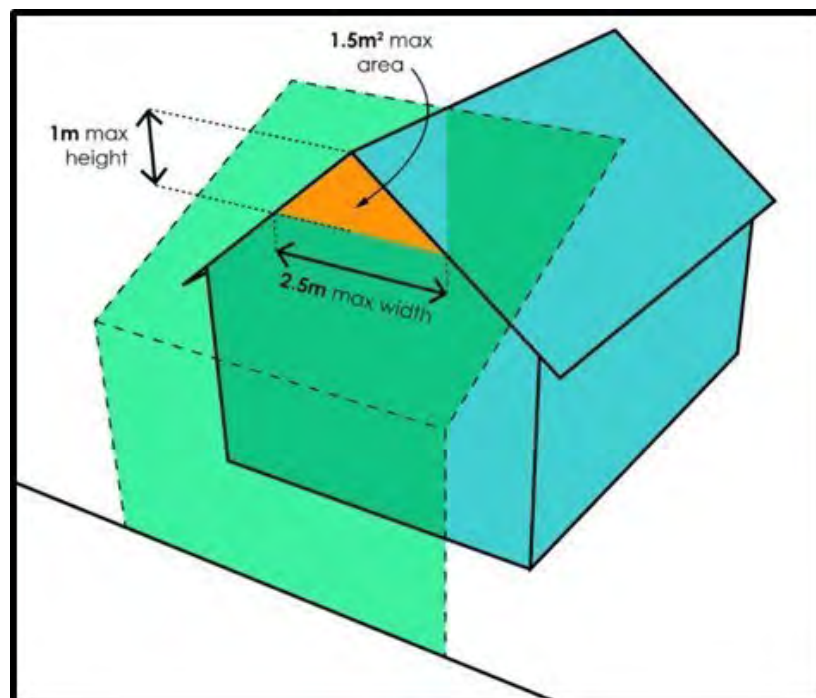


Figure 3: Diagram of GRZ-R5 Compliance Standard 3

GRZ-R6 Outdoor Living Court

Activity Status: Permitted

Where:

1. Every principal residential unit:
 - a. With one or more habitable rooms at ground floor level provides an outdoor living court of which at least 20m² has a minimum depth of 4m.
 - b. With all habitable rooms above ground floor provides an outdoor living court of which at least 8m² has a minimum depth of 2m.
2. Every minor residential unit:
 - a. With one or more habitable rooms at ground floor level provides an outdoor living court of which at least 10m² has a minimum depth of 2.4m.
 - b. With all habitable rooms above ground floor provides an outdoor living court of which at least 6m² has a minimum depth of 1.8m.
3. The outdoor living court is able to receive direct sunlight for at least 5 hours on the winter solstice over at least 50% of the minimum space required under GRZ-R6.1 – 2.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Appropriate privacy and amenity of the occupants on-site.
2. Sufficient sunlight access to outdoor living spaces within the site.
3. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.

Notification:

Any restricted discretionary activity under GRZ-R6 shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

GRZ-R7 Impervious Areas

Activity Status: Permitted

Where:

1. The impervious area within the site does not exceed 60% of the net site area.
2. The impervious area is set back at least 5m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Restricted Discretionary

Matters of Discretion:

1. The extent to which the increased impervious area will affect the ability to control stormwater runoff from the site.
2. The extent to which the additional impervious area will affect amenity values.
3. The extent to which the additional impervious area will affect existing and future esplanade areas, waterfront areas or waterfront walkways.

GRZ-R8 Building and Major Structure Coverage

Activity Status: Permitted

Where:

1. The maximum cumulative building and major structure coverage is 40% of the net site area.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The scale and bulk of buildings and major structures in relation to the site and the existing built density of the locality.
2. The outlook and privacy of adjoining and adjacent properties.
3. Visual dominance of buildings and major structures.

GRZ-R9 Fences

Activity Status: Permitted

Where:

1. The fence has a maximum height of 2m above ground level.
2. Fencing within 3m of a road boundary, except any state highway, is at least 50% visually permeable for any portion above 1m high.
3. Fencing along a boundary shared with an Open Space and Recreation Zone is at least 50% visually permeable for any portion above 1.5m high.
4. The fence is not fortified with broken glass.
5. The fence is not fortified with or any form of electrification or barbed wire except for stock exclusion purposes.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The extent to which privacy is provided for residential units, while enabling opportunities for passive surveillance of public places.
2. The extent to which shading and visual dominance effects to immediate neighbours and the street are minimised.
3. Health and safety effects.

GRZ-R10 Car Parking

Activity Status: Permitted

Where:

1. Formed car parking spaces are located at least 2m from any road boundary, excluding any on-street parking.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Traffic safety effects in relation to site ingress and egress.
2. Effects on pedestrian and cyclist safety and navigability.
3. Effects on streetscape character and amenity.

GRZ-R11 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rule GRZ-R3.
 - b. Complies with rules GRZ-R4 – R5 and R8.

- c. Is screened from view from adjacent public places and surrounding sites, except for construction materials to be used on-site for a maximum period of 12 months within each 10-year period from 26 August 2021.

Activity Status when compliance with GRZ-R11.1(b) – (c) not achieved: Restricted Discretionary Matters of discretion:

1. Effects in relation to dust and odour.
2. Visual amenity effects.
3. The matters of discretion in GRZ-R4 – R5 and R8.
4. Activity Status when compliance with GRZ-R11.1(a) not achieved: Discretionary

GRZ-R12 Farming

Activity Status: Permitted

GRZ-R13 Supported Residential Care

Activity Status: Permitted

Where:

1. The activity generates less than 25 traffic movements per site, per day.

Activity Status when compliance not achieved: Discretionary

GRZ-R14 Retirement Village

Activity Status: Permitted

Where:

1. The activity generates less than 25 traffic movements per site, per day.

Activity Status when compliance not achieved: Discretionary

GRZ-R15 Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 2 residential units per site, except where a multi unit development is proposed under GRZ-R21.
2. Every residential unit provides a net floor area of at least:
 - a. 35m² for residential units with only one habitable room.
 - b. 45m² for residential units with more than one habitable room.
3. Every residential unit is separated by at least 3m from any other detached residential unit (excluding any ancillary minor residential unit).
4. Every residential unit is separated by at least 6m from any other detached residential unit where there is an outdoor living court between the residential units (excluding any ancillary minor residential unit).
5. Every residential unit provides a living area with a window that faces to the north (between 270° and 90° as shown in Figure 5 below).
6. There is a separation distance of at least 6m from any window in a habitable room to a window of a habitable room in a separate residential unit (excluding any ancillary minor residential unit) where there is a direct line of sight between the windows.

Activity Status when compliance not achieved: Discretionary

Note:

1. Any application where compliance is not achieved under GRZ-R15.1 shall comply with information requirement rule GRZ-REQ1.

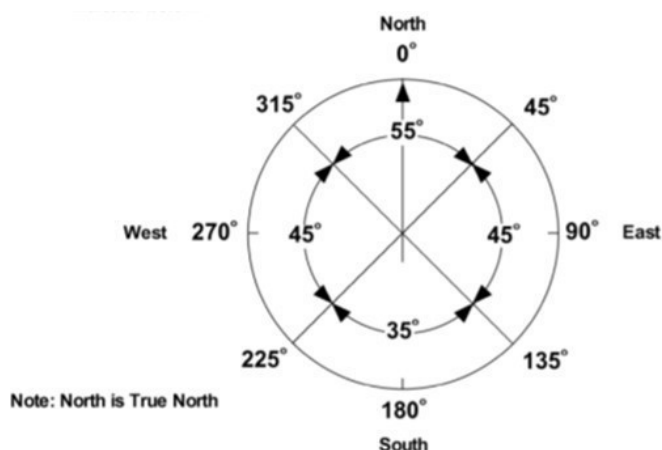


Figure 5: GRZ-R15.5 Living Area Window Orientation Diagram

GRZ-R16 Retail Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.
- ~~8. The total area of signage is less than 0.25m², per site.~~
- ~~9. There is no illuminated or moving signage.~~
- 10.8** Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of the rules GRZ-R16.4 – 10 is not achieved:
Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules GRZ-R16.1 – 3 is not achieved: Non-Complying

Note:

1. Any application shall comply with information requirement rule GRZ-REQ1.

GRZ-R17 Commercial Services

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.
- ~~8. The total area of signage is less than 0.25m², per site.~~
- ~~9. There is no illuminated or moving signage.~~
- 10.8.** Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of the rules GRZ-R17.4 – 10 is not achieved:
 Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules GRZ-R17.1 – 3 is not achieved: Non-Complying

Note:

1. Any application shall comply with information requirement rule GRZ-REQ1.

GRZ-R18 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.
- ~~8. The total area of signage is less than 0.25m², per site.~~
- ~~9. There is no illuminated or moving signage.~~
- 10.8.** Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of the rules GRZ-R18.4 – 10 is not achieved:
 Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules GRZ-R18.1 – 3 is not achieved: Non-Complying

Note:

1. Any application shall comply with information requirement rule GRZ-REQ1.

GRZ-R19 Care Centre

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.
- ~~8. The total area of signage is less than 0.25m², per site.~~
- ~~9. There is no illuminated or moving signage.~~
- ~~10.8.~~ Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of the rules GRZ-R19.4 – 10 is not achieved:
 Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules GRZ-R19.1 – 3 is not achieved: Non-Complying

Note:

1. Any application shall comply with information requirement rule GRZ-REQ1.

GRZ-R20 Visitor Accommodation

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.
- ~~8. The total area of signage is less than 0.25m², per site.~~
- ~~9. There is no illuminated or moving signage.~~
- ~~10.8.~~ Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of the rules GRZ-R20.4 – 10 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules GRZ-R20.1 – 3 is not achieved: Non-Complying

Note:

1. Any application shall comply with information requirement rule GRZ-REQ1.

GRZ-R20A Artisan Industrial Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

Activity Status when compliance with up to two of the rules GRZ-R20A.4 – 7 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules GRZ-R20A.1 – 3 is not achieved: Non-Complying

Note:

1. Any application shall comply with information requirement rule GRZ-REQ1.

GRZ-R21 Multi Unit Development

Activity Status: Restricted Discretionary

Where:

1. The activity complies with Rules GRZ-R3 – R8 and R15.

Matters of discretion:

1. Appropriate privacy and amenity of the occupants on-site and that of adjoining sites.
2. Sufficient sunlight access to outdoor living space and habitable rooms within the site.
3. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.
4. Building bulk, scale and symmetry.
5. The suitability of the particular area for increased residential density, with respect to:
 - a. The availability and accessibility of open space, public amenities and commercial activities in proximity.
 - b. Capacity and availability of infrastructure, including the affected transport network.

- c. Road access and effects on transport, including availability of public and active transport options.
6. The extent to which the activity is consistent with the purpose, character and amenity values anticipated within the General Residential Zone.
7. The ability for the site to accommodate incidental activities anticipated within the General Residential Zone such as parking (if it is to be provided), manoeuvring, waste collection and landscaping.

Notes:

1. Any application shall comply with information requirement rule GRZ-REQ1.
2. GRZ-R15.1 does not apply where a multi unit development is proposed under GRZ-R21.

Activity Status when compliance not achieved: Discretionary

Note:

1. Any application shall comply with information requirement rule GRZ-REQ1

GRZ-R22 Place of Assembly

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

GRZ-R23 Emergency Services

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

GRZ-R24 Educational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

GRZ-R25 Entertainment Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

GRZ-R26 Service Stations

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

GRZ-R27 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

GRZ-R28 Recreational Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

GRZ-R29 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

GRZ-R30 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

GRZ-R31 General Community

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

GRZ-R32 Plantation Forestry

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

GRZ-R33 Intensive Livestock Farming

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

GRZ-R34 Farm Quarrying

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

GRZ-R35 Industrial Activities (Excluding Artisan Industrial Activities)

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

Information Requirement Rules

GRZ-REQ1 Urban Design and Density

1. All applications for resource consent pursuant to GRZ-R15.1 and GRZ-R156 – 21 shall include an urban design assessment prepared by a suitably qualified and experienced professional which details:
 - a. An analysis of the site in relation to its context, including:

- i. The key characteristics of the local area, including the character and scale of surrounding development including any cultural relationships or historic heritage features and clearly recording any matters which particularly contribute to the character of the area, or that detract from the area.
- ii. The landform and topography of the site and surrounding environment.
- iii. The ecology and habitat of the site and surrounding environment.
- iv. Access to public and active transport infrastructure.
- b. An assessment of how the proposal contributes to the planned suburban environment of the area and is consistent with best practice urban design, including:
 - i. Effects on the character of the area and neighbourhood, residential amenity and pedestrian and vehicular movements.
 - ii. The relationship of the proposed development to public places and how the proposal responds to any issues or characteristics identified in the site analysis.
 - iii. Any proposed measures to avoid or mitigate adverse effects on adjacent public places and residential sites.
 - iv. Any proposed measures to incorporate Māori design elements.
 - v. Any proposed measures to facilitate active and public transport.
- c. Any consultation undertaken as part of any pre-application meetings with Council and any mitigation measures that were recommended by Council.
- d. Any consultation undertaken with mana whenua and a summary of the results of that consultation.

Note:

1. *Acceptable means of compliance and best practice urban design guidance is contained within Whangārei District Council's Urban Design Guidelines.*

PREC1 – Northland Christian Camp Precinct (NCCP)

Issues

The Northland Christian Camp Precinct enables the operation of the youth camp located at One Tree Point. The precinct recognises and provides for various activities including residential activities, visitor accommodation, community groups and clubs and camp activities.

Objectives

PREC1-O1 Recognised Activities

Recognise and provide for a range of activities within the Northland Christian Camp Precinct.

Policies

PREC1-P1 Enabled Activities

To enable camp facilities and residential visitor accommodation and community activities within the Northland Christian Camp Precinct.

Rules

PREC1-R1 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 10m above ground level, except as provided for under PREC1-R10.

Activity Status when compliance not achieved: Discretionary

PREC1-R2 Building and Major Structure Coverage

Activity Status: Permitted

Where:

1. The maximum cumulative building and major structure coverage is 35% of the total net site area.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The scale and bulk of buildings and major structures in relation to the site and the existing built density of the locality.
2. The outlook and privacy of adjoining and adjacent properties.
3. Visual dominance of buildings and major structures.

PREC1-R3 Car Parking Dimensions, Location and Identification

Activity Status: Permitted

Where:

1. The design and layout of car parking spaces complies with TRA-R2 – R3 except that:

- a. Car parking spaces may be located on grass surfaces without being marked.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Location, size and design of parking and loading areas.
2. The safety and efficiency of the transport network for vehicles, pedestrians and cyclists.

PREC1-R4 Noise Arising from Activities within the Northland Christian Camp Precinct

Activity Status: Permitted

Where:

1. Noise limits comply with NAV-R2 except that:
 - a. The maximum noise limit between the hours of 07:00 and 22:00 is 55dBA L_{Aeq}.
 - b. Noise measurements are to be taken from ground floor levels of residential buildings only.

Activity Status when compliance not achieved: Discretionary

PREC1-R5 Residential Unit

Activity Status: Permitted

Where:

1. Residential units comply with GRZ-R15 except up to a maximum of 10 residential units is permitted.

Activity Status when compliance not achieved: Discretionary

Note:

1. GRZ-R21 Multi Unit Development does not apply within the Northland Christian Camp Precinct.

PREC1-R6 Place of Assembly

Activity Status: Permitted

1. The activity is a primary activity or ancillary activity.

PREC1-R7 Educational Facilities

Activity Status: Permitted

1. The activity is a primary activity or ancillary activity.

PREC1-R8 General Community

Activity Status: Permitted

1. The activity is a primary activity or ancillary activity.

PREC1-R9 Visitor Accommodation

Activity Status: Permitted

Where:

1. There is a maximum of 200 beds in permanent structures at any time for accommodation of camp attendees, provided that none will be occupied for a period of longer than 10 days.

2. There is a maximum of 200 beds in tents, caravans and motor homes, provided that none will be occupied for a period longer than 10 days.

Activity Status when compliance not achieved: Discretionary

PREC1-R10 Recreational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. One building may be used as a gymnasium where:
 - a. The maximum building height is 15m.
 - b. The building is setback 20m from any Northland Christian Camp Precinct boundary.
 - c. The maximum gross floor area (including verandahs and mezzanine floors) is 2,150m².

Activity Status when compliance not achieved: Discretionary

PREC9 – Ruakaka Environmental Benefit Precinct (REBP)

Issues

The Ruakaka Environmental Benefit Precinct provides for residential development where positive ecological outcomes are achieved, and development is well integrated with reticulated infrastructure. The precinct recognises and provides for subdivision opportunities in an area with unique biodiversity values while limiting land use and development prior to subdivision to ensure that the ecological and biodiversity values are protected.

Rules PREC9-R1 and R2 apply to Lot 2 DP 350126 until that site allotment has been subdivided and certificates of title have been issued for each new site allotment.

Objectives

PREC9-O1 Subdivision

Residential subdivision is enabled while enhancing and permanently protecting ecological and biodiversity values.

PREC9-O2 Infrastructure

Adverse effects on reticulated three waters networks and the adjacent transport network are minimised.

PREC9-O3 Land Use

Land use activities prior to subdivision are managed to protect ecological and biodiversity values.

Policies

PREC9-P1 Residential Subdivision

To provide for residential subdivision where the following are achieved:

1. Restoration and permanent protection of the ecological corridor that runs through the site and connects to adjacent sites.
2. Revegetation and enhancement planting within the ecological corridor.
3. Avoidance of adverse effects on:
 - a. Indigenous taxa that are listed as threatened or at risk in the NZ Threat classification system lists.
 - b. The ecological values and attributes of areas of indigenous vegetation and habitats of indigenous fauna that are significant using the assessment criteria in Appendix 5 of the Northland Regional Policy Statement 2016.

PREC9-P2 Infrastructure

To ensure that land use, development and subdivision are well integrated with the transport network and reticulated three waters networks by:

1. Avoiding on-site wastewater treatment and disposal, except where it is proposed for a single residential unit prior to subdivision.
2. Ensuring that sufficient capacity exists within the reticulated wastewater network to accommodate the proposed development; and requiring any upgrades which are needed to service the development.

3. Requiring sufficient vehicle access to be identified at the time of land use, development and subdivision.

PREC9-P3 Land Use Prior to Subdivision

To ensure that future comprehensive residential development is not compromised and to protect the existing biodiversity and ecological values within the site by:

1. Limiting the clearance of indigenous vegetation prior to subdivision.
2. Restricting the development density to one residential unit prior to subdivision.

Rules

PREC9-R1 Residential Units

Activity Status: Permitted

Where:

1. The maximum density within Lot 2 DP 350126 is 1 residential unit.
2. The residential unit, accessory buildings and wastewater system are located outside of the ecological corridor to be protected under PREC9-R3.4.
3. Vehicle access is Accessways are located outside of the ecological corridor to be protected under PREC9-R3.4, except that one vehicle access way route may be provided in general accordance with the indicative vehicle access shown on Figure PREC9 Map 1.

Note:

1. *PREC9-R1 applies to Lot 2 DP 350126 until that site allotment has been subdivided and certificates of title have been issued for each new site allotment.*

Activity Status when compliance not achieved: Non-Complying

PREC9-R2 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of indigenous vegetation within Lot 2 DP 350126 is either:
 - a. Outside of the ecological corridor to be protected under PREC9-R3.4; or
 - b. Within the ecological corridor to be protected under PREC9-R3.4 and is associated with:
 - i. Operation, maintenance and repair of existing tracks, fences, drains and other lawfully established activities; or
 - ii. Pest plant removal and biosecurity works; or
 - iii. Conservation planting, including planting for ecological restoration purposes.

Note:

1. *PREC9-R2 applies to Lot 2 DP 350126 until that site allotment has been subdivided and certificates of title have been issued for each new site allotment.*

Activity Status when compliance not achieved: Discretionary

PREC9-R3 Subdivision

Activity Status: Restricted Discretionary

Where:

1. The subdivision is by way of a single application for resource consent (implementation of which may be staged).
2. Certification has been provided from Whangarei District Council that there is capacity within the public reticulated wastewater network to service the proposed development.
3. All sites allotments (excluding any site allotment for the sole purpose of environmental protection and restoration, accessways, roads, utilities or reserves) are designed and located so that provision is made for connected to a public reticulated wastewater network.
4. Vehicle access to the site is provided from Tamure Place.
5. The ecological corridor to be protected shown on Figure PREC9 Map 1 is legally protected in perpetuity and managed on an on-going basis in accordance with an Ecological Management Plan, except that one internal vehicle accessway route may be provided in general accordance with the indicative vehicle access shown on Figure PREC9 Map 1.

Matters of discretion:

1. Effects on the existing reticulated wastewater network.
2. The capacity of the existing reticulated wastewater network and whether the servicing needs of the proposal require upgrades to existing infrastructure.
3. The efficient provision of services to the land being subdivided and to nearby land that might be subdivided in the future.
4. The location and design of vehicle accessways to and within the site.
5. Effects on ecological and biodiversity values within the site and surrounding area.

Notes:

1. *Any application shall comply with information requirement rules PREC9-REQ1 and REQ2.*
2. *All relevant District-Wide and overlay subdivision provisions apply in addition to PREC9-R3.*
3. *Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Whangārei District Council Engineering Standards.*

Activity Status when compliance not achieved: Non-Complying



Figure PREC9 Map 1. Lot 2 DP 350126 Ecological Corridor to be Protected

Information Requirement Rules

PREC9-REQ1 Ecological and Restoration Plans

1. Any application under rule PREC9-R3 must include an ecological report prepared by a suitably qualified and experienced ecologist which shall address the following matters:
 - a. A planting plan for proposed revegetation planting which considers and identifies:
 - i. The appropriateness and practicability of the proposed replanting:
 - a) To be native vegetation which is sourced from the Waipu ecological district and to be appropriate for the soil, aspect, exposure and topography;
 - b) To reflect the composition of former natural vegetation likely to have occupied the site and include appropriate native species that will enable natural processes of succession.
 - ii. The ecological district of the site.
 - iii. The characteristics of the soil (i.e. clay, silt, loam etc.).
 - iv. Soil drainage.
 - v. Topography of the area to be planted.
 - vi. Aspect of the area to be planted.
 - vii. Exposure of site to wind, frost, sunlight and salt spray.
 - viii. Presence of plant and animal pests.
 - ix. Any restrictions on planting, such as safety, existing access issues, and fire risk where adjacent to proposed residential activities.
 - x. The purpose of the planting in relation to the surrounding environment (including buffering, corridors, linkages).
 - xi. The location and extent of planting.
 - xii. Site preparation for planting, including stock-proof fencing of planting areas, weed and animal pest control, including the removal or management of all invasive weed species.

- xiii. Site planting, including species to be planted, size and spacing of plants and where they are to be planted, requirements for replacement of pest plants with appropriate native species and measures to minimise reinvasion of pest plants.
- xiv. Maintenance plan of planting, including releasing plants, fertiliser, plant and animal pest control and mulching and replacement of plants which do not survive, and a management plan for animal and plant pest control.
- b. An assessment of the effects of the potential development on the environmental protection area, including but not limited to:
 - i. Location and proximity of proposed sites allotments and building platforms to the environmental protection area;
 - ii. Orientation of light, noise, reflective sources to minimise impact on resident fauna
 - iii. Building platforms;
 - iv. Access, in particular the vehicle access ways through the areas to be protected and any proposed crossing design over the stream (e.g. bridge, culvert, ford);
 - v. Earthworks;
 - vi. Services, including stormwater, wastewater, water supply, telecommunications networks, and energy (electricity or gas) networks;
 - vii. Pets, farmed animals, pests, weeds, garden escapes and green waste dumping.
- c. A plan that specifies the protection measures proposed to ensure the existing and planted indigenous vegetation remain protected in perpetuity, that includes how all of the following matters will be implemented prior to the Council issuing section 224(c) certificate:
 - i. The establishment of secure stock exclusion.
 - ii. The maintenance of plantings, and regular monitoring 6 monthly for the first 18 months and then annually to ensure 90% survivorship of planted species.
 - iii. The maintenance of plantings must ensure that all invasive plant pests are eradicated from the planting site both at the time of planting and on an on-going basis to ensure adequate growth.
 - iv. The maintenance of indigenous vegetation must ensure animal and plant pest control occurs.
 - v. A planting hygiene protocol to be imposed while all planting is being undertaken to ensure that plant diseases e.g. myrtle rust are not brought to the site.
- d. A fauna management plan that includes:
 - i. A fish survey prepared within the 12 months prior to any works undertaken within the existing stream, ponds or dune lakes.
 - ii. The methods to rescue and relocate any fish identified in the survey in accordance with the Fish Recovery and Rescue Protocols (River Lake Ltd 2018) if works are to be undertaken in the stream or any pond.
 - iii. Identification of any indigenous taxa within the site and surrounding area that are listed as threatened or at risk in the NZ Threat classification system lists.
 - iv. An assessment of the effects of the potential development on any identified species in information requirement rule PREC9-REQ1.1(d)(iii) and the methods proposed to protect the species and monitoring on-going effects after subdivision.
- e. Any additional protection and on-going management methods including but not limited to methods of weed and pest management and measures to control cats, dogs, rabbits, rats, mustelids, possums and freshwater pests.

PREC9-REQ2 Connection to Public Reticulated Wastewater Network

1. Any application under rule PREC9-R3 must include an assessment detailing:
 - a. Provision made for connections to public reticulated wastewater network.
 - b. Confirmation from Council that sufficient capacity exists within the public reticulated wastewater network to service the proposed development.
 - c. Any upgrades and/or extensions to existing public reticulated wastewater infrastructure that are proposed or necessary.
 - d. Where insufficient capacity exists within the reticulated wastewater network:
 - i. Upgrades proposed by the developer that are necessary to increase network capacity to accommodate the development; or
 - ii. The proposed timing and staging of development to ensure that it is coordinated with any planned Long Term Plan upgrades identified by Council which will provide adequate capacity.
 - e. Land and infrastructure to be vested in the Council.

PREC13 – Vinegar Hill Road Precinct (VHRP)

Issues

The Vinegar Hill Road Precinct provides for General Residential Zone subdivision and land use provided that adverse effects on the adjacent transport network are managed and an appropriate esplanade reserve is created with physical and visual connections provided between the reserve and residential development. All relevant district-wide provisions and underlying zone provisions apply in addition to PREC13-R1 – R2.

Objectives

PREC13-O1 Transport Effects

Adverse effects on the safety and efficiency of the adjacent transport network are managed.

PREC13-O2 Esplanade Area

The recreational and ecological values along the stream adjacent to the Precinct are enhanced.

PREC13-O3 Urban Design

Development achieves quality urban design outcomes and connectivity with public spaces and adjoining sites.

Policies

PREC13-P1 Vehicle Crossings

To manage effects on the adjacent transport network by:

1. Limiting the number of new vehicle crossings onto Vinegar Hill Road.
2. Locating the vehicle crossings in appropriate locations with regard to existing and proposed intersections, vehicle crossings and bridges.

PREC13-P2 Esplanade Area

To provide public access to the stream adjacent to the Precinct and to protect ecological values within the site by creating an esplanade reserve over the Natural Open Space Zone in the Precinct.

PREC13-P3 Urban Design

To design subdivision and the associated transport network to achieve quality urban design outcomes and connectivity by providing:

1. Strong visual and physical connections between public places in the General Residential Zone and Natural Open Space Zone within the Precinct.
2. Appropriate levels of passive surveillance over the Natural Open Space Zone within the Precinct.
3. Opportunities for transport network connectivity to adjoining Residential Zone land.

Rules

PREC13-R1 Vehicle Crossings

Activity Status: Permitted

Where:

1. The vehicle crossing complies with TRA-R5 – R6.
2. A maximum of two new vehicle crossings onto Vinegar Hill Road are constructed.
3. All vehicle crossings are located at least 150m from the bridge on Vinegar Hill Road at the southern end of the Precinct.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Location, size and design of vehicle crossings and accessways.
2. The safety and efficiency of the transport network for vehicles, pedestrians and cyclists.

PREC13-R2 Subdivision

Activity Status: Controlled

Where:

1. The subdivision is a controlled activity under SUB-R5.
2. The subdivision results in crossings which comply with PREC13-R1.
3. The area zoned as Natural Open Space Zone in PREC13 is proposed to be vested in the Whangarei District Council.

Matters of control:

1. The matters over which control is reserved in SUB-R5.
2. The design and location of vehicle crossings onto Vinegar Hill Road.
3. Vesting of reserves and open space with Whangarei District Council.

Note:

1. *All relevant District-Wide and Overlay subdivision objectives, policies and rules apply in addition to PREC13-R2.*

Activity Status when compliance is not achieved: Discretionary

PREC16 – Marsden Urban Expansion Precinct (MUEP)

Issues

The extent of Residential Zones within Marsden Point/Ruakaka, excluding the Marsden Urban Expansion Precinct, provides sufficient plan-enabled development to cater for the population growth expectations over the life of the District Plan and beyond. The existing reticulated infrastructure is sufficient to service that plan-enabled development. Development beyond what is reasonably expected to be realised and plan-enabled will require further infrastructure investment and upgrades to be adequately serviced. Coordination with Council's Long Term Plan will be important to ensure that funding is allocated for any necessary infrastructure.

The land within the Marsden Urban Expansion Precinct was identified in the Marsden Point-Ruakaka Structure Plan 2009 as being areas suitable for future development opportunities. The Marsden Urban Expansion Precinct acknowledges that additional urban development may be required in the medium to long term to meet housing bottom lines required by the National Policy Statement on Urban Development 2020. Additional urban development may also help to improve housing affordability and support competitive land and development markets in the Marsden Point/Ruakaka area.

While the land in the Marsden Urban Expansion Precinct has an underlying zoning of General Residential Zone, the Precinct provisions require sufficient wastewater capacity prior to urban development. The provisions also require future development to be strategically planned to ensure that:

- Constraints are identified and analysed to inform more detailed design stages, including any natural hazard and infrastructure constraints.
- There is adequate infrastructure to support development of the land.
- Development within and between sites will be coordinated and integrated.
- An appropriate scale and range of amenities are provided for the expected population, including public open space areas and recreation and leisure amenities.

Land within the Precinct cannot utilise the General Residential Zone provisions prior to subdivision. Instead the land may be used for a range of rural activities consistent with the Rural Production Zone. Once a site has been subdivided under PREC16-R4 then the land use rules of the General Residential Zone apply.

Objectives

PREC16-O1 Rural Land Uses

Land is used and developed in accordance with the provisions of the Rural Production Zone prior to subdivision.

PREC16-O2 Future Urban Development

Future urban development is not compromised by premature subdivision, use or development.

PREC16-O3 Development Prior to Subdivision

Urban development on sites within the Marsden Future Development Precinct is avoided until sites have been subdivided for urban purposes.

PREC16-O4 Subdivision

Subdivision of the Marsden Future Development Precinct is integrated with infrastructure and contributes to a well-functioning urban environment.

Policies

PREC16-P1 Future Urban Development

To ensure that future urban development is not compromised by providing for land use and development which achieve the provisions of the Rural Production Zone while also achieving PREC16-P2.

PREC16-P2 Subdivision, Land Use and Development

To avoid subdivision, land use and development of land that may:

1. Result in structures and buildings of a scale and form that will hinder or prevent future urban development;
2. Inhibit the efficient provision of infrastructure or future reticulation of the site, surrounding sites or other Residential Zone and Business Zone sites in Marsden Point/Ruakaka;
3. Give rise to reverse sensitivity effects if urban development were to occur;
4. Undermine the form or nature of future urban development; or
5. Require significant upgrades, provisions or extension to the wastewater, water supply, or stormwater networks or other infrastructure unless:
 - a. The developers propose to meet the costs of any upgrades, provisions and/or extensions which are directly attributed to measurable impacts of the subdivision or development; or
 - b. The funding for the upgrades, provisions and/or extensions is identified in Council's Long Term Plan.

PREC16-P3 Subdivision

To accommodate future population growth in Marsden Point/Ruakaka by enabling the subdivision of land within the Marsden Urban Expansion Precinct where the subdivision:

1. Supports a quality compact urban form and well-functioning urban environment.
2. Is integrated with the provision of infrastructure and is well-connected along transport corridors.
3. Contributes to a range of housing types and recreational activities that are appropriate to the population within the Marsden Urban Expansion Precinct and surrounding areas.
4. Supports competitive land and development markets and assists Council in providing sufficient development capacity to address housing bottom lines.

PREC16-P4 Coordinated and Integrated Development

To ensure that subdivision of sites within the Marsden Urban Expansion Precinct enables coordinated development, and is well integrated, with surrounding sites and areas.

Rules

PREC16-R1 Any Activity Prior to Subdivision under PREC16-R4

Activity Status: Permitted

Where:

1. The activity is permitted under:
 - a. The Rural Production Zone rules.
 - b. PREC16-R2 and R3.

Note:

1. *PREC16-R1 applies to sites within the Marsden Urban Expansion Precinct until that site has been subdivided under PREC16-R4 and certificates of title have been issued for each new site allotment.*

Activity Status when compliance not achieved, and the activity is Discretionary under the Rural Production Zone rules or PREC16-R2 and R3: Discretionary

Activity Status when compliance not achieved, and the activity is Non-Complying under the Rural Production Zone rules or PREC16-R2 and R3: Non-Complying

Activity Status when compliance not achieved, and the activity is Prohibited under the Rural Production Zone rules: Prohibited

PREC16-R2 Building and Major Structure Setbacks Prior to Subdivision under PREC16-R4

Activity Status: Permitted

Where:

1. All buildings and major structures:
 - a. Are permitted under the Rural Production Zone rules.
 - b. Are set back at least:
 - i. 10m from all site boundaries.
 - ii. 6m from a right of way or common shared access way.

Note:

1. *PREC16-R2 applies to sites within the Marsden Urban Expansion Precinct until that site has been subdivided under PREC16-R4 and certificates of title have been issued for each new site allotment.*

Activity Status when compliance not achieved: Discretionary

PREC16-R3 Minor Residential Unit Prior to Subdivision under PREC16-R4

Activity Status: Permitted

Where:

1. The minor residential unit:
 - a. Is permitted under the Rural Production Zone rules.
 - b. Does not use a separate vehicle access way from the associated principal residential unit.

Note:

1. *PREC16-R3 applies to sites within the Marsden Urban Expansion Precinct until that site has been subdivided under PREC16-R4 and certificates of title have been issued for each new site allotment.*

Activity Status when compliance not achieved: Non-Complying

PREC16-R4 Subdivision

Activity Status: Discretionary

Where:

1. The subdivision is of a site that existed on 11 August 2021.

2. The subdivision complies with SUB-R5.
3. The maximum net site area is 800m², excluding any site for accessways, roads, utilities and reserves.
4. The maximum treatment and disposal capacity of the Ruakaka Wastewater Treatment Plant is at least 6,000m³ per day.

Note:

1. Any application shall comply with information requirement rules PREC16-REQ1 – REQ3.

Activity Status when compliance not achieved: Non-Complying

Information Requirement Rules

PREC16-REQ1 Spatial Planning Assessment

1. Any application under rule PREC16-R4 must include a spatial planning assessment, including but not limited to an assessment of:
 - a. The current Housing and Business Development Capacity Assessment prepared by Council and any subsequent changes in demand and capacity.
 - b. The phases and timing for the staged release of greenfield land to a more intensive activity for urban development in coordination with infrastructure.
 - c. The appropriateness of the location, type and form of the proposed precinct urban edge in relation to the surrounding area and how transitions between the area to be urbanised and other areas with different activities, building types and densities or levels of intensity are to be managed.
 - d. The linkages and integration with land adjoining the site.
 - e. How the proposal will contribute to a well-functioning urban environment in accordance with the National Policy Statement on Development Capacity, including details of all of the following:

PREC16-REQ2 Connection to Public Reticulated Wastewater Network

1. Any application under rule PREC16-R4 must include an assessment detailing:
 - a. Provision made for connections to public reticulated wastewater network.
 - b. Confirmation from Council that sufficient capacity exists within the public reticulated wastewater network to service the proposed development.
 - c. Any upgrades and/or extensions to existing public reticulated wastewater infrastructure that are proposed or necessary.
 - d. Where insufficient capacity exists within the reticulated wastewater network:
 - i. Upgrades proposed by the developer that are necessary to increase network capacity to accommodate the development; or
 - ii. The proposed timing and staging of development to ensure that it is coordinated with any planned Long Term Plan upgrades identified by Council which will provide adequate capacity.
 - e. Land and infrastructure to be vested in the Council.

PREC16-REQ3 Urban Design and Density

1. All applications for resource consent pursuant to PREC16-R4 shall include an urban design assessment prepared by a suitably qualified and experienced professional which details:

- a. An analysis of the site in relation to its context, including:
 - i. The key characteristics of the local area, including the character and scale of surrounding development including any cultural relationships or historic heritage features and clearly recording any matters which particularly contribute to the character of the area, or that detract from the area.
 - ii. The landform and topography of the site and surrounding environment.
 - iii. The ecology and habitat of the site and surrounding environment.
 - iv. Access to public and active transport infrastructure.
- b. An assessment of how the proposal contributes to the planned suburban environment of the area and is consistent with best practice urban design, including:
 - i. Effects on the character of the area and neighbourhood, residential amenity and pedestrian and vehicular movements.
 - ii. The relationship of the proposed development to public places and how the proposal responds to any issues or characteristics identified in the site analysis.
 - iii. Any proposed measures to avoid or mitigate adverse effects on adjacent public places and residential sites.
 - iv. Any proposed measures to incorporate Māori design elements.
 - v. Any proposed measures to facilitate active and public transport.
- c. Any consultation undertaken as part of any pre-application meetings with Council and any mitigation measures that were recommended by Council.
- d. Any consultation undertaken with mana whenua and a summary of the results of that consultation.

Note:

1. *Acceptable means of compliance and best practice urban design guidance is contained within Whangārei District Council's Urban Design Guidelines.*

Medium Density Residential Zone (MRZ)

Issues

The Medium Density Residential Zone (MRZ) provides predominantly for medium density residential development in urban areas with few constraints and that are within easy walking distance to public open space and commercial centres. Over the foreseeable future, while traditional single residential unit properties will likely remain a dominant feature within the Medium Density Residential Zone, the zone is anticipated to provide for a greater range of housing choices and improved affordability, with an increasing prevalence of housing typologies such as low-rise apartments, walk-ups, terrace housing, semi-detached housing and detached townhouses on smaller sections.

While it is recognised that more intensive residential development has the potential to generate adverse effects on established residential environments, it can and should be well designed so that the layout and scale of housing complements established neighbourhoods. However, care has been taken not to set development controls at such a level that the feasibility of development may be unduly compromised.

It is expected that any changes to existing amenity levels resulting from further residential intensification will be gradual. Such changes will be off-set by advantages gained from increased neighbourhood activity and vitality, better population support for commercial centres, an emphasis on good quality urban design, a greater range of housing options, better utilisation of existing public facilities and infrastructure, and reduced urban sprawl.

Commercial activities are discouraged in the Medium Density Residential Zone. However, some opportunities are provided for non-residential activities such as community activities, visitor accommodation and retail activities, while ensuring that residential amenity and character are not compromised and that the activity is sympathetic to the surrounding residential context.

Objectives

MRZ-O1 Density

Subdivision and development are consistent with the planned medium density built environment and are compatible with the amenity levels of medium density residential development.

MRZ-O2 Housing Capacity

Increase housing capacity, intensity and variety.

MRZ-O3 Amenity

Subdivision and development provide quality residential amenity for residents, adjoining sites and the street while acknowledging the potential for reduced on-site amenity due to increased building scale and density.

MRZ-O4 Non-Residential Activities

Residential activities remain the dominant activity in the Medium Density Residential Zone and any non-residential activities are compatible with residential amenity.

Policies

MRZ-P1 Residential Activities

To recognise and provide for the diverse accommodation needs of the community by:

1. Allowing for decreased outdoor living space and landscaping provided that public open space is conveniently accessible.
2. Enabling a variety of medium density housing types including apartments, terrace housing, semi-detached townhouses, compact detached townhouses and multi unit developments.

MRZ-P2 On-Site Amenity

To require residential activities to achieve good levels of on-site amenity by providing:

1. Useable outdoor living courts.
2. Sufficient access to sunlight throughout the year.
3. Adequate space to accommodate typical residential living requirements.

MRZ-P3 Outdoor Living Courts

To provide for development that infringes minimum outdoor living court and sunlight access requirements where the development is designed to minimise impacts on on-site amenity, including through access to:

1. Communal outdoor living space; or
2. Public open space that is conveniently accessible and of sufficient size.

MRZ-P4 Adjacent Properties

To mitigate adverse amenity effects on adjacent properties by sensitively designing development to:

1. Manage the intrusion of privacy and the extent of building dominance on adjoining residential units and areas of outdoor amenity.
2. Minimise the degree of overshadowing or obstruction of sunlight penetration to any adjoining site or residential unit.

MRZ-P5 Residential Amenity and Character

To manage adverse effects on residential amenity and character by requiring new developments to have regard to the way the development:

1. Provides street activation through connection between front doors and the street.
2. Provides landscaping and planting that enhances on-site and local residential amenity, with particular regard to site frontage.
3. Minimises large monotonous building facades and walls that do not include design variation or are not broken down into smaller elements.
4. Relates to neighbouring properties by employing setbacks, sensitive building orientation and design, and landscaping to mitigate dominance and privacy impacts.
5. Provides an active interface to Open Space and Recreation Zones on to which it fronts.
6. Is sympathetic to other buildings in the vicinity, having regard to bulk, scale and symmetry.

MRZ-P6 Impervious Areas

To restrict impervious areas within sites in order to:

1. Manage stormwater runoff.
2. Maintain and enhance amenity values.
3. Safeguard esplanade areas and waterfront walkways.

MRZ-P7 Supported Residential Care and Retirement Villages

To enable a range of appropriate residential activities by providing for supported residential care and retirement villages where they are designed, located and managed to:

1. Provide a high level of amenity for residents.
2. Ensure any adverse effects on surrounding Residential Zones and Open Space and Recreation Zones are minimised.
3. Maintain the residential character of the surrounding environment.
4. Avoid, remedy or mitigate any adverse effects on infrastructure, including the transport network.

MRZ-P8 Non-Residential Activities

To only enable non-residential activities where they:

1. Will not detract from the vitality and viability of Business Zones.
2. Are complementary in design, scale, nature and intensity to the residential context.
3. Avoid, remedy or mitigate adverse effects on residential amenity values such as noise, traffic, parking, lighting, glare and visual impact.

MRZ-P9 Comprehensive Design

To encourage subdivision and land use proposals to be undertaken concurrently as part of a comprehensive design process.

MRZ-P10 Subdivision

To promote design and layout of subdivision which achieves the following:

1. Sites Lots are shaped and sized to allow adequate sunlight to living and outdoor spaces, and to provide appropriate on-site amenity and privacy.
2. Where possible, sites lots are located so that they over-look and front roads and open spaces.
3. Rear sites are limited.
4. A permeable street network where the use of cul-de-sacs is limited.
5. Pedestrian and vehicular connections within a development, and between developments and the public realm, are maximised.
6. Opportunities for connections to public open space, services and facilities in the neighbourhood are identified and created.

Rules

MRZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

MRZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules MRZ-R3 – R5 and R8.

MRZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 11m above ground level, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m where the entire roof slopes 15 degrees or more.

Activity Status when compliance not achieved: Restricted Discretionary

Matter of discretion:

1. Effects on amenity of adjoining sites.
2. The extent to which visual dominance effects are minimised.

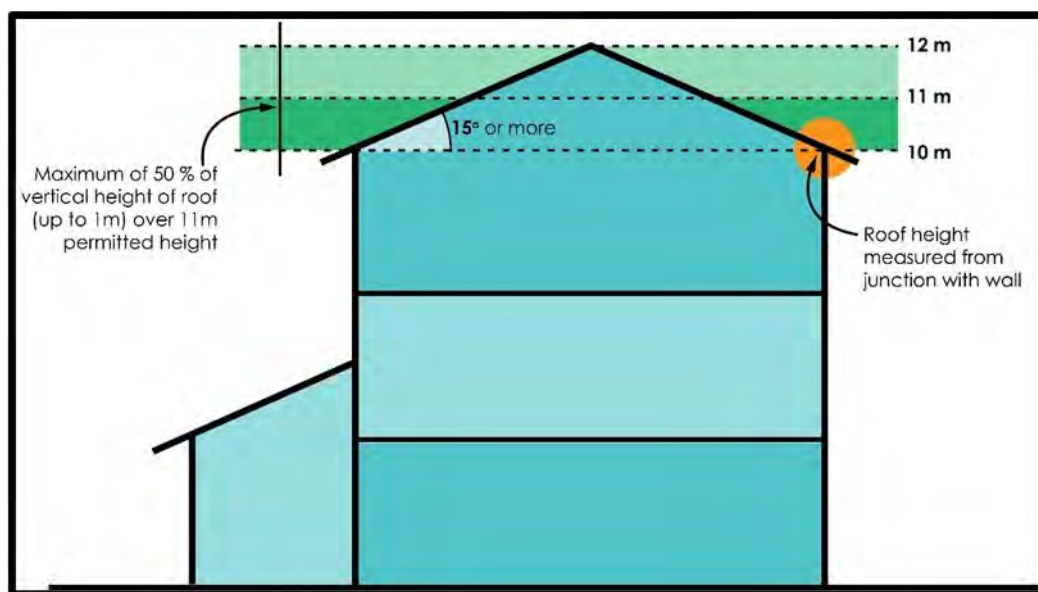


Figure 1: Diagram of MRZ-R3 Building and Major Structure Height Rule

MRZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 2m from road boundaries.
 - b. 1m from side and rear boundaries.
 - c. 20m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).
 - d. Except that:
 - i. MRZ-R4.1(b) does not apply where there is an existing or proposed common wall between two buildings on adjacent sites; and
 - ii. Non-habitable major structures and buildings, and non-habitable rooms of buildings, may be set back 0m for a maximum cumulative length of 7.5m on a single side or rear boundary and a maximum total cumulative length of 10.5m on all side and rear boundaries, provided they are setback at least 2m from habitable rooms on any other site.

Activity Status when compliance not achieved with MRZ-R4.1(a) – (b) or MRZ-R4.1(d)(ii):
 Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining properties.
3. Impacts on the amenity of any adjacent public walkway.
4. Where MRZ-R4.1(a) is infringed, the effects on the:
 - a. Streetscape character anticipated within the Medium Density Residential Zone.
 - b. Safety and efficiency of the adjacent transport network

Activity Status when compliance not achieved with MRZ-R4.1(c): Restricted Discretionary

Matters of discretion:

1. The effectiveness of the proposed method for controlling stormwater runoff.
2. That the proposal will maintain and enhance the amenity values of the area.
3. That esplanade areas and waterfront walkways are appropriately safeguarded.
4. The potential to establish an esplanade reserve.

MRZ-R5 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any side or rear boundary, except any boundary:
 - a. Where there is an existing or proposed common wall between two buildings on adjacent sites; or
 - b. That is adjoining a business zone; or
 - c. That is adjoining an Open Space and Recreation Zone where the Open Space and Recreation Zone site is:
 - i. Greater than 2,000m²; and
 - ii. Greater than 20m in width when measured perpendicular to the point where the measurement of MRZ-R5.1 is taken from.
2. Except that, any parts of the buildings or major structures that are within 20m of the site frontage may exceed the maximum height in relation to boundary in MRZ-R5.1, provided they:
 - a. Do not exceed a height of 3.6m above ground level where they are 1m or less from side and rear boundaries adjoining the Medium Density Residential Zone; and
 - b. Thereafter, are set back 0.3m for every additional metre in height (73.3 degrees) up to 6.9m and then 1m for every additional metre in height (45 degrees).

Compliance Standards:

1. Where an Open Space and Recreation Zone comprises multiple adjoining sites but has a common zoning, the cumulative area of the sites can be used for the purposes of calculating MRZ-R5.1(c)(i) – (ii).
2. Measurements for MRZ-R5.1 – 2 can be taken from the furthest boundary when adjoining an access lot.
3. Up to two gable ends, dormers or portions of a roof may exceed the height in relation to boundary plane on each site boundary where each portion exceeding the height in relation to boundary is no greater than:

- a. 1.5m^2 in area; and
- b. 1m in height; and
- c. 2.5m in length.

When measured in accordance with Figure 3 below.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining and adjacent properties.
3. Effects on sunlight access to outdoor areas and habitable rooms on adjoining sites.

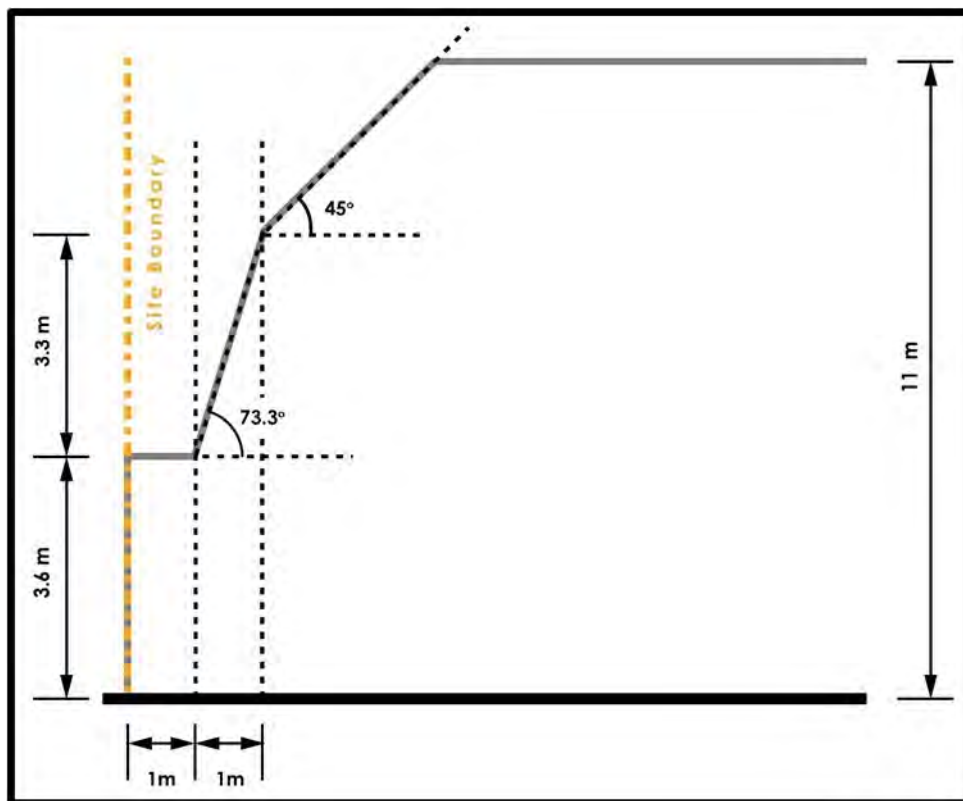


Figure 2: Diagram of MRZ-R5.2 Alternative Height in Relation to Boundary Rule

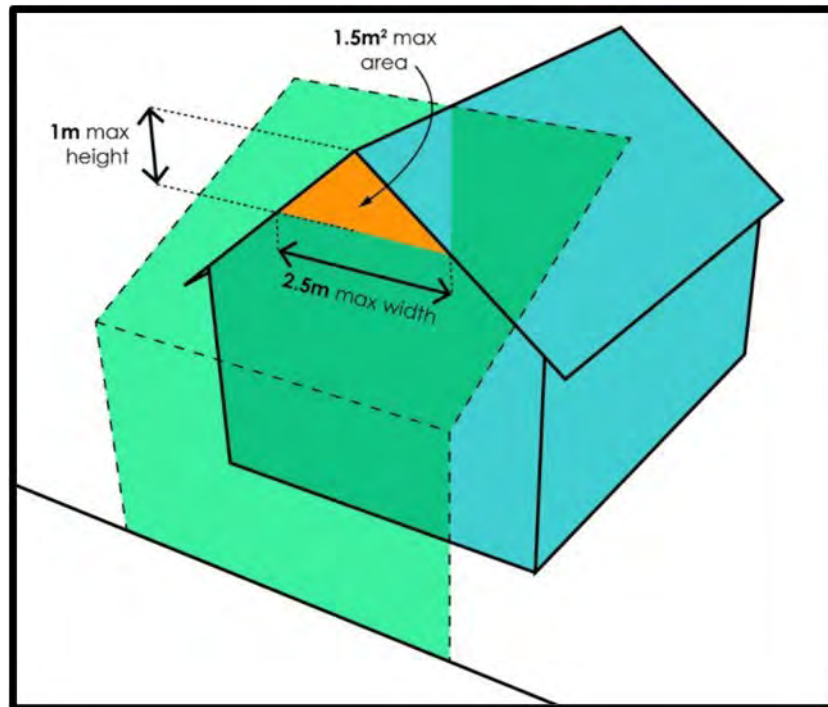


Figure 3: Diagram of MRZ-R5 Compliance Standard 3

MRZ-R6 Outdoor Living Court

Activity Status: Permitted

Where:

1. Every residential unit:
 - a. With one or more habitable rooms at ground floor level provides an outdoor living court of which at least 20m² has a minimum depth of 4m.
 - b. With all habitable rooms above ground floor with 1 bedroom provides an outdoor living court of which at least 4m² has a minimum depth of 1.5m.
 - c. With all habitable rooms above ground floor, with 2 or more bedrooms provides an outdoor living court of which at least 8m² has a minimum depth of 1.8m.
2. The outdoor living court is able to receive direct sunlight for at least 5 hours on the winter solstice over at least 50% of the minimum space required under MRZ-R6.1.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Appropriate privacy and amenity of the occupants on-site.
2. Sufficient sunlight access to outdoor areas and habitable rooms within the site.
3. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.

Notification:

Any restricted discretionary activity under MRZ-R6 shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

MRZ-R7 Impervious Areas

Activity Status: Permitted

Where:

1. The impervious area within the site does not exceed 65% of the net site area.
2. The impervious area is set back at least 5m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Restricted Discretionary

Matters of Discretion:

1. The extent to which the increased impervious area will affect the ability to control stormwater runoff from the site.
2. The extent to which the additional impervious area will affect amenity values.
3. The extent to which the additional impervious area will affect existing or future esplanade areas, waterfront areas or waterfront walkways.

MRZ-R8 Building and Major Structure Coverage

Activity Status: Permitted

Where:

1. The maximum cumulative building and major structure coverage is 45% of the net site area.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The scale and bulk of buildings and major structures in relation to the site and the existing built density of the locality.
2. The outlook and privacy of adjoining and adjacent properties.
3. Visual dominance of buildings and major structures.

MRZ-R9 Fences

Activity Status: Permitted

Where:

1. The fence has a maximum height of 2m above ground level.
2. Fencing within 3m of a road boundary, except any state highway, is at least 50% visually permeable for any portion above 1m high.
3. Fencing along a boundary shared with Open Space and Recreation Zone is at least 50% visually permeable for any portion above 1.5m high.
4. The fence is not fortified with barbed wire, broken glass or any form of electrification.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The extent to which privacy is provided for residential units, while enabling opportunities for passive surveillance of public places.
2. The extent to which shading and visual dominance effects to immediate neighbours and the street are minimised.
3. Health and safety effects.

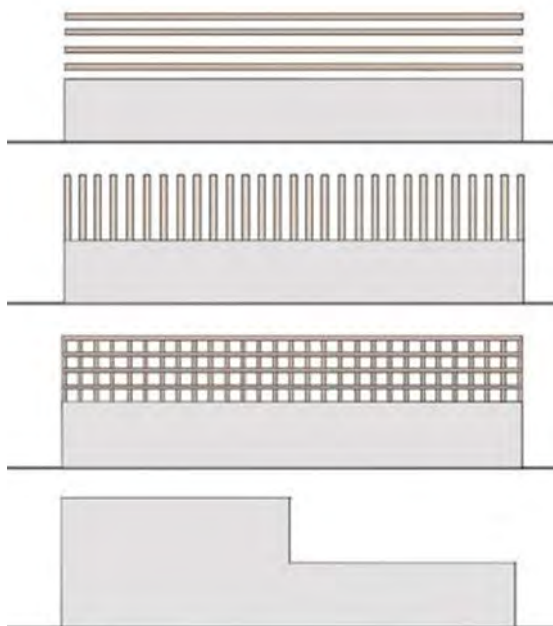


Figure 4: Examples of fences solid up to 1m and 50% visually permeable between 1m and 2m high

MRZ-R10 Car Parking

Activity Status: Permitted

Where:

1. Formed car parking spaces (excluding garages) are located at least 2m from any road boundary, excluding any on-street car parking.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Traffic safety effects in relation to site ingress and egress.
2. Effects on pedestrian and cyclist safety and navigability.
3. Effects on streetscape character and amenity.

MRZ-R11 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rules MRZ-R3.
 - b. Complies with rules MRZ-R4 – R5 and R8.
 - c. Is screened from view from adjacent public places and surrounding sites, except for construction materials to be used on-site for a maximum period of 12 months within each 10-year period from 26 August 2021.

Activity Status when compliance with MRZ-R11.1(b) – (c) not achieved: Restricted Discretionary

Matters of discretion:

1. Effects in relation to dust and odour.
2. Visual amenity effects.

3. The matters of discretion in MRZ-R4 – R5 and R8.

Activity Status when compliance with MRZ-R11.1(a) not achieved: Discretionary

MRZ-R12 Supported Residential Care

Activity Status: Permitted

Where:

1. The activity generates less than 25 traffic movements per site, per day.

Activity Status when compliance not achieved: Discretionary

MRZ-R13 Retirement Village

Activity Status: Permitted

Where:

1. The activity generates less than 25 traffic movements per site, per day.

Activity Status when compliance not achieved: Discretionary

MRZ-R14 Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 2 residential units per site, except where a multi unit development is proposed under MRZ-R20.
2. Every residential unit provides a net floor area of at least:
 - a. 35m² for residential units with only one habitable room.
 - b. 45m² for residential units with more than one habitable room.
3. Every residential unit provides a living area with a window that faces to the north (between 270 degrees and 90 degrees as shown in Figure 5 below).
4. There is a separation distance of at least 6m from any window in a habitable room to a window of a habitable room in a separate residential unit (excluding any ancillary minor residential unit) where there is a direct line of sight between the windows.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The design, size and layout of buildings to provide appropriate privacy and amenity for occupants on-site.

2. Where MRZ-R14.4 is infringed, the privacy of separate residential units.

Notification:

Any restricted discretionary activity under MRZ-R14.2 – 3 shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

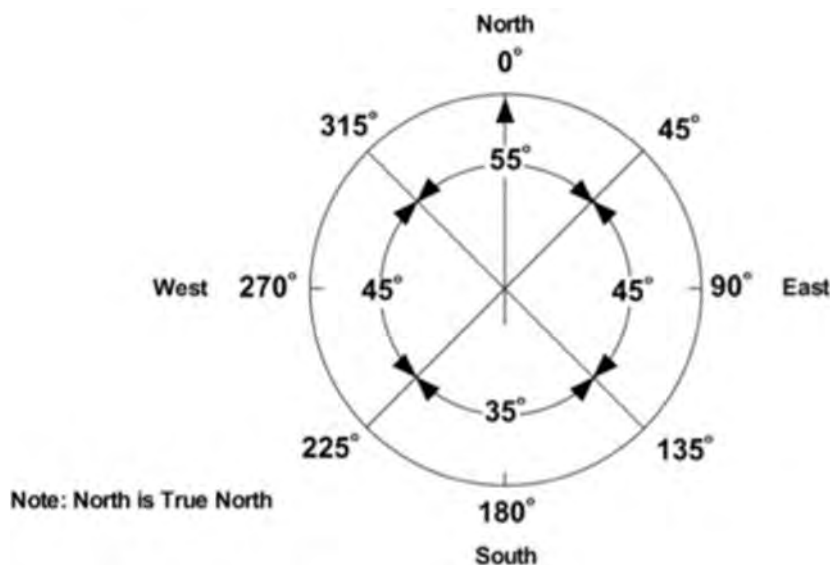


Figure 5: MRZ-R14.3 Living Area Window Orientation Diagram

MRZ-R15 Retail Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day, per site.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.
- 8. The total area of signage is less than 0.25m², per site.**
- 9. There is no illuminated or moving signage.**
- 10.8.** Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of the rules MRZ-R15 – R19.4 – 10 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules MRZ-R15 – R19.1 – 3 is not achieved: Non-Complying

MRZ-R16 Commercial Services

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.

3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day, per site.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.
- ~~8. The total area of signage is less than 0.25m², per site.~~
- ~~9. There is no illuminated or moving signage.~~
- 10.8.** Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of the rules MRZ-R15 – R19.4 – 10 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules MRZ-R15 – R19.1 – 3 is not achieved: Non-Complying

MRZ-R17 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day, per site.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.
- ~~8. The total area of signage is less than 0.25m², per site.~~
- ~~9. There is no illuminated or moving signage.~~
- 10.8.** Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of the rules MRZ-R15 – R19.4 – 10 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules MRZ-R15 – R19.1 – 3 is not achieved: Non-Complying

MRZ-R18 Care Centre

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.

3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day, per site.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

~~8. The total area of signage is less than 0.25m², per site.~~

~~9. There is no illuminated or moving signage.~~

10.8. Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of the rules MRZ-R15 – R19.4 – 10 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules MRZ-R15 – R19.1 – 3 is not achieved: Non-Complying

MRZ-R19 Visitor Accommodation

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day, per site.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

~~8. The total area of signage is less than 0.25m², per site.~~

~~9. There is no illuminated or moving signage.~~

10.8. Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance with up to two of the rules MRZ-R15 – R19.4 – 10 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules MRZ-R15 – R19.1 – 3 is not achieved: Non-Complying

MRZ-R19A Artisan Industrial Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.

2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

Activity Status when compliance with up to two of the rules MRZ-R19A.4 – 7 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules MRZ-R19A.1 – 3 is not achieved: Non-Complying

MRZ-R20 Multi Unit Development

Activity Status: Restricted Discretionary

Where:

1. The activity complies with Rules MRZ-R3 – R8 and R14.

Matters of discretion:

1. Appropriate privacy and amenity of the occupants on-site and that of adjoining sites.
2. Sufficient sunlight access to outdoor living space and habitable rooms within the site.
3. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.
4. Building bulk, scale and symmetry.
5. Capacity and availability of infrastructure, including the affected transport network.

Notification:

Any restricted discretionary activity under MRZ-R20 where compliance is achieved with MRZ-R20.1 shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

Notes:

1. Any application shall comply with information requirement rule MRZ-REQ1.
2. MRZ-R14.1 does not apply where a multi unit development is proposed under MRZ-R20.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The matters of discretion listed in MRZ-R20.
2. The matters of discretion listed in Rules MRZ-R3 – R8 and R14 where those rules are infringed.
3. The extent to which the activity is consistent with the purpose, character and amenity values anticipated within the Medium Density Residential Zone.

4. The ability **for the site** to accommodate incidental activities anticipated within the Medium Residential Zone such as parking (if it is to be provided), manoeuvring, waste collection and landscaping.
5. The availability and accessibility of open space, public amenities and commercial activities in proximity to service the proposed development.
6. Road access and effects on the affected transport network, including availability of public and active transport options for the proposed development.

Note:

1. Any application shall comply with information requirement rule MRZ-REQ1

MRZ-R21 Place of Assembly

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

MRZ-R22 Emergency Services

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

MRZ-R23 Educational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

MRZ-R24 Entertainment Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MRZ-R25 Service Stations

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MRZ-R26 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MRZ-R27 Recreational Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MRZ-R28 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MRZ-R29 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MRZ-R30 General Community

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MRZ-R31 Rural Production Activity

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

MRZ-R32 Industrial Activities (Excluding Artisan Industrial Activities)

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

Information Requirement Rules

MRZ-REQ1 Urban Design and Density

1. All applications for resource consent pursuant to MRZ-R20 shall include an urban design assessment prepared by a suitably qualified and experienced professional which details:
 - a. An analysis of the site in relation to its context, including:
 - i. The key characteristics of the local area including the character and scale of surrounding development including any cultural relationships or historic heritage features and clearly recording any matters which particularly contribute to the character of the area, or that detract from the area.
 - ii. The landform and topography of the site and surrounding environment.
 - iii. The ecology and habitat of the site and surrounding environment.
 - iv. Access to public and active transport infrastructure.
 - b. An assessment of how the proposal contributes to the planned medium density environment of the area, complements the established neighbourhood and is consistent with best practice urban design, including:
 - i. Effects on the character of the area and neighbourhood, residential amenity and pedestrian and vehicular movements.
 - ii. The relationship of the proposed development to public places and how the proposal responds to any issues or characteristics identified in the site analysis.
 - iii. Any proposed measures to avoid or mitigate adverse effects on adjacent public places and residential sites.
 - iv. Any proposed measures to incorporate Māori design elements.
 - v. Any proposed measures to facilitate active and public transport.

- c. Any consultation undertaken as part of any pre-application meetings with Council and any mitigation measures that were recommended by Council.
- d. Any consultation undertaken with mana whenua and a summary of the results of that consultation.

Note:

1. *Acceptable means of compliance and best practice urban design guidance is contained within Whangārei District Council's Urban Design Guidelines.*

PREC2 – Western Hills Drive Precinct (WHDP)

Issues

The Western Hills Drive Precinct enable small-scale commercial services to operate within a portion of the Medium Density Residential Zone on Western Hills Drive. The precinct recognises the environment is suitable for small-scale commercial services.

Objectives

PREC2-O1 Appropriate Activities

Enable small-scale commercial services which are compatible with the amenity of the surrounding environment.

Policies

PREC2-P1 Commercial Services

To enable the establishment and operation of commercial service activities.

PREC-P2 Character and Amenity

To maintain and enhance amenity by:

1. Providing landscaping on boundaries that adjoin Residential Zones and Open Space and Recreation Zones.
2. Limiting the scale of buildings for commercial service activities to a scale that is compatible with that of nearby residential buildings.
3. Limiting the hours of operation.

Rules

PREC2-R1 Commercial Services

Activity Status: Permitted

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The maximum gross floor area of the activity is 200m².

Activity Status when compliance not achieved: Discretionary

Rural Production Zone (RPROZ)

Issues

The Rural Production Zone (RPROZ) encompasses a large area of the Whangarei District. The purpose of the Rural Production Zone is to sustainably manage the natural and physical resources of the rural area in order to:

- Protect, sustain and promote rural production activities as well as those activities that support rural communities.
- Protect areas of significant ecological and biodiversity values (such as indigenous bush and wetlands).
- Enable the rehabilitation of ecological and biodiversity values.
- Maintain rural amenity and character.

The zone comprises a varied array of topography, landforms, landscapes, soil types, biodiversity and catchments. It is important that the ecological and landscape values of the Rural Production Zone are recognised and where appropriate are protected and enhanced. Ecological and landscape values contribute significantly to the rural character and distinctiveness of the Whangarei District. Parts of the Rural Production Zone are located within the coastal environment. The values of the coastal environment are managed by the District Plan's Coastal Environment provisions as well as the provisions in this section.

The interplay of historical land use and values has resulted in the environmental character that exists in the Rural Production Zone today. This character is made up of the varied natural landforms and natural features, openness, as well as an existing subdivision and development pattern. It is mostly characterised by a working/living environment, with the noises, odours and visual effects associated with a wide range of farming, horticultural, forestry and mineral extraction activities. There is an expectation that rural production activities will be able to continue to operate without onerous or restrictive intervention in the Rural Production Zone.

Rural production activities are important contributors to the Whangarei and Northland economy. The Rural Production Zone includes most of the productive rural land area of the District. It is important that these areas are not compromised for rural production. It is expected that a diverse range of rural production activities will continue to operate and new activities will establish in the Rural Production Zone. Changing demands for existing produce and new markets establishing mean that the provisions for the Rural Production Zone need to be flexible to accommodate current and future production needs.

The Rural Production Zone provides for commercial activities and industrial activities that have a functional need to service rural production activities and/or rural communities or provide location based recreation or tourist activity.

Conflicting land use and reverse sensitivity effects must be carefully managed where the Rural Production Zone interfaces with sensitive activities including habitable buildings in other rural areas and Residential Zones, and with Business Zones. Where the Rural Production Zone is traversed by existing major infrastructure services, land use conflicts must be managed. Quarrying Resource Areas apply over the Rural Production Zone and Strategic Rural Industries Zones are surrounded by the Rural Production Zone. Providing for mineral extraction activities and strategic rural industries to occur and avoidance of conflicting land use activities is important for their on-going operation.

A history of ad hoc rural living subdivision and development has resulted in a scattered and ad hoc pattern of development across the rural area. Where the rural area abuts Whangarei City, Rural Production Zone will apply. Areas for future urban growth, land use and subdivision development is spatially managed by the Future Urban Zone to maintain options for the continued growth of the

city. Where rural living clusters have reached significant density and lifestyle character they have been identified as the Rural Lifestyle Zone to manage the actual and potential reverse sensitivity effects associated with rural living activities occurring in close proximity to rural production activities.

The Rural Production Zone will not support an increased level of clustered rural living development. Consistent with a consolidated pattern of development residential, rural residential and rural living activities are directed to identified rural settlements, the Future Urban Zone or the Rural Lifestyle Zone to protect the productivity, biodiversity and rural character of the Rural Production Zone.

Urban and rural residential types of development can erode the viability of rural productivity and can create reverse sensitivity impacts on productive uses through the visual effect of large scale buildings and incidental structures, increased traffic generation, and loss of amenity including privacy, rural outlook, spaciousness, and quietness, particularly when a new incompatible activity is located near an existing activity, with resulting conflicts.

Objectives

RPROZ-O1 Rural Land Resources

Identify and protect productive rural land resources for a diverse range of rural production activities.

RPROZ-O2 Land Use Activities

Enable a wide range of rural production activities and provide for commercial activities and industrial activities that support rural production activities and/or rural communities including recreation and tourist based activities to establish and operate in the Rural Production Zone to contribute to the District's economy.

RPROZ-O3 Rural Character and Amenity

Recognise, maintain and where appropriate protect the rural character and amenity of the Rural Production Zone.

RPROZ-O4 Adverse Effects

Avoid adverse effects on productive land resources from residential, rural residential and rural living subdivision and development in the Rural Production Zone.

RPROZ-O5 Fragmentation

Minimise the fragmentation of rural land and promote site allotment sizes that facilitate rural production activities other than to protect significant ecological and biodiversity values.

RPROZ-O6 Coastal Environment

Provide for rural production activities that are compatible with the Coastal Environment.

RPROZ-O7 Protection and Enhancement

Encourage protection and enhancement of significant ecology, biodiversity, landscapes and historic heritage.

Policies

RPROZ-P1 Rural Character and Amenity

To protect the distinctive rural character and amenity of the Rural Production Zone including but not limited to:

1. A dominance of natural features including landforms, watercourses and vegetation.
 - a. A predominately working rural production environment, including:
 - i. The presence of large numbers of farmed animals and extensive areas of plant, vine or fruit crops and areas of forestry.
 - ii. Ancillary activities and structures (including crop support structures and artificial crop protection structures) across the landscape.
 - b. Seasonal activities.
 - c. A low intensity of development, involving a combination of domestic and rural production buildings and major structures.
 - d. Varying levels of noise associated with seasonal and intermittent rural production activities.
 - e. Relatively open space and low density of development.
 - f. Odours, noise and dust typical of rural activities.
 - g. Generally low levels of vehicle traffic with seasonal fluctuations.

RPROZ-P2 Land Use Activities

To protect rural productive land, rural character and amenity and to encourage consolidation of activities within Whangarei City by:

1. Only providing for commercial activities and industrial activities in the Rural Production Zone where it is demonstrated that the activity:
 - a. Has a direct connection with the rural resource and supports rural production activities and/or rural communities, including recreation and tourist based activities.
 - b. Requires a rural location for its operational function.
 - c. Will minimise the potential for reverse sensitivity effects between incompatible land use activities.
 - d. Will contain and manage adverse effects on-site.
 - e. Will contribute positively to the economy of the District.
 - f. Can meet and fund local infrastructure requirements.
2. Not directly regulating outdoor agricultural and horticultural activities, excluding intensive livestock farming.
3. Permitting farming and activities ancillary to farming or forestry.
4. Requiring larger site allotments sizes to retain productive rural options.

RPROZ-P3 Reverse Sensitivity

Avoiding reverse sensitivity effects by preventing sensitive activities within close proximity to Quarrying Resource Areas, Strategic Rural Industries, intensive livestock farming or other rural production activities that are lawfully established.

RPROZ-P4 Unsealed Roads

To reduce the potential of exposure to noise, dust and health risks by requiring a minimum separation for residential units from unsealed roads.

RPROZ-P5 Maintain Amenity and Character

To maintain rural amenity, and character by ensuring that all new buildings and major structures and rural land uses:

1. Are of a scale and character appropriate to the Rural Production Zone.
2. Are sited in a location sufficiently setback from site boundaries to enable privacy, the retention of openness and access to sunlight.
3. Avoid ribbon development.

RPROZ-P6 Setback Buffers

To avoid inappropriate subdivision and development in areas required for future urban growth by identifying 'setback buffers' between the Rural Production Zone and the Residential Zones, Future Urban Zone and Rural Lifestyle Zones and the Settlement Zone Residential Sub-Zone.

RPROZ-P7 Subdivision Greater than 20ha

To enable the subdivision of rural land into sites allotments of 20ha or more, where the following has been provided for:

1. Efficient and effective on-site servicing.
2. Avoidance of erosion, subsidence, slippage, flooding or inundation from any source.
3. Stability of land and its suitability to provide a foundation for the erection of buildings and vehicle accessways, and parking areas (where provided).

RPROZ-P8 Subdivision Less than 20ha

To avoid the subdivision of land into sites allotments less than 20ha unless it is demonstrated that all of the following are achieved:

1. It does not create a rural residential or rural lifestyle site allotment, other than where a Net Environmental Benefit is achieved.
2. The subdivision of rural land and associated buildings does not inhibit or restrict the productive potential or reasonably anticipated productive potential of rural production activities.
3. The size, shape and arrangement of sites allotments:
 - a. Is a practical size for rural production activities, other than where a Net Environmental Benefit is achieved.
 - b. Does not restrict the range of options for the use of production land.
4. The viability of the existing rural production activity is not compromised, and the existing rural production activity can continue to operate efficiently at the subdivided scale.
5. The subdivision and subsequent development will not result in adverse effects on the operation and viability of any adjoining rural production activity or strategic rural industry.
6. The subdivision and subsequent development will not require connection to the District's reticulated sewer or an extension or upgrading of any service or road, except where it is in the economic interest of the District and will not compromise the efficient functioning of the District's infrastructure network.

RPROZ-P9 Net Environmental Benefit

To protect and enhance biodiversity, landscapes, historic heritage, and significant ecology whilst protecting productive rural land resources, rural character and amenity by providing for subdivision where all of the following are achieved:

1. A Net Environmental Benefit is created by the legal protection in perpetuity and on-going management (maintenance and enhancement of the values and attributes, characteristics and qualities) for one or more of the following:
 - a. Appropriate area(s) of indigenous vegetation, or habitat of indigenous fauna, assessed as significant in accordance with policy 4.4.1 and appendix 5 of the Northland Regional Policy Statement 2016; or
 - b. Appropriate area(s) of Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, High Natural Character; or
 - c. Heritage Buildings or Sites of Significance to Māori; or
 - d. Appropriate area(s) of Highly Erodible Land, or land within a riparian margin of a stream, river, estuary or the coast located within Acutely or Chronically threatened land environment associated with Land Environments of New Zealand Level 4, will be retired and rehabilitated.
2. The effects of the number, size and location of sites allotments, building platforms and accessways, are managed by:
 - a. Avoiding:
 - i. Adverse effects on the areas(s) protected under clause (1) of this policy.
 - ii. Adverse cumulative effects.
 - iii. Reverse sensitivity.
 - iv. Development on highly versatile soils.
 - v. An urban form, by encouraging small clusters of sites allotments.
 - b. Minimising fragmentation of rural land.
 - c. Protecting the productive potential of the site.
 - d. Retaining natural character, landscape qualities and characteristics, rural character and amenity.
 - e. Determining whether fewer than the maximum number of sites allotments should be created.
 - f. Assessing the proposal against the Coastal Environment objectives and policies where the site is located in the Coastal Environment.

RPROZ-P10 Other Subdivision

To provide for limited subdivision of rural land creating a new site allotment for a surplus existing residential unit where the balance area of the farm is large, and dimensions of the new site allotment can accommodate the existing on-site services and provide for efficient access.

RPROZ-P11 Location and Design of Subdivisions and Associated Land Developments

To locate and design subdivision and associated land development to avoid urban form and character, maintain rural character and amenity values and protect and enhance environmental features by:

1. Designing subdivisions to respond to the topography and characteristics of the land being developed.
2. Avoiding development on highly versatile soils.

3. Identifying building platforms that respond to site topography and environmental characteristics.
4. Locating access ways, services, utilities and building platforms where these can be provided without the need for significant earthworks, retaining, benching or site contouring.
5. Locating access ways, services, utilities and building platforms where the location is sensitive to and responds to environmental features of the site.
6. Ensuring that the subdivision will not create reverse sensitivity effects with respect to existing lawfully established activities.

RPROZ-P12 Quarrying Resource Area Overburden

Recognise that the placement of overburden from an adjacent Quarrying Resource Area may be appropriate if:

1. It is demonstrated that:
 - a. The placement is necessary for the efficient use and development of that Quarrying Resource Area, including if doing so would preserve the long-term access to regionally significant mineral resources.
 - b. The placement is a final or long term deposition.
 - c. There is no practicable alternative within the Mining Area of the Quarrying Resource Area.
2. Progressive rehabilitation occurs so that rural character and amenity values are maintained.
3. The placement avoids highly versatile soils.
4. The placement is managed to protect existing and consented sensitive activities from unreasonable effects of noise, vibration, dust and illumination.
5. Other adverse effects are first avoided, and if not avoided, are remedied or mitigated.
6. An effective separation distance from existing and consented sensitive activities is maintained to give effect to 4 and 5 above.

Note:

1. Any placement of overburden outside the Mining Area but inside the Quarrying Resource Area is subject to policy QRA.1.3.3.

Rules

RPROZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

RPROZ-R2 Minor Building

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules RPROZ-R3 – R5.

RPROZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 10m above ground level.

Compliance Standards:

1. Mineral Extraction Activities within the Mining Area of a Quarrying Resource Area are exempt and will be assessed by applying the Quarrying Resource Area Chapter provisions.
2. Frost protection fans are exempt from RPROZ-R3 and shall comply with RPROZ-R11.
3. Crop protection structures and artificial crop protection structures are exempt from RPROZ-R3 and shall comply with RPROZ-R12.

Activity Status when compliance not achieved: Discretionary

RPROZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 8m from all site boundaries.
 - b. 27m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Compliance Standards:

1. Mineral Extraction Activities within the Mining Area of a Quarrying Resource Area are exempt and will be assessed by applying the Quarrying Resource Area Chapter provisions.
2. Frost protection fans are exempt from RPROZ-R4 and shall comply with RPROZ-R11.
3. Crop protection structures and artificial crop protection structures are exempt from RPROZ-R4 and shall comply with RPROZ-R12.

Activity Status when compliance not achieved: Discretionary

RPROZ-R5 Building and Major Structure Coverage

Activity Status: Permitted

Where:

1. The maximum cumulative building and major structure coverage is 20% of the net site area.

Activity Status when compliance not achieved: Discretionary

RPROZ-R6 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of indigenous vegetation:
 Either
 - a. Does not exceed 500m² per site within each 10-year period from 12 December 2018; except where:
 - i. The clearance is directly associated with rural production activities and that clearance is:

- a) Up to 2,000m² in area per site within each 10-year period from 12 December 2018 and the vegetation does not meet the significance criteria in Appendix 5 of the Regional Policy Statement for Northland 2016; or
- b) Of indigenous vegetation that has grown naturally since 12 December 2018 on land lawfully cleared of indigenous vegetation; AND
- b. Is not within 20m of a water body; OR
- c. Is associated with:
 - i. Routine maintenance within 7.5m of the eaves of existing buildings:
 - a) Including the removal of any tree where any part of the trunk is within the 7.5m distance.
 - b) Excluding damage to the roots or removal of any tree where the trunk is outside the 7.5m distance; or
 - ii. Operation, maintenance and repair of existing tracks, lawns, gardens, fences, drains and other lawfully established activities; or
 - iii. Pest plant removal and biosecurity works; or
 - iv. Vegetation removal for customary rights; or
 - v. Conservation planting, including planting for ecological restoration purposes.

Activity Status when compliance not achieved: Discretionary

RPROZ-R7 Principal Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 principal residential unit per 20ha net site area provided that 1 principal residential unit is permitted on a non-allotment site of any size.

Activity Status when compliance not achieved: Discretionary

RPROZ-R8 Minor Residential Unit

Activity Status: Permitted

Where:

2. The maximum density is 1 minor residential unit per site.
3. The nearest distance between the minor residential unit and the principal residential unit, excluding any accessory buildings and detached garages associated with either residential unit, does not exceed 15m.
4. The combined area of the minor residential unit building coverage (including accessory buildings and garages) and associated decking is not larger than maximum gross floor area of the minor residential unit (including decking and garage areas) is 90m².

Activity Status when compliance not achieved with RPROZ-R8.2 – 3: Discretionary

Activity Status when compliance not achieved with RPROZ-R8.1: Non-Complying

RPROZ-R9 Sensitive Activity

Activity Status: Permitted

Where:

1. The sensitive activity (excluding non-habitable buildings) is set back at least:
 - a. 500m from:
 - i. The Mining Area of all Quarrying Resource Areas.
 - ii. The Strategic Rural Industries Zone.
 - iii. Business Zones.
 - b. 30m from:
 - i. All formed unsealed metal roads.
 - ii. All existing plantation forestry on a separate site.
 - c. 250m from:
 - i. Existing intensive livestock farming on a separate site.
 - ii. Existing activities ancillary to farming or forestry on a separate site.
 - iii. The Fonterra Kauri Milk Processing Site Strategic Rural Industries Zone – Ancillary Irrigation Farms.

Note:

1. Any application under rule RPROZ-R9.1(b)(i) shall comply with information requirement rule RPROZ-REQ1.

Activity Status when compliance not achieved: Discretionary

RPROZ-R10 Commercial Activities

Activity Status: Permitted

Where:

1. The activity generates less than 20 traffic movements per site, per day.
2. There is no car parking between the residential unit and the road.
3. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
4. The activity does not exceed the use of 15% of the total gross floor area of all buildings on-site.
5. The total area of signage is less than 0.25m², per site.
6. There is no illuminated signage or moving signage.
- 7.5. The activity is an ancillary activity to the residential use of the site.
- 8.6. The principal operator of the activity is a permanent resident on the site.
- 9.7. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.

Activity Status when compliance not achieved: Discretionary

RPROZ-R10A Artisan Industrial Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

Activity Status when compliance with up to two of the rules RPROZ-R10A.4 – 7 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules RPROZ-R10A.1 – 3 is not achieved: Non-Complying

RPROZ-R11 Frost Protection Fans

Activity Status: Permitted

Where:

1. The maximum height of the frost protection fan is 20m above ground level.
2. The frost protection fan is set back at least 8m from all site boundaries.

Activity Status when compliance not achieved: Discretionary

RPROZ-R12 Crop Support Structures or Artificial Crop Protection Structures

Activity Status: Permitted

Where:

1. The maximum structure height is 10m above ground level.
2. The structure is set back at least:
 - a. 1m from all site boundaries.
 - b. 27m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

RPROZ-R13 Farm Quarrying

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not extract over 5,000m³ in any 12 month period on the site.
3. The activity does not undertake blasting.
4. The activity does not establish within 500m of an existing sensitive activity on an adjacent site.

Activity Status when compliance not achieved: Discretionary

RPROZ-R14 Activities Ancillary to Farming or Forestry

Activity Status: Permitted

Where:

1. The activity does not operate within 250m of an existing sensitive activity on a separate site.
2. The activity operates within any combination of buildings and major structures, and those buildings and major structures do not exceed a cumulative gross floor area of 2,000m² per site.
3. The activity does not operate from an outdoor area larger than 500m².

Activity Status when compliance not achieved: Discretionary

RPROZ-R15 Intensive Livestock Farming

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity operates within any combination of buildings and major structures, and those buildings and major structures do not exceed a cumulative gross floor area of 2,000m² per site.
3. The activity is set back 250m from the boundary of a separate site containing a sensitive activity.

Activity Status when compliance not achieved with RPROZ-R15.1 and 2: Discretionary

Activity Status when compliance not achieved with RPROZ-R15.3: Non-Complying

RPROZ-R16 Emergency Services

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

RPROZ-R17 Farming

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

RPROZ-R18 Plantation Forestry

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

RPROZ-R19 Buildings and Major Structures (excluding minor buildings) associated with Emergency Service

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RPROZ-R20 Industrial Activities (Excluding Artisan Industrial Activities)

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RPROZ-R21 Place of Assembly

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RPROZ-R22 Recreational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RPROZ-R23 General Community

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RPROZ-R24 Educational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RPROZ-R25 Care Centre

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RPROZ-R26 Retirement Village

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RPROZ-R27 Supported Residential Care

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RPROZ-R28 Hospitals

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Information Requirement Rules

RPROZ-REQ1 Transport Assessment Statement

1. Any application under rule RPROZ-R9.1(b)(i) must include a transport assessment statement which:
 - a. Establishes the current and predicted transport environments/traffic volumes along the road from which the sensitive activity will be set back.
 - b. Establishes the likelihood of changes to the nature, scale and intensity of land uses and their traffic generating potential within the catchment served by the road.

PREC18 – 734 Pataua North Road (Part Lot 1 DP 94742)**Rules****PREC18-R1 Activity Status****1. Activity Status: Controlled****Where:**

- a. Any boundary relocation subdivision between Section 24 Block VII Whangarei SD and Part Lot 1 DP 94742, or subsequent allotment created under PREC18-R1.2 provided it complies with rule SUB-R15, except that each site is not required to have existed at 12 December 2018.

Activity Status when compliance not achieved: Discretionary**2.1. Activity Status: Discretionary**

A single application for resource consent, implementation of which may be staged, for subdivision within Pt Lot 1 DP 94742 (734 Pataua North Road) that proposes environmental protection and on-going management of an environmental protection area, where:

- a. The subdivision complies with rule SUB-R16.3 except:
 - i. That the site does not have to have existed on 12 December 2018.
 - ii. SUB-R16.3(b)(i), (ii) and (iii).
 - iii. SUB-R16.3(d)(iii)(b).
 - iv. SUB-R16.3(e).
- b. The subdivision complies with the following:
 - i. The environmental protection area includes the following areas as shown on Figure PREC18 1:
 - a) The terrestrial indigenous vegetation area marked A; and
 - b) The wetland habitat area marked B; and
 - c) The indigenous riparian margin vegetation area marked C.
 - ii. The maximum number of additional sites allotments that can be approved is 8.
- c. Any subdivision under rule PREC18-R1 shall comply with information requirement rules SUB-REQ3.1, SUB-REQ3.6 and SUB-REQ3.7.

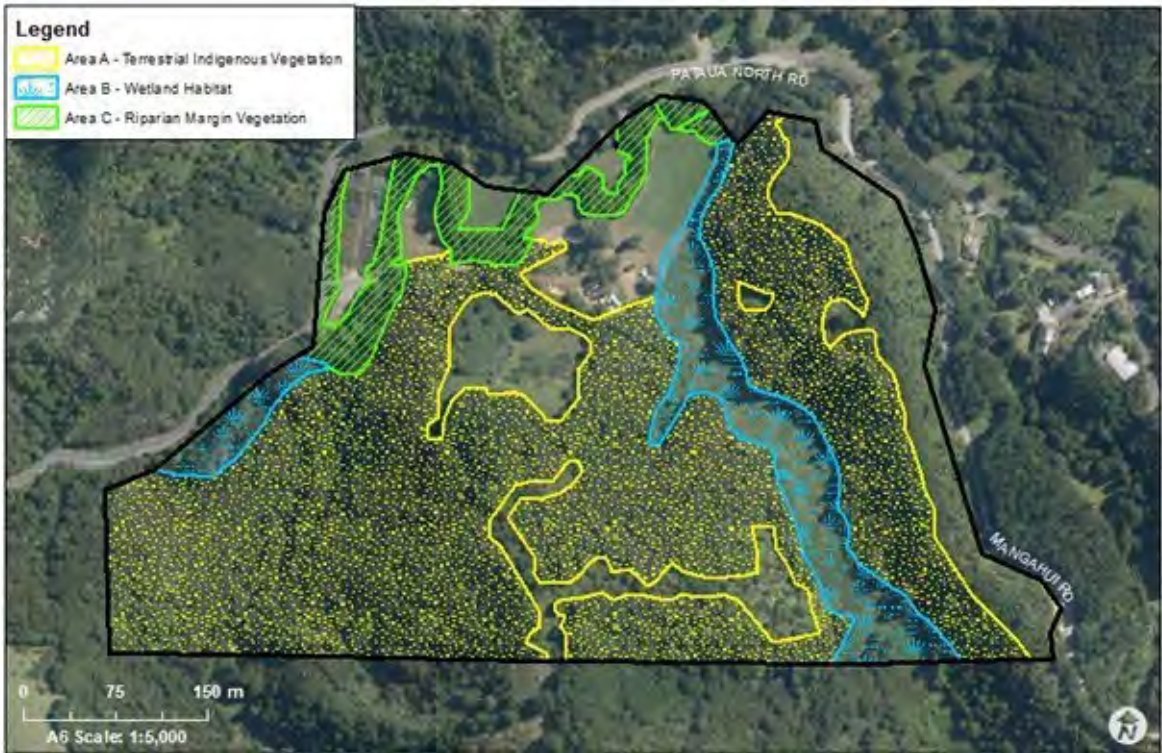


Figure PREC18 1: 734 Pataua North Road (Part Lot 1 DP 94742)

PREC19 – 128 and 172 Awaroa River Road, Whangarei (Lot 3 DP 317977 and Lot 2 DP 87364)

Rules

PREC19-R1 Activity Status

Activity Status: Controlled

Where:

1. A single application for resource consent (implementation of which may be staged) to subdivide 128 and 172 Awaroa River Road, Whangarei (Lot 3 DP 317977 and Lot 2 DP 87364) where:
 - a. A total of 7 additional **sites allotments** are created (excluding 2 balance **sites allotments** arising from the 2 existing **sites allotments**, each containing an existing **residential unit**).
 - b. All existing **indigenous vegetation** within Lot 3 DP 317977 and Lot 2 DP 87364 shall be legally protected in perpetuity in its entirety and managed on an on-going basis in accordance with a Management Plan.
 - c. Every covenanted area is held within a single **site allotment**.
 - d. No new **buildings** or **major structures** have been erected since 12 December 2018 prior to **subdivision** approval.
 - e. Every proposed **site allotment** shall identify a **building** envelope no larger than 100m² and that complies with the **setbacks** of the Rural Production Zone.
 - f. Every proposed **site allotment** shall identify the balance of the **site allotment** beyond the identified **building** envelope as subject to a No Build covenant.
 - g. **Buildings** and **major structures** within **building** envelopes in accordance with PREC19-R1.1(e) shall:
 - i. Where the **building** envelope is located above the 80m contour, not exceed 6m in **height** above **ground level**, and otherwise not exceed 8m in **height** above **ground level**.
 - ii. Have a roofline below the 90m contour.
 - iii. Not exceed a combined **gross floor area** of 750m².
 - iv. Not have exteriors:
 - a) Coloured or painted with a colour with a light reflectance value greater than 35%, provided that 2% of each exterior elevation is exempt.
 - b) Utilising mirror glazing.
 - c) With a roof colour with a light reflectance value greater than 30%.
 - v. Be built into the landform, stepped in **structure**, with irregular roofline.
 - h. The application shall identify areas of landscape mitigation planting:
 - i. Within every proposed **site allotment**, to filter views of the proposed **building** envelopes from outside of the **subdivision** and between **building** envelopes.
 - ii. For **building** envelopes above the 70m contour, to ensure that there is a permanent vegetated backdrop so that **buildings** are not seen on the skyline.
 - i. Planting of areas identified in PREC19-R1.1(h) shall be established in accordance with (h) and shall be:
 - i. Legally protected in perpetuity in its entirety.
 - ii. Managed on an on-going basis in accordance with a Management Plan.

- j. All proposed access, driveways and manoeuvring areas shall be finished with recessive materials (i.e. blue metal, concrete with exposed aggregate or black oxide additive)
- k. The application shall include proposed conditions of consent which are a means by which compliance with rules PREC19-R1.1(g), (i) and (j) is ensured.
- l. The application shall include a management plan that specifies the protection measures proposed to ensure that the vegetation remains protected in perpetuity, that includes how all of the following matters will be implemented prior to the Council issuing section 224(c) certificate:
 - i. The establishment of secure stock exclusion.
 - ii. Site preparation and the establishment of plantings.
 - iii. The maintenance of plantings. The survival rate must ensure a minimum 90% of the original density and species.
 - iv. The maintenance of indigenous vegetation must ensure animal and plant pest control occurs.

Matters of control:

- 1. The extent of covenant areas and need for on-going management such as pest and weed control, and stock proof fencing.
- 2. The location and suitability of building envelopes to mitigate effects on privacy, rural character, landscape and amenity values.
- 3. The adequacy of landscape mitigation planting to mitigate effects on privacy, rural character, landscape and amenity values.
- 4. The need for additional planting to strengthen any existing native vegetation screening of proposed building envelopes.
- 5. The use of recessive materials on accessways driveways and manoeuvring areas to mitigate landscape effects.
- 6. The visibility of water tanks, including a preference for vegetative screening.
- 7. The type and colour of boundary fencing and gates including:
 - a. A preference for post and wire or post and rail.
 - b. A preference for timber rail or steel rail gates.
 - c. A preference for recessive colours.
 - d. Discouragement of solid close board timber fences and gates.
- 8. Recessive external lighting.
- 9. Eco-sourcing of plant species required for landscape planting.
- 10. Avoiding pest species for landscape planting.
- 11. Appropriateness of conditions to enforce ongoing compliance.

Note:

- 1. Refer to the *How the Plan Works Chapter for Assessment of Controlled Activities*.

Activity Status when compliance not achieved: Non-Complying



Figure PREC19 1: 128 and 172 Awaroa River Road, Whangarei (Lot 3 DP 317977 and Lot 2 DP 87364)

PREC20 – 2487 Whangarei Heads Road (Part Allot 17 PSH of Manaia)

Rules

PREC20-R1 Activity Status

Activity Status: Discretionary

Where:

1. A subdivision application for resource consent (implementation of which may be staged) to subdivide 2487 Whangarei Heads Road (Part Allot 17 PSH of Manaia) where:
 - a. A maximum of three additional sites allotments are created (excluding the balance site allotment); and
 - b. All land identified as Outstanding Natural Landscape in the Resource Area Map 39R shall be:
 - i. Legally protected in perpetuity in its entirety.
 - ii. Managed on an on-going basis in accordance with a Management Plan.
 - iii. Held within a single site.

Activity Status when compliance not achieved: Non-Complying



Figure PREC20 1: 2487 Whangarei Heads Road (Part Allot 17 PSH of Manaia)

PREC21 – 1007 Cove Road, Waipu (Lot 3 DP 67636)**Rules****PREC21-R1 Activity Status**

Activity Status: Discretionary

Where:

1. A single application for resource consent (implementation of which may be staged) that achieves a Net Environmental Benefit to subdivide 1007 Cove Road, Waipu (Lot 3 DP 67636) where:
 - a. Up to a maximum of 3 additional sites allotments are created (excluding 1 balance site allotment).
 - b. Every site allotment has a net site area of at least 2,000m².
 - c. Designation WDC-54 insofar as it crosses the site has been given effect to, with no compensation payable by:
 - i. Incorporating the land within the site that is subject to the designation into an esplanade reserve pursuant to section 231 of Resource Management Act 1991, which is to be vested in the Council; or
 - ii. Incorporating the land within the site that is subject to the designation into an esplanade strip pursuant to section 232 of the Resource Management Act 1991, which is to be created by an instrument registered against the relevant title(s); or
 - iii. Registering on the relevant title(s) an easement in gross or other legal instrument that ensures public access in perpetuity across the land within the site that is subject to designation.
 - d. Any subdivision under rule PREC21.R1.1(c) shall comply with the following information requirements where relevant:
 - i. Information requirement rule SUB-REQ3. 1 – 3.
 - ii. Information requirement rule SUB-REQ3.4.
 - iii. Information requirement rule SUB-REQ3.5.

Note:

1. There is no requirement for an esplanade strip or esplanade reserve in addition to PREC21-R1.1(c).

Activity Status when compliance not achieved: Non-Complying

Note:

1. Any non-complying subdivision shall comply with information requirement rule SUB-REQ3.7.

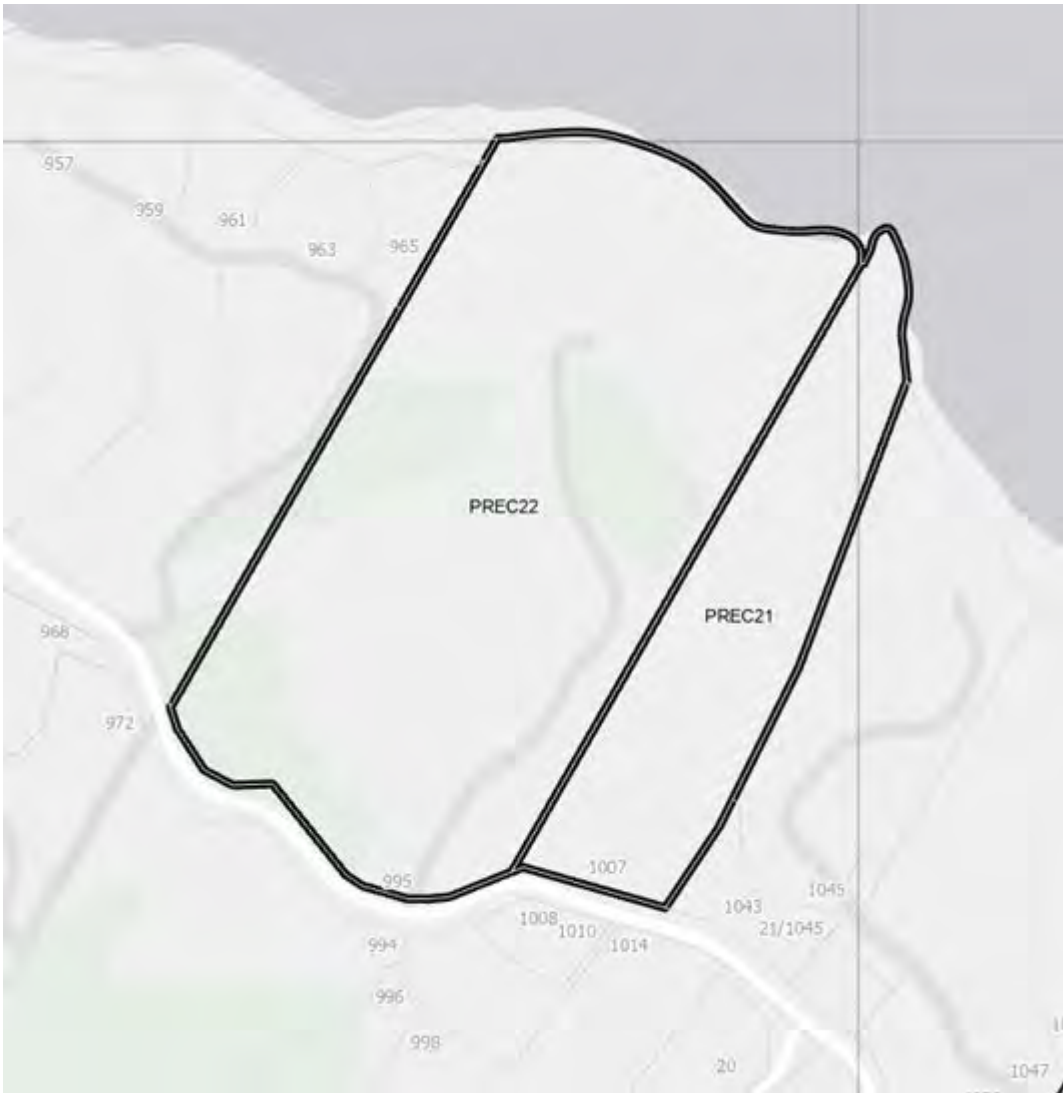


Figure PREC21 1: 1007 Cove Road, Waipu (Lot 3 DP 67636)

PREC22 – 995 Cove Road, Waipu (Part Lot 1 DP 69511)

Rules

PREC22-R1 Activity Status

Activity Status: Discretionary

Where:

1. A single application for resource consent (implementation of which may be staged) that achieves a Net Environmental Benefit to subdivide 995 Cove Road, Waipu (Part Lot 1 DP 69511) where:
 - a. Up to a maximum of 4 additional sites allotments are created (excluding 1 balance site allotment).
 - b. Every site allotment had a net site area of at least 2,000m².
 - c. Designation WDC-54 insofar as it crosses the site has been given effect to, with no compensation payable by:
 - i. Incorporating the land within the site that is subject to the designation into an esplanade reserve pursuant to section 231 of Resource Management Act 1991, which is to be vested in the Council; or
 - ii. Incorporating the land within the site that is subject to the designation into an esplanade strip pursuant to section 232 of the Resource Management Act 1991, which is to be created by an instrument registered against the relevant title(s); or
 - iii. Registering on the relevant title(s) an easement in gross or other legal instrument that ensures public access in perpetuity across the land within the site that is subject to designation.
 - d. Any subdivision under rule PREC22-R1 shall comply with the following information requirements where relevant:
 - i. Information requirement rule SUB-REQ3.1 – 3.
 - ii. Information requirement rule SUB-REQ3.4.
 - iii. Information requirement rule SUB-REQ3.5 (where the application creates 3 or less additional sites allotments, excluding one balance site allotment).

Note:

1. There is no requirement for an esplanade strip or esplanade reserve in addition to PREC22-R1.1(c).

Activity Status when compliance not achieved: Non-Complying

Note:

1. Any non-complying subdivision shall comply with information requirement rule SUB-REQ3.7.

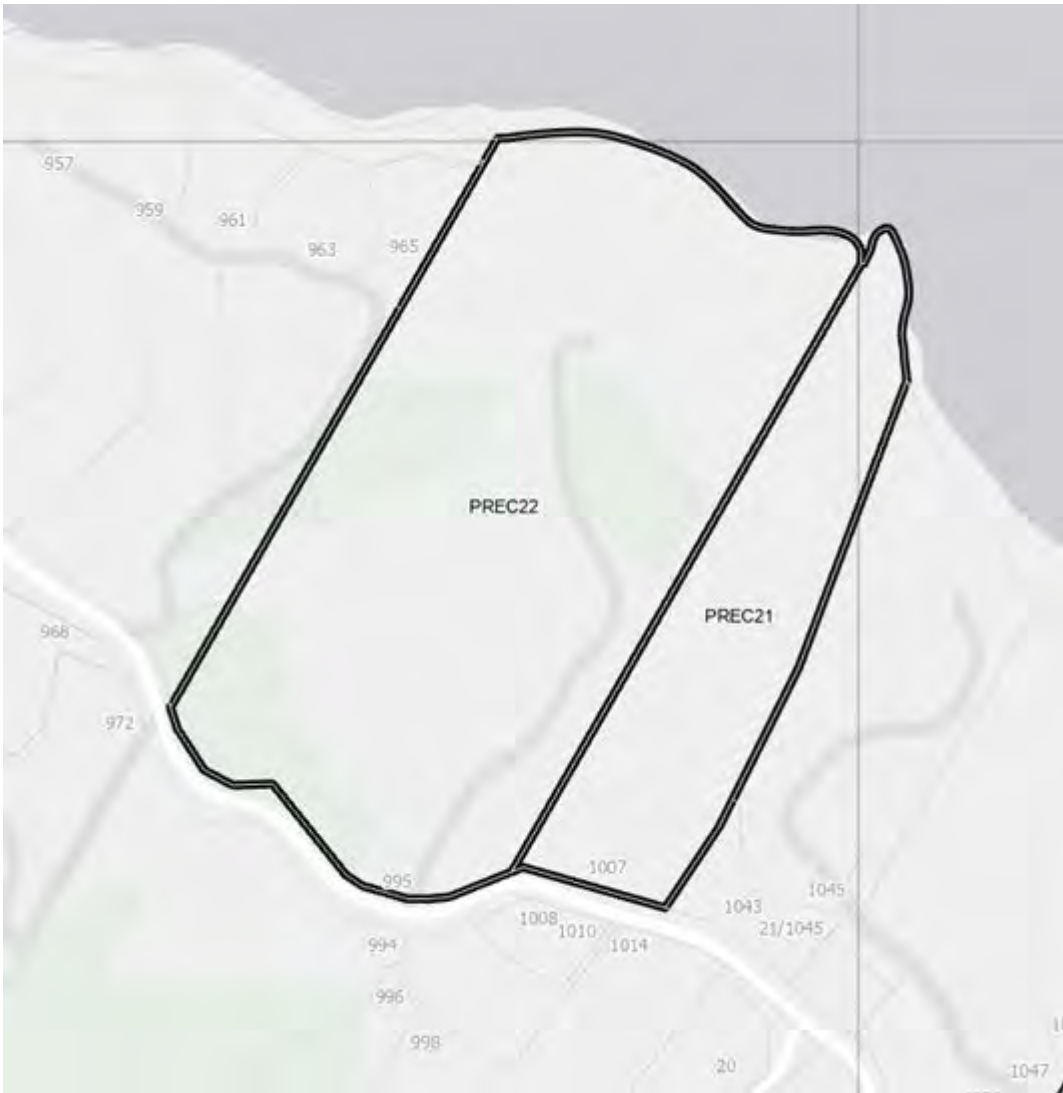


Figure PREC22 1: 995 Cove Road, Waipu (Part Lot 1 DP 69511)

Rural Lifestyle Zone (RLZ)

Issues

The Rural Lifestyle Zone (RLZ) covers identified rural areas within the District that are mostly characterised by smaller site sizes, rural living activities and small scale farming.

The Rural Lifestyle Zones are generally characterised by:

- Existing low density and clustered rural living development including dwellings, landscaping/gardens and small scale rural production activities.
- Presence of some rural production activities and associated effects (such as odour, noise from machinery and livestock and such as barns, green houses and silos).
- Generally low levels of traffic, other than that associated with seasonal activities.
- A range of landscapes and a sense of spaciousness, with visual connections to the wider environment.
- Informal arrangement and design of roadways and structures, subservient to natural landform patterns.
- Presence of natural features including landforms, watercourses and indigenous vegetation.

The locations of Rural Lifestyle Zones are generally limited so as to contain potential adverse effects on rural amenity and productivity, particularly as they may adversely affect activities in the Rural Production Zone and key infrastructure corridors. Impacts on the local roading network have been considered in the selection of suitable areas for the Rural Lifestyle Zone and unsealed through roads have been avoided due to dust nuisance and the impacts on future road maintenance and seal extensions.

The Rural Lifestyle Zone aims to support rural communities and their identification has specifically considered distance to social infrastructure such as schools and Rural Villages. Due to the locations of Rural Lifestyle Zones and the potential sizes of sites allotments it is uneconomic, unnecessary and unsustainable to provide reticulated services within the Rural Lifestyle Zone. On-site servicing is common throughout the Rural Area.

It is expected that the rural character of the Rural Lifestyle Zone will be retained through careful siting of buildings and the provision of landscaping to maintain a sense of spaciousness, as well as enabling the continuation of some smaller scale rural land use activities. The effects from rural production activities will generally be limited in scale because of smaller site sizes and the requirement to comply with the environmental standards set out in the District-Wide provisions. The ability to undertake non rural land use activities will be determined by the scale, nature and location of the activity.

Subdivision is limited to that which, in general is in keeping with the average site allotment size of the existing environment of the Rural Lifestyle Zone.

Objectives

RLZ-O1 Appropriate Locations

Consolidate rural living development in appropriate locations where existing subdivision pattern reflects a rural living environment and adverse effects (including reverse sensitivity effects) can be avoided.

RLZ-O2 Living Opportunities

Provide for rural living opportunities while maintaining rural character and amenity.

RLZ-O3 Site Sizes

That a variety of site sizes are provided to enable rural living, commercial activities that are ancillary activities to residential activities on the same site and some rural land use activities to occur.

RLZ-O4 Non-Rural Activities

Enable the establishment of non-rural activities that are of an appropriate and compatible nature, scale and character to the Rural Lifestyle Zones.

RLZ-O5 Viability of Rural Settlements

New or extensions to Rural Lifestyle Zones are managed to protect the viability of Rural Settlements.

Policies

RLZ-P1 Rural Lifestyle Zone Character and Amenity

To enable rural living in the Rural Lifestyle Zone while maintaining rural living character and amenity including:

1. Low levels of noise and lighting, particularly at night.
2. A high degree of privacy.
3. Ample access to daylight and sunlight.
4. Generally low levels of traffic, other than that associated with seasonal activities.
5. Presence of rural production activities and associated activities.

RLZ-P2 Earthworks

To ensure buildings and major structures are designed, constructed and located to minimise the need for significant earthworks, the loss of native vegetation and/or natural habitats.

RLZ-P3 Compatible Uses

To protect the rural living character and amenity by limiting commercial activities and industrial activities to those that are appropriate and compatible in nature, scale and character to the Rural Lifestyle Zone and meet the stated Issues for the Rural Lifestyle Zone.

RLZ-P4 Traffic Movements

To maintain and enhance rural living character and amenity by limiting the establishment of activities that generate high levels of traffic movements or that are of a nature and scale that is incompatible with the character of the Rural Lifestyle Zone.

RLZ-P5 Reverse Sensitivity

To manage reverse sensitivity effects by avoiding the establishment of sensitive activities within close proximity to Mineral Extraction Activities and the Rural Production Zone, Business Zones and Strategic Rural Industries Zones.

RLZ-P6 Privacy

To maintain rural amenity, privacy, open space and rural character by ensuring that all new buildings and major structures and rural land uses:

1. Are of a scale and character appropriate to the Rural Lifestyle Zone; and

2. Are sited in a location sufficiently setback from site boundaries to enable privacy, the retention of open space and access to sunlight; and
3. Avoid adverse effects on ecological values, water quality, versatile soils, open space character, historic heritage values or landform.

RLZ-P7 Stormwater

To manage the effects of stormwater runoff by utilising the principles of low impact design and ensuring that additional stormwater flows arising from proposed subdivision and development are managed so that they will not result in any increase in peak discharge rates.

RLZ-P8 Wastewater

To manage the effects of wastewater discharge by requiring site specific design and any other evidence or mitigation measures necessary to demonstrate that the effects of wastewater disposal can be adequately addressed.

RLZ-P9 Subdivision Design

To design any subdivision and locate associated development to avoid an urban form and character; to maintain and enhance rural living character and amenity; and protect and enhance environmental features by:

1. Designing subdivisions to respond to the topography and characteristics of the land being developed.
2. Requiring subdivisions to meet a minimum and average site allotment size so that development does not result in uniform development patterns.
3. Identifying building platforms that respond to site topography and environmental characteristics.
4. Locating access ways, services, utilities and building platforms where these can be provided without the need for significant earthworks, retaining, benching or site contouring.

RLZ-P10 Site Allotment Size

To avoid a uniform pattern of development at the minimum site allotment size and maintain at least an average site allotment size of 2ha across the Rural Lifestyle Zone by providing a single opportunity to subdivide titles created before 12 December 2018.

Rules

RLZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

RLZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules RLZ-R3 – R6.

RLZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 8m above ground level.

Compliance Standard:

1. Crop support structures and artificial crop protection structures are exempt from RLZ-R3 and shall comply with RLZ-R13.

Activity Status when compliance not achieved: Discretionary

RLZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 10m from road boundaries.
 - b. 3m from all other site boundaries.
 - c. 27m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Compliance Standard:

1. Crop support structures and artificial crop protection structures are exempt from RLZ-R4 and shall comply with RLZ-R13.

Activity Status when compliance not achieved: Discretionary

RLZ-R5 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and the site boundary.

Activity Status when compliance not achieved: Discretionary

RLZ-R6 Building and Major Structure Coverage

Activity Status: Permitted

Where:

1. The coverage does not exceed 500m² of the site.

Activity Status when compliance not achieved: Discretionary

RLZ-R7 Impervious Areas

Activity Status: Permitted

Where:

1. The impervious area within the site does not exceed 15% of the net site area.

Activity Status when compliance not achieved: Discretionary

RLZ-R8 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of indigenous vegetation:
Either
 - a. Does not exceed 500m² per site within each 10-year period from 12 December 2018; and
 - b. Is not within 20m of a waterbody. OR
 - c. Is associated with:
 - i. Routine maintenance within 7.5m of the eaves of existing buildings:
 - a) Including the removal of any tree where any part of the trunk is within the 7.5m distance.
 - b) Excluding damage to the roots or removal of any tree where the trunk is outside the 7.5m distance; or
 - ii. Operation, maintenance and repair of existing tracks, lawns, gardens, fences, drains and other lawfully established activities; or
 - iii. Pest plant removal and biosecurity works; or
 - iv. Vegetation removal for customary rights; or
 - v. Conservation planting, including planting for ecological restoration purposes.

Activity Status when compliance not achieved: Discretionary

RLZ-R9 Principal Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 principal residential unit per site.

Activity Status when compliance not achieved: Discretionary

RLZ-R10 Minor Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 minor residential unit per site.
2. The minor residential unit does not have a separate access/driveway from the principal residential unit.
3. The nearest distance between the minor residential unit and the principal residential unit, excluding any accessory buildings and detached garages associated with either residential unit, does not exceed 15m.
4. The combined area of the minor residential unit building coverage (including accessory buildings and garages) and associated decking is not larger than maximum gross floor area of the minor residential unit (including decking and garage areas) is 90m².

Activity Status when compliance not achieved: Discretionary

RLZ-R11 Sensitive Activity

Activity Status: Permitted

Where:

1. The sensitive activity (excluding non-habitable buildings) is set back at least:
 - a. 500m from:
 - i. The Mining Area of all Quarrying Resource Areas.
 - ii. The Strategic Rural Industries Zone.
 - iii. Business Zones.
 - b. 20m from:
 - i. The Rural Production Zone.
 - ii. All unsealed through roads.
 - c. 30m from all existing plantation forestry on a separate site.
 - d. 250m from:
 - i. Existing intensive livestock farming on a separate site.
 - ii. Existing activities ancillary to farming or forestry on a separate site.
 - iii. The Fonterra Kauri Milk Processing Site Strategic Rural Industries Zone – Ancillary Irrigation Farms.

Activity Status when compliance not achieved: Discretionary

RLZ-R12 Commercial Activities

Activity Status: Permitted

Where:

1. The activity generates less than 20 traffic movements per site, per day.
2. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
3. The activity does not exceed the use of 15% of the total gross floor area of all buildings on-site.
- ~~4. The total area of signage is less than 0.25m², per site.~~
- ~~5. There is no illuminated signage or moving signage.~~
- ~~6.4.~~ The activity is an ancillary activity to the residential use of the site.
- ~~7.5.~~ The principal operator of the activity is a permanent resident on the site.
- ~~8.6.~~ The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.

Activity Status when compliance not achieved with RLZ-R12.1 - 5: Discretionary

Activity Status when compliance not achieved with RLZ-R12.6 – 8: Non-Complying

RLZ-R12A Artisan Industrial Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.

3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

Activity Status when compliance with up to two of the rules RLZ-R12A.4 – 7 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules RLZ-R12A.1 – 3 is not achieved: Non-Complying

RLZ-R13 Crop Support Structures or Artificial Crop Protection Structures

Activity Status: Permitted

Where:

1. The maximum structure height does not exceed 10m above ground level; and
2. The structure is set back at least:
 - a. 1m from site boundaries.
 - b. 27m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 2m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

RLZ-R14 Farming

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R15 Plantation Forestry

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R16 Care Centre

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R17 Emergency Services

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R18 Retirement Village

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R19 Supported Residential Care

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R20 Farm Quarrying

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R21 Place of Assembly

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R22 Educational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R23 Recreational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R24 General Community

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R25 Industrial Activity (Excluding Artisan Industrial Activities)

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R26 Hospitals

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R27 Intensive Livestock Farming

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

RLZ-R28 Mineral Extraction Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Settlement Zone (SETZ)

Issues

The Settlement Zone (SETZ) manages land use and subdivision within established rural settlements throughout the Whangārei District. The Settlement Zone is made up of three different Sub-Zones: Sub-Zone 1 – Settlement Zone Residential, Sub-Zone 2 – Settlement Zone Centre and Sub-Zone 3 – Settlement Zone Industry. Suitable locations for residential activities, commercial activities and industrial activities are identified within rural settlements through these Sub-Zones. The objectives and policies are applied across all rural settlements. Any additional matters for consideration in the Coastal Area relevant to the appropriate rural settlements are addressed in the Coastal Area overlay.

The Whangarei District Council Growth Strategy – Sustainable Futures 30/50 2009 ('Whangarei District Growth Strategy') identifies three rural settlements (Hikurangi, Waipu and Parua Bay) as growth areas. It is expected that other rural settlements will continue to function at a similar scale and nature to how they are today.

The character and amenity of each rural settlement differs in terms of their location, the range of activities supported and the service function that fulfils. Many of the rural settlements are characterised by traditional quarter acre sections and low density of built development; however, smaller site allotment sizes are provided for in the zone provisions to consolidate growth for efficient land use and service provision. Development may be more intensive in the settlements where connections to Council reticulated services are available.

Many of the settlements are situated adjacent to the Rural Production Zone which provides a rural context for the settlements. The boundary interface has the potential for reverse sensitivity effects which need to be managed.

The 13 larger rural settlements are each described below. It is expected that the individual characteristics of each rural settlement will be recognised in the preparation and assessment of any resource consent application. There are also 16 smaller rural settlements.

Hikurangi

Hikurangi, located between State Highway 1 and the main trunk railway line, is a service settlement with a population of approximately 1,500 people. There is grocery shop and other small scale retail activities, a veterinary practice and a museum. The town has a rich history based on mining. From the 1890s coal was mined in the area with the last coal mine closing in 1971. There are also significant limestone resources, with a quarry that supplies limestone to the Golden Bay Cement plant south of Whangārei.

A significant geographical feature is Mount Hikurangi, a volcanic dome that rises 365 metres to the west of the town. In pre-European times the swamp basin was an important resource for Māori and was a highly productive area for food and fisheries. Hikurangi is identified as a growth node in the Whangarei District Growth Strategy.

Parua Bay

Parua Bay is a coastal rural settlement located on the north side of the Whangārei Harbour; with Manganese Point and Reserve Point wrapping around the entry to the Bay. Existing services in Parua Bay settlement include a primary school, community centre, sports facilities, petrol station, medical centre, a superette, cafe and small scale retail.

The Whangarei District Growth Strategy identifies the potential to develop Parua Bay as a growth node to service the wider Whangārei Heads area. Ad-hoc development in the past has resulted in fragmented patterns of development in Parua Bay settlement. Moving forward growth must be carefully managed within the settlement to provide for the wellbeing of the population over the

medium term while not compromising the development potential and sustainability of the settlement over the long term.

Waipū

Waipū is one of the oldest European settlements in Whangārei District, with its Scottish heritage making a large contribution to the settlement's identity. The settlement is rural in nature being located within an area consisting of farmed flats, rolling to steep pasture and pockets of vegetation. Multiple small river catchments converge near the settlement before flowing into the Waipū River estuary and into Bream Bay, creating high potential for productive uses. Waipū has a strong settlement centre with a wide range of services, facilities and commercial activities and industrial activities. Waipū has seen reasonable population growth and is identified as a growth node in the Whangarei District Growth Strategy.

Maungakaramea

Maungakaramea has a distinct historic/rural identity related to the longevity of the settlement (150 years) and its rural location. Maungakaramea volcanic cone and the Tangihua Range provide a dramatic scenic backdrop to the settlement. There are some attractive historic buildings including a former hotel, a number of churches and many historic stone walls. Local facilities include a primary school, play centre, church, community hall, sports fields, bowling green, retirement village, a voluntary rural fire force and a garage/general store. The area has experienced rural residential growth; however, the settlement itself has a relatively stable resident population.

Maungatapere

Maungatapere is surrounded by highly productive farmland with versatile soils suitable for a wide range of farming and horticulture activities. The settlement features many historic stone walls and the volcanic cones of Maungatapere, Maunu and Whatitiri provide a dramatic backdrop to the settlement.

Maungatapere has experienced moderate growth in recent years and there is a significant amount of rural residential development in the area. The settlement is characterised by a variety of facilities including a school, community hall, church, retirement home, and museum; as well as industry support services.

Matapōuri

Matapōuri Bay, Woolleys Bay and Sandy Bay are recognised as some of the best beaches in New Zealand and are popular holiday destinations. There has been reasonable growth in the area over the last 15 years; however, many of the homes in Matapōuri are holiday homes rather than permanent residences. Matapōuri has a small general store and a community hall.

McLeod Bay/Reotahi

McLeod Bay and Reotahi are situated on the inner Whangārei Harbour. Part of the Whangārei Harbour Marine Reserve is located around Motukaroro/Passage Island at Reotahi. McLeod Bay/Reotahi settlement has a higher permanent population than other coastal settlements and there has been a moderate level of growth over recent years. There are some community facilities and a local eatery/dairy; however, the intention is that Parua Bay settlement will continue to accommodate the majority of commercial services in this area. Reotahi has an historic connection with the farming industry with a meat processing plant built immediately adjoining the coast. Remains of the processing plant are accessible by a walking track along the coast.

Ngunguru

Ngunguru is a well-established coastal settlement that has an urban character with small site allotment sizes and shops, a school, a motel and community facilities. The settlement adjoins the Ngunguru estuary. Ngunguru Sandspit Pi Manu is a significant environmental feature that

separates the harbour from Whangaumu Bay to the east. Ngunguru Sandspit has well recognised cultural, historical and ecological values. It is an important landscape feature for the Ngunguru community.

Oakura

Oakura is an established coastal settlement that has experienced minimal growth in recent years, most of which can be attributed to holiday homes. Predominantly residential development is located on the flat adjacent to the coast with further development constrained by the steeper topography to the west and Ohawini Bay to the north, which has limited vehicle access. Oakura is serviced by a small mixed-use area of commercial activities, retail activities and accommodation activities.

Pātaua

Pātaua is made up of two distinct parts located on either side of the entrance to the Pātaua estuary. Pātaua South is located on the estuary plain on the southern side with Pātaua North on coastal dune lands on the north side. The two parts of the settlement are connected by a footbridge but there is no vehicular access between them. At Pātaua South there is a camp ground, holiday homes, permanent residents and a small range of service facilities and activities to support the permanent and holiday populations. Pātaua North contains mainly holiday homes but is becoming more popular as a commuter settlement due to improvements to the road to Whangārei.

Taurikura/Urquharts Bay

Taurikura/Urquharts Bay settlement is located towards the Whangārei Heads. Taurikura is a popular beach and is supported by a range of community facilities including a tennis court, community hall and a general store. Taurikura/Urquharts Bay settlement has a very small permanent population which has seen minimal population growth over recent years.

Tutukaka

Tutukaka is characterised by the existing marina and water based recreation activities and is the gateway to the world famous Poor Knights Marine Reserve. Facilities include the Oceans Resort development comprising retail services, restaurant and hotel facilities, as well as other restaurants/bars located around the harbour. The land around the harbour is steep and clad in coastal forest providing a backdrop to the coastal marine area. In many areas the land is identified as being at risk of land instability or erosion prone. Residential development is accommodated in a series of small bays on the southern side of the harbour and the open coast around to Whangaumu Bay.

Waipu Cove/Langs Beach

Waipu Cove/Langs Beach settlement is the southernmost settlement in the District and therefore is in the closest proximity to Auckland. There is some tourist accommodation, a campground, cafes and a dairy, but other services are limited. The settlement is characterised by white sandy beaches, dramatic coastal headlands and pohutukawa clad coastlines. There is a high proportion of holiday homes and the area is popular with holiday-makers over the summer holiday period.

Small Settlements

Smaller rural settlements consisting of a cluster of residential development with limited community services such as primary schools and community halls, are located at Portland, Mangapai, Waiotira, Ruatangata West, Titoki, Pakotai, Te Horo, Riverview Place, Tamaterau/Waikaraka, Manganese Point, Ocean Beach, Bland Bay, Whananaki, Taiharuru, Helena Bay and Moureeses Bay. These rural settlements exist having historically provided important services to rural

communities or as isolated coastal holiday destinations. They are zoned for residential land use only Sub-Zone 1 – Settlement Zone Residential.

Objectives

SETZ-O1 Managed Growth

Provide for the managed growth of rural settlements.

SETZ-O2 Amenity and Character

Protect and enhance the amenity and character values of each rural settlement.

SETZ-O3 Community Facilities

Provide for community facilities; including halls, sports fields, churches and schools acknowledging the role of these as focal points for rural settlements.

SETZ-O4 Residential Activities

Provide for the consolidation of residential activities in rural settlements.

SETZ-O5 Mix of Residential and Commercial

Enable a mix of residential activities and commercial activities to occur in rural settlement centres.

SETZ-O6 Business Activities

Enable a range of business activities that fulfil local service functions in rural settlements.

Policies

SETZ-P1 Range of Activities

To enable a range of land use activities necessary to support the service, residential and community functions of settlements.

SETZ-P2 Development Intensity

To enable a greater intensity of development where reticulated services are available.

SETZ-P3 Characteristics and Features

To protect features and characteristics that contribute to sense of place in rural settlements and maintain factors that contribute to rural settlements character including:

1. Low to moderate levels of noise and lighting, particularly at night.
2. Ample access to daylight.
3. Established streetscapes reflecting historical development patterns.
4. Semi-formal arrangement and design of roadways and structures.
5. Access to public open space and community facilities.
6. Opportunity for informal social interaction.
7. A range of low density building typology and design.
8. A central settlement focal point containing business and community facilities.

SETZ-P4 Road Network

To protect the character and amenity of rural settlements and to avoid adverse effects to the road network by limiting the number of traffic movements generated by non-residential activities.

SETZ-P5 Character and Amenity

To protect and enhance the established character and amenity of rural settlements by ensuring that subdivision and development are designed, constructed and operated so that they are consistent with:

1. The Settlement Zone Issues.
2. The service function of the settlement.

SETZ-P6 Subdivision and Associated Land Use

To locate and design subdivision and associated land development in the Settlement Zone to complement the existing form of the rural settlement and maintain or enhance rural settlement character and amenity values by:

1. Locating accessways, services, utilities and building areas where:
 - a. These can be provided without the need for significant earthworks, retaining, benching or site contouring.
 - b. The location is sensitive to, and responds to, environmental features of the site so that vegetation removal or adverse effects on water quality, wetlands, riparian margins, historic heritage sites or Sites of Significance to Māori are avoided.
2. Ensuring that the scale of the subdivision and the resulting land use activity will not adversely impact on the character of the settlement by significantly altering the mix of land use activities that characterise the settlement.
3. Identifying building areas that respond to site topography and the settlement character.
4. Designing subdivisions to respond to the topography and characteristics of the land being developed.
5. Ensuring proposed sites allotments meet minimum site allotment size requirements.

Note:

1. *The Settlement Zone (SETZ) contains objectives and overarching policies and rules. More specific policies and rules that are applicable to each Sub-Zone are contained within that Sub-Zone (SETZ-SZ1; SETZ-SZ2; SETZ-SZ3).*

Rules

SETZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

SETZ-R2 Minor Building

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules SETZ-SZ1-R1 – R3, SETZ-SZ2-R1 – R3 and SETZ-SZ3-R1 – R3.

SETZ-R3 Farm Quarrying

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-R4 Hospitals

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-R5 Intensive Livestock Farming

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ1 – Settlement Zone Residential (Sub-Zone 1)

Issues

The areas identified as Settlement Zone Residential Sub-Zone provide for residential activities within the rural settlements. The rural settlements are developed to varying densities according to a number of factors including topography, known natural hazard zones and depending on whether they are serviced by Council's wastewater system. This pattern is expected to continue with larger sites being required if on-site disposal of wastewater is proposed. New suitable areas for residential development have been zoned where compatible existing residential development has occurred or where a shortage of residential land supply has been identified.

Note:

1. *There are no objectives within this Sub-Zone. The objectives and policies within the overarching Settlement Zone (SETZ) are applicable to the Settlement Zone Residential Sub-Zone.*

Policies

SETZ-SZ1-P1 Character and Amenity

To protect residential character and amenity in the Settlement Zone Residential Sub-Zone by restricting the operation of commercial activities and industrial activities and providing for limits to commercial activities that are ancillary activities to residential activities on the same site.

SETZ-SZ1-P2 Reverse Sensitivity

To avoid reverse sensitivity effects and to ensure that amenity is maintained in the Settlement Zone Residential Sub-Zone by ensuring that all new buildings and major structures are:

1. Of a scale and character appropriate to Settlement Zone Residential Sub-Zone.
2. Sited in a location sufficiently set back from site boundaries to enable privacy, the retention of open space and access to sunlight and separation from Rural Production Zone boundaries.
3. Designed to enable incidental activities such as minor buildings, parking (where provided), manoeuvring, landscaping and private open space to be accommodated on the site.

SETZ-SZ1-P3 Impervious Areas

To provide for private open space and landscaping in the Settlement Zone Residential Sub-Zone by ensuring that new built development is comprehensively designed so that at least 35% of the net site area is free of impervious areas.

Rules

SETZ-SZ1-R1 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 8m above ground level.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ1-R2 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 4.5m from road boundaries.
 - b. 3m from all non-road boundaries, with one setback of 1.5m.
 - c. 27m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

SETZ-SZ1-R3 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any site boundary.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ1-R4 Impervious Areas

Activity Status: Permitted

Where:

1. The impervious area within the site does not exceed 65% of the site area.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ1-R5 Fences

Activity Status: Permitted

Where:

1. The fence has a maximum height of 2m above ground level.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ1-R6 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor areas of storage or stockpiles that are open areas of storage or stockpiles of materials which are screened from view from public places and surrounding sites, except where such materials or equipment:

- a. Are accessory to agricultural, horticultural or plantation forestry activities; or
- b. Include functioning machinery, stockpiles of mineral resources or construction materials.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ1-R7 Principal Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 principal residential unit per 500m² net site area where the principal residential unit will be connected to Council's reticulated wastewater system.
2. The maximum density is 1 principal residential unit per 2,000m² net site area where the principal residential unit will not be connected to Council's reticulated wastewater system.
3. The principal residential unit is set back at least 4.5m from a railway line designation boundary.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ1-R8 Minor Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 minor residential unit per site.
2. The net site area of the site allotment is at least 750m².
3. The minor residential unit will be connected to a public reticulated wastewater system.
4. The nearest distance between the minor residential unit and the principal residential unit, excluding any accessory buildings and detached garages associated with either residential unit, does not exceed 15m.
5. The combined area of the minor residential unit building coverage (including accessory buildings and garages) and associated decking is not larger than maximum gross floor area of the minor residential unit (including decking and garage areas) is 90m².

Activity Status when compliance not achieved: Discretionary

SETZ-SZ1-R9 Commercial Activities

Activity Status: Permitted

Where:

1. The activity generates less than 20 traffic movements per site, per day.
2. There is no car parking between the residential unit and the road.
3. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
4. The activity does not exceed the use of 15% of the total gross floor area of all buildings on-site.
5. The total area of signage is less than 0.25m², per site.

6. There is no illuminated signage or moving signage.

7.5. The activity is an ancillary activity to the residential use of the site.

8.6. The principal operator of the activity is a permanent resident on the site.

9.7. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.

Activity Status when compliance not achieved with SETZ-SZ1-R9.1 – 6: Discretionary.

Activity Status when compliance with three or more of rules SETZ-SZ1-R9.1 – 6 is not achieved: Non-Complying

Activity Status when compliance not achieved with SETZ-SZ1-R9.7 – 9: Non-Complying

SETZ-SZ1-R9A Artisan Industrial Activity

Activity Status: Permitted

Where:

- 1.** The activity is an ancillary activity to a residential unit on the site.
- 2.** The principal operator of the activity is a permanent resident on the site.
- 3.** The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
- 4.** The activity generates less than 20 traffic movements per site, per day.
- 5.** There is no car parking between the residential unit and the road.
- 6.** In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
- 7.** The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

Activity Status when compliance with up to two of the rules SETZ-SZ1-R9A.4 – 7 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules SETZ-SZ1-R9A.1 – 3 is not achieved: Non-Complying

SETZ-SZ1-R10 Place of Assembly

Activity Status: Permitted

Where:

- 1.** The activity is a primary activity or ancillary activity.
- 2.** The activity occupies less than 35% of the net site area.
- 3.** The activity operates between the hours of 08:00 – 22:00.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ1-R11 Recreational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity occupies less than 35% of the net site area.
3. The activity operates between the hours of 08:00 – 22:00.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ1-R12 General Community

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity occupies less than 35% of the net site area.
3. The activity operates between the hours of 08:00 – 22:00.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ1-R13 Educational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity occupies less than 35% of the net site area.
3. The activity operates between the hours of 08:00 – 22:00.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ1-R14 Supported Residential Care

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ1-R15 Farming

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ1-R16 Plantation Forestry

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ1-R17 Care Centre

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ1-R18 Retirement Village

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ1-R19 Emergency Services

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ1-R20 Industrial Activities (Excluding Artisan Industrial Activities)

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ2 – Settlement Zone Centre (Sub-Zone 2)

Issues

The Settlement Zone Centre Sub-Zone provides for the commercial and community centres found in the larger rural settlements and is often the focal point for local communities and community facilities. Opportunities are provided for the development of a mix of residential and commercial development within these areas while ensuring the character of the rural settlement is retained. It is expected that commercial development will be consolidated within the Settlement Zone Centre Sub-Zone with residential development clustered around it to retain a compact rural settlement centre.

Note:

1. *There are no objectives within this Sub-Zone. The objectives and policies within the overarching Settlement Zone (SETZ) are applicable to the Settlement Zone Centre Sub-Zone.*

Policies

SETZ-SZ2-P1 Amenity

To maintain amenity in the Settlement Zone Centre Sub-Zone by ensuring that all new buildings and major structures are:

1. Of a scale and character appropriate to Settlement Zone Centre Sub-Zone.
2. Sufficiently set back from the road boundary to allow safe pedestrian and vehicle movement and access.
3. Designed to enable incidental activities such as minor buildings, parking (where provided), manoeuvring and landscaping to be accommodated on the site.

SETZ-SZ2-P2 Outdoor Living Space

To ensure that residential units in the Settlement Zone Centre Sub-Zone have sufficient outdoor living space.

SETZ-SZ2-P3 Managed Activities

To manage the scale and nature of activities within the Settlement Zone Centre Sub-Zone by ensuring activities:

1. Avoid significant adverse effects on surrounding residential areas.
2. Do not compromise the retention, and potential establishment, of a mix of activities within the Settlement Zone Centre Sub-Zone.
3. Maintain the vibrancy and vitality of the surrounding Settlement Zone Centre Sub-Zone.
4. Can meet and fund local infrastructure requirements.

Rules

SETZ-SZ2-R1 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 8m above ground level.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ2-R2 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings are major structures are set back at least:
 - a. 2m from road boundaries.
 - b. 3m from all other site boundaries of a separate site which contains an existing residential unit.
 - c. 27m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

SETZ-SZ2-R3 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and the site boundary of a separate site which contains an existing residential unit.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ2-R4 Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 residential unit per site.
2. The residential unit is set back at least 2m from a railway line designation boundary.
3. Every residential unit contains an outdoor living court of at least 20m² and at least 4m depth.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ2-R5 Commercial Activities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not operate outside the hours of 06:00 and 22:00 if the activity is located within 50m of an existing residential unit on a separate site.
3. The activity does not exceed 300m² gross floor area.
4. The activity does not provide for 3 or more individual commercial activities or rural centre service activities on a site.

Activity Status when compliance not achieved: Discretionary.

SETZ-SZ2-R6 Rural Centre Service Activity

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not operate outside the hours of 06:00 and 22:00 if the activity is located within 50m of an existing residential unit on a separate site.
3. The activity does not exceed 300m² gross floor area.
4. The activity does not provide for 3 or more individual commercial activities or rural centre service activities on a site.

Activity Status when compliance not achieved: Discretionary.

SETZ-SZ2-R7 Any Activity

Activity Status: Permitted

Where:

1. The activity generates less than 200 traffic movements per site, per day.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ2-R8 Supported Residential Care

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ2-R9 Retirement Village

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ2-R10 Recreational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ2-R11 Emergency Services

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ2-R12 **Care Centre**

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ2-R13 **Educational Facilities**

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ2-R14 **General Community**

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ2-R15 **Place of Assembly (excluding Community Corrections Activities)**

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ2-R16 **Farming**

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ2-R17 **Plantation Forestry**

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ2-R18 **Community Corrections Activity**

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ2-R19 **Industrial Activities (excluding Rural Centre Service Activities)**

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SETZ-SZ3 – Settlement Zone Industry (Sub-Zone 3)

Issues

The areas identified as Settlement Zone Industry Sub-Zone are existing industrial areas located within the larger rural settlements. They contribute to the self-sufficiency of rural settlements and benefit the wider community through provision of employment and support to local social and recreational activities. Industrial activities also provide supporting services for rural production activities. The Settlement Zone Industry Sub-Zone is located in close proximity to the Settlement Zone Residential Sub-Zone and Settlement Zone Centre Sub-Zone. There is potential for reverse sensitivity effects such as noise, odour, lighting glare, vibration and heavy vehicle movements. Consequently, new residential development will be restricted to limit such effects. This Sub-Zone only recognises existing land use activities and does not seek to provide additional zoning.

Note:

1. *There are no objectives within this Sub-Zone. The objectives and policies within the overarching Settlement Zone (SETZ) are applicable to Settlement Zone Industry Sub-Zone.*

Policies

SETZ-SZ3-P1 Character

To maintain rural settlement character in the Settlement Zone Industry Sub-Zone by ensuring that all new buildings and major structures are:

1. Of a scale and character appropriate to the Settlement Zone Industry Sub-Zone and compatible with the surrounding settlement.
2. Sited in a location sufficiently set back from site boundaries to enable privacy, the retention of open space and access to sunlight.
3. Designed to enable incidental activities such as minor buildings, parking (where provided), manoeuvring and landscaping to be accommodated on the site.

SETZ-SZ3-P2 Sensitive Activities

Avoid sensitive activities in the Settlement Zone Industry Sub-Zone unless they:

1. Support and are ancillary activities to the operation of industrial activities within the Sub-Zone; and
2. Do not adversely affect existing industrial activities; and
3. Ensure that sufficient land is retained for potential future industrial activities.

Rules

SETZ-SZ3-R1 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 20m above ground level.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ3-R2 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 4.5m from road boundaries.
 - b. 27m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

SETZ-SZ3-R3 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any non-Settlement Zone Industry Sub-Zone boundary.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ3-R4 Any Activity

Activity Status: Permitted

Where:

1. The activity generates less than 200 traffic movements per site, per day.
2. The activity operates within the hours 06:00 – 22:00, excluding any temporary military training activity.

Activity Status when compliance not achieved: Discretionary

SETZ-SZ3-R5 Sensitive Activity

Activity Status: Non-Complying

Where:

1. The sensitive activity is a primary activity or ancillary activity.

Future Urban Zone (FUZ)

Issues

The Future Urban Zone (FUZ) covers five areas of rural residential land. These five areas contain clusters of low density residential development situated on the fringes of Whangarei City's residential suburbs, and are addressed in adopted Urban Structure Plans.

The locations of Future Urban Zones are limited to those areas containing existing rural residential development and which allow for the future reticulated development of areas contiguous to existing urban areas. The Future Urban Zone generally adjoins Residential Zones or Open Space and Recreation Zones on the inner (urban) edge and the Large Lot Residential Zone or Rural Production Zone on the outer (rural) edge.

There is a distinct rural residential amenity and character within Future Urban Zone areas which is different to the amenity of urban areas and of areas of Rural Production Zone. Part of that rural residential amenity and character relates to remnants of rural production activities such as stock loading yards, bars, sheds, fences and shelterbelts. The Future Urban Zone areas also provide amenity to the adjoining urban areas by providing a rural residential outlook until future urban expansion occurs.

The Future Urban Zone provides for a density of rural residential development that lies between the densities of the Rural Lifestyle Zones and Residential Zones. It provides capacity for the future urban expansion of the City and accordingly must be managed for this purpose.

It is anticipated that most Future Urban Zone locations will be considered for rezoning to a Residential Zone once reticulated services are available. However, two clusters of Future Urban Zone (ToeToe Road and Whau Valley Road – Appendix 1 and 2 – Future Urban Zone for location of these areas) have been identified as not suitable for future urban development because of natural hazards, proximity to Quarrying Resource Areas and other land use constraints, and have been zoned Future Urban Zone solely to recognise the existing level of rural residential development.

Some non-residential activities of a compatible nature, scale and location may be located within the Future Urban Zone including commercial activities that are ancillary activities to residential activities.

Objectives

FUZ-O1 Rural Residential Areas

Future Urban Zone, other than ToeToe Road and Whau Valley Road, are maintained as rural residential areas prior to being reticulated for urban expansion.

FUZ-O2 Reticulated Urban Expansion

Subdivision and development within the Future Urban Zone does not compromise its future for reticulated urban expansion.

FUZ-O3 Hazards, Heritage and Natural Features

Subdivision and development within the Future Urban Zone avoids hazard areas and protects heritage and natural features such as landforms, watercourses and indigenous vegetation.

FUZ-O4 Infrastructure Services

Infrastructure services for subdivision and development within the Future Urban Zone are appropriately designed and constructed.

FUZ-O5 Non-Residential Activities

Compatible small scale non-residential activities are provided for within the Future Urban Zone.

Policies

FUZ-P1 Rural-Residential Development

To provide for existing clusters of rural-residential development, while recognising these areas, other than ToeToe Road and Whau Valley Road, are suitable for urban expansion.

FUZ-P2 Character and Amenity

Prior to urban expansion, to maintain rural residential character and amenity in the Future Urban Zone by maintaining:

1. A sense of spaciousness with visual connections to a range of landscapes (such as Mt Parihaka, Hurupaki, Rawhitiroa and Ngararatunua scoria cones, Parakiore, Pukenui/Western Hills Forest, and Glenbervie Forest).
2. Historic heritage features (such as stone walls in Maunu, Three Mile Bush and Vinegar Hill).
3. Dominance of the natural environment (such as landscapes, vegetation and water courses) over the built environment.
4. Lack of urban amenities (such as footpaths, street lights or kerb and channelling).
5. A high level of privacy and low levels of noise and lighting.
6. A range of rural residential development with associated residential units, landscaping/gardens and small scale rural production activities.

FUZ-P3 Rural Residential Amenity

Prior to urban expansion, maintain rural residential amenity in the Future Urban Zone by ensuring that all new buildings and major structures are:

1. Of a scale and character appropriate to the Future Urban Zone.
2. Sufficiently setback from site boundaries to enable privacy, the retention of open space and access to sunlight.

FUZ-P4 Commercial and Industrial Activities

Prior to urban expansion protect rural residential character and amenity in the Future Urban Zone by avoiding commercial activities and industrial activities and providing for limited commercial activities that are ancillary activities to residential activities on the same site.

FUZ-P5 Future Urban Expansion

To provide for future urban expansion in the Future Urban Zone by locating buildings, major structures, building platforms, site allotment boundaries, accessways and on-site services to allow for future urban expansion including an urban level of servicing.

FUZ-P6 Locations to Avoid Future Urban Expansion

To avoid future urban expansion in the ToeToe Road and Whau Valley Road Future Urban Zone areas due to hazards, proximity to Quarrying Resource Areas and land use constraints.

FUZ-P7 Reticulated Services

To provide for urban expansion in Future Urban Zone areas where reticulated services are available by applying the objectives, policies and rules for the General Residential Zone to urban subdivision and subsequent land use.

FUZ-P8 Access and Linkages

To provide for future urban expansion by providing within each subdivision an area of protected land that allows access and linkages to existing and future services including roads, wastewater, stormwater, water, pedestrian access and open space.

FUZ-P9 Safety, Efficiency and Parking

To avoid adverse effects from commercial activities that are ancillary activities to residential activities on pedestrian safety, road safety and efficiency, and parking.

FUZ-P10 Reverse Sensitivity

To manage reverse sensitivity effects by avoiding the establishment of sensitive activities within close proximity to Quarrying Resource Areas, Rural Production Zone, Strategic Rural Industries Zone, Business Zones and plantation forestry.

FUZ-P11 Environmental Features

To ensure subdivision protects and enhances environmental features by:

1. Designing subdivisions to respond to the topography and characteristics of the land being developed.
2. Locating accessways, services, utilities and buildings platforms where these can be provided without the need for significant earthworks, retaining, benching or site contouring.

FUZ-P12 Road Network

To ensure subdivision results in an efficient and safe road network by:

1. Limiting the number of sites allotments served by shared accessways and the number of shared accessways per subdivision.
2. Requiring Indicative Roads and cycleways to be formed.

Rules

FUZ-R1 Any Land Use Activity

Any land use activity that is undertaken on an site allotment created through provision SUB-R14 will be assessed by applying the objectives, policies and rules of land use in the General Residential Zone.

FUZ-R2 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

FUZ-R3 Minor Building

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules FUZ-R4 – R5.

FUZ-R4 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 8m above ground level.

Activity Status when compliance not achieved: Discretionary

FUZ-R5 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 10m from all site boundaries.
 - b. 6m from all right of ways and common shared access wayses.
 - c. 27m from Mean High Water Springs and the top of the bank of any river than has a width exceeding 3m (excluding bridges, culverts and fences).
 - d. 30m from indicative roads identified on the District Plan Maps.

Activity Status when compliance not achieved: Discretionary

FUZ-R6 Impervious Areas

Activity Status: Permitted

Where:

1. The impervious area within the site does not exceed 15% of the net site area.

Activity Status when compliance not achieved: Discretionary

FUZ-R7 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of indigenous vegetation either:
 - a. Does not exceed 500m² per site within each 10-year period from 12 December 2018; and
 - b. Is not within 20m of a water body; OR
 - c. Is within a single urban environment allotment; OR
 - d. Is associated with:
 - i. Routine maintenance within 7.5m of the eaves of existing buildings and major structures:
 - a) Including the removal of any tree where any part of the trunk is within the 7.5m distance.
 - b) Excluding damage to the roots or removal of any tree where the trunk is outside the 7.5m distance; or
 - ii. Operation, maintenance and repair of existing tracks, lawns, gardens, fences, drains and other lawfully established activities; or
 - iii. Pest plant removal and biosecurity works; or
 - iv. Vegetation removal for customary rights; or

- v. Conservation planting, including planting for ecological restoration purposes.

Activity Status when compliance not achieved: Discretionary

FUZ-R8 Principal Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 principal residential unit per 1ha net site area, provided that 1 principal residential unit is permitted on an site allotment of any size.

Activity Status when compliance not achieved: Non-Complying

FUZ-R9 Minor Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 minor residential unit per site.
2. The minor residential unit does not have a separate access/driveway from the principal residential unit.
3. The nearest distance between the minor residential unit and the principal residential unit, excluding any accessory buildings and detached garages associated with either residential unit, does not exceed 15m.
4. The combined area of the minor residential unit building coverage (including accessory buildings and garages) and associated decking is not larger than maximum gross floor area of the minor residential unit (including decking and garage areas) is 90m².

Activity Status when compliance not achieved: Non-Complying

FUZ-R10 Sensitive Activity

Activity Status: Permitted

Where:

1. The sensitive activity (excluding non-habitable buildings) is set back at least:
 - a. 500m from:
 - i. The Mining Area of all Quarrying Resource Areas.
 - ii. The Strategic Rural Industries Zone.
 - b. 20m from:
 - i. The Rural Production Zone.
 - ii. Business Zones.
 - iii. An existing plantation forestry on a separate site.

Activity Status when compliance not achieved: Discretionary

FUZ-R11 Commercial Activities

Activity Status: Permitted

Where:

1. The activity generates less than 20 traffic movements per site, per day.

2. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
3. The activity does not exceed the use of 15% of the total gross floor area of all buildings on site.
- ~~4. The total area of signage is less than 0.25m², per site.~~
- ~~5. There is no illuminated signage or moving signage.~~
- ~~6.4.~~ The activity is an ancillary activity to the residential use of the site.
- ~~7.5.~~ The principal operator of the activity is a permanent resident on the site.
- ~~8.6.~~ The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.

Activity Status when compliance not achieved with up to two of rules FUZ-R11.1 – 5: Discretionary

Activity Status when compliance not achieved with more than two rules FUZ-R11.1 – 5: Non-Complying

Activity Status when compliance not achieved with FUZ-R11.6 – 8: Non-Complying

FUZ-R11A Artisan Industrial Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 08:00 or after 18:00 on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per site, per day.
5. There is no car parking between the residential unit and the road.
6. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

Activity Status when compliance with up to two of the rules FUZ-R11A.4 – 7 is not achieved: Discretionary

Activity Status when compliance with more than two of the rules is not achieved or when compliance with any of rules FUZ-R11A.1 – 3 is not achieved: Non-Complying

FUZ-R12 Farming

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

FUZ-R13 Plantation Forestry

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

FUZ-R14 Supported Residential Care

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

FUZ-R15 Retirement Village

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

FUZ-R16 Care Centre

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

FUZ-R17 Emergency Services

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

FUZ-R18 Farm Quarrying

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

FUZ-R19 Place of Assembly

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

FUZ-R20 Educational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

FUZ-R21 Recreational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

FUZ-R22 General Community

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

FUZ-R23 Hospitals

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

FUZ-R24 Intensive Livestock Farming

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

FUZ-R25 Industrial Activities (Excluding Artisan Industrial Activities)

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

FUZ Appendix 1 – ToeToe Road Areas Subject to FUZ-P6 and SUB-R14

ToeToe Road areas subject to FUZ-P6 and Rule SUB-R14.2(d)(i) are outlined in red in the image that follows.



Figure FUZ 1. ToeToe Road areas subject to provisions

FUZ Appendix 2 – Whau Valley Road areas subject to FUZ-P6 and SUB-R14

Whau Valley Road areas subject to FUZ-P6 and SUB-R14.2(d)(i) are outlined in red in the below image.

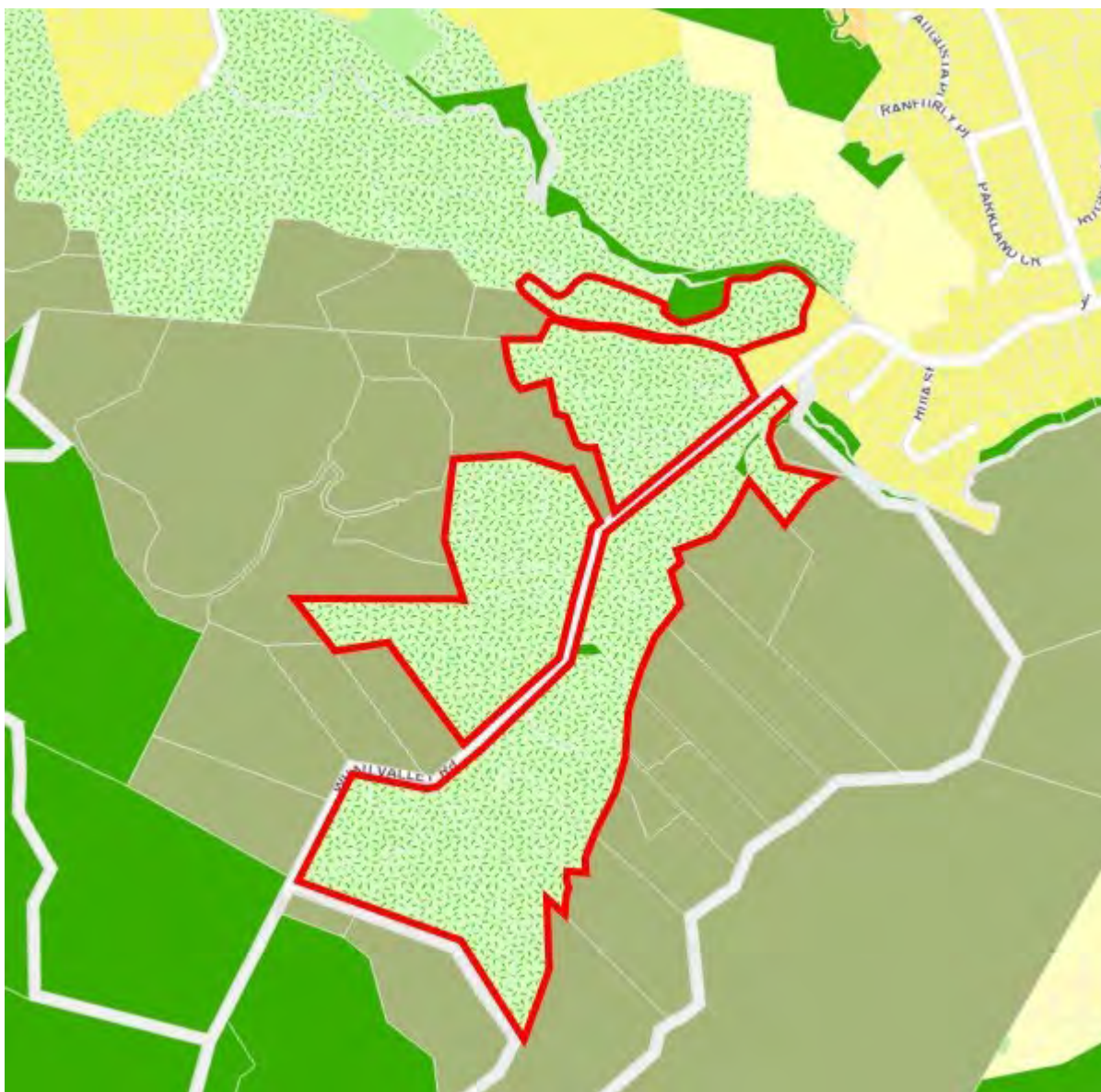


Figure FUZ 2. Whau Valley Road areas subject to provisions

Strategic Rural Industries Zone (SRIZ)

Issues

The Strategic Rural Industries Zone (SRIZ) recognises and provides for the retention and managed expansion of several established industries of strategic significance located in the rural areas of the District, being:

- Fonterra Milk Processing Site at Kauri and Ancillary Irrigation Farms.
- Croft Timber Mill at Kauri.
- Cement Works at Portland.

Strategic Rural Industries are industrial activities that require a rural location due to specific operational requirements including infrastructure demands and proximity to resources (such as minerals and transport links) and the availability of suitable land. They are strategic because, in addition to their significance in terms of providing essential employment and services to the District, they may also be of regional or national importance due to their functions, the area served, the investment in infrastructure required for the establishment or on-going development of the activity, or their contribution to the economy.

Due to their strategic importance, it is important that Strategic Rural Industries are encouraged to continue to operate and develop, while acknowledging the potential for such industries to impact on surrounding rural activities due to the scale of their operations and nature of effects.

The term 'Strategic Rural Industries' is applied specifically in the District Plan to the Strategic Rural Industries Zone and does not include strategic industries located within the urban areas of the District and/or within other zones with existing specialised industrial functions (e.g. the Port Zone and the Marsden Point Energy Precinct).

It is anticipated that the Strategic Rural Industries Zone could be extended over time to other rural locations elsewhere in the District by way of plan changes to accommodate additional Strategic Rural Industries.

The Strategic Rural Industries Zone primarily provides for Strategic Rural Industries. Complementary commercial activities and industrial activities that do not compromise the functioning of existing Strategic Rural Industries may be appropriate.

Note:

1. Commercial quarries and mineral extraction activities will in future be assessed as Mineral Extraction Areas.
2. Maps of SRIZ are included in SRIZ Appendix 1.

Objectives

SRIZ-01 Economic Development

Recognise the contribution established Strategic Rural Industries make to the vitality and economic viability of the District.

SRIZ-02 Appropriate Locations

Provide for the establishment and operation of Strategic Rural Industries in appropriate locations within the rural area.

SRIZ-03 Management Framework

Promote a flexible and targeted management framework for existing and/or prospective Strategic Rural Industries.

SRIZ-O4 Amenity

Maintain rural amenity and avoid reverse sensitivity effects in the vicinity of Strategic Rural Industries.

Policies

SRIZ-P1 Manage Effects

To provide for and manage the effects of Strategic Rural Industries by identifying them as within the Strategic Rural Industries Zone.

SRIZ-P2 Operation and Expansion

To provide for the ongoing operation and expansion of Strategic Rural Industries where adverse effects can be avoided, remedied or mitigated.

SRIZ-P3 Avoid Fragmentation

To avoid fragmentation of Strategic Rural Industry Areas associated with further subdivision.

SRIZ-P4 Reverse Sensitivity

To avoid potential reverse sensitivity effects from sensitive activities within Strategic Rural Industry Areas.

SRIZ-P5 Incompatible Activities

To manage land use conflicts by ensuring that activities that are incompatible with the effects of Mineral Extraction Activities are not established within the Portland Strategic Rural Industries Zone.

SRIZ-P6 Complementary Activities

To provide for complementary commercial activities and industrial activities where they do not compromise the functioning of existing Strategic Rural Industries.

Rules

SRIZ-R1 Any Activity

Fonterra Kauri Milk Processing Site SRIZ Ancillary – Irrigation Farms

1. Subject to SRIZ-R7, the provisions of the Rural Production Zone apply to the Fonterra Kauri Milk Processing Site SRIZ – Ancillary Irrigation Farms.

SRIZ-R2 Any Activity Not Otherwise Listed in This Chapter

All SRIZ Areas

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

SRIZ-R3 Minor Buildings

All SRIZ Areas

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules SRIZ-R4 – R6.

SRIZ-R4 Building and Major Structure Height

1. Activity Status: Permitted

Where:

- a. In the Fonterra Kauri Milk Processing Site SRIZ Area:
 - i. The maximum building height and major structure height is 20m above ground level, or is a boiler, silo, drier or evaporation plant with a maximum height of 65m above ground level, including any associated stacks.
- b. In the Portland SRIZ Area:
 - i. The maximum building height and major structure height is 20m above ground level; or if part of the rock crusher, or utilised for the production of cement, the maximum height is 66m above ground level.
- c. In the Croft Poles SRIZ Area:
 - i. The maximum building height and major structure height is 20m above ground level.

Activity Status when compliance not achieved: Discretionary

SRIZ-R5 Building and Major Structure Setbacks

1. Activity Status: Permitted

Where:

- a. In the Fonterra Kauri Milk Processing Site SRIZ Area and Croft Poles SRIZ Area:
 - i. All buildings and major structures are set back at least:
 - a) 20m from the Rural Production Zone and Open Space and Recreation Zones.
 - b) 4.5m from road boundaries.
 - c) 27m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).
- b. In the Portland SRIZ Area:
 - i. All buildings and major structures are set back at least:
 - a) 20m from any other Zone boundaries.
 - b) 27m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

SRIZ-R6 Building and Major Structure Height in Relation to Boundary

1. Activity Status: Permitted

Where:

- a. In the Fonterra Kauri Milk Processing Site SRIZ Area and Croft Poles SRIZ Area:
 - i. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and the site boundary.
- b. In the Portland SRIZ Area:

- i. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and the site boundary with any Residential Zone, Rural Production Zone or Open Space and Recreation Zones except for the maintenance and upgrading of the cement works conveyor structure.

Activity Status when compliance not achieved: Discretionary

SRIZ-R7 Any Activity or Activities which are associated with Water Storage Ponds, Water Treatment Ponds or Irrigation Infrastructure

Fonterra Kauri Milk Processing Site SRIZ – Ancillary Irrigation Farms

Activity Status: Permitted

SRIZ-R8 Traffic Generation

All SRIZ Areas

Activity Status: Controlled

Where:

1. Any activity or activities:
 - a. Which cumulatively generate traffic movements from a SRIZ Area greater than the following:
 - i. Portland SRIZ:
 - a) 700 heavy vehicle traffic movements total per day (24-hour period).
 - b) More than 25 heavy vehicle traffic movements per hour, which turn right from Portland Road on to the State Highway between 16:30 and 17:30.
 - ii. Fonterra Kauri Milk Processing Site SRIZ:
 - a) 1,400 traffic movements per day (24-hour period).
 - iii. Croft Poles Strategic Rural Industries Zone Area greater than the following:
 - a) 400 traffic movements per day (24-hour period).
 - b. For which written approval has been provided from:
 - i. For Portland SRIZ Area and Croft Poles Site Area, the Waka Kotahi NZ Transport Agency and Whangarei District Council Roadway.
 - ii. For Fonterra Kauri Milk Processing Site SRIZ Area, the Waka Kotahi NZ Transport Agency.
2. Any application for resource consent under SRIZ-R8 shall be accompanied by a transport assessment statement including existing and proposed traffic volumes (including heavy vehicles).

Matters of control:

1. Effects on the transport network.
2. Design and location of accessways.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects on the transport network.
2. Design and location of accessways.

Note:

1. Any application shall comply with information requirement rule SRIZ-REQ1.

SRIZ-R9 Sensitive Activities

All SRIZ Areas

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Information Requirement Rules

SRIZ-REQ1 Information Requirement

1. Any application for resource consent under SRIZ-R8 shall be accompanied by a transport assessment statement including existing and proposed traffic volumes (including heavy vehicles).

Note:

1. The Council will advise Waka Kotahi NZ Transport Agency of any application for land use consent lodged, under this rule.

SRIZ Appendix 1 – Maps

Figure SRIZ 1. shows:

- Croft Poles Kauri SRIZ Area outlined in red
- Fonterra Kauri Milk Processing Site SRIZ Area outlined in blue

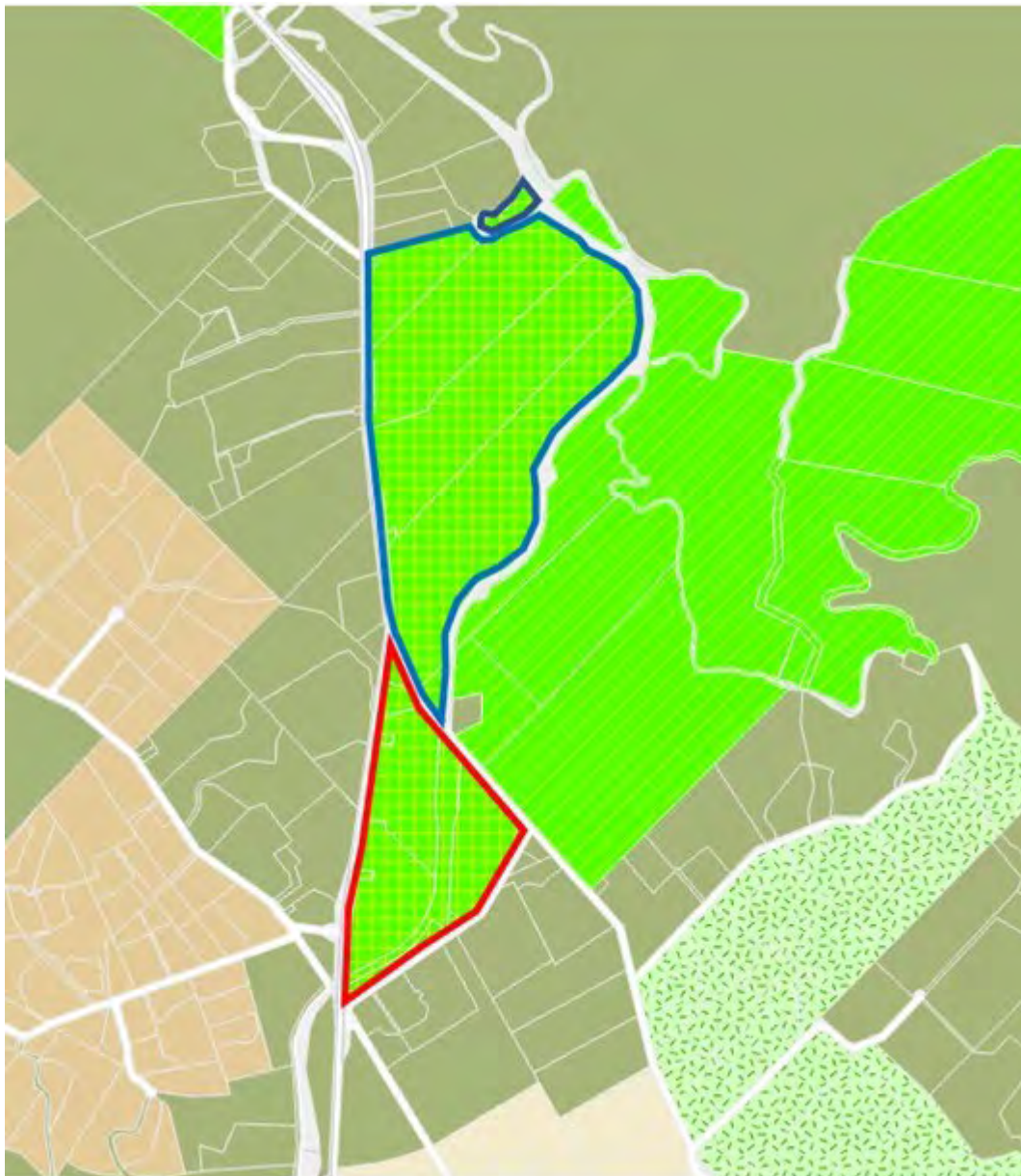


Figure SRIZ 1: Strategic Rural Industries Zone (SRIZ)

Figure SRIZ 2. shows:

- Portland SRIZ Area outlined in pink.

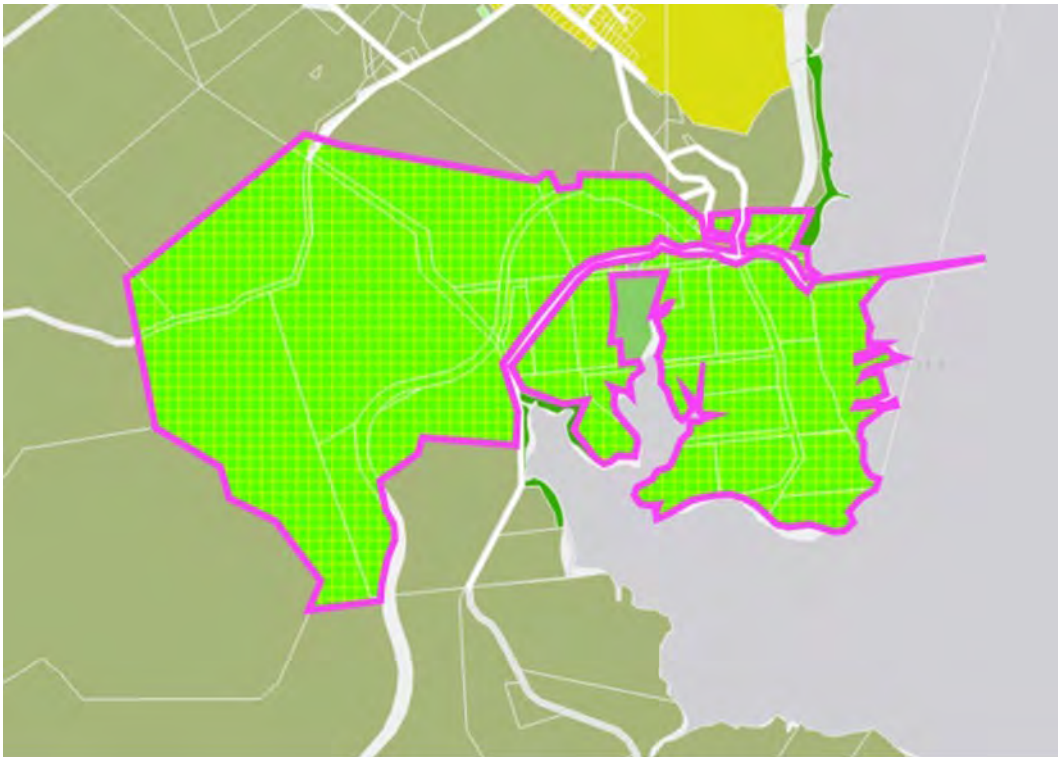


Figure SRIZ 2: Strategic Rural Industries Zone (SRIZ)

Local Centre Zone (LCZ)

Issues

The Local Centre Zone (LCZ) provides for commercial, community and residential activities within the suburbs of Whangārei City, Ruakaka and Marsden Point. The Local Centre Zone is often the heart of a suburb providing a focus point for community functions and community identities. The Local Centre Zone services a wide area and contains activities such as supermarkets, a range of retail goods and services, small scale office activities and some community, recreation and health services.

Local Centres are identified in suburbs and are often anchored by a traditional main street with active street frontages, high levels of pedestrian activity and links to public transport networks. A mix of on-street and off-street parking is provided in these larger local commercial areas, reflecting the fact that they serve a wider catchment than the Neighbourhood Centre Zone. Opportunities exist for expansion and intensification to ensure that local commercial areas continue to meet the needs of the growing suburban populations.

The Local Centre Zones within each major suburb are described below. It is expected that the individual characteristics of each Local Centre Zone area will be recognised in the preparation and assessment of any resource consent application.

Tikipunga

Tikipunga Local Centre Zone is located to the west of Paramount Parade. The Local Centre Zone area contains a mix of retail activities, food and beverage activities, and service activities, including a supermarket, post office, service station and a medical centre. Most of the shops are connected with pedestrian walkways and verandahs, with a large on-site parking area to the front of the buildings. Tikipunga Tavern is also located to the west of Paramount Parade. Community facilities, including a library, are situated within public land zoned Natural Open Space Zone adjoining the Local Centre Zone to the north.

Kensington

Kensington Local Centre Zone is situated around the intersection of Kensington Avenue and Kamo Road. Food and beverage, retail activities and service activities are prevalent, including takeaways, restaurants, cafes, postal and banking services, and a service station. A traditional strip of mainly food and beverage activities is located along the western side of Kamo Road, with an active frontage, pedestrian footpaths and verandas. Along Kensington Avenue there is a strong presence of medical service activities, including a private hospital, imaging facility and orthopaedic centre.

Regent

Regent Local Centre Zone is situated around the intersection of Kamo Road, Manse and Donald Streets, and is in proximity to the City Centre. The Local Centre Zone contains two supermarkets on separate sites dominated by on-site, front of store parking. To the east of Kamo Road a more traditional strip of smaller scale retail activities and service activities are present with active frontages, pedestrian footpaths and verandas. Several places of assembly and a school are also located in the Local Centre Zone.

Kamo

Kamo Local Centre Zone is a compact mainstreet of buildings on, or in close proximity to, Kamo Road which provides a range of retail activities, service activities and community activities. The Local Centre Zone is bordered by schools, recreation areas, churches and identified mining hazard areas. Food and beverage activities, retail activities and service activities are prevalent, including

takeaways, restaurants, cafes, postal and banking and commercial services, and two service stations. An active frontage, pedestrian footpaths and verandas are present on both sides of Kamo Road.

Onerahi

Onerahi Local Centre Zone is located along Onerahi Road. It contains a mix of retail activities, food and beverage activities and service activities, including a supermarket, police station, medical centre, and postal services, reflecting the more isolated nature of Onerahi. The Local Centre Zone is bisected by two local roads, creating physical barriers maintaining separation between the row of smaller retail shops connected with pedestrian footpaths and verandas and the supermarket and a large hotel. Recreation and community services, including a library and hall, are located on public land zoned Open Space and Sport and Active Recreation Zones adjacent to the Local Centre Zone.

Otangarei

Otangarei Local Centre Zone is located on William Jones Drive and is the central hub of the Otangarei community. The Local Centre contains food and beverage activities and retail activities along with social services providers. The Local centre is in close proximity to the Otangarei Primary School, Otangarei Central Reserve, and Te Kotahitanga Marae o Otangarei.

Maunu

Maunu Local Centre Zone is identified in two locations. The first is on the north side of State Highway 14 opposite the Tui Crescent Neighbourhood Centre with existing food and beverage and educational facilities. The second site is on the corner of State Highway 14 and Austin Road. This site is currently vacant but is subject to the Maunu Town Centre Precinct.

Woodhill/Avenues

The Woodhill/Avenues Local Centre Zone runs along both sides of Maunu Road extending east from State Highway 1 towards the City Centre. It contains a mix of retail activities and service activities and good pedestrian network, including verandahs on the smaller retail outlets. The mix of activities include food and beverage shops, healthcare facilities, hair salons, and a service station.

Ruakaka

Ruakaka Local Centre Zone is situated on the corner of Marsden Point Road and Peter Snell Road opposite the Bream Bay High School. It contains a range of retail activities, food and beverage activities and service activities, including a supermarket, bank, medical centre, kindergarten and police station. Most of the shops are connected by pedestrian walkways and verandahs, with a large on-site parking area to the front of the buildings. A recreational area adjoins the Local Centre Zone on Peter Snell Road.

Raumanga

A large vacant area is situated at the corner of State Highway 1 and Tauroa Street.

One Tree Point/Marsden Cove

Marsden Cove Local Centre Zone is located at Rauiri Drive, Marsden Cove. The Local Centre Zone is oriented around the marina with buildings fronting the waterways. A range of retail activities, food and beverage activities and service activities exist on-site which are strongly oriented toward providing for marine activities.

Objectives

LCZ-O1 Range of Activities

Provide a distribution of Local Centre Zone that provide mixed-use development, including commercial activities, community activities and residential activities, while not undermining the vitality and viability of the City Centre.

LCZ-O2 Urban Character and Amenity

Maintain and enhance the urban character and amenity of Local Centre Zone.

LCZ-O3 Urban Design

Development demonstrates high quality urban form that positively interacts with the public realm and responds positively to and enhances the character of the surrounding environment.

LCZ-O4 Discouraged Activities

Avoid industrial activities within the Local Centre Zone to maintain the Local Centre Zone amenity and character.

LCZ-O5 Commercial Sprawl

Contain commercial activities within the Local Centre Zone.

Policies

LCZ-P1 Character and Amenity

To maintain and enhance the character and urban amenity values of the Local Centre Zone including but not limited to:

1. An active urban environment with a mix of type and scale of activities.
2. Presence of community activities, street plantings/trees and street furniture.
3. A medium intensity and scale of built development.
4. High levels of noise during the daytime associated with traffic and commercial activities.
5. A moderate degree of privacy for residential activities.
6. Access to daylight.
7. Limited exposure to noxious odour or noise associated with industrial activities.
8. High levels of vehicle traffic particularly during daytime hours.
9. On-street and off-street parking.

LCZ-P2 Range of Activities

To enable a range of activities that will enhance the vibrancy, community focus, economic performance and amenity of the Local Centre Zone by:

1. Encouraging residential activities, smaller scale retail activities, offices, tourist related activities, restaurants, cafes, bars and entertainment facilities.
2. Avoiding rural production and industrial activities (excluding small scale artisan industrial activities), large department stores, bulk goods and trade related retail.
3. Limiting large scale, destination-based community activities which do not enhance the vibrancy of the Local Centre Zone.
4. Requiring non-active uses to be located above ground floor.
5. Managing the scale, design and nature of activities to ensure that:
 - a. An active frontage is maintained at ground floor.

- b. The activity and building design are complementary to the Local Centre Zone context and retain a fine grain character.
 - c. The building is designed to be flexible and adaptable to a range of uses and does not unduly restrict potential future uses of the site.
 - d. Large single use buildings, activities at ground floor and standalone car parking facilities are sleeved by smaller scale commercial activities.
6. Recognising the functional and operational requirements of activities and development.

LCZ-P3 Mixed-Use

To encourage mixed-use development by providing for residential activities primarily located above ground floor commercial uses.

LCZ-P4 Active Frontage

To require active frontage at ground floor in building design to strengthen the interrelationship between buildings and the public realm.

LCZ-P5 Ground Floor Residential Units

To require residential units at ground floor to be designed and constructed in a manner which maintains and enhances residential amenity and active frontages.

LCZ-P6 Residential Amenity

To provide for residential amenity by ensuring residential units to provide sufficient internal space, outdoor living courts and noise insulation.

LCZ-P7 Pedestrian-Centric Environment

To create a pedestrian-centric environment by:

1. Managing new vehicle crossings and car parking areas to retain a safe and accessible pedestrian network.
2. Requiring verandahs along building frontages to create a defined building edge and provide shade and rain shelter.
3. Discouraging the creation of rear sites.
4. Creating and maintaining smaller site sizes to retain the fine grain character of the Local Centre Zone.
5. Encouraging the provision of facilities to support active and shared transport modes.

LCZ-P8 Zone Interface

To maintain the amenity and character which contributes to sense of place by managing built development and the interface between the Local Centre Zone and Residential Zones.

LCZ-P9 Discouraged Activities

To protect urban amenity by avoiding activities which have noxious or offensive, qualities from locating within the Local Centre Zone.

LCZ-P10 Scale of Development

To avoid adverse effects on the Shopping Centre Zone by limiting the development of large scale commercial and retail activities such as, large format retail and department stores but not including grocery stores.

LCZ-P11 Vitality and Viability of City Centre

To manage adverse effects on the vitality and viability of the City Centre and Mixed Use Zones by ensuring any expansion or establishment of the Local Centre Zone is provided only at a scale appropriate to the needs of the surrounding residential areas.

LCZ-P12 Water Setbacks

To protect esplanade areas and reserve waterfront walkways by avoiding impervious surfaces adjacent to Mean High Water Springs and river banks.

LCZ-P13 Urban Design

To reduce threats to personal safety and security by utilising urban design and CPTED principles in the design of developments in the Local Centre Zone.

Rules

LCZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

LCZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules LCZ-R3 – R7.

LCZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 16m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion

1. The extent to which visual dominance effects are minimised.
2. The extent to which the visual impact of exceeding the height limit is mitigated by the location, design, scale, and appearance (including reflectivity) of the building or structure.
3. Effects on the privacy and amenity of adjoining sites.
4. Shading effects on adjoining sites and public open space.
5. Effects on streetscapes and walkability.
6. The extent to which the proposal demonstrates best practice principles of urban design and Crime Prevention Through Environmental Design.
7. The extent to which the building is consistent with the character and amenity values anticipated within the Local Centre Zone.
8. The extent to which development in excess of 16m:
 - a. Has adverse effects on the affected transport network, and three waters networks.

- b. Is supported by open space, public amenities, commercial activities, and public and active transport options that are within walking distance to service the proposed residents and/or employees.
9. The extent to which the intensity of commercial activity arising from those parts of buildings in excess of 16m adversely effects the viability and vitality of other Business Zones.

LCZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 5m from any Residential Zone or Open Space and Recreation Zone boundary.
 - b. 20m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences). This clause does not apply to buildings and major structures within the Marsden Cove Local Centre Zone.
2. The building has zero setback from the road boundary at ground floor for the entire length of the site frontage for any front site, except:
 - a. One setback of up to 1.5m for a maximum width of 2.5m to allow for a recessed pedestrian entrance.
 - b. For service stations, emergency services and grocery stores this clause does not apply.
 - c. For any site frontage where a strategic road protection area applies as detailed in TRA Appendix 4.

Activity Status when compliance not achieved with LCZ-R4.1(a) or R4.2: Restricted Discretionary
Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining properties.
3. Effects on the streetscape character of the area.
4. Effects on the safety and efficiency of the transport network.

Activity Status when compliance not achieved with LCZ-R4.1(b): Restricted Discretionary
Matters of discretion:

1. The effectiveness of the proposed method for controlling stormwater runoff.
2. That the proposal will maintain and enhance the amenity values of the area.
3. That esplanade areas and waterfront walkways are appropriately safeguarded.

LCZ-R5 Building Floor-to-Floor Height

Activity Status: Permitted

Where:

1. The minimum interior floor-to-floor height is 3.8m at ground floor.

Activity Status when compliance not achieved: Restricted Discretionary
Matters of discretion:

1. The ability to maintain active frontages at street level.
2. Effects on streetscape amenity.

3. Effects on pedestrian safety and amenity.
4. Effects on internal amenity and lighting at ground floor.
5. The ability for buildings to be used for a range of commercial activities in future.

LCZ-R6 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 4m above ground level plus the shortest horizontal distance between that part of the building or major structure and any Residential Zone or Open Space and Recreation Zone boundary.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects on the privacy of adjoining properties.
2. Shading effects on adjoining properties.
3. Amenity effects on streetscapes and adjoining properties.

LCZ-R7 Building Frontages

Activity Status: Permitted

Where:

1. At least 65% of the building frontage at ground floor is clear glazing with no film or other covering or finish added to the glazing that would limit visibility through it.
2. The main pedestrian entrance is provided within 3m of the site frontage, except for service stations, emergency services and grocery stores.
3. There are no roller doors, sectional doors or shutters (except security grilles which allow views from the street into the premise) along the building frontage.

Activity Status when compliance not achieved: Discretionary

LCZ-R8 Verandahs

Activity Status: Permitted

Where:

1. All buildings within 2m of a road boundary are provided with verandahs:
 - a. Along the entire frontage of the building (excluding vehicle accessways) and forms a continuous line of shelter with adjacent verandahs; and
 - b. The clearance above the footpath is at least 3m and not more than 4m; and
 - c. The width of the verandah is:
 - i. The width of the corresponding footpath less 600mm from the kerb line; and
 - ii. A maximum of 5m
 - d. Except where a strategic road protection area applies as detailed in TRA Appendix 4, no verandah is required.

Note:

1. The required verandahs, in terms of this rule, are exempt from LCZ-R4 - Building Setbacks and LCZ-R6 - Building Height in Relation to Boundary.

Activity Status when compliance not achieved: Discretionary

LCZ-R9 Impervious Areas

Activity Status: Permitted

Where:

1. The impervious area within the site does not exceed 90% of the site area.
2. The impervious area is set back at least 5m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

LCZ-R10 Fences

Activity Status: Permitted

Where:

1. The fence is along a site frontage and is required by a by-law or for public health and safety; or
2. The fence is not along a road frontage; and
3. Fencing within 1m of any side or rear boundary is no higher than 2m.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects of shading and visual dominance on adjoining properties.
2. Urban design and passive surveillance.
3. Effects on streetscape character and amenity.
4. Health and safety effects.

LCZ-R11 Car Parking

Activity Status: Permitted

Where:

1. The car parking space is not located between the building frontage and road boundaries of the site, except for carparking spaces at service stations and grocery stores.

Activity Status when compliance not achieved: Discretionary

LCZ-R12 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor areas of storage or stockpile:
 - a. Complies with rules LCZ-R3, R4 and R6.
 - b. Is screened from view from adjacent public places and Residential Zones and Open Space and Recreation Zones, except for construction materials to be used on-site for a maximum period of 12 months within each 10-year period from 26 August 2021.

Activity Status when compliance not achieved: Discretionary

LCZ-R13 Residential Unit

Activity Status: Permitted

Where:

1. Every residential unit provides a net floor area of at least:
 - a. 35m² for residential units with only one habitable room.
 - b. 45m² for residential units with more than one habitable room.
2. Every 1 bedroom residential unit provides an outdoor living court of at least 4m² and at least 1.5m depth.
3. Every 2+ bedroom residential unit contains an outdoor living court of at least 8m² and at least 2.4m depth.
4. Every residential unit is above ground floor.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The design, size and layout of buildings to provide appropriate privacy and amenity for occupants on site.
2. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.
3. Adverse effects on active frontage and streetscapes.

Notification:

Any application for a residential unit which does not comply with Rule LCZ-R13.1 – 3 shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

LCZ-R14 Grocery Store

Activity Status: Permitted

Where:

1. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m.
2. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
3. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

LCZ-R15 Commercial Services

Activity Status: Permitted

Where:

1. The maximum business net floor area is 450m².
2. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m.

3. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
4. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

LCZ-R16 Food and beverage activities

Activity Status: Permitted

Where:

1. The maximum business net floor area is 450m².
2. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m.
3. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
4. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

LCZ-R17 General Commercial

Activity Status: Permitted

Where:

1. The maximum business net floor area is 450m².
2. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m.
3. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
4. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

LCZ-R18 General Retail

Activity Status: Permitted

Where:

1. The maximum business net floor area is 450m².
2. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m.

3. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
4. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

LCZ-R19 Artisan Industrial Activities

Activity Status: Permitted

Where:

1. The maximum business net floor area is 300m².
2. The goods sold on-site are also manufactured on-site, provided that the retailing is ancillary to the manufacturing. For this rule manufacturing excludes activities which comprise only the packaging, labelling, sorting, mixing or assembling of pre-made products.
3. Any outdoor area associated with the activity is not located between the front of the building and the road.
4. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m.
5. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary
6. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

LCZ-R20 Place of Assembly

Activity Status: Permitted

Where:

1. The activity is less than 1,000m² gross floor area per site.
2. Any outdoor area associated with the activity is not located between the front of the building and the road.
3. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m.
4. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
5. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

LCZ-R21 Entertainment Facilities

Activity Status: Permitted

Where:

1. The activity is less than 1,000m² gross floor area per site.
2. Any outdoor area associated with the activity is not located between the front of the building and the road.
3. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m.
4. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
5. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

LCZ-R22 Recreational Facilities

Activity Status: Permitted

Where:

1. The activity is less than 1,000m² gross floor area per site.
2. Any outdoor area associated with the activity is not located between the front of the building and the road.
3. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m.
4. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
5. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

LCZ-R23 Emergency Services

Activity Status: Permitted

Where:

1. The activity is less than 1,000m² gross floor area per site.
2. Any outdoor area associated with the activity is not located between the front of the building and the road.
3. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m.
4. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or

- b. Further than 50m from a Residential Zone boundary.
5. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

LCZ-R24 Educational Facilities

Activity Status: Permitted

Where:

1. The activity is less than 1,000m² gross floor area per site.
2. Any outdoor area associated with the activity is not located between the front of the building and the road.
3. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m.
4. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
5. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

LCZ-R25 General Community

Activity Status: Permitted

Where:

1. The activity is less than 1,000m² gross floor area per site.
2. Any outdoor area associated with the activity is not located between the front of the building and the road.
3. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m.
4. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
5. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

LCZ-R26 Any New Vehicle Crossing Over A Footpath

Activity Status: Permitted

Where:

1. Emergency services establish and require a vehicle access to the site.

Activity Status when compliance not achieved: Discretionary

LCZ-R27 Visitor Accommodation

Activity Status: Restricted Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

Matters of discretion:

1. The location, scale and intensity of the proposed buildings, structures, signs and lighting.
2. The number of accommodation units.
3. The provision of an active frontage and pedestrian walkability.
4. The location, design, layout of car parking spaces, internal accessways and manoeuvring.
5. Urban design, amenity and character of the Local Centre Zone.
6. The availability and accessibility of open space and communal amenities.
7. Capacity and availability of infrastructure.
8. Road access and effects on transport, including availability of public and/or active transport options.

LCZ-R28 Supported Residential Care

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R29 Retirement Village

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R30 Care Centre

Activity Status: Discretionary

Where:

2. The activity is a primary activity or ancillary activity.

LCZ-R31 Drive-Through-Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R32 Service Station

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R33 Funeral Home

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R34 Hospital

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R35 Repair and Maintenance Services

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R36 Marine Retail

Activity Status: Discretionary

Where:

1. The activity:
 - a. Is less than 300m² gross floor area per site.
 - b. Has an outdoor display or storage area:
 - i. Less than 500m².
 - ii. Not located between the front of the building and the road.
2. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
3. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Non-Complying

LCZ-R37 Motor Vehicle Sales

Activity Status: Discretionary

Where:

1. The activity:
 - a. Is less than 300m² gross floor area per site.
 - b. Has an outdoor display or storage area:
 - i. Less than 500m².
 - ii. Not located between the front of the building and the road.
2. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
3. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Non-Complying

LCZ-R38 Garden Centres

Activity Status: Discretionary

Where:

1. The activity:
 - a. Is less than 300m² gross floor area per site.
 - b. Has an outdoor display or storage area:
 - i. Less than 500m².
 - ii. Not located between the front of the building and the road.
2. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
3. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Non-Complying

LCZ-R39 Trade Suppliers

Activity Status: Discretionary

Where:

1. The activity:
 - a. Is less than 300m² gross floor area per site.
 - b. Has an outdoor display or storage area:
 - i. Less than 500m².
 - ii. Not located between the front of the building and the road.
2. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
3. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Non-Complying

LCZ-R40 Rural Production Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R41 General Industry

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R42 Manufacturing

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R43 Marine Industry

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R44 Hire Premise

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R45 Storage

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R46 Waste Management Facility

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

LCZ-R47 Landfill

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

PREC3 – Maunu Town Centre Precinct (MTCP)

Issues

The Maunu Town Centre Precinct (MTCP) applies to land on the corner of Austin Road and State Highway 14. The Maunu Town Centre Precinct is intended to meet the needs of the growing population in Maunu and the land to the west by providing for commercial activities, community activities and residential activities. The Maunu Town Centre Precinct provisions have been tailored to provide for the development of a new centre and to provide a distinctive sense of place and identity for Maunu.

The Maunu Town Centre Precinct is intended to be the future heart of Maunu. It will provide for activities such as supermarkets, a range of retail goods and services, small scale office activities and some community, recreation and health services.

The Maunu Town Centre Precinct is strategically located, recognising that as Maunu continues to expand towards the west, it will eventually be in the centre of the existing and future residential area. Due to a range of geographic and tenure related constraints, the Maunu Town Centre Precinct is the only viable option for a compact and contiguous commercial centre in close proximity to existing and future residential development.

Objectives

PREC3-01 Community Identity

Create and maintain a community focal point and sense of place for the existing and planned future Maunu residential area and the rural community to the west.

PREC3-02 Scale and Intensity

Development is of a scale and intensity that is in keeping with the amenity values of the locality, and particularly those values that contribute to sense of place.

PREC3-03 Range of Activities

Provide for mixed-use development, including commercial activities, community activities and residential activities that:

1. Provides for the community's social and economic needs.
2. Improves community access to goods, services, community facilities, and opportunities for social interaction.
3. Manages adverse effects on the environment.
4. Does not undermine the vitality and viability of the City Centre.
5. Creates high levels of internal amenity through good quality urban design.

PREC3-04 Discouraged Activities

Discourage industrial activities within the Maunu Town Centre Precinct.

PREC3-05 Commercial Sprawl

Contain commercial activities within the Maunu Town Centre Precinct.

Policies

PREC3-P1 Character and Amenity

To recognise the following attributes as contributing to the character and amenity values of the Maunu Town Centre Precinct:

1. Historic stone walls incorporated into the development.
2. An active urban environment with a mix of type and scale of activities.
3. Quality landscaping and public spaces.
4. A scale of built development commensurate with the prominence and visual effects of the development.
5. Relatively constant levels of noise during the daytime associated with traffic and commercial activities.
6. A moderate degree of privacy for residential activities within and surrounding the site.
7. Adequate and multi-purpose carparking within the site.
8. Access to daylight.
9. No exposure to noxious odour or noise associated with industrial activities.
10. High levels of vehicle traffic particularly during daytime hours.

PREC3-P2 Range of Activities

To enable activities to service the local convenience needs of the surrounding residential area and the rural area to the west, including retail, commercial services, office, and food and beverage by:

1. Encouraging residential activities, supermarkets, smaller scale retail activities, offices, tourist related activities, restaurants, cafes, bars and entertainment facilities.
2. Recognising the positive contribution that supermarkets make to centre vitality and function, and the functional and operational requirements of these activities.
3. Avoiding rural production and industrial activities (excluding small scale artisan industrial activities), large department stores, bulk goods and trade related retail.
4. Limiting large scale, destination-based community activities which do not enhance the vibrancy of the Maunu Town Centre Precinct.

PREC3-P3 Mixed-Use

To encourage mixed-use development by providing for residential activities primarily located above ground floor commercial uses.

PREC3-P4 Active Frontages to Internal Pedestrian Areas

To require active frontages to internal pedestrian areas to strengthen the interrelationship between buildings and the public realm.

PREC3-P5 Ground Floor Residential Units

To require residential units at ground floor to be designed and constructed in a manner which protects residential amenity and active frontages.

PREC3-P6 Residential Amenity

To protect residential amenity within the Maunu Town Centre Precinct by requiring residential units to provide sufficient internal space, outdoor living courts and noise insulation.

PREC3-P7 Transport and Parking

To manage adverse effects on the safe and efficient operation of the transport network by:

1. Encouraging transport solutions that cater for existing and future residential development on Austin Road, and that avoid, remedy, or mitigate adverse effects on SH14.
2. Encouraging the multi-purpose use of parking spaces, including pick up and drops offs associated with Maunu School, and other community events.

PREC3-P8 Pedestrian-centric Environment

To require development to be of a quality and design that contributes positively to pedestrian amenity, movements, safety and convenience for people of all ages and abilities.

PREC3-P9 Zone Interface

To maintain amenity and character by managing built development and the interface between the Maunu Town Centre Precinct and Residential Zones, having specific regard to dominance, overlooking and shading.

PREC3-P10 Discouraged Activities

To protect the amenity values of the locality by avoiding activities which have noxious, offensive, or undesirable qualities from locating within the Maunu Town Centre Precinct.

PREC3-P11 Scale of Development

To avoid adverse effects on the Shopping Centre Zone by limiting (apart from supermarkets) the development of large scale commercial activities and retail activities, large format retail and department stores.

PREC3-P12 Vitality and Viability of City Centre

To avoid adverse effects on the vitality and viability of the City Centre and Mixed Use Zones by ensuring the Maunu Town Centre Precinct is at a scale appropriate to the needs of the surrounding residential areas.

Rules

PREC3-R1 Building Frontages

Activity Status: Permitted

Where:

1. No continuous blank wall with an area greater than 25m² is visible from site frontage.
2. No roller door is situated along the site frontage.

Activity Status when compliance not achieved: Discretionary

PREC3-R2 Building Facades and Verandahs

Activity Status: Permitted

Where:

1. On building façades containing the main pedestrian access:
 - a. At least 65% of the ground floor building façade is clear glazing; and
 - b. There is a verandah:
 - i. Along at least 90% of the frontage of the building.
 - ii. That is at least 3m and no more than 4m above the footpath.

- iii. That has a minimum width of 1.5m and a maximum width of 2.5m and be no less than 600mm from the kerb line
- iv. That has a maximum fascia height of 0.5m.

Activity Status when compliance not achieved: Discretionary

PREC3-R3 Grocery Store

Activity Status: Permitted

Where:

1. The activity complies with the permitted LCZ Rules.
2. The cumulative gross floor area of grocery stores, commercial services, food and beverage activities, general retail, general commercial and drive-through-facilities collectively does not exceed 8,000m² total within PREC3 Maunu Town Centre Precinct.

Activity Status when compliance not achieved: Discretionary

PREC3-R4 Commercial Services

Activity Status: Permitted

Where:

1. The activity complies with the permitted LCZ Rules.
2. The cumulative gross floor area of grocery stores, commercial services, food and beverage activities, general retail, general commercial and drive-through-facilities collectively does not exceed 8,000m² total within PREC3 Maunu Town Centre Precinct.

Activity Status when compliance not achieved: Discretionary

PREC3-R5 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The activity complies with the permitted LCZ Rules.
2. The cumulative gross floor area of grocery stores, commercial services, food and beverage activities, general retail, general commercial and drive-through-facilities collectively does not exceed 8,000m² total within PREC3 Maunu Town Centre Precinct.

Activity Status when compliance not achieved: Discretionary

PREC3-R6 General Retail

Activity Status: Permitted

Where:

1. The activity complies with the permitted LCZ Rules.
2. The cumulative gross floor area of grocery stores, commercial services, food and beverage activities, general retail, general commercial and drive-through-facilities collectively does not exceed 8,000m² total within PREC3 Maunu Town Centre Precinct.

Activity Status when compliance not achieved: Discretionary

PREC3-R7 General Commercial

Activity Status: Permitted

Where:

1. The activity complies with the permitted LCZ Rules.
2. The cumulative gross floor area of grocery stores, commercial services, food and beverage activities, general retail, general commercial and drive-through facilities collectively does not exceed 8,000m² total within PREC3 Maunu Town Centre Precinct.

Activity Status when compliance not achieved: Discretionary

PREC3-R8 Drive-Through-Facilities

Activity Status: Restricted Discretionary

Where:

1. The cumulative gross floor area of grocery stores, commercial services, food and beverage activities, general retail, general commercial and drive-through facilities collectively does not exceed 8,000m² total within PREC3 Maunu Town Centre Precinct.

Matters for discretion:

1. The design and layout of buildings and its contribution to good urban design.
2. The effects arising from the numbers of people and all vehicles using the site.
3. The effects of the operation of the activity on the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.
4. The design and location of parking areas and vehicle accessways and servicing arrangements.
5. The effects of location, design and management of storage and servicing facilities, including the adequacy of access for service vehicles (including waste collection).

Activity Status when compliance not achieved: Discretionary

PREC3-R9 New Vehicle Crossing Over a Footpath

Activity Status: Restricted Discretionary

Matters of Discretion:

1. Pedestrian safety.
2. Location, size and design of vehicle crossing(s).
3. The practical need to gain access over a footpath.
4. The safety and efficiency of the transport network and on-site circulation and manoeuvring.
5. The protection of stone walls (where practicable) and the incorporation of stone walls in any site entrance feature.

Neighbourhood Centre Zone (NCZ)

Issues

The Neighbourhood Centre Zone (NCZ) provides for a distribution of accessible neighbourhood commercial activities that provide goods and services to meet the day-to-day needs of communities.

The Neighbourhood Centre Zone is distributed throughout the urban area of Whangārei City, Ruakaka and Marsden Point. Providing a limited range of everyday goods and services, Neighbourhood Centre Zones are small in overall land area, with shop sizes generally ranging from 100 – 300m² in gross floor area.

On-street parking is generally provided, with limited off-street parking. Being situated within residential areas it is essential that the range and scale of activities is compatible with neighbouring residential activity and local amenity values. Very limited opportunities exist for expansion of these Neighbourhood Centre Zones.

The suburbs of the Morningside and Otaika do not contain a large agglomeration of existing commercial activities and community activities, and therefore do not have a Local Centre Zone.

Objectives

NCZ-O1 Range of Activities

Provide a distribution of commercial and community activities, while not undermining the vitality and viability of the Local Centre Zone.

NCZ-O2 Urban Character and Amenity

Maintain and enhance the urban character and amenity of the Neighbourhood Centre Zone.

NCZ-O3 Urban Design

Development demonstrates high quality urban form that positively interacts with the public realm and responds positively to and enhances the character of the surrounding environment.

NCZ-O4 Discouraged Activities

Discourage industrial activities within the Neighbourhood Centre Zone to maintain the Neighbourhood Centre Zone amenity and character.

Policies

NCZ-P1 Character and Amenity

To recognise the character and urban amenity values of the Neighbourhood Centre Zone including but not limited to:

1. A smaller scale of commercial development and built form.
2. Presence of community activities, street plantings/trees and street furniture.
3. Moderate levels of noise during the daytime associated with traffic and commercial activities.
4. A moderate degree of privacy for residential activities.
5. Limited exposure to noxious odour or noise associated with industrial activities.
6. Moderate levels of vehicle traffic particularly during daytime hours.
7. Moderate levels of illumination.

8. On-street and off-street parking.
9. Ample access to daylight.

NCZ-P2 Range of Activities

To enable a range of activities that provide a distribution of small-scale commercial services and community services for residents by:

1. Encouraging small scale dairies, commercial service activities and cafes.
2. Avoiding rural production activities and industrial activities, large scale commercial activities and destination-based community activities.
3. Enabling residential units in association with commercial activities and retail activities on-site.
4. Allowing ancillary activities where an active frontage is maintained and open to the public.
5. Managing the scale, design and nature of activities to ensure that:
 - a. An active frontage is maintained at ground floor.
 - b. The activity and building design are complementary to the Neighbourhood Centre context and retain a fine grain character.
 - c. The building is designed to enhance the surrounding residential amenity.

NCZ-P3 Residential Activities

To require residential units to be designed and constructed in a manner which provides for residential amenity and active frontages.

NCZ-P4 Pedestrian-Centric Environment

To create a pedestrian-centric environment by requiring verandahs and promoting active building frontages.

NCZ-P5 Residential Amenity

To provide for residential amenity by ensuring residential units provide sufficient internal space, outdoor living courts and noise insulation.

NCZ-P6 Zone Interface

To maintain the amenity and characteristics that contribute to sense of place by managing built development and the interface between the Neighbourhood Centre Zone and Residential Zones.

NCZ-P7 Discouraged Activities

To protect urban amenity by avoiding activities which have noxious, offensive, or undesirable qualities from locating within the Neighbourhood Centre Zone.

NCZ-P8 Water Setbacks

To protect esplanade areas and reserve waterfront walkways by avoiding impervious surfaces adjacent to Mean High Water Springs and riverbanks.

NCZ-P9 Built Form

To maintain a built form that is consistent with the surrounding Residential Zones by limiting bulk and location of buildings.

Rules

NCZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

NCZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules NCZ-R3 – R6.

NCZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 12m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion

1. The extent to which visual dominance effects are minimised.
2. The extent to which the visual impact of exceeding the height limit is mitigated by the location, design, scale, and appearance (including reflectivity) of the building or structure.
3. Effects on the privacy and amenity of adjoining sites.
4. Shading effects on adjoining sites and public open space.
5. Effects on streetscapes and walkability.
6. The extent to which the proposal demonstrates best practice principles of urban design and Crime Prevention Through Environmental Design.
7. The extent to which the building is consistent with the character and amenity values anticipated within the Neighbourhood Centre Zone.
8. The extent to which development in excess of 12m:
 - a. Has adverse effects on the affected transport network, and three waters networks.
 - b. Is supported by open space, public amenities, commercial activities, and public and active transport options that are within walking distance to service the proposed residents and/or employees.
9. The extent to which the intensity of commercial activity arising from those parts of buildings in excess of 12m adversely effects the viability and vitality of other Business Zones.

NCZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 3m from any Residential Zone or Open Space and Recreation Zone boundary.
 - b. 27m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

2. The building is setback 0.5m of road boundaries at ground floor for the entire length of the street frontage for any front site, except for:
 - a. One setback of up to 1.5m for a maximum width of 2.5m to allow for a recessed pedestrian entrance.
 - b. Any site frontage where a strategic road protection area applies as detailed in TRA Appendix 4.

Activity Status when compliance not achieved with NCZ-R4.1(a) or R4.2: Restricted Discretionary Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining properties.
3. Effects on the streetscape character of the area.
4. Effects on the safety and efficiency of the transport network.

Activity Status when compliance not achieved with NCZ-R4.1(b): Restricted Discretionary Matters of discretion:

1. The effectiveness of the proposed method for controlling stormwater runoff.
2. That the proposal will maintain and enhance the amenity values of the area.
3. That esplanade areas and waterfront walkways are appropriately safeguarded.

NCZ-R5 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any Residential Zone or Open Space and Recreation Zone.
2. Except that, any parts of the buildings or major structures that are within 20m of the site frontage may exceed the maximum height in relation to boundary in NCZ-R5.1, provided they:
 - a. Do not exceed a height of 3.6m above ground level where they are 1m or less from side and rear boundaries adjoining the Neighbourhood Centre Zone or Medium Density Residential Zone; and
 - b. Thereafter, are set back 0.3m for every additional metre in height (73.3 degrees) up to 6.9m and then 1m for every additional metre in height (45 degrees).

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining and adjacent properties.

NCZ-R6 Building Frontages

Activity Status: Permitted

Where:

1. At least 65% of the building frontage at ground floor is clear glazing.
2. The main pedestrian entrance is provided within 3m of the site frontage.
3. There are no roller doors (except security grilles which allow views from the street into the premise) along site frontage.

Activity Status when compliance not achieved: Discretionary.

NCZ-R7 Impervious Areas

Activity Status: Permitted

Where:

1. The impervious area within the site does not exceed 75% of the site area.
2. The impervious area is set back at least 5m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary.

NCZ-R8 Fences

Activity Status: Permitted

Where:

1. The fence is along site frontage and is required by a by-law or for public health and safety.
2. The fence is not a long road frontage.
3. Fencing within 1m of any side or rear boundary is no higher than 2m.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects of shading and visual dominance on adjoining properties.
2. Urban design and passive surveillance.
3. Effects on streetscape character and amenity.
4. Health and safety effects.

NCZ-R9 Car Parking

Activity Status: Permitted

Where:

1. The car parking space is not located between the building frontage and road boundaries of the site.

Activity Status when compliance not achieved: Discretionary.

NCZ-R10 Verandahs

Activity Status: Permitted

Where:

1. All buildings fronting a road provide a verandah:
 - a. Along at least 90% of the frontage of the building.
 - b. That is at least 3m above the footpath and no more than 4m above the footpath.
 - c. That has a minimum width of 1.5m and a maximum width of 2.5m and is set back at least 0.6m from the kerb line.
2. That has a maximum fascia height of 0.5m.

Activity Status when compliance not achieved: Discretionary.

NCZ-R11 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rules NCZ-R3 – R5.
 - b. Is screened from view from adjacent public places and Residential Zones and Open Space and Recreation Zones except for construction materials to be used on-site for a maximum period of 12 months within each 10-year period from 26 August 2021.

Activity Status when compliance not achieved: Discretionary.

NCZ-R12 Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 residential unit, per site.
2. The residential unit is an ancillary activity to a commercial service, general retail or food and beverage activity within the site.
3. Every residential unit provides a net floor area of at least:
 - a. 35m² for residential units with only one habitable room.
 - b. 45m² for residential units with more than one habitable room.
4. Every 1-bedroom residential unit provides an outdoor living court of at least 4m² and at least 1.5m depth.
5. Every 2+ bedroom residential unit contains an outdoor living court of at least 8m² and at least 2.4m depth.
6. No residential unit is accessed directly from the road frontage.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The design, size and layout of buildings to provide appropriate privacy and amenity for occupants on-site.
2. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.
3. Adverse effects on active frontages and streetscapes.

Notification:

Any application for a residential unit which does not comply with the minimum internal area and outdoor living court requirements in NCZ-R12.3 - 5 shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A (4) of the Resource Management Act 1991.

NCZ-R13 General Retail

Activity Status: Permitted

Where:

1. Any individual activity is less than 300m² gross floor area per site.

Activity Status when compliance not achieved: Discretionary.

NCZ-R14 Grocery Store

Activity Status: Permitted

Where:

1. The activity:
 - a. Is less than 300m² gross floor area per site.
 - b. Has an outdoor area:
 - i. Less than 500m².
 - ii. Not located between the front of the building and the road.
2. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
3. The activity is a primary or ancillary activity.

Activity Status when compliance not achieved: Discretionary.

NCZ-R15 Commercial Service

Activity Status: Permitted

Where:

1. The activity:
 - a. Is less than 300m² gross floor area per site.
 - b. Has an outdoor area:
 - i. Less than 500m².
 - ii. Not located between the front of the building and the road.
2. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.
3. The activity is a primary or ancillary activity.

Activity Status when compliance not achieved: Discretionary.

NCZ-R16 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The activity:
 - a. Is less than 300m² gross floor area per site.
 - b. Has an outdoor area:
 - i. Less than 500m².
 - ii. Not located between the front of the building and the road.
2. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00; or
 - b. Further than 50m from a Residential Zone boundary.

3. The activity is a primary or ancillary activity.

Activity Status when compliance not achieved: Discretionary.

NCZ-R17 Visitor Accommodation

Activity Status: Permitted

Where:

1. No more than 12 tariff-paid visitors are staying on-site at any one time.
2. No more than 2 accommodation units per 500m² are constructed or operated on-site.
3. Each accommodation unit provides an outdoor living court of at least 4m² and at least 1.5m depth.
4. The activity is a primary or ancillary activity.

Activity Status when compliance not achieved: Discretionary.

NCZ-R18 Care Centre

Activity Status: Permitted

Where:

1. No more than 12 patients are staying on-site at any one time.
2. No more than 2 accommodation units per 500m² are constructed or operated on-site.
3. Each accommodation unit provides an outdoor living court of at least 4m² and at least 1.5m depth.
4. The activity is a primary or ancillary activity.

Activity Status when compliance not achieved: Discretionary.

NCZ-R19 Supported Residential Care

Activity Status: Permitted

Where:

1. No more than 12 patients are staying on-site at any one time.
2. No more than 2 accommodation units per 500m² are constructed or operated on-site.
3. Each accommodation unit provides an outdoor living court of at least 4m² and at least 1.5m depth.
4. The activity is a primary or ancillary activity.

Activity Status when compliance not achieved: Discretionary.

NCZ-R20 Retirement Village

Activity Status: Permitted

Where:

1. No more than 12 patients are staying on-site at any one time.
2. No more than 2 accommodation units per 500m² are constructed or operated on-site.
3. Each accommodation unit provides an outdoor living court of at least 4m² and at least 1.5m depth.
4. The activity is a primary or ancillary activity.

Activity Status when compliance not achieved: Discretionary.

NCZ-R21 Place of Assembly

Activity Status: Discretionary

Where:

1. The activity is a primary or ancillary activity.

NCZ-R22 Recreational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary or ancillary activity.

NCZ-R23 Educational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary or ancillary activity.

NCZ-R24 Entertainment Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary or ancillary activity.

NCZ-R25 General Community

Activity Status: Discretionary

Where:

1. The activity is a primary or ancillary activity.

NCZ-R26 General Commercial

Activity Status: Discretionary

Where:

1. The activity has a:
 - a. Gross floor area less than 300m² per site.
 - b. An outdoor area:
 - i. Less than 500m².
 - ii. Located between the front of the building and the road.
2. The activity is a primary or ancillary activity.

Activity Status when compliance not achieved: Non-complying

NCZ-R27 Industrial Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary or ancillary activity.

NCZ-R28 Trade Retail

Activity Status: Non-Complying

Where:

1. The activity is a primary or ancillary activity.

NCZ-R29 Drive-Through-Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary or ancillary activity.

NCZ-R30 Emergency Services

Activity Status: Non-Complying

Where:

1. The activity is a primary or ancillary activity.

NCZ-R31 Service Stations

Activity Status: Non-Complying

Where:

1. The activity is a primary or ancillary activity.

NCZ-R32 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary or ancillary activity.

NCZ-R33 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary or ancillary activity.

NCZ-R34 Rural Production Activities

Activity Status: Prohibited

Where:

1. The activity is a primary or ancillary activity.

Town Centre Zone (TCZ)

Issues

Marsden Point – Ruakaka is one of the identified growth areas in the Whangārei District and is projected to have a significant population and employment increase over the next few decades. The Town Centre Zone has been identified as a focal point for the area in Council's strategic planning documents. It is intended to be developed as an attractive, safe and vibrant place and provide primarily for a range of retail, commercial, civic and residential activities.

A high standard of urban design is intended which will assist in making Town Centre the focal point for the community while also ensuring that it maintains a point of difference compared to other lower order centres in the vicinity.

It is important that the development of the Town Centre Zone is undertaken in a way that reinforces the primacy, function and vitality of Whangārei City. The Town Centre Zone has been established to provide a town centre for the Marsden Point - Ruakaka Area that complements and supports the Whangārei City Centre, rather than competes with it.

When considering a proposal within the TCZ all relevant district-wide, overlay, zone and precinct provisions shall apply.

Objectives

TCZ-O1 Centre Amenity

Town Centre Zone is an attractive, safe and vibrant place to live, work and visit with a range of residential, commercial, retail and entertainment activities.

TCZ-O2 City Centre Function and Vitality

The primacy, function and vitality of the Whangārei City Centre Zone is protected.

TCZ-O3 Development Quality

Development is of a form, scale and design quality that reinforces Town Centre Zone as the town centre for the Marsden Point – Ruakaka community.

TCZ-O4 Residential Activities

Residential activities within the Town Centre Zone are allowed, while ensuring that these are appropriately located and enabling the full range of activities anticipated.

Policies

TCZ-P1 Character and Amenity

Require development to be of a quality and design that:

1. Establishes a high amenity and vibrant urban environment;
2. Establishes visual quality and interest of streets and other public places; and
3. Contributes to pedestrian amenity, movement, safety and convenience.

TCZ-P2 Centre Hierarchy

Manage the scale of retail activities to ensure the Town Centre Zone does not compromise the role and function of the Whangārei City Centre Zone.

TCZ-P3 Activities

Manage the function of the Town Centre as being for retail and commercial activities by:

1. Enabling residential and commercial activities, including; smaller scale retail activities, offices and commercial services, restaurants, cafes, bars and entertainment facilities.
2. Discouraging rural production activities and industrial activities (except for small scale artisan industrial activities).
3. Requiring residential units to locate above ground floor while acknowledging that there may be a reduced level of residential amenity within the Town Centre Zone due to a mix of uses and late-night activities.
4. Managing the scale of buildings if a large format retail is proposed to ensure buildings are appropriately designed.

TCZ-P4 Built Form

Manage the scale, design and built form of development to:

1. Promote high quality urban design that enhances the emerging high amenity and vibrant urban character of the Town Centre Zone.
2. Encourage buildings and public spaces to be adaptable to a range of uses to allow activities to change over time.

TCZ-P5 Streetscape

Ensure that development within the Town Centre Zone positively addresses and engages with the street by:

1. Maximising street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality;
2. Discouraging residential development at ground floor;
3. Requiring verandahs along building frontages to create a defined building edge and provide adequate solar access, shade and rain shelter;
4. Requiring screening of any car parking, loading, or service areas which are visible from public spaces.

TCZ-P6 Open Space

Ensure the provision of high-quality open space by encouraging the establishment of an appropriately sized and located area of open space within the Town Centre Zone at the time of subdivision and / or development.

TCZ-P7 Large Scale Retail Activities

To manage the scale and design of large scale retail activities to ensure that:

1. Active frontage is maintained and enhanced at ground floor.
2. Activity and building design are complementary to the Town Centre Zone context.
3. Buildings are designed to be flexible and adaptable to a range of uses and do not unduly restrict potential future uses of the site.
4. Large single use buildings at ground floor are sleeved by smaller scale commercial activities where appropriate.

Rules

TCZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted where:

1. Resource consent is not required under any rule of the District Plan
2. The activity is not prohibited under any rule in the District Plan.

TCZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. *Minor buildings are exempt from rules TCZ-R3 – R8 and R25.*

TCZ-R3 External Alterations and Additions to Buildings

Activity Status: Permitted

Where:

1. The external alteration and/or addition does not exceed 10% of the gross floor area of the building.
2. The external alteration and/or addition is not visible from a public place or any adjoining site.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects on streetscape character and amenity.
2. Screening of car parking and service areas.
3. Appearance of **sites lots** as viewed from One Tree Point Road.
4. Functional requirements of activities.

Note:

1. *Any application shall comply with information requirement TCZ – REQ1.*

Notification:

Any application for external alterations and/or additions to buildings pursuant to TCZ-R3 shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

TCZ-R4 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 16m above ground level.

Activity Status when compliance not achieved: Discretionary

TCZ-R5 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. The building is within 0.5m of road boundaries at ground floor for the entire length of the site frontage for any front site, except:
 - a. One setback of up to 1.5m for a maximum width of 2.5m to allow for a recessed pedestrian entrance.
 - b. One setback of up to 6m for a maximum width of 6m to allow for a pedestrian arcade.

- c. One setback adjacent to a side boundary of the site for a maximum width of 6m to allow for a through-site-link.
- d. For service stations and grocery stores this clause does not apply.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Streetscape character and amenity
2. Functional requirements of activities.

TCZ-R6 Building Floor-to-Floor Height

Activity Status: Permitted

Where:

1. The minimum interior floor-to-floor height is:
 - a. 4.2m at ground floor.
 - b. 3.0m above ground floor.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Design of buildings, including the potential for buildings to accommodate a range of uses.
2. Effects on amenity and adequate provision of daylight access.
3. Functional requirements of activities.

TCZ-R7 Verandahs

Activity Status: Permitted

Where:

1. All buildings fronting a road, with the exception of One Tree Point Road, provide a verandah:
 - a. Along the entire building frontage that forms a continuous line of shelter with adjacent verandahs.
 - b. That is at least 3m above the footpath and no more than 4m above the footpath.
 - c. That is setback at least 600mm from the kerb.
 - d. That has a minimum width of 1.5m, except where that would encroach on TCZR7.1(c) where the minimum width shall be to within 600mm from the kerb.
 - e. That has a maximum fascia height of 0.5m.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects on streetscape character and amenity.
2. Pedestrian safety and amenity.
3. Design of buildings, including the potential for buildings to accommodate a range of uses.

TCZ-R8 Impervious Areas

Activity Status: Permitted

Where:

1. The impervious area within the site does not exceed 90% of the site area.

Activity Status when compliance not achieved: Discretionary

TCZ-R9 Fences

Activity Status: Permitted

Where:

1. The fence is along a site frontage and is required by a by-law or for public health and safety; or
2. The fence is not along a site frontage; and
3. Fencing does not exceed 1.8m in height on any other site boundary.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects of shading and visual dominance on the street and adjoining properties.
2. Urban design and passive surveillance.
3. Effects on streetscape character and amenity.
4. Effects on active frontage.
5. Traffic and pedestrian safety.
6. The extent to which fencing is required for activities, including health and safety.

TCZ-R10 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The maximum height of any outdoor area of storage or stockpile is 8m above ground level.
2. The outdoor area of storage or stockpile is screened from view from public places and surrounding sites, except for construction materials to be used on-site for a maximum period of 12 months within each 10-year period from 14 June 2023.

Activity Status when compliance not achieved: Discretionary

TCZ-R11 Car Parking

Activity Status: Permitted

Where:

The car parking space is not located between the building frontage and road boundaries of the site, except for carparking spaces at service stations and grocery stores.

Activity Status when compliance not achieved: Discretionary

Note:

1. *Any application shall comply with information requirement TCZ – REQ1.*

TCZ-R12 Car Parking, Loading, and Service Areas

Activity Status: Permitted

Where:

1. A landscape buffer of 2m in depth is provided along the street frontage between the street and any car parking, loading, or service areas which are visible from the street frontage. This rule excludes access points.
2. The required landscaping must comprise a mix of trees, shrubs or ground cover plants (including grass).

Activity Status when compliance not achieved: Discretionary

TCZ-R13 Residential Units Above Ground Floor

Activity Status: Permitted

Where:

1. Every residential unit provides a Net Floor Area of at least:
 - a. For 1 bedroom – 45m².
 - b. For 2 bedrooms – 70m².
 - c. For 3 bedrooms – 90m².
 - d. For more than 3 bedrooms – 90m² plus 12m² for each additional bedroom.
2. Every 1 bedroom residential unit contains an outdoor living court of at least 4m² and at least 1.5m depth.
3. Every 2+ bedroom residential unit contains an outdoor living court of at least 8m² and at least 2.4m depth.

Activity Status when compliance not achieved: Discretionary

TCZ-R14 Artisan Industrial Activities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum gross floor area is 300m² per site.

Activity Status when compliance not achieved: Discretionary

TCZ-R15 General Retail

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum Business Net Floor Area is 600m² per site.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The design and scale of the building.
2. Adverse effects on active frontage.
3. The extent to which the building is designed to be able to change use in the future.

TCZ-R16 Grocery Store

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R17 Commercial Services

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R18 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R19 Entertainment Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R20 Visitor Accommodation

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R21 Place of Assembly

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
 - a. The activity is above ground floor.
 - b. The maximum Business Net Floor Area is 800m² per site.

Activity Status when compliance not achieved: Discretionary

TCZ-R22 Recreational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
 - a. The activity is above ground floor.
 - b. The maximum Business Net Floor Area is 800m² per site.

Activity Status when compliance not achieved: Discretionary

TCZ-R23 Care Centre

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
 - a. The activity is above ground floor.
 - b. The maximum Business Net Floor Area is 800m² per site.

Activity Status when compliance not achieved: Discretionary

TCZ-R24 Educational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
 - a. The activity is above ground floor.
 - b. The maximum Business Net Floor Area is 800m² per site.

Activity Status when compliance not achieved: Discretionary

TCZ-R25 Any New Building

Activity Status: Restricted Discretionary Matters of discretion:

1. Effects on streetscape character and amenity.
2. Screening of car parking and service areas.
3. Appearance of **sites lots** as viewed from One Tree Point Road.
4. Functional requirements of activities.
5. The appropriate provision of open space within the town centre.

Note:

1. *Any application shall comply with information requirement TCZ – REQ1.*

Notification:

Any application for a new building pursuant to TCZ-R25 that complies with all other permitted standards shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

TCZ-R26 Any New Vehicle Crossing Over a Footpath

Activity Status: Restricted Discretionary

Matters of discretion:

1. Pedestrian and traffic safety.
2. Walkability and functionality of the pedestrian network.
3. Effects on streetscape character and amenity.
4. Functional requirements of activities.

TCZ-R27 Service Stations with Frontage to Casey Road

Activity Status: Discretionary

TCZ-R28 Standalone Car Parking Facility

Activity Status: Discretionary

TCZ-R29 Residential Units at Ground Floor

Activity Status: Non-Complying Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R30 Farming

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R31 Supported Residential Care

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R32 Retirement Village

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R33 Motor Vehicle Sales

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R34 Trade Suppliers

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R35 Garden Centres

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R36 Marine Retail

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R37 Drive-Through-Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R38 Hire Premise

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R39 Service Stations Not Otherwise Provided For

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R40 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R41 Emergency Services

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R42 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R43 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R44 General Community

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R45 General Industry

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R46 Storage

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R47 Plantation Forestry

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R48 Intensive Livestock Farming

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R49 Farm Quarrying

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R50 Repair and Maintenance Services

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R51 Marine Industry

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R52 Waste Management Facility

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R53 Landfill

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

TCZ-R54 Manufacturing

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

Information Requirement Rules

TCZ-REQ 1 Urban Design Assessment

Urban Design

Any application pursuant to TCZ-R3, R11 and R25 shall include an urban design assessment prepared by a suitably qualified and experienced professional which details:

1. Any consultation undertaken as part of any pre-application meetings with Council (including the Council Urban Design Panel) and any mitigation measures that were recommended by Council.
2. How the proposal is consistent with best practice urban design and the relevant Town Centre Zone objectives, policies, and building bulk and location standards.
3. How the proposal interrelates with the intended character and amenity values of surrounding areas having particular regard to building design, bulk, and location, and parking and transport infrastructure, and responses to corner sites, particularly corners adjoining One Tree Point Road and Casey Road.
4. The extent to which the building design, site layout, and any proposed landscaping helps to avoid or minimise the impacts on adjacent streets and public place within the Town Centre Zone.
5. The extent to which **sites** **lots** that adjoin One Tree Point Road present an attractive frontage to that road.

Note:

1. *Acceptable means of compliance and best practice urban design guidance is contained within Whangarei District Council's Urban Design Guidelines.*

Commercial Zone (COMZ)

Issues

The Commercial Zone (COMZ) provides for a range of business activities that may not be appropriate for, or are unable to locate, in higher amenity zones such as the City Centre or Local Centre Zones. This includes activities ranging from small scale industry to commercial services, offices and trade suppliers. Often these activities may require larger sites than are available within other commercial centres and may be incompatible with the amenity expectations and purpose of other Business Zones.

Activities which adversely affect the vitality and viability of other Business Zones are not appropriate for the Commercial Zone. For example, small-scale retail activities and restaurants are not appropriate as the presence of these activities, in combination with the potential for activities such as offices and entertainment facilities, may effectively create an unplanned centre and detract from established centres. Sensitive activities, such as residential activities, are also not envisaged due to the presence of incompatible industrial activities and commercial activities and the need to preserve land in the Commercial Zone for out-of-centre commercial opportunities.

The Commercial Zone is in proximity to the City Centre in areas with lower amenity levels due to existing development and activities. These areas generally have good transport access and exposure to customers. Due to the presence of pedestrians and the proximity to the City Centre, it is important to manage land uses and the design of development in the Commercial Zone to contribute to an active frontage and manage adverse effects on amenity.

Objectives

COMZ-O1 Appropriate Activities

Provide for commercial activities and small scale industrial activities that are not appropriate for the City Centre Zone, Mixed Use Zone, Waterfront Zone, Neighbourhood Centre or Local Centre Zones.

COMZ-O2 Commercial Viability

Accommodate activities which do not undermine the strength, viability and vitality of the City Centre Zone, Mixed Use Zone, Waterfront Zone, Neighbourhood Centre or Local Centre Zones.

COMZ-O3 Adverse Effects

Manage noxious, dangerous, offensive or objectionable effects to maintain a reasonable level of amenity, particularly at zone boundaries.

COMZ-O4 Reverse Sensitivity

Restrict sensitive activities which may generate reverse sensitivity or risk effects.

COMZ-O5 Amenity

Maintain, and where practicable enhance, safety, amenity values and walkability within the Commercial Zone and between other Zones.

COMZ-O6 Cross Boundary Effects

Manage adverse effects in relation to amenity, noise, sunlight access, visual dominance and traffic on adjacent Residential Zones, Waterfront Zone and Open Space and Recreation Zones.

Policies

COMZ-P1 Character and Amenity

To recognise the character and amenity values of the Commercial Zone including, but not limited to:

1. A low to medium scale of built development.
2. High levels of noise during the daytime associated with traffic and commercial activities and small scale industrial activities.
3. Low to moderate levels of noxious, dangerous, offensive or objectionable odour or noise.
4. High levels of vehicle traffic, particularly during daytime hours, unless on arterial routes where traffic is high throughout the day.
5. On-street and off-street parking.
6. A low to moderate presence of active building frontages.
7. Presence of landscaping to break up impervious areas.

COMZ-P2 Enabled Activities

To enable a range of activities which:

1. Are not compatible with the City Centre Zone, Mixed Use Zone, Waterfront Zone, Neighbourhood Centre or Local Centre Zones due to their scale and functional requirements and potential to generate adverse effects.
2. Are designed, located and operated to:
 - a. Avoid, remedy or mitigate adverse external effects such as traffic, dust, noise and odours, especially in proximity to Residential Zone, Waterfront Zone and Open Space and Recreation Zones.
 - b. Minimise any potential reverse sensitivity effects.

COMZ-P3 Business Zones

To protect other Business Zones by avoiding activities which detract from, or compete with, the vitality and viability of the City Centre Zone, Mixed Use Zone, Waterfront Zone, Neighbourhood Centre or Local Centre Zones.

COMZ-P4 Reverse Sensitivity

To avoid the establishment of new residential activities unless the residential activity:

1. Is not likely to generate reverse sensitivity effects.
2. Supports or is compatible with the operation of the commercial activities and industrial activities within the Zone.
3. Does not compromise the potential establishment of future commercial activities and industrial activities by the nature, scale or design of the residential activity and buildings.

COMZ-P5 Cross Zone Boundary Effects

To manage amenity within the Mixed Use Zone, Residential Zone, Waterfront Zone, and Open Space and Recreation Zones by:

1. Requiring landscaping screening along zone boundaries.
2. Restricting hours of operation near zone boundaries.
3. Limiting built form to manage building dominance, sunlight access and residential amenity.

COMZ-P6 Amenity

To enhance walkability and streetscape amenity by requiring development to interact with the site frontage and limiting the formation of rear sites.

COMZ-P7 Safety

To reduce threats to personal safety and security by utilising urban design and Crime Prevention Through Environmental Design principles in the design of developments in the Commercial Zone.

COMZ-P8 Impervious Areas

To maintain and enhance amenity by managing impervious areas.

COMZ-P9 Esplanade Areas

To safeguard esplanade areas and waterfront walkways by avoiding impervious areas adjacent to Mean High Water Springs and river banks.

COMZ-P10 Subdivision

To limit the creation of small sites through subdivision by requiring minimum site lot sizes and frontage widths.

Rules

COMZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

COMZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules COMZ-R3 – R5.

COMZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 15m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. The building is within 1m of road boundaries for at least 50% of the site frontage for any front site, excluding buildings and major structures for service stations and frontages where a strategic road protection area applies as detailed in TRA Appendix 4.
2. All buildings and major structures are set back at least:
 - a. 3m from any Residential Zone, Waterfront Zone or Open Space and Recreation Zone boundary.

- b. 27m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance with COM-R4.1 and 2(a) is not achieved: Restricted Discretionary
Matters of discretion:

1. Any special or unusual characteristics of the site which is relevant to the rule.
2. The functional and operational needs of commercial activities.
3. The effects on the amenity of neighbouring sites.
4. The effects on the amenity of neighbouring zones.
5. The characteristics of the development.

Activity Status when compliance with rule COM-R4.2(b) is not achieved: Discretionary

COMZ-R5 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any Residential Zone, Waterfront Zone or Open Space and Recreation Zone boundary.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining properties.
3. Effects on adjoining zones.

COMZ-R6 Building Frontages

Activity Status: Permitted

Where:

1. At least 25% of the building frontage at ground floor is clear glazing.
2. A main public pedestrian entrance is provided within 3m of the site frontage, except for service stations where the main pedestrian entrance must be clearly visible from the site frontage.

Activity Status when compliance not achieved: Discretionary

COMZ-R7 Impervious Areas

Activity Status: Permitted

Where:

1. The impervious area within the site does not exceed 90% of the net site area.
2. The impervious area is set back at least 5m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

COMZ-R8 Fences

Activity Status: Permitted

Where:

1. Fencing within 2m of a road boundary is no higher than 2m.
2. Fencing adjoining a Mixed Use Zone, Residential Zone, Waterfront Zone or Open Space and Recreation Zone or road boundary is not fortified with barbed wire, broken glass or any form of electrification.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects of shading and visual dominance on adjoining properties.
2. Effects on urban design and passive surveillance.
3. Effects on streetscape character and amenity.
4. The extent to which the fencing is necessary due to health and safety reasons.

COMZ-R9 Hours of Operation

Activity Status: Permitted

Where:

1. Any activity which operates or is open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 22:00 and is located at least 50m from any Residential Zone or Waterfront Zone boundary, except that cleaning and administrative activities may take place outside of these hours.

Activity Status when compliance not achieved: Discretionary

COMZ-R10 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rule COMZ-R3.
 - b. Complies with rules COMZ-R4.2 – R5.
 - c. Is screened from view from adjacent public places and Residential Zones, Waterfront Zone and Open Space and Recreation Zones except for construction materials to be used on-site for a maximum period of 12 months within each 10-year period from 26 August 2021.

Activity Status when compliance with COMZ-R10.1(b) – (c) not achieved: Restricted Discretionary

Matters of discretion:

1. Effects in relation to dust and odour.
2. Visual amenity effects.
3. Matters of discretion in COMZ-R4 – R5.

Activity Status when compliance with COMZ-R10.1(a) not achieved: Discretionary

COMZ-R11 General Industry

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum business net floor area is 1,000m².
3. The activity is located at least 30m from any:
 - a. Existing sensitive activity in the Mixed Use Zone.
 - b. Residential Zone or Open Space and Recreation Zone boundary.
4. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R12 Manufacturing

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum business net floor area is 1,000m².
3. The activity is located at least 30m from any:
 - a. Existing sensitive activity in the Mixed Use Zone.
 - b. Residential Zone or Open Space and Recreation Zone boundary.
4. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R13 Storage

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum business net floor area is 1,000m².
3. The activity is located at least 30m from any:
 - a. Existing sensitive activity in the Mixed Use Zone.
 - b. Residential Zone or Open Space and Recreation Zone boundary.
4. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R14 Repair and Maintenance Services

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum business net floor area is 1,000m².
3. The activity is located at least 30m from any:
 - a. Existing sensitive activity in the Mixed Use Zone.
 - b. Residential Zone or Open Space and Recreation Zone boundary.
4. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R15 Artisan Industrial Activities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum business net floor area is 1,000m².
3. The activity is located at least 30m from any:
 - a. Existing sensitive activity in the Mixed Use Zone.
 - b. Residential Zone or Open Space and Recreation Zone boundary.
4. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R16 Marine Industry

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum business net floor area is 1,000m².
3. The activity is located at least 30m from any:
 - a. Existing sensitive activity in the Mixed Use Zone.
 - b. Residential Zone or Open Space and Recreation Zone boundary.
4. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R17 Trade Retail

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R18 Drive-Through-Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R19 Commercial Services

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R20 Service Stations

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R21 General Retail

Activity Status: Permitted

Where:

1. The retail activity is an ancillary activity to a permitted activity on site and is less than 100m² gross floor area per site; or
2. The goods sold on site are also manufactured on site, provided that the retailing shall be an ancillary activity to the manufacturing. For this rule manufacturing excludes activities which comprise only the packaging, labelling, sorting, mixing or assembling of pre-made products.

Activity Status when compliance not achieved: Non-Complying

COMZ-R22 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum gross floor area is 250m² per site.
3. The activity is not open for visitors or clients outside the hours of 06:00 and 16:00.
4. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R23 Grocery Store

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R24 Recreational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R25 Emergency Services

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R26 Educational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R27 Community Corrections Activity

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone, Waterfront Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

COMZ-R28 Entertainment Facility

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

COMZ-R29 Visitor Accommodation

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

COMZ-R30 Funeral Home

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

COMZ-R31 Place of Assembly

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

COMZ-R32 Care Centre

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

COMZ-R33 Hospital

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

COMZ-R34 General Commercial

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

COMZ-R35 General Community

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

COMZ-R36 Rural Production Activity

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

COMZ-R37 Landfill Activity

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

COMZ-R38 Waste Management Facility

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

COMZ-R39 Residential Activity

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Mixed Use Zone (MUZ)

Issues

The Mixed Use Zone (MUZ) seeks to enable activities and a built form that complement the City Centre and Waterfront Zones. The Mixed Use Zone promotes active street frontages and a range of activities which aim to enhance economic growth and are compatible with residential activities. It is anticipated that the Mixed Use Zone will experience incremental change in built form and character as amenity is improved and non-compatible land uses are relocated to enhance amenity and walkability.

Land use controls and urban design standards have historically been permissive within the Mixed Use Zone. This has diminished the amenity for residents and visitors and has reduced the feasible land supply available for commercial activities and residential activities. Various strategic documents have identified the Mixed Use Zone as an area of change because it is in proximity to key destinations such as the City Centre and Waterfront Zones and the Hatea Loop Walkway. Enhancing the walkability and connectivity within the Mixed Use Zone will help to improve the accessibility to, and vibrancy of, these destinations.

Strategic documents have also identified increasing residential uses within and adjacent to the City Centre as a key objective in the Urban Area. Improving amenity and providing more certainty around anticipated land uses within the Mixed Use Zone will help to better encourage residential uses within the zone.

To enable change within the Mixed Use Zone, a mix of uses are provided for including residential activities, commercial services, retail activities, visitor accommodation and community activities. It is intended that these activities are complementary to the City Centre and Waterfront Zones. To protect the vibrancy and viability of the City Centre and Waterfront Zones, smaller scale retail activities and food and beverage activities are limited.

As increased residential use is a key objective within the Mixed Use Zone and the City Centre Zone, it is important to enhance amenity within the Mixed Use Zone. Activities which detract from amenity, generate high volumes of traffic or operate outside normal business hours are discouraged.

Objectives

MUZ-01 Appropriate Activities

Accommodate a range of activities that do not undermine the strength, vibrancy and viability of the City Centre or Waterfront Zones.

MUZ-02 Residential Activities

Promote residential activities and manage activities which would unreasonably detract from residential amenity.

MUZ-03 Urban Form

Development achieves high quality urban form that is safe and positively interacts with the public realm and is sympathetic to the surrounding environment.

MUZ-04 Walkability

Prioritise pedestrians and improve walkability within the Mixed Use Zone.

MUZ-05 Cross Boundary Effects

Avoid or mitigate adverse effects in relation to amenity, noise, sunlight access, visual dominance and traffic on adjacent Residential Zones and Open Space and Recreation Zones.

Policies

MUZ-P1 Character and Amenity

To recognise the character and amenity values of the Mixed Use Zone including, but not limited to:

1. An active urban environment.
2. A medium to high scale of built development with narrow building and site frontages.
3. Moderate levels of noise during the daytime associated with traffic and commercial activities.
4. Moderate access to sunlight.
5. Active building frontages at ground floor.
6. On-street parking with limited off-street parking.
7. High presence of pedestrians and cyclists.

MUZ-P2 Economic Growth

To enable economic growth and employment opportunities while protecting walkability within the Mixed Use Zone and the vitality and viability of the City Centre, Waterfront and Local Centre Zones by:

1. Enabling residential activities and compatible commercial activities in terms of the nature, scale, design and hours of operation of the activity.
2. Managing and limiting cumulative effects associated with commercial sprawl outside of the City Centre, Waterfront and Local Centre Zones and the Hīhīaua Precinct where activities may detract from or compete with these areas.
3. Managing the scale, design and nature of activities to ensure that:
 - a. Active frontage is maintained and enhanced at ground floor.
 - b. The activity and building design are complementary to the intended Mixed Use Zone character.
 - c. Standalone car parking facilities at ground floor are sleeved by smaller scale commercial activities.
 - d. Activities which cater to private motorists, such as large scale retail activities, drive-through facilities and service stations, do not compromise the walkability, streetscape or amenity of the Mixed Use Zone.

MUZ-P3 New Residential Activities

To encourage and provide for residential units by enabling the development of medium to high density residential activities.

MUZ-P4 Residential Activities and Amenity

To maintain and enhance residential amenity by:

1. Avoiding industrial activities and rural production activities where external adverse effects cannot be mitigated.
2. Managing non-residential activities which generate high levels of noise or motor vehicle traffic.
3. Requiring residential units to provide sufficient internal space and outdoor living spaces.
4. Managing building scale and design to limit shading and building dominance.

MUZ-P5 Ground Floor Residential Units

To maintain and enhance residential amenity and provide for active frontages by sensitively designing residential units at ground floor with regard to aspect such as outlook, outdoor living courts, private entrances, noise, and light exposure.

MUZ-P6 Outdoor Living Courts

To mitigate adverse effects on residential amenity by providing communal outdoor living spaces where individual outdoor living courts are not practicable.

MUZ-P7 Cross Boundary Effects

To maintain amenity in adjacent Residential Zones and Open Space and Recreation Zones by managing built form and requiring landscaping along shared zone boundaries.

MUZ-P8 Esplanade Areas

To safeguard esplanade areas and waterfront walkways by avoiding impervious areas adjacent to Mean High Water Springs and river banks.

MUZ-P9 Walkability

To enhance walkability by:

1. Managing, and where appropriate avoiding, new vehicle crossings to retain a safe and accessible pedestrian network.
2. Implementing traffic calming activities (e.g., lower speed limits and increased shared spaces).
3. Providing bicycle parking facilities to encourage and prioritise active modes of transport.

MUZ-P10 Subdivision

To achieve active frontage at ground floor and enhance walkability by designing subdivision to:

1. Limit the creation of rear sites.
2. Provide for multiple narrow site frontages.
3. Enable larger site frontages on corner sites allotments to better emphasise future developments.

MUZ-P11 Incentives

To enable higher building densities and varied setbacks where active frontages or pedestrian connectivity are enhanced or residential activities are provided.

MUZ-P12 Safety

To reduce threats to personal safety and security by utilising urban design and Crime Prevention Through Environmental Design principles in the design of developments in the Mixed Use Zone.

Rules

MUZ-R1 Any Activity Not Otherwise Listed in this Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

MUZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules MUZ-R3 – R6.

MUZ-R3 Building and Major Structure Height

1. Activity Status: Permitted

Where:

- a. The maximum building height and major structure height is 16m above ground level.

2. Activity Status: Controlled

Where:

- a. The maximum building height and major structure height is between 16.01m and 21m above ground level and at least one of the following is provided on-site:
 - i. 2 or more residential units.
 - ii. A through-site-link.

Matters of control:

1. Means of ensuring ongoing compliance with rule.
2. Appropriateness of through-site-links in terms of location, design, size, safety and accessibility.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion

1. The matters of control listed in MUZ-R3.2.
2. The extent to which visual dominance effects are minimised.
3. The extent to which the visual impact of exceeding the height limit is mitigated by the location, design, scale, and appearance (including reflectivity) of the building or structure.
4. Effects on the privacy and amenity of adjoining sites.
5. Shading effects on adjoining sites and public open space.
6. Effects on streetscapes and walkability.
7. The extent to which the proposal demonstrates best practice principles of urban design and Crime Prevention Through Environmental Design.
8. The extent to which the building is consistent with the character and amenity values anticipated within the Mixed Use Zone.
9. The extent to which development in excess of 21m:
 - a. Has adverse effects on the affected transport network, and three waters networks.
 - b. Is supported by open space, public amenities, commercial activities, and public and active transport options that are within walking distance to service the proposed residents and/or employees.
10. The extent to which the intensity of commercial activity arising from those parts of buildings in excess of 21m adversely effects the viability and vitality of the City Centre Zone.

MUZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. The building is within 1m of road boundaries for at least 75% of the site frontage for any front site, except for:
 - a. Any site frontage where a strategic road protection area applies as detailed in TRA Appendix 4.
 - b. Any combination of the following:
 - i. One setback of up to 3m for a maximum width of 2.5m to allow for a recessed pedestrian entrance.
 - ii. One setback adjacent to a side boundary of the site for a maximum width of 6m to allow for a through-site-link.
2. All buildings and major structures are set back at least:
 - a. 3m from any Residential Zone or Open Space and Recreation Zone boundary.
 - b. 20m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Restricted Discretionary

Matters for discretion:

1. The extent to which visual dominance effects are minimised.
2. The location, design, size, safety and accessibility of any proposed recessed pedestrian entrance or through-site-link where it does not comply with the minimum dimensions in MUZ-R4.1(b).
3. The extent to which the proposal demonstrates best practice principles of urban design and Crime Prevention Through Environmental Design.
4. Effects on active frontage, pedestrian safety and walkability.
5. Effects on the strategic road protection areas where MUZR4.1(a) is infringed
6. Where MUZ-R4.2 is infringed, the effects on:
 - a. The privacy of and amenity of adjoining sites; and
 - b. Shading on adjoining sites and public open space.

MUZ-R5 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 4m above ground level plus the shortest horizontal distance between that part of the building or major structure and any Residential Zone or Open Space and Recreation Zone boundary.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects on the privacy of adjoining sites.
2. Shading effects on adjoining properties.
3. The extent to which visual dominance effects are minimised and/or mitigated.
4. The extent to which the proposal demonstrates the principles of urban design and Crime Prevention Through Environmental Design.

MUZ-R6 Building Frontages

Activity Status: Permitted

Where:

1. At least 65% of the building frontage at ground floor is clear glazing, except for grocery stores.
2. At least 25% of the building frontage above ground floor is clear glazing, except for grocery stores.
3. At least 25% of the total building frontage of a grocery store is clear glazing.
4. The principal public entrance to the building is situated to face the road where the building is on a front site.
5. There are no roller doors (except for emergency services, and security grilles which allow views from the street into the premises) along site frontage.

Compliance Standard:

1. Where a grocery store has three or more building frontages then in MUZ-R6.3:
 - a. “Total building frontage” means the combined horizontal length of the two longest building frontages; and
 - b. The 25% clear glazing may be applied across any of the building frontages.

Activity Status when compliance not achieved: Discretionary

MUZ-R7 Impervious Areas

Activity Status: Permitted

Where:

1. The impervious area is set back at least 5m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

MUZ-R8 Fences

Activity Status: Permitted

Where:

1. The fence is along site frontage and required by a bylaw or for public health and safety.
2. The fence is not along a road frontage.

Activity Status when compliance not achieved: Discretionary

MUZ-R9 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rules MUZ-R3, R4.2 and R5.
 - b. Is screened from view from adjacent public places and surrounding sites, except for construction materials to be used on-site for a maximum period of 12 months within each 10-year period from 26 August 2021.

Activity Status when compliance not achieved: Discretionary

MUZ-R10 Car Parking

Activity Status: Permitted

Where:

1. The car parking space is not located between the building frontage and road boundaries of the site, except for car parking spaces at grocery stores with a business net floor area larger than 450m².

Activity Status when compliance not achieved: Non-Complying

MUZ-R11 Residential Unit

Activity Status: Permitted

Where:

1. Every residential unit provides a net floor area of at least:
 - a. 35m² for residential units with only one habitable room.
 - b. 45m² for residential units with more than one habitable room.
2. Every 1 bedroom residential unit contains an outdoor living court of at least 4m² and at least 1.5m depth.
3. Every 2+ bedroom residential unit contains an outdoor living court of at least 8m² and at least 2.4m depth.
4. Every residential unit is above ground floor.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The design, size and layout of buildings to provide appropriate privacy and amenity for occupants on-site.
2. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.
3. Adverse effects on active frontage.

Notification:

Any application for a residential unit which does not comply with MUZ-R11.1 – 3 shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

MUZ-R12 Trade Suppliers

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum business net floor area is 600m².
3. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

MUZ-R13 General Retail

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum business net floor area is 600m².
3. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

MUZ-R14 Grocery Store

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

MUZ-R15 Commercial Services

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

MUZ-R16 Visitor Accommodation

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

MUZ-R17 Place of Assembly

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

MUZ-R18 Recreational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

MUZ-R19 Emergency Services

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

MUZ-R20 Educational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

MUZ-R21 Any New Vehicle Crossing Over A Footpath

Activity Status: Permitted

Where:

1. Emergency services establish and require a vehicle access to the site.

Activity Status when compliance not achieved: Discretionary

MUZ-R22 Food and Beverage Activities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity to an educational facility.
2. The activity does not result in a combined maximum gross floor area exceeding is 250m² of food and beverage activity ancillary to the educational facility.
3. The food and beverage activity does not operate outside of 07:00 – 22:00 08:00 – 18:00 Monday - Friday.

Activity Status when compliance not achieved: Discretionary

MUZ-R23 General Industry

Activity Status: Permitted

Where:

1. The activity is a research laboratory ancillary activity to an educational facility.

Activity Status when compliance not achieved: Non-Complying

MUZ-R24 Standalone Car Parking Facility

Activity Status: Discretionary

MUZ-R25 Supported Residential Care

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R26 Retirement Village

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R27 Drive-Through-Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R28 Entertainment Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R29 Service Stations

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R30 Care Centre

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R31 General Commercial

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R32 General Community

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R33 Farming

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R34 Manufacturing

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R35 Storage

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R36 Repair and Maintenance Services

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R37 Artisan Industrial Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R38 Marine Industry

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R39 Motor Vehicle Sales

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R40 Garden Centres

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R41 Marine Retail

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R42 Hire Premise

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R43 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R44 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R45 Plantation Forestry

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R46 Intensive Livestock Farming

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R47 Farm Quarrying

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R48 Waste Management Facility

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

MUZ-R49 Landfill Activity

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

PREC4 – Hīhīaua Peninsula Precinct (HPP)

Issues

The Hīhīaua Peninsula Precinct (HPP) enables an expanded range of mixed-use activities within a portion of the Mixed Use Zone between Dent and Herekino Streets. The activities supported by the Hīhīaua Peninsula Precinct include residential units at ground floor, smaller scale retail activities, and food and beverage activities.

Objectives

PREC4-O1 Hīhīaua Peninsula

Hīhīaua Peninsula is a diverse, vibrant and attractive location to live, work and play.

Policies

PREC4-P1 Enabled Activities

To support a wider range of mixed-use activities by enabling smaller scale general retail activities, and food and beverage activities.

Rules

PREC4-R1 Residential Unit

Activity Status: Permitted

Where:

1. Every residential unit provides a net floor area of at least:
 - a. For 1 bedroom – 45m²
 - b. For 2 bedrooms – 70m²
 - c. For 3 bedrooms – 90m²
 - d. For more than 3 bedrooms – 90m² plus 12m² for each additional bedroom.
2. Every 1 bedroom residential unit contains an outdoor living court of at least 4m² and at least 1.5m depth.
3. Every 2+ bedroom residential unit contains an outdoor living court of at least 8m² and at least 2.4m depth.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The design, size and layout of buildings to provide appropriate privacy and amenity for occupants on-site.
2. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.
3. Adverse effects on active frontage.

Notification:

Any application for a residential unit which does not comply with PREC4-R1 shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council

decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

PREC4-R2 General Retail

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum business net floor area is 600m².

Activity Status when compliance not achieved: Discretionary

PREC4-R3 Food and Beverage Activity

Activity Status: Permitted

City Centre Zone (CCZ)

Issues

Whangārei's City Centre is a focal point of the District and provides vital retail, service, business and recreational needs for residents while also providing a key destination for visitors. It is envisaged that the City Centre Zone (CCZ) will be a strong, enduring and consolidated area serving as a base for commercial activities, retail activities and entertainment activities. It is anticipated that significant growth and investment will occur within the City Centre.

Historic dispersal of retail and hospitality activities and a lack of residents have undermined the economic viability and vitality of the City Centre. Economic and residential growth are encouraged within the City Centre and development should contribute towards achieving a safe, pleasant, vibrant, diverse and high amenity environment. Activities which are not consistent with the anticipated amenity and character within the City Centre are required to be located outside of the City Centre. It is essential that the built form within the City Centre contributes positively to the pedestrian experience and does not compromise the amenity of the City Centre.

A vital aspect to the success of the City Centre is the presence of residents. Residential activities are encouraged within the City Centre as this will enhance safety, vibrancy and commercial success.

Objectives

CCZ-01 Vibrancy

Enable the development of the City Centre as an attractive, safe and vibrant place to live, work and visit with a range of residential activities, commercial activities, retail activities and entertainment activities.

CCZ-02 Discouraged Activities

Discourage noxious activities and activities with lower amenity and manage activities which cater primarily for customers in private motor vehicles.

CCZ-03 Residential Activities

Promote residential activities in the City Centre.

CCZ-04 Urban Design

Require high quality urban design outcomes and incentivise exemplary design.

CCZ-05 Active Frontage

Prioritise pedestrians and enhance active frontages at ground floor.

Policies

CCZ-P1 Character and Amenity

To recognise the character and amenity values of the City Centre including but not limited to:

1. A vibrant urban environment.
2. Medium to high intensity development.
3. A range of retail activities, commercial activities, business and residential activities.
4. High levels of noise and lighting.

5. Moderate access to sunlight.
6. Presence of street trees.
7. Active building frontages, particularly at ground floor.
8. On-street parking with limited off-street parking.
9. Pedestrian and cyclist oriented.

CCZ-P2 Activities

To enhance the vibrancy, economic performance, walkability and amenity of the City Centre for residents and visitors by:

1. Enabling residential activities, smaller scale retail activities, offices, restaurants, cafes, bars and entertainment facilities.
2. Avoiding rural production activities and industrial activities (except for small scale artisan industrial activities).
3. Managing the nature, scale, design and nature of activities to ensure that:
 - a. Active frontage is maintained and enhanced at ground floor.
 - b. Activity and building design are complementary to the City Centre context and retain narrow activity and site frontages.
 - c. Buildings are designed to be flexible and adaptable to a range of uses and do not unduly restrict potential future uses of the site.
 - d. Standalone car parking facilities and other large single use buildings at ground floor are sleeved by smaller scale commercial activities.
 - e. Transition from private vehicle to public transport, active and shared transport modes is supported.

CCZ-P3 Active Frontage

To require building design to achieve active frontage at ground floor to strengthen the interrelationship between buildings and the public realm.

CCZ-P4 Residential Activities

To promote residential activities by encouraging residential units above ground floor while acknowledging that there may be a reduced level of residential amenity within the City Centre due to a mix of uses and late night activities.

CCZ-P5 Residential

To maintain and enhance residential amenity by requiring residential units to:

1. Provide sufficient internal space, outdoor living courts and noise insulation.
2. Be designed and constructed in a manner which is sensitive to and is compatible with surrounding active frontages where the residential units are provided at ground floor.

CCZ-P6 Outdoor Living Courts

To mitigate adverse effects on residential amenity by providing communal outdoor living spaces where individual outdoor living courts are not practicable.

CCZ-P7 Building Scale and Design

To preserve sunlight access, retain a human scale in built form and encourage transitions in height by managing building scale and design.

CCZ-P8 Pedestrian-Centric Environment

To create a pedestrian-centric environment by:

1. Managing new vehicle crossings and car parking areas to retain a safe and accessible pedestrian network.
2. Requiring verandahs, which are limited in scale, along building frontages to create a defined building edge and provide shade and rain shelter.
3. Designing subdivision to require sufficient site frontages to:
 - a. Avoid rear sites.
 - b. Enable corner sites to be emphasised.
 - c. Maintain narrow site frontages within the City Centre.

CCZ-P9 Incentives

To enable higher building densities and varied setbacks where active frontages or pedestrian connectivity are enhanced, residential activities are provided, or where green rooves are provided.

CCZ-P10 Safety

To reduce threats to personal safety and security by utilising urban design and Crime Prevention Through Environmental Design principles in the design of developments in the City Centre Zone.

Rules

CCZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

CCZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules CCZ-R3 – R7.

CCZ-R3 Building and Major Structure Height

1. Activity Status: Permitted

Where:

- a. The minimum building height is 3 stories; and
- b. The maximum building height and major structure height is 24m above ground level.

2. Activity Status: Controlled

Where:

- a. The building height and major structure height is between 24.01m and 32m above ground level and at least one of the following is provided:
 - i. A pedestrian arcade.
 - ii. A through-site-link.
 - iii. At least 3 residential units.

Matters of control:

1. Means of ensuring on-going compliance with rule.

2. Appropriateness of through-site-link and/or pedestrian arcades in terms of location, design, size, safety and accessibility.

Activity Status when compliance not achieved with CCZ-R3.1(a): Restricted Discretionary
 Matters of discretion

1. The efficient use of land.
2. The extent to which any characteristic of the site impacts the ability to comply with the rule.

Activity Status when compliance not achieved with CCZ-R3.1(b) or R3.2(a): Restricted Discretionary

Matters of discretion

1. The matters of control listed in CCZ-R3.2.
2. The extent to which visual dominance effects are minimised.
3. The extent to which the visual impact of exceeding the height limit is mitigated by the location, design, scale, and appearance (including reflectivity) of the building or structure.
4. Effects on the privacy and amenity of adjoining sites.
5. Shading effects on adjoining sites and public open space.
6. Effects on streetscapes and walkability.
7. The extent to which the proposal demonstrates best practice principles of urban design and Crime Prevention Through Environmental Design.
8. The extent to which the building is consistent with the character and amenity values anticipated within the City Centre Zone.
9. The extent to which development in excess of 32m:
 - a. Has adverse effects on the affected transport network, and three waters networks.
 - b. Is supported by open space, public amenities, commercial activities, and public and active transport options that are within walking distance to service the proposed residents and/or employees.

CCZ-R4 Building Setbacks

Activity Status: Permitted

Where:

1. The building is within 0.5m of road boundaries at ground floor for the entire length of the site frontage for any front site, except for:
 - a. Any site frontage where a strategic road protection area applies as detailed in TRA Appendix 4.
 - b. Any combination of the following:
 - i. One setback of up to 1.5m for a maximum width of 2.5m to allow for a recessed pedestrian entrance.
 - ii. One setback of up to 6m for a maximum width of 6m to allow for a pedestrian arcade.
 - iii. One setback adjacent to a side boundary of the site for a maximum width of 6m to allow for a through-site-link.

Activity Status when compliance not achieved: Restricted Discretionary

Matters for discretion:

1. The location, design, size, safety and accessibility of any proposed recessed pedestrian entrance, pedestrian arcade or through-site-link where it does not comply with the minimum dimensions in CCZ-R4.1(b).
2. The extent to which the proposal demonstrates best practice principles of urban design and Crime Prevention Through Environmental Design.
3. Effects on active frontage, pedestrian safety and walkability.
4. Effects on the strategic road protection areas where CCZ-R4.1(a) is infringed.

CCZ-R5 Building Floor-to-Floor Height

Activity Status: Permitted

Where:

1. The minimum interior floor-to-floor height is 3.8m at ground floor.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The ability to maintain active frontages at street level.
2. Effects on streetscape amenity.
3. Effects on pedestrian safety and amenity.
4. Effects on internal amenity and lighting at ground floor.
5. The ability for buildings to be used for a range of commercial activities in future.

CCZ-R6 Building Frontages

Activity Status: Permitted

Where:

1. At least 75% of the building frontage at ground floor is clear glazing.
2. At least 25% of the building frontage above ground floor is clear glazing.
3. Where the building is on a front site, the principal public entrance to the building is situated to face the road.
4. There are no roller doors (except security grilles which allow views from the street into the premises) along site frontage.

Activity Status when compliance not achieved: Discretionary

CCZ-R7 Verandahs

Activity Status: Permitted

Where:

1. All buildings fronting a road, except where a strategic road protection area applies to the site frontage, provides a verandah:
 - a. Along the entire building frontage.
 - b. That is at least 3m above the footpath and no more than 4m above the footpath.
 - c. That is setback at least 600mm from the kerb.
 - d. That has a minimum width of 1.5m, except where that would encroach on CCZ-R7.1(c) where the minimum width shall be to within 600mm from the kerb.
 - e. That has a maximum fascia height of 0.5m.

Activity Status when compliance not achieved: Discretionary

CCZ-R8 Fences

Activity Status: Permitted

Where:

1. The fence is along site frontage and required by a bylaw or for public health and safety.
2. The fence is not a long road frontage.

Activity Status when compliance not achieved: Discretionary

CCZ-R9 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The maximum height of any outdoor area of storage or stockpile is 8m above ground level.
2. The outdoor area of storage or stockpile is screened from view from public places and surrounding sites.

Activity Status when compliance not achieved: Discretionary

CCZ-R10 Car Parking

Activity Status: Permitted

Where:

1. The car parking space is not located between the building frontage and road boundaries of the site.

Activity Status when compliance not achieved: Non-Complying

CCZ-R11 Artisan Industrial Activities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum gross floor area is 300m² per site.

Activity Status when compliance not achieved: Non-Complying

CCZ-R12 Residential Unit

Activity Status: Permitted

Where:

1. Every residential unit provides a net floor area of at least:
 - a. 35m² for residential units with only one habitable room.
 - b. 45m² for residential units with more than one habitable room.
2. Every 1 bedroom residential unit contains an outdoor living court of at least 4m² and at least 1.5m depth.
3. Every 2+ bedroom residential unit contains an outdoor living court of at least 8m² and at least 2.4m depth.
4. Every residential unit is above ground floor.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The design, size and layout of buildings to provide appropriate privacy and amenity for occupants on-site.
2. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.
3. Adverse effects on active frontage.

Notification:

Any application for a residential unit which does not comply with Rules CCZ-R12.1–3 shall not require the written approval of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

CCZ-R13 General Retail

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum business net floor area is 600m².

Activity Status when compliance not achieved: Discretionary

CCZ-R14 Grocery Store

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum business net floor area is 600m².

Activity Status when compliance not achieved: Discretionary

CCZ-R15 Commercial Services

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R16 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R17 Entertainment Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R18 Visitor Accommodation

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R19 Place of Assembly

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity is above ground floor.
3. The maximum business net floor area is 800m².

Activity Status when compliance not achieved: Discretionary

CCZ-R20 Recreational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity is above ground floor.
3. The maximum business net floor area is 800m².

Activity Status when compliance not achieved: Discretionary

CCZ-R21 Care Centre

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity is above ground floor.
3. The maximum business net floor area is 800m².

Activity Status when compliance not achieved: Discretionary

CCZ-R22 Educational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity is above ground floor.
3. The maximum business net floor area is 800m².

Activity Status when compliance not achieved: Discretionary

CCZ-R23 Any New Vehicle Crossing Over a Footpath

Activity Status: Discretionary

CCZ-R24 Trade Suppliers

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

2. The maximum business net floor area is 600m².

Activity Status when compliance not achieved: Non-Complying

CCZ-R25 Standalone Car Parking Facility

Activity Status: Non-Complying

CCZ-R26 Farming

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R27 Supported Residential Care

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R28 Retirement Village

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R29 Motor Vehicle Sales

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R30 Garden Centres

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R31 Marine Retail

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R32 Drive-Through-Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R33 Hire Premise

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R34 Service Stations

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R35 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R36 Emergency Services

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R37 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R38 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R39 General Community

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R40 Plantation Forestry

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R41 Intensive Livestock Farming

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R42 Farm Quarrying

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R43 General Industry

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R44 Manufacturing

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R45 Storage

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R46 Repair and Maintenance Services

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R47 Marine Industry

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R48 Waste Management Facility

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

CCZ-R49 Landfill

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

Waterfront Zone (WZ)

Issues

The Waterfront Zone (WZ) manages land use and subdivision within Whangārei's Waterfront. Whangārei's Waterfront is located on the edge of the (estuarine) Hatea River and Waiarohia Stream and is close to Whangārei's City Centre, being a significant destination for local and international visitors. The area has seen steady development since the 1990s. Today, the main uses of the area are active and passive recreation with a selection of tourism focused retail, accommodation, restaurant and entertainment facilities. These activities are complimented by a diverse range of maritime activities, defining history and a rich cultural heritage. This is reflected by replica Victorian buildings, a heritage walkway, and an iconic wave and waka sculpture. Estuarine open spaces which access the waterfront and soft landscapes framed by a pedestrian and cycle loop through the Waterfront also contribute to the area's unique character and coherent sense of place.

The Waterfront Zone provides important amenity for Whangārei City, being a hub for recreation, culture and tourism. A key aspect of the Waterfront Zone is ensuring that development is physically and visually connected to the waterfront, the City Centre and Open Space and Recreation Zones. The built form in the Waterfront Zone should be sufficient to provide for economic growth and development while also protecting view shafts of Parihaka and the waterfront, retaining a sense of openness, and managing adverse effects on the adjacent Open Space and Recreation Zones and General Residential Zones.

The Waterfront Zone is comprised of two distinct areas: The Waterfront Commercial Area and the Waterfront Mixed-Use Area (see WF Appendix 1). The Waterfront Commercial Area connects the Waterfront Zone to the City Centre Zone and provides for a range of activities including small scale retail, restaurants, passive recreation and cultural activities along with artisan craft industries. The Waterfront Mixed-Use Area extends along Hīhīau Peninsula, Riverside Drive and Port Road, providing for residential activities, commercial activities and community activities, along with maritime industrial activities that are compatible with sensitive activities.

Objectives

WZ-01 Pedestrians and Cyclists

Promote a safe, accessible and vibrant waterfront, which prioritises pedestrians and cyclists.

WZ-02 Enabled Development

Enable the development of the Waterfront Zone as a hub for tourism, recreation, arts and cultural activities.

WZ-03 Land Uses

Support a range of land uses that complement the City Centre Zone and are compatible with surrounding Residential Zones and Open Space and Recreation Zones.

WZ-04 Amenity and Character

Protect and enhance the sense of place, amenity, character, cultural, heritage, ecological and recreational values unique to the Waterfront Zone.

WZ-05 Connections

Protect and enhance the Waterfront Zone's physical and visual connections with waterways, the coastal marine area and the City Centre.

WZ-O6 Residential Activities

Promote residential activities in the Waterfront Mixed-Use Area.

Policies

WZ-P1 Character and Amenity

To recognise the character and amenity values of the Waterfront Zone including but not limited to:

1. Accessible connections to the waterfront.
2. High levels of access to sunlight.
3. Moderate levels of noise.
4. Minimal exposure to noxious odour or noise associated with marine industrial activities.
5. Ample opportunities for formal and informal social interactions.
6. Limited off-street parking.
7. Pedestrian and cyclist focused.
8. Historical and cultural significance of the area.
9. Ecological value of the waterbodies (and their margins).

WZ-P2 Land Uses

To provide for a range of land use activities that are compatible with the context of the predominant maritime, open space, arts, culture, retail, recreation and tourism themes of the Waterfront Zone.

WZ-P3 Subdivision and Development

To require subdivision and development to be designed, constructed and operated so that it:

1. Complements the character of the Waterfront Zone.
2. Enhances amenity values.
3. Protects cultural and historic heritage values.
4. Enables opportunities for passive surveillance.
5. Provides direct and safe pedestrian and cyclist routes.
6. Enhances the ecological value within the Waterfront Zone.

WZ-P4 View Shafts

To protect view shafts and improve walkability by providing areas for public open space and visual and physical connections (e.g. cycleways, walkways and laneways) within the Waterfront Zone and to adjacent zones.

WZ-P5 Bulk and Location

To manage the bulk and location of major structures to maintain a pedestrian scale of development and an open atmosphere with ample sunlight access.

WZ-P6 Esplanade Areas

To ensure buildings and major structures are sufficiently set back from Mean High Water Springs to safeguard esplanade areas and manage flooding risks.

WZ-P7 Active Frontage

To strengthen the interrelationship between buildings and the public realm by requiring building design to:

1. Provide active frontage at ground floor level.

- Orientate entrances towards roads and waterways.

WZ-P8 Residential Activities and Visitor Accommodation

To promote a mixed-use environment by enabling appropriately designed residential activities and visitor accommodation within the Waterfront Mixed-Use Area.

WZ-P9 Subdivision

To enhance walkability and street amenity by requiring sufficient site frontages to:

- Avoid rear sites.
- Enable corner sites to be emphasised.
- Maintain narrow sites frontages.

WZ-P10 Safety

To reduce threats to personal safety and security by utilising urban design and Crime Prevention Through Environmental Design principles in the design of developments in the Waterfront Zone.

Rules

WZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

- Resource consent is not required under any rule of the District Plan.
- The activity is not prohibited under any rule of the District Plan.

WZ-R2 Minor Buildings

Activity Status: Permitted

Note:

- Minor Buildings are exempt from rules WZ-R3 – R8.

WZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

- The maximum building height and major structure height is 11m above ground level.

Note:

- Any application shall comply with information requirement rule WZ-REQ1.

Activity Status when compliance not achieved: Discretionary

WZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

- All buildings and major structure are set back at least:
 - 3m from any Residential Zone or Open Space and Recreation Zone boundary.
 - 10m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Note:

- Any application shall comply with information requirement rule WZ-REQ1.

Activity Status when compliance not achieved: Discretionary

WZ-R5 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any Residential Zone or Open Space and Recreation Zone boundary.

Note:

1. Any application shall comply with information requirement rule WZ-REQ1.

Activity Status when compliance not achieved: Discretionary

WZ-R6 Building Floor-to-Floor Height

Activity Status: Permitted

Where:

1. The minimum interior floor-to-floor height is:
 - a. 3.8m at ground floor.
 - b. 3m above ground floor.

Note:

1. Any application shall comply with information requirement rule WZ-REQ1.

Activity Status when compliance not achieved: Discretionary

WZ-R7 Building Frontages

Activity Status: Permitted

Where:

1. At least 55% of the building frontage at ground floor is clear glazing.
2. At least 55% of any building face at ground floor is clear glazing where that building face is orientated towards an adjoining Open Space and Recreation Zone.
3. The principal public entrance to the building is situated to face the road where the building is on a front site.
4. The principal public entrance to the building is situated to face the waterway where the building is on a site adjoining an Open Space and Recreation Zone, coastal marine area or waterway.

Note:

1. Any application shall comply with information requirement rule WZ-REQ1.

Activity Status when compliance not achieved: Discretionary

WZ-R8 Building and Major Structure Coverage

Activity Status: Permitted

Where:

1. The maximum building and major structure coverage does not exceed 50% of a site.

Note:

1. Any application shall comply with information requirement rule WZ-REQ1.

Activity Status when compliance not achieved: Discretionary

WZ-R9 Fences

Activity Status: Permitted

Where:

1. The fence has a maximum height of 2m above ground level.
2. Fencing within 3m of a road boundary is at least 50% visually permeable for any portion above 1m high.
3. Fencing within 30m of Mean High Water Springs or along a boundary shared with an Open Space and Recreation Zone is at least 50% visually permeable for any portion above 1.5m high.
4. The fence is not fortified with barbed wire, broken glass or any form of electrification.

Note:

1. Any application shall comply with information requirement rule WZ-REQ1.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects of shading and visual dominance on adjoining properties.
2. Effects on urban design and passive surveillance.
3. Effects on streetscape character and amenity.
4. Effects on active frontages.
5. The extent to which the fencing is necessary due to health and safety reasons.

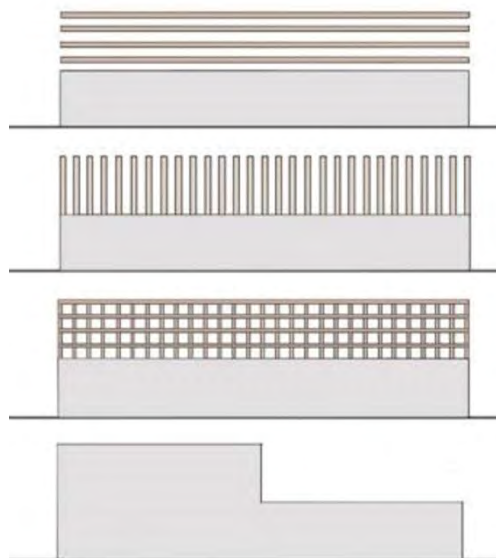


Figure WZ 1: Examples of fences solid up to 1m and 50% visually permeable between 1m and 2m high

WZ-R10 Car Parking

Activity Status: Permitted

Where:

1. Car parking spaces are located at least:
 - a. 2m from any road boundary, excluding garages and on street car parking spaces.
 - b. 20m from Mean High Water Springs, except where the car parking is inside a building and is subsidiary to another activity.

Note:

1. Any application shall comply with information requirement rule WZ-REQ1.

Activity Status when compliance not achieved: Non-Complying

WZ-R11 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rules WZ-R3 – R5.
 - b. Is screened from view from public places and surrounding sites.

Note:

1. Any application shall comply with information requirement rule WZ-REQ1.

Activity Status when compliance not achieved: Discretionary

WZ-R12 Artisan Industrial Activity

Activity Status: Permitted

Where:

1. The maximum gross floor area is 300m².

Activity Status when compliance not achieved: Non-Complying

WZ-R13 Residential Unit

1. Activity Status: Permitted

Where in the Waterfront Mixed-Use Area:

- a. Every residential unit provides a net floor area of at least:
 - i. For 1 bedroom – 45m².
 - ii. For 2 bedrooms – 70m².
 - iii. For 3 bedrooms – 90m².
 - iv. For more than 3 bedrooms – 90m² plus 12m² for each additional bedroom.
- b. Every 1 bedroom residential unit contains an outdoor living court of at least 4m² and at least 1.5m depth.
- c. Every 2+ bedroom residential unit contains an outdoor living court of at least 8m² and at least 2.4m depth.
- d. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The design, size and layout of buildings to provide appropriate privacy and amenity for occupants on-site.
 2. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.
 3. Adverse effects on active frontage.
2. Activity Status: Non-Complying
- Where in the Waterfront Commercial Area:
- a. The activity is a primary activity or ancillary activity.

Notification:

Any application for a residential unit which does not comply with WZ-R13.1 shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

WZ-R14 Grocery Store

1. Activity Status: Permitted
- Where in the Waterfront Mixed-Use Area:
- a. The activity is located at ground floor.
 - b. The maximum business net floor area is 600m².
 - c. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

2. Activity Status: Non-Complying
- Where in the Waterfront Commercial Area:
- a. The activity is a primary activity or ancillary activity.

WZ-R15 Marine Retail

1. Activity Status: Permitted
- Where in the Waterfront Mixed-Use Area:
- a. The activity is located at ground floor.
 - b. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

2. Activity Status: Non-Complying
- Where in the Waterfront Commercial Area:
- a. The activity is a primary activity or ancillary activity.

WZ-R16 Recreational Facilities

1. Activity Status: Permitted
- Where in the Waterfront Mixed-Use Area:

- a. The activity is located at ground floor.
- b. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

2. Activity Status: Non-Complying

Where in the Waterfront Commercial Area:

- a. The activity is a primary activity or ancillary activity.

WZ-R17 Educational Facilities

1. Activity Status: Permitted

Where in the Waterfront Mixed-Use Area:

- a. The activity is located at ground floor.
- b. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

2. Activity Status: Non-Complying

Where in the Waterfront Commercial Area:

- a. The activity is a primary activity or ancillary activity.

WZ-R18 Commercial Services

1. Activity Status: Permitted

Where in the Waterfront Mixed-Use Area:

- a. The activity is located at ground floor.
- b. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

2. Activity Status: Discretionary

Where in the Waterfront Commercial Area:

- a. The activity is a primary activity or ancillary activity.

WZ-R19 General Retail

1. Activity Status: Permitted

a. Where in the Waterfront Commercial Area:

- i. The business net floor area of the individual activity does not exceed 250m².
- ii. The activity is a primary activity or ancillary activity.

b. Where in the Waterfront Mixed-Use Area:

- i. The activity is located at ground floor.
- ii. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

WZ-R20 Food and Beverage Activity

1. Activity Status: Permitted
 - a. Where in the Waterfront Commercial Area:
 - i. The business net floor area of the individual activity does not exceed 250m².
 - ii. The activity is a primary activity or ancillary activity.
 - b. Where in the Waterfront Mixed-Use Area:
 - i. The activity is located at ground floor.
 - ii. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

WZ-R21 Entertainment Facilities

1. Activity Status: Permitted
 - a. Where in the Waterfront Commercial Area:
 - i. The business net floor area of the individual activity does not exceed 250m².
 - ii. The activity is a primary activity or ancillary activity.
 - b. Where in the Waterfront Mixed-Use Area:
 - i. The activity is located at ground floor.
 - ii. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

WZ-R22 Places of Assembly

1. Activity Status: Permitted
 - a. Where in the Waterfront Commercial Area:
 - i. The business net floor area of the individual activity does not exceed 250m².
 - ii. The activity is a primary activity or ancillary activity.
 - b. Where in the Waterfront Mixed-Use Area:
 - i. The activity is located at ground floor.
 - ii. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

WZ-R23 Visitor Accommodation

1. Activity Status: Permitted
Where in the Waterfront Mixed-Use Area:
 - a. The activity is a primary activity or ancillary activity.
2. Activity Status: Discretionary
Where in the Waterfront Commercial Area:
 - a. The activity is a primary activity or ancillary activity.

WZ-R24 Marine Industry

1. Activity Status: Restricted Discretionary
Where in the Waterfront Mixed-Use Area:
 - a. The activity is a primary activity or ancillary activity.

Matters of restricted discretion:

1. Adverse effects from objectionable and/or noxious odour, dust or noise emissions.
 2. Whether the design, scale and nature of the activity is consistent with the character and purpose of the Waterfront Zone.
 3. The extent to which an active frontage is provided.
2. Activity Status: Non-Complying
- Where in the Waterfront Commercial Area:
- a. The activity is a primary activity or ancillary activity.

WZ-R25 General Industry

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R26 Manufacturing

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R27 Repair and Maintenance Services

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R28 Supported Residential Care

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R29 Retirement Village

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R30 Motor Vehicle Sales

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R31 Garden Centres

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R32 Trade suppliers

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R33 Drive Through Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R34 Hire Premise

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R35 Service stations

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R36 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R37 Emergency Services

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R38 Care Centre

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R39 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R40 General Community

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R41 Rural Production Activity

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

WZ-R42 Hospital

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

Information Requirement Rules

WZ-REQ1 Urban Design Assessment

1. All applications for resource consent pursuant to WZ-R3 – R11 shall include an urban design assessment prepared by a suitably qualified and experienced professional which details:
 - a. Any consultation undertaken as part of any pre-application meetings with Council (including the Council Urban Design Panel) and any mitigation measures that were recommended by Council.
 - b. How the proposal is consistent with best practice urban design, the relevant objectives and policies and the Waterfront Zone building bulk and location standards.
 - c. The effects on the surrounding character, amenity and safety with particular regard to building bulk, location and design and parking and transport.
 - d. Consideration of potential effects on adjacent neighbours.
 - e. The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on adjacent streets and public spaces or adjacent sites.

Note:

1. *Acceptable means of compliance and best practice urban design guidance is contained within Whangārei District Council's Urban Design Guidelines.*

WZ Appendix 1 – Map

The Waterfront Commercial Area and the Waterfront Mixed-Use Area area subject to the WZ rules are shown on the image below.

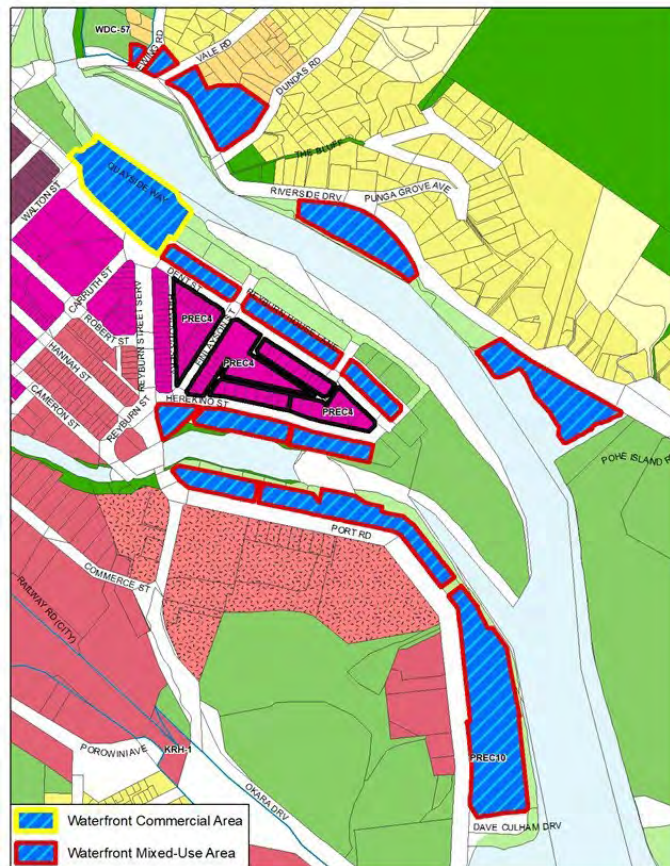


Figure WZ 2: Waterfront Commercial Area and Waterfront Mixed-Use Areas subject to WZ rules

PREC10 – Waterfront Commercial Precinct (WCP)

Issues

Commercial activities and industrial activities are present within a portion of the Waterfront Zone at 129 Port Road, Whangarei. The Waterfront Commercial Precinct recognises the established nature of these activities and provides for the ongoing use and development of the land within a suitable planning framework.

Objectives

PREC10-O1 Enabled Activities

Provide for on-going operation of industrial activities and trade retail activities located in the Waterfront Commercial Precinct while managing adverse effects on the adjacent Waterfront Zone.

Policies

PREC10-P1 Enabled Activities

To provide for the efficient and effective use of existing resources and the on-going operation of existing activities by enabling existing industrial activities and trade retail activities located in the Waterfront Commercial Precinct.

PREC10-P2 Cross Precinct Boundary Effects

To maintain and enhance the amenity of Waterfront Zone by:

1. Avoiding adverse noxious effects.
2. Avoiding, remedying or mitigating adverse external effects such as visual effects, traffic, dust, noise and odours from incompatible land use activities.
3. Mitigating cross-precinct boundary effects including through building setbacks, building frontage and access, hours of operation and landscaping.

Rules

PREC10-R1 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rules WZ-R3 – R5.
 - b. Is screened from view from public places, surrounding sites, and the Waterfront Zone adjacent to the precinct.

Note:

1. Any application shall comply with information requirement rule WZ-REQ1.

Activity Status when compliance not achieved: Discretionary.

PREC10-R2 Motor Vehicle Sales

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The precinct boundary, excluding road frontage, is either.
 - a. Planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a boundary where the maximum height is 1.2m above ground level; or
 - b. Fenced or screened to a maximum height of 1.8m above ground level, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on the adjacent Waterfront Zone.
2. Mitigation measures to manage adverse effects and reverse sensitivity between incompatible activities both within the Precinct and the adjacent Waterfront Zone.

PREC10-R3 General Retail

Activity Status: Permitted

Where:

1. The activity is located at ground floor.
2. The activity is a primary activity or ancillary activity.
3. The activity does not involve the retail or dispensing of motor vehicle fuels.

Note:

1. *An activity involving the retail of motor vehicle fuels that does not fall within the definition of a service station is a general retail Activity. Refer to WZ-R35 for the underlying Waterfront Zone rule relating to service stations.*

Activity Status when compliance not achieved: Discretionary.

PREC10-R4 General Industry

Activity Status: Restricted Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not operate or open for visitors, clients, deliveries, or servicing outside the hours of 06:00 and 18:00.
3. The precinct boundary, excluding road frontage, is either.
 - a. Planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level; or
 - b. Fenced or screened to a maximum height of 1.8m above ground level, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Matters of discretion:

1. Effects on the adjacent Waterfront Zone.
2. Reverse sensitivity effects.

3. Adverse effects between incompatible activities, both within the Precinct and within the adjacent Waterfront Zone (cross-precinct boundary).
4. Site layout, location of vehicle accessways, orientation of buildings, location of main entrance to buildings, vehicle entrance to buildings.
5. The nature of the activity and any noxious characteristics.

Activity Status when compliance not achieved: Discretionary.

PREC10-R5 Manufacturing

Activity Status: Restricted Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not operate or open for visitors, clients, deliveries, or servicing outside the hours of 06:00 and 18:00.
3. The precinct boundary, excluding road frontage, is either.
 - a. Planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level; or
 - b. Fenced or screened to a maximum height of 1.8m above ground level, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Matters of discretion:

1. Effects on the adjacent Waterfront Zone.
2. Reverse sensitivity effects.
3. Adverse effects between incompatible activities, both within the Precinct and within the adjacent Waterfront Zone (cross-precinct boundary).
4. Site layout, location of vehicle accessways, orientation of buildings, location of main entrance to buildings, vehicle entrance to buildings.
5. The nature of the activity and any noxious characteristics.

Activity Status when compliance not achieved: Discretionary.

PREC10-R6 Storage

Activity Status: Restricted Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not operate or open for visitors, clients, deliveries, or servicing outside the hours of 06:00 and 18:00.
3. The precinct boundary, excluding road frontage, is either.
 - a. Planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level; or
 - b. Fenced or screened to a maximum height of 1.8m above ground level, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Matters of discretion:

1. Effects on the adjacent Waterfront Zone.
2. Reverse sensitivity effects.

3. Adverse effects between incompatible activities, both within the Precinct and within the adjacent Waterfront Zone (cross-precinct boundary).
4. Site layout, location of vehicle accessways, orientation of buildings, location of main entrance to buildings, vehicle entrance to buildings.
5. The nature of the activity and any noxious characteristics.

Activity Status when compliance not achieved: Discretionary.

PREC10-R7 Repair and Maintenance

Activity Status: Restricted Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not operate or open for visitors, clients, deliveries, or servicing outside the hours of 06:00 and 18:00.
3. The precinct boundary, excluding road frontage, is either.
 - a. Planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level; or
 - b. Fenced or screened to a maximum height of 1.8m above ground level, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Matters of discretion:

1. Effects on the adjacent Waterfront Zone.
2. Reverse sensitivity effects.
3. Adverse effects between incompatible activities, both within the Precinct and within the adjacent Waterfront Zone (cross-precinct boundary).
4. Site layout, location of vehicle accessways, orientation of buildings, location of main entrance to buildings, vehicle entrance to buildings.
5. The nature of the activity and any noxious characteristics.

Activity Status when compliance not achieved: Discretionary.

PREC10-R8 Garden Centres

Activity Status: Restricted Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not operate or open for visitors, clients, deliveries, or servicing outside the hours of 06:00 and 18:00.
3. The precinct boundary, excluding road frontage, is either.
 - a. Planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level; or
 - b. Fenced or screened to a maximum height of 1.8m above ground level, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Matters of discretion:

1. Effects on the adjacent Waterfront Zone.
2. Reverse sensitivity effects.

3. Adverse effects between incompatible activities, both within the Precinct and within the adjacent Waterfront Zone (cross-precinct boundary).
4. Site layout, location of vehicle accessways, orientation of buildings, location of main entrance to buildings, vehicle entrance to buildings.
5. The nature of the activity and any noxious characteristics.

Activity Status when compliance not achieved: Discretionary.

PREC10-R9 Trade Suppliers

Activity Status: Restricted Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not operate or open for visitors, clients, deliveries, or servicing outside the hours of 06:00 and 18:00.
3. The precinct boundary, excluding road frontage, is either.
 - a. Planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level; or
 - b. Fenced or screened to a maximum height of 1.8m above ground level, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Matters of discretion:

1. Effects on the adjacent Waterfront Zone.
2. Reverse sensitivity effects.
3. Adverse effects between incompatible activities, both within the Precinct and within the adjacent Waterfront Zone (cross-precinct boundary).
4. Site layout, location of vehicle accessways, orientation of buildings, location of main entrance to buildings, vehicle entrance to buildings.
5. The nature of the activity and any noxious characteristics.

Activity Status when compliance not achieved: Discretionary.

PREC10-R10 Hire Premise

Activity Status: Restricted Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not operate or open for visitors, clients, deliveries, or servicing outside the hours of 06:00 and 18:00.
3. The precinct boundary, excluding road frontage, is either.
 - a. Planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level; or
 - b. Fenced or screened to a maximum height of 1.8m above ground level, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Matters of discretion:

1. Effects on the adjacent Waterfront Zone.
2. Reverse sensitivity effects.

3. Adverse effects between incompatible activities, both within the Precinct and within the adjacent Waterfront Zone (cross-precinct boundary).
4. Site layout, location of vehicle accessways, orientation of buildings, location of main entrance to buildings, vehicle entrance to buildings.
5. The nature of the activity and any noxious characteristics.

Activity Status when compliance not achieved: Discretionary.

PREC10-R11 General Commercial

Activity Status: Restricted Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00.
3. The precinct boundary, excluding road frontage, is either.
 - a. Planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 1m, except within 5m of a road boundary where the maximum height is 1.2m above ground level; or
 - b. Fenced or screened to a maximum height of 1.8m above ground level, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Matters of discretion:

1. Effects on the adjacent Waterfront Zone.
2. Reverse sensitivity effects.
3. Adverse effects between incompatible activities, both within the Precinct and within the adjacent Waterfront Zone (cross-precinct boundary).
4. Site layout, location of vehicle accessways, orientation of buildings, location of main entrance to buildings, vehicle entrance to buildings.
5. The nature of the activity and any noxious characteristics.

Activity Status when compliance not achieved: Discretionary.

Shopping Centre Zone (SCZ)

Issues

The Shopping Centre Zone (SCZ) provides for the consolidation of predominantly large comprehensive general retail stores within existing shopping centres. Limited provision is made for supporting small scale food and beverage activities such as cafes for the comfort of visitors and employees at the shopping centre.

Shopping centres have unique characteristics, generally being a comprehensive group of retail and other commercial establishments that is planned, developed and managed as a single facility, comprising commercial multi-branded retail units and common areas.

Shopping centres are generally comparative shopping 'destinations' and collectively need large spaces for retail. As destinations, shopping centres are car-focused and require sizeable areas with suitable vehicle access and on-site parking to cater for private motor vehicles. It is essential that shopping centres are designed to be safe and pleasant for pedestrians and cyclists as well as cater to vehicular requirements to ensure a positive shopping experience.

High traffic volumes and the requirement for larger sites than are available in the City Centre and Local Centre Zones mean that large shopping centres are usually incompatible with the anticipated amenity and character of those zones.

Shopping centres can have significant adverse effects on the vitality and functioning of other commercial or retailing centres if they are inappropriately located. This means that the extent to which shopping centres compete with the functions of other centres must be carefully managed. The Shopping Centre Zone is expected to remain at existing locations close to the City Centre and, if expansion of the existing shopping centres is required, to develop towards and not away from the City Centre.

Shopping centres can have significant adverse effects on amenity and character values of neighbouring zones. These effects must be carefully managed. The Shopping Centre Zone is intended to provide an area within which existing large general retail stores are consolidated to manage these potential effects. It is expected that the amenity of shopping centres will improve over time to minimise the impact on other zones and to provide a better shopping experience for patrons. Development should recognise best practice urban design principles to achieve quality design outcomes. Further information and guidance on best practice urban design principles are contained within Whangarei District Council's Urban Design Guidelines.

The Shopping Centre Zone is located in urban areas where large land parcels are available within and adjacent to established shopping centres containing existing large general retail stores. The Shopping Centre Zone is only appropriate where local infrastructure (i.e. roads, wastewater and stormwater) has sufficient capacity to accommodate further development. The Shopping Centre Zone has been applied at three unique locations each with individual characteristics, being:

- Tarewa Shopping Centre.
- Okara Shopping Centre.
- Okara West Shopping Centre.

Objectives

SCZ-O1 Adverse Effects

Larger compatible general retail stores are located in consolidated shopping centres.

SCZ-O2 Pedestrians

A safe, pedestrian friendly and convenient shopping environment is provided.

SCZ-O3 Centre Viability

The primacy, function and vitality of the City Centre, Local Centre and Waterfront Zones are protected and supported by the Shopping Centre Zone.

SCZ-O4 Adverse Effects

Adverse effects on adjacent zones are managed.

SCZ-O5 Urban Design

Development achieves quality urban design outcomes while recognising the character and amenity values typical of shopping centres.

Policies

SCZ-P1 Shopping Centre Character

To recognise the character and amenity values of the Shopping Centre Zone including:

1. An active urban environment.
2. Larger general retail activities with limited food and beverage activities.
3. Consolidated built form.
4. Availability of shared common public facilities.
5. Moderate intensity of development.
6. Higher levels of noise.
7. High levels of vehicle traffic.
8. Large off-street car parking areas.
9. High levels of on-site pedestrian traffic.
10. Presence of landscaping to limit visual impact, reduce impervious areas and contribute to amenity within the centre.
11. Proximity and walkability to the City Centre or the Waterfront.
12. Unique locations and future development opportunities, with differences between the individual shopping centres.

SCZ-P2 Consolidation

To protect the City Centre and the Waterfront Zones from the effects of commercial sprawl by:

1. Encouraging consolidation of large general retail activities at established shopping centres.
2. Encouraging any extension of existing shopping centres in a direction towards the City Centre.
3. Avoiding the establishment of new shopping centres.

SCZ-P3 Range of Larger Retail

To provide for a range of larger, compatible general retail activities in a manner that does not compromise the City Centre, Local Centre, and Waterfront Zones.

SCZ-P4 Small Scale Retail

To avoid small scale retail activities establishing in existing shopping centres where they may undermine the economic viability and primacy of the City Centre Zone, having particular regard to the size of retail activities provided for by the City Centre Zone.

SCZ-P5 Food and Beverage Activity

To provide for supporting conveniences by allowing for a limited amount of small scale food and beverage activity within the Shopping Centre Zone.

SCZ-P6 Communal Facilities

To enhance shoppers' experience within shopping centres by requiring activities to provide communal facilities including, bathrooms, rubbish bins and rest areas.

SCZ-P7 Landscaping

To preserve the character and amenity of adjoining zones by requiring landscaping to:

1. Enhance the character of the shopping centre.
2. Soften the effects of built form.

SCZ-P8 Building Exterior Treatment

To preserve the character and amenity of adjoining zones and enhance the character and amenity of the Shopping Centre Zone by requiring the exterior treatment of buildings to:

1. Enhance the character of the shopping centre.
2. Soften the effects of built form.
3. Be sensitive to and compatible with the character and amenity of adjoining zones.
4. Positively contribute to the character and amenity of adjoining Waterfront and Open Space and Recreation Zones.
5. Demonstrate best practice urban design.

SCZ-P9 Pedestrians and Cyclists

To improve pedestrian and cyclist circulation and connections within shopping centres and to shopping centres, by providing secured bicycle parking facilities and by requiring building design and positioning to positively contribute to pedestrian shopping experience.

SCZ-P10 Sunlight

To protect and provide for a reasonable level of daylight access and outlook by managing built form adjacent to adjoining zones.

SCZ-P11 Infrastructure

To remedy or mitigate the effects of Shopping Centre activities on the safe and efficient operation of the surrounding roading network, network utilities, and infrastructure.

SCZ-P12 Subdivision

To protect the Shopping Centre Zone for consolidated larger retail activities by discouraging subdivision which reduces average net site area.

SCZ-P13 Esplanades and Reserves

To protect esplanade areas and reserve waterfront walkways by avoiding impervious surfaces adjacent to Mean High Water Springs and river banks.

SCZ-P14 Existing Service Stations

To provide for existing service stations within the SCZ while avoiding or mitigating adverse any adverse effects generated by the maintenance and upgrade of existing service stations, having regard to the functional and operational requirements of activities.

SCZ-P15 Safety

To reduce threats to personal safety and security by utilising urban design and CPTED principles in the design of developments in the Shopping Centre Zone.

Rules

SCZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

SCZ-R2 Any Redevelopment

Activity Status: Permitted

Where:

1. The activity complies with rules SCZ-R4 – R8.
2. The redevelopment is:
 - a. Internal, within the footprint of an existing building; or
 - b. External and the alterations do not increase the gross floor area of the building, or alter the principal façade by more than 20%, provided that such changes:
 - i. Retain the principal entrances in compliance with SCZ-R2.3 below;
 - ii. Retain a minimum of 65% of the façade as visually permeable; and
 - iii. Retain verandahs to shelter pedestrians.
3. The principal entrance(s) of each retail, commercial service or food and beverage unit either opens directly on to a shopping centre footpath or other pedestrian connection or is connected to a pedestrian connection by a smaller formed pedestrian connection.

Activity Status when compliance not achieved: Discretionary

SCZ-R3 Minor Buildings

Activity Status: Permitted

Note:

1. Minor Buildings are exempt from rules SCZ-R4 – R7.

SCZ-R4 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 15m above ground level.

Activity Status when compliance not achieved: Discretionary

SCZ-R5 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any Residential Zone or Open Space and Recreation Zone boundary.

Activity Status when compliance not achieved: Discretionary

SCZ-R6 Building and Major Structure Area

Activity Status: Permitted

Where:

1. Gross floor area of any building and major structure is more than 1,600m².
2. Public bathroom facilities are provided for use by shopping centre patrons at a location inside the shopping centre at a rate of:
 - a. 2 for up to 400m².
 - b. 4 for up to 800m².
 - c. 8 for up to 1200m².
 - d. 1 for every 200m² thereafter.

Activity Status when compliance not achieved: Discretionary

SCZ-R7 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 3m from any Open Space and Recreation Zone boundary.
 - b. 10m from Mean High Water Springs or the top of the bank of any river that has a width greater than 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

SCZ-R8 Impervious Areas

Activity Status: Permitted

Where:

1. The impervious area within the site does not exceed 85% of the site area.
2. The impervious area is set back at least 5m from Mean High Water Springs and the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

SCZ-R9 Commercial Services

Activity Status: Permitted

Where:

1. The business net floor area for the commercial service activity does not exceed 100m².

2. The total net floor area of all commercial service activities does not exceed 2% of the total net floor area for the shopping centre (when the commercial service activity is included).
3. The commercial service activity is in a building which also accommodates a general retail activity.

Activity Status when compliance not achieved: Discretionary

SCZ-R10 Food and Beverage Activities

Activity Status: Permitted

Where:

1. The business net floor area of any food and beverage activity does not exceed 350m².
2. The total net floor area of all food and beverage activities does not exceed 5% of the total net floor area for the shopping centre (when the food and beverage activity is included).
3. The food and beverage activity is in a building that also accommodates general retail activity.
4. At least 1 fixed rubbish bin is provided by each food and beverage activity.
5. Seating areas associated with food and beverage activities do not impede pedestrian use of footpaths or other pedestrian connections.

Activity Status when compliance not achieved: Discretionary

SCZ-R11 General Retail Activities

Activity Status: Permitted

Where:

1. The general retail activity occupies more than 450m² business net floor area.
2. The general retail activity occurs in an existing building.

Activity Status when compliance not achieved: Discretionary

SCZ-R12 Grocery Store

Activity Status: Permitted

Where:

1. The grocery store occupies more than 450m² business net floor area.

Activity Status when compliance not achieved: Discretionary

SCZ-R13 Service Stations

Activity Status: Permitted

Where:

1. The service station is existing at 15 July 2020.
2. Any re-development complies with SCZ-R2.

Activity Status when compliance not achieved:

With SCZ-R13.1: Non-complying

With SCZ-R13.2 Discretionary

SCZ-R14 Trade Retail

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SCZ-R15 Entertainment Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SCZ-R16 Drive-Through-Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SCZ-R17 Visitor Accommodation

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SCZ-R18 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SCZ-R19 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SCZ-R20 Rural Production Activities

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

SCZ-R21 Industrial Activities

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

SCZ-R22 Community Activities

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

SCZ-R23 Residential Activities

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

Light Industrial Zone (LIZ)

Issues

The Light Industrial Zone (LIZ) is a key driver for the District's economy, generating a significant number of employment opportunities. The Light Industrial Zone is located on the fringes of Whangārei City and larger suburban centres, and requires proximity to major transport corridors.

The Light Industrial Zone provides for industrial activities that do not generate objectionable odour, dust or noise, and trade retail activities that are compatible with industrial activities such as service stations, motor vehicle sales, garden centres, trade suppliers and hire premises. Supporting activities such as cafes and takeaway bars are also provided for. Other non-industrial activities are discouraged as a key principal of the Light Industrial Zone is to preserve land for industrial and trade retail type uses.

Industrial activities range in scale and nature. Those anticipated within the Light Industrial Zone are unlikely to give rise to significant adverse effects beyond the site and include activities such as warehousing, bulk storage, light manufacturing and servicing activities. Therefore, sensitive activities are restricted within the Light Industrial Zone and the scale, design and location of activities and buildings are managed, especially on-sites bordering Residential Zones and Open Space and Recreation Zones.

Objectives

LIZ-01 Industrial Activities

Industrial activities that are not noxious, and do not generate objectionable odour, dust or noise, establish and operate efficiently and effectively within the Light Industrial Zone.

LIZ-02 Adverse Effects

Potential adverse effects on adjacent zones and the environment are avoided, remedied or mitigated.

LIZ-03 Ancillary Activities

Ancillary activities are enabled while ensuring that industrial land supply is not compromised and that the viability and vitality of other Business Zones are maintained.

LIZ-04 Reverse Sensitivity

Avoid activities that may generate reverse sensitivity effects or that compromise the operation of future industrial activities within the Light Industrial Zone or Heavy Industrial Zone.

LIZ-05 Subdivision

The supply of large sites allotments within the Light Industrial Zone is preserved by managing inappropriate fragmentation of land from subdivision.

LIZ-06 Retail Activities

To enable larger scale trade retail within the Light Industrial Zone and limit all other retail activity.

Policies

LIZ-P1 Character and Amenity

To recognise the character and amenity values of the Light Industrial Zone including, but not limited to:

1. High levels of noise associated with traffic and commercial activities and industrial activities.
2. Large sites allotments with on-site car parking.
3. Moderate levels of exposure to noxious odour, dust or noise.
4. High levels of vehicle traffic, particularly on arterial routes and during daytime hours.
5. A low presence of active building frontages and landscaping.

LIZ-P2 Industrial Activities

To manage, and where appropriate avoid, industrial activities which have adverse effects on the surrounding environment, nearby sensitive activities or three waters infrastructure, which cannot be mitigated or remedied.

LIZ-P3 Non-Industrial Activities

To manage non-industrial activities by ensuring that they:

1. Are not likely to generate reverse sensitivity effects that constrain the establishment and operation of industrial activities.
2. Support, or are compatible with, the operation of industrial activities within the Zone.
3. Ensure that the potential establishment of future industrial activities is not compromised by the nature, scale and design of activities and buildings.
4. Do not compromise the viability and vitality of the City Centre, Waterfront, Mixed Use, Local Centre, Neighbourhood Centre and Shopping Centre Zones.

LIZ-P4 Cross Zone Boundary Effects

To manage adverse effects of industrial activities and large scale commercial activities on more sensitive zones by managing cross zone boundary effects, including through setbacks, building heights and landscaping.

LIZ-P5 Esplanade Areas

To safeguard esplanade areas and manage stormwater by limiting buildings adjacent to Mean High Water Springs and river banks.

LIZ-P6 Subdivision

To avoid the fragmentation of Light Industrial Zone land where subdivision design and layout would not facilitate industrial and trade retail type activities.

LIZ-P7 Zone Interface

To recognise the interface between the Light Industrial and Heavy Industrial Zones by managing non-industrial activities within the Light Industrial Zone to protect the viability of the Heavy Industrial Zone.

LIZ-P8 Food and Beverage Activities

To limit adverse effects of food and beverage and drive-through-facilities within the Light Industrial Zone on:

1. The viability and vitality of the City Centre, Waterfront, Mixed Use, Local Centre, Neighbourhood Centre and Shopping Centre Zones.

2. The character and amenity of adjoining Residential Zones or Open Space and Recreation Zones.

LIZ-P9 Educational Facilities

To manage non-industrial activities by providing for educational facilities within the Light Industrial Zone only where the educational facility is defined as general industry.

Rules

LIZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

LIZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules LIZ-R3 – R5.

LIZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 20m above ground level.

Activity Status when compliance not achieved: Discretionary

LIZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 2.5m from road boundaries.
 - b. 5m from Rural Production Zone, Residential Zone and Open Space and Recreation Zone boundaries.
 - c. 3m from Heavy Industrial Zone, Local Centre Zone and Mixed Use Zone boundaries.
 - d. 27m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance with rules LIZ-R4.1(a) – (c) are not achieved: Restricted Discretionary

Matters of discretion:

1. Any special or unusual characteristic of the site which is relevant to the rule.
2. The functional and operation needs of industrial activities.
3. The effects on the amenity of neighbouring sites.
4. The characteristics of the development.

Activity Status when compliance with rules LIZ-R4.1(d) is not achieved: Discretionary.

LIZ-R5 Building Height and Major Structure in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any Rural Production Zone, Residential Zone or Open Space and Recreation Zone boundary.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Any special or unusual characteristic of the site which is relevant to the rule.
2. The functional and operation needs of industrial activities.
3. The effects on the amenity of neighbouring sites.
4. The characteristics of the development.

LIZ-R6 Fences

Activity Status: Permitted

Where:

1. Fencing adjoining a Residential Zone or Open Space and Recreation Zone is not fortified with barbed wire, broken glass or any form of electrification.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion

1. Adverse effects from fortification or electrification of fences.
2. Any special or unusual characteristic of the site which is relevant to the rule.
3. The functional and operational needs of industrial activities.

LIZ-R7 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rule LIZ-R3.
 - b. Complies with rules LIZ-R4 – R5.
 - c. Is screened from view from adjacent public places and surrounding Local Centre Zone, Mixed Use Zone, Residential Zone and Open Space and Recreation Zones except that this does not apply to construction materials stored to be used on-site within 12 months each 10-year period from 15 July 2020.

Activity Status when compliance with LIZ-R7.1(b) – (c) not achieved: Restricted Discretionary

Matters of discretion

1. Effects in relation to dust and odour.
2. Visual amenity effects.
3. The matters of discretion in LIZ-R4 – R5.

Activity Status when compliance with LIZ-R7.1(a) not achieved: Discretionary

LIZ-R8 General Industry

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone, Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.
3. The activity operates within:
 - a. An outdoor area that is located at least 30m from any Rural Production Zone or Residential Zone boundary.
 - b. A building that is located at least 30m from any Rural Production Zone or Residential Zone boundary; or
 - c. A building that is located within 30m of any Rural Production Zone or Residential Zone boundary and:
 - i. Has no vehicle accessways or loading bays to or from the building on the side of the building adjacent to the Residential Zone boundary; and
 - ii. Has no main entrance to the building on the side of the building adjacent to the Residential Zone boundary; and
 - iii. Does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on adjacent Rural Production Zone, Residential Zone or Open Space and Recreation Zones.

LIZ-R9 Manufacturing

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone, Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.
3. The activity operates within:
 - a. An outdoor area that is located at least 30m from any Rural Production Zone or Residential Zone boundary.
 - b. A building that is located at least 30m from any Rural Production Zone or Residential Zone boundary; or
 - c. A building that is located within 30m of any Rural Production Zone or Residential Zone boundary and:
 - i. Has no vehicle accessways or loading bays to or from the building on the side of the building adjacent to the Residential Zone boundary; and
 - ii. Has no main entrance to the building on the side of the building adjacent to the Residential Zone boundary; and

- iii. Does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on adjacent Rural Production Zone, Residential Zone or Open Space and Recreation Zones.

LIZ-R10 Repair and Maintenance Services

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone, Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.
3. The activity operates within:
 - a. An outdoor area that is located at least 30m from any Rural Production Zone or Residential Zone boundary.
 - b. A building that is located at least 30m from any Rural Production Zone or Residential Zone boundary; or
 - c. A building that is located within 30m of any Rural Production Zone or Residential Zone boundary and:
 - i. Has no vehicle accessways or loading bays to or from the building on the side of the building adjacent to the Residential Zone boundary; and
 - ii. Has no main entrance to the building on the side of the building adjacent to the Residential Zone boundary; and
 - iii. Does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on adjacent Rural Production Zone, Residential Zone or Open Space and Recreation Zones.

LIZ-R11 Marine Industry

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone, Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.
3. The activity operates within:
 - a. An outdoor area that is located at least 30m from any Rural Production Zone or Residential Zone boundary.

- b. A building that is located at least 30m from any Rural Production Zone or Residential Zone boundary; or
- c. A building that is located within 30m of any Rural Production Zone or Residential Zone boundary and:
 - i. Has no vehicle accessways or loading bays to or from the building on the side of the building adjacent to the Residential Zone boundary; and
 - ii. Has no main entrance to the building on the side of the building adjacent to the Residential Zone boundary; and
 - iii. Does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on adjacent Rural Production Zone, Residential Zone or Open Space and Recreation Zones.

LIZ-R12 Storage

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone, Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on adjacent Rural Production Zone, Residential Zone or Open Space and Recreation Zones.

LIZ-R13 Artisan Industrial Activities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone, Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on adjacent Rural Production Zone, Residential Zone or Open Space and Recreation Zones.

LIZ-R14 Farming

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone, Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on adjacent Rural Production Zone, Residential Zone or Open Space and Recreation Zones.
2. Mitigation measures to manage reverse sensitivity effects.

LIZ-R15 Service Stations

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone, Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on adjacent Rural Production Zone, Residential Zone or Open Space and Recreation Zones.
2. Mitigation measures to manage reverse sensitivity effects.

LIZ-R16 Emergency Services

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone, Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on adjacent Rural Production Zone, Residential Zone or Open Space and Recreation Zones.
2. Mitigation measures to manage reverse sensitivity effects.

LIZ-R17 Trade Retail

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity is larger than 450m² gross floor area.

Activity Status when compliance not achieved: Discretionary

LIZ-R18 Community Corrections Activity

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone, Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.
3. Any habitable room is setback at least 30m from all adjacent Heavy Industrial Zone boundaries.
4. Any outdoor area open to staff, customers or clients that is used for the purpose of teaching, outdoor dining or informal leisure or recreation space is:
 - a. Setback at least 30m from all adjacent Heavy Industrial Zone boundaries; and
 - b. Setback at least 30m from all adjacent Light Industrial Zone sites; or
 - c. Within 30m of any Light Industrial Zone boundary and that boundary is planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m.

Compliance Standard:

1. LIZ-R18.3–4 do not apply to Heavy Industrial Zone or Light Industrial Zone boundaries adjoining a road, or any Heavy Industrial or Light Industrial Zoning within a road in accordance with HPW-R6.

Activity Status when compliance not achieved: Discretionary

LIZ-R19 General Retail

Activity Status: Permitted

Where:

1. The activity is:
 - a. An ancillary activity to an industrial activity on the site.
 - b. Less than 250m² gross floor area per site.
 - c. Located:
 - i. Within 50m of a Residential Zone boundary and does not operate and is not open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00; or
 - ii. Further than 50m from Residential Zone boundaries.

Activity Status when compliance not achieved: Non-Complying

LIZ-R20 Commercial Services

Activity Status: Permitted

Where:

1. The activity is:
 - a. An ancillary activity to a permitted activity on the site.
 - b. Less than 250m² gross floor area per site.
 - c. Located:
 - i. Within 50m of a Residential Zone boundary and does not operate and is not open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00; or
 - ii. Further than 50m from Residential Zone boundaries.

Activity Status when compliance not achieved: Discretionary

LIZ-R21 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum cumulative gross floor area of any food and beverage activity and drive-through-facilities is 250m² per site.
3. All site boundaries which are adjoining a Rural Production Zone, Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.
4. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate and is not open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00; or
 - b. Further than 50m from Residential Zone boundaries.

Activity Status when compliance not achieved with LIZ-R20.1 – 3 or LIZ-R21.1 – 3: Non-Complying

Activity Status when compliance not achieved with LIZ-R20.4 or LIZ-R21.4: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on adjacent Rural Production Zone, Residential Zone or Open Space and Recreation Zones.
2. Mitigation measures to manage reverse sensitivity effects.

LIZ-R22 Drive-Through-Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum cumulative gross floor area of any food and beverage activity and drive-through-facilities is 250m² per site.

3. All site boundaries which are adjoining a Rural Production Zone, Residential Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.
4. The activity is located:
 - a. Within 50m of a Residential Zone boundary and does not operate and is not open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00; or
 - b. Further than 50m from Residential Zone boundaries.

Activity Status when compliance not achieved with LIZ-R20.1 – 3 or LIZ-R21.1 – 3: Non-Complying

Activity Status when compliance not achieved with LIZ-R20.4 or LIZ-R21.4: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on adjacent Rural Production Zone, Residential Zone or Open Space and Recreation Zones.
2. Mitigation measures to manage reverse sensitivity effects.

LIZ-R23 Grocery Store

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LIZ-R24 Funeral Home

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LIZ-R25 Recreational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

LIZ-R26 Waste Management Facility

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

LIZ-R27 Landfill

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

LIZ-R28 Plantation Forestry

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

LIZ-R29 Intensive Livestock Farming

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

LIZ-R30 Farm Quarrying

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

LIZ-R31 Residential Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

LIZ-R32 Entertainment Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

LIZ-R33 Visitor Accommodation

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

LIZ-R34 Place of Assembly

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

LIZ-R35 Care Centre

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

LIZ-R36 Educational Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

LIZ-R37 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

LIZ-R38 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

LIZ-R39 General Community

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

PREC5 – South Whangarei Gateway Precinct (SWGP)

Issues

A range of trade suppliers, general retail and food and beverage activities are present within a portion of the Light Industrial Zone around the intersections of State Highway 1, Rewa Rewa Road and Tauroa Street, Raumanga. The South Whangārei Gateway Precinct (Gateway Precinct) recognises the established nature of these activities and the need to ensure the ongoing use and development of the land within a suitable planning framework.

Objectives

PREC5-O1 Recognised Activities

Enable the ongoing operation of trade suppliers, general retail and food and beverage activities located in the Gateway Precinct.

PREC5-O2 Protected Zones

Provide for limited expansion of general retail and food and beverage activities located in the Gateway Precinct while protecting the vitality and viability of the City Centre Zone, Mixed Use Zone and Commercial Zones.

Policies

PREC5-P1 Enabled Activities

To protect the vitality and viability of the City Centre Zone, Mixed Use Zone and Commercial Zones by:

1. Recognising the existing trade suppliers, general retail and food and beverage activities located in the Gateway Precinct.
2. Providing for limited expansion of general retail and food and beverage activities located in the Gateway Precinct.

Rules

PREC5-R1 General Retail

Activity Status: Permitted

Where:

1. The activity is:
 - a. A primary activity.
 - b. Greater than 450m² gross floor area per tenancy.

Activity Status when compliance not achieved: Discretionary

PREC5-R2 Food and Beverage

Activity Status: Permitted

Where:

1. The activity is:
 - a. A primary activity.

- b. Greater than 250m² gross floor area per tenancy.

Activity Status when compliance not achieved: Discretionary

PREC5-R3 Drive-Through-Facilities

Activity Status: Permitted

Where:

- 1. The activity is:
 - a. A primary activity.
 - b. Greater than 250m² gross floor area per tenancy.

Activity Status when compliance not achieved: Discretionary

PREC11 – Onerahi Industrial Precinct (OIP)

Issues

The Onerahi Industrial Precinct provides for small scale industrial activities, located within a constrained site and surrounded by Residential Zones. Situated at the intersection of Whangarei Heads Road and Waterside Close, the Onerahi Industrial Precinct recognises the established nature of these activities and provides for the ongoing use and development of the land within a suitable planning framework.

Objectives

PREC11-O1 Enabled Activities

The ongoing operation of manufacturing, storage, repair and maintenance services, and artisan industrial activities located in the Onerahi Industrial Precinct is enabled.

PREC11-O2 Adverse Effects

Potential adverse effects on adjacent zones and the environment are avoided, remedied or mitigated.

Policies

PREC11-P1 Enabled Activities

To avoid expansion of industrial activities and rezoning of Light Industrial Zone beyond the Onerahi Industrial Precinct, while providing for efficient use of the existing resources and the on-going operation of existing activities within the Precinct.

PREC11-P2 Adverse Effects

To ensure adverse effects on the surrounding environment and Residential Zones are no more than minor by:

1. Limiting industrial activities to manufacturing, repair and maintenance services and storage only.
2. Avoiding noxious activities.
3. Requiring landscaping and the orientation of buildings to road frontage,
4. Limiting the hours of operation.
5. Avoiding, remedying or mitigating adverse effects of traffic movements to and from the Precinct, including effects on the safety and efficiency of the transport network and on streetscape amenity.

Rules

PREC11-R1 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 8m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on adjacent Residential Zones.
2. Effects on amenity of adjoining sites.
3. The extent to which visual dominance effects are minimised.

PREC11-R2 Manufacturing

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All Onerahi Industrial Precinct boundaries are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except:
 - a. Along the boundary adjoining Waterside Close; and
 - b. Any portion of the boundary identified in PREC11 Appendix 1 as the Landscaping Exclusion Area; and
 - c. Within 5m of a road boundary where the maximum height of the trees and shrubs is 1.2m above ground level.
3. The activity is located
 - a. At least 30m from all Residential Zone boundaries; or
 - b. Within 30m of any Residential Zone boundary and does not operate and is not open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00.
4. All buildings associated with the activity that are located within 30m of any Residential Zone boundary have no heavy vehicle access ways or loading bays to or from the building on the side of the building adjacent to the Residential Zone boundary.
5. The activities do not cumulatively generate more than 200 traffic movements in any 24-hour period.

Activity Status when compliance not achieved: Discretionary

PREC11-R3 Repair and Maintenance Services

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All Onerahi Industrial Precinct boundaries are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except:
 - a. Along the boundary adjoining Waterside Close; and
 - b. Any portion of the boundary identified in PREC11 Appendix 1 as the Landscaping Exclusion Area; and
 - c. Within 5m of a road boundary where the maximum height of the trees and shrubs is 1.2m above ground level.
3. The activity is located
 - a. At least 30m from all Residential Zone boundaries; or
 - b. Within 30m of any Residential Zone boundary and does not operate and is not open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00.
4. All buildings associated with the activity that are located within 30m of any Residential Zone boundary have no heavy vehicle access ways or loading bays to or from the building on the side of the building adjacent to the Residential Zone boundary.

5. The activities do not cumulatively generate more than 200 traffic movements in any 24-hour period.

Activity Status when compliance not achieved: Discretionary

PREC11-R4 Storage

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All Onerahi Industrial Precinct boundaries are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except:
 - a. Along the boundary adjoining Waterside Close; and
 - b. Any portion of the boundary identified in PREC11 Appendix 1 as the Landscaping Exclusion Area; and
 - c. Within 5m of a road boundary where the maximum height of the trees and shrubs is 1.2m above ground level.
3. The activity is located
 - a. At least 30m from all Residential Zone boundaries; or
 - b. Within 30m of any Residential Zone boundary and does not operate and is not open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00.
4. All buildings associated with the activity that are located within 30m of any Residential Zone boundary have no heavy vehicle access ways or loading bays to or from the building on the side of the building adjacent to the Residential Zone boundary.
5. The activities do not cumulatively generate more than 200 traffic movements in any 24-hour period.

Activity Status when compliance not achieved: Discretionary

PREC11-R5 Artisan Industrial Activities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All Onerahi Industrial Precinct boundaries are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except:
 - a. Along the boundary adjoining Waterside Close; and
 - b. Any portion of the boundary identified in PREC11 Appendix 1 as the Landscaping Exclusion Area; and
 - c. Within 5m of a road boundary where the maximum height of the trees and shrubs is 1.2m above ground level.
3. The activity is located
 - a. At least 30m from all Residential Zone boundaries; or
 - b. Within 30m of any Residential Zone boundary and does not operate and is not open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00.
4. All buildings associated with the activity that are located within 30m of any Residential Zone boundary have no heavy vehicle access ways or loading bays to or from the building on the side of the building adjacent to the Residential Zone boundary.

5. The activities do not cumulatively generate more than 200 traffic movements in any 24-hour period.

Activity Status when compliance not achieved: Discretionary

PREC11-R6 Trade Retail

Activity Status: Permitted

Where:

1. The activity is:
 - a. An ancillary activity to an industrial activity on the site.
 - b. Less than 150m² gross floor area per site.
 - c. Located:
 - i. Within 30m of a Residential Zone boundary and does not operate and is not open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00; or
 - ii. Further than 30m from Residential Zone boundaries.
2. The total cumulative gross floor area of all trade retail, general retail and commercial services is less than 450m².

Activity Status when compliance not achieved: Non-Complying

PREC11-R7 General Retail

Activity Status: Permitted

Where:

1. The activity is:
 - a. An ancillary activity to an industrial activity on the site.
 - b. Less than 150m² gross floor area per site.
 - c. Located:
 - i. Within 30m of a Residential Zone boundary and does not operate and is not open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00; or
 - ii. Further than 30m from Residential Zone boundaries.
2. The total cumulative gross floor area of all trade retail, general retail and commercial services is less than 450m².

Activity Status when compliance not achieved: Non-Complying

PREC11-R8 Commercial Services

Activity Status: Permitted

Where:

1. The activity is:
 - a. An ancillary activity to an industrial activity on the site.
 - b. Less than 150m² gross floor area per site.
 - c. Located:

- i. Within 30m of a Residential Zone boundary and does not operate and is not open for visitors, clients, deliveries or servicing outside the hours of 06:00 and 18:00; or
 - ii. Further than 30m from Residential Zone boundaries.
2. The total cumulative gross floor area of all trade retail, general retail and commercial services is less than 450m².

Activity Status when compliance not achieved: Non-Complying

PREC11-R9 Marine Industry

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PREC11-R10 Farming

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC11-R11 Service Stations

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC11-R12 Emergency Services

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC11-R13 Food and Beverage Activity

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC11-R14 Drive-Through-Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC11-R15 Grocery Store

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC11-R16 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC11-R17 Recreational Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC11-R18 General Industry

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC11 Appendix 1 – Onerahi Industrial Precinct Landscaping Exclusion Area

The portion of the Onerahi Industrial Precinct boundary identified in the image below by the red line as the “Landscaping Exclusion Area” is exempt from the landscaping requirements under PREC11-R2.2 – R5.2.



Figure PREC11 1. Onerahi Industrial Precinct Landscaping Exclusion Area

PREC14 – MARSDEN TECHNOLOGY PARK PRECINCT (MTPP)

Issues

The Marsden Technology Park Precinct (MTPP) enables a range of activities focused on digital, technology, innovation and research-based activities. The Marsden Technology Park Precinct is located on the corner of the State Highway and McCathie Road, in proximity to the Hawaiki fibre optic cable linking Australia, New Zealand, American Samoa, Hawaii and the US West Coast. The Marsden Technology Park Precinct is not intended to be a customer-based destination; instead it provides for limited food and beverage activities, recreational facilities and care centres to support staff engaged on-site.

Objectives

PREC14–O1 Encouraged Activities

Encourage the establishment and growth of a range of businesses that promote knowledge creation, innovation and entrepreneurship in the fields of industry, research and development, science, engineering and technology.

PREC14-O2 Supporting Activities

Provide for limited food and beverage activities, recreational facilities and care centres to support the day-to-day activities of staff within the Marsden Technology Park Precinct.

PREC14-O3 Reverse sensitivity

Ensure that any sensitive activities do not compromise the operation of commercial activities and industrial activities enabled under the Marsden Technology Park Precinct.

PREC14-O4 Amenity Values

Achieve a high level of amenity for employees, and manage adverse effects on the amenity values of the surrounding environment.

PREC14-O5 State Highway Sight Distances

Appropriate sight distances are maintained from the McCathie Road and State Highway intersection.

PREC14–O6 Wastewater Infrastructure

Adverse effects on the reticulated wastewater network are minimised.

Policies

PREC14-P1 Encouraged Activities

To encourage activities that achieve MTPP-O1, with those activities permitted or otherwise managed according to potential effects on internal amenity and reverse sensitivity.

PREC14-P2 Internal Amenity

To achieve a high level of amenity for the Marsden Technology Park Precinct employees by incorporating pedestrian connectivity, landscape planting and open space within the overall Marsden Technology Park Precinct layout and design.

PREC14-P3 Reverse sensitivity

Avoid, or where avoidance is not possible manage, activities that may result in reverse sensitivity effects that compromise existing and future industrial activities within the Marsden Technology Park Precinct.

PREC14-P4 Discouraged Activities

To avoid adverse effects on the Town Centre Zone and Local Centre Zones by limiting the development of commercial activities and retail activities and avoiding the establishment of a destination based commercial area which caters primarily to customers and visitors within the Marsden Technology Park Precinct.

PREC14-P5 State Highway Sight Distances

To manage adverse effects on safety, efficiency, effectiveness and accessibility of the State Highway by ensuring appropriate sight distances are provided to the State Highway and McCathie Road Intersection.

PREC14-P6 Wastewater Infrastructure

To ensure that subdivision, land use and development can be accommodated by the reticulated wastewater supply network by:

Either:

1. Ensuring that sufficient capacity exists within the reticulated wastewater network to accommodate the proposed development; or
2. Requiring any upgrades which are needed to service the development.
3. Requiring wastewater flows to be measured by automated flow meters.

Rules

PREC14-R1 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures:
 - a. Comply with LIZ-R4.
 - b. Are setback at least 10m from the Marsden Technology Park Precinct Sight Line Set Back identified in PREC14 Appendix 1.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Any special or unusual characteristic of the site which is relevant to the rule.
2. The functional and operation needs of industrial activities.
3. The effects on the amenity of neighbouring sites.
4. The characteristics of the development.
5. Effects on the sustainability, safety, efficiency, visibility, effectiveness and accessibility of the immediately adjacent transport network.
6. Outcomes of consultation with Waka Kotahi (or its successor).

PREC14-R2 Fences

Activity Status: Permitted

Where:

1. The fence complies with LIZ-R6.
2. The fence is set back at least 10m from the Marsden Technology Park Precinct Sight Line Set Back identified in PREC14 Appendix 1.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Adverse effects from fortification or electrification of fences.
2. Any special or unusual characteristic of the site which is relevant to the rule.
3. The functional and operation needs of industrial activities.
4. The effects on the amenity of neighbouring sites.
5. The characteristics of the development.
6. Effects on the sustainability, safety, efficiency, effectiveness, visibility and accessibility of the immediately adjacent transport network.
7. Outcomes of consultation with Waka Kotahi (or its successor).

PREC14-R3 Marsden Technology Park Industrial Activity

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

PREC14-R4 Any Activity

Activity Status: Permitted ~~Restricted Discretionary~~

Where:

1. All wastewater generated by the activity is discharged to a public reticulated wastewater network, excluding any greywater which may be reused or recycled on-site.
2. The maximum volume of wastewater discharged from all activities in PREC14 to the public reticulated wastewater network shall not exceed a flow of 12.8 litres per second.

Matters of discretion:

1. Effects on the existing reticulated wastewater network.
2. The capacity of the existing reticulated wastewater network and whether the servicing needs of the proposal require upgrades to existing infrastructure.
3. The efficient provision of services to the land being subdivided and to nearby land that might be subdivided in the future.

Notes:

1. Any application shall comply with information requirement rule PREC14-REQ1.
2. All relevant District-Wide, Light Industrial and PREC14 provisions apply in addition to PREC14-R4.
3. Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Whangārei District Council Engineering Standards.

Activity Status when compliance not achieved: Discretionary

PREC14-R5 New Connection to a Public Reticulated Wastewater Network

Activity Status: Controlled

Matters of control:

1. Methods to measure wastewater discharge flows from PREC14.
2. Methods of on-going review, monitoring and reporting of wastewater discharge flows from PREC14.

Note:

1. Approval to connect to a public reticulated wastewater network shall be required for each new connection serving PREC14 under Whangārei District Council Bylaws.

PREC14-R6 Recreational Facility

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not involve care for the elderly.
3. Food and beverage activities do not exceed 200m² gross floor area per tenancy.

Activity Status when compliance not achieved: Non-Complying

PREC14-R7 Care Centre

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not involve care for the elderly.
3. Food and beverage activities do not exceed 200m² gross floor area per tenancy.

Activity Status when compliance not achieved: Non-Complying

PREC14-R8 Food and Beverage Activity

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. The activity does not involve care for the elderly.
3. Food and beverage activities do not exceed 200m² gross floor area per tenancy.

Activity Status when compliance not achieved: Non-Complying

PREC14-R9 Repair and Maintenance Services

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC14-R10 Manufacturing

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC14-R11 Marine Industrial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC14-R12 Storage

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC14-R13 Artisan Industrial Activity

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC14-R14 Trade Retail

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC14-R15 Service Station

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC14-R16 Emergency Service

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC14-R17 Community Correction Activity

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC14-R18 Grocery Store

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC14-R19 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC14-R20 Drive-Through-Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PREC14-R21 General Retail

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Information Requirement Rules

PREC14-REQ1 Connection to Public Reticulated Wastewater Network

1. Any application under rule PREC14-R4.2 must include an assessment detailing:
 - a. Provision made for connections to the public reticulated wastewater network.
 - b. Confirmation from Council that sufficient capacity exists within the public reticulated wastewater network to service the proposed development.
 - c. Any upgrades and/or extensions to existing public reticulated wastewater infrastructure that are proposed or necessary.
 - d. Where insufficient capacity exists within the reticulated wastewater network:
 - i. Upgrades proposed by the developer that are necessary to increase network capacity to accommodate the development; or
 - ii. The proposed timing and staging of development to ensure that it is coordinated with any planned Long Term Plan upgrades identified by Council which will provide adequate capacity.
 - e. Land and infrastructure to be vested in the Council.

PREC14 Appendix 1 - Marsden Technology Park Precinct Sight Line Set Back

The black line below identifies the Sight Line Setback from the McCathie Road and State Highway Intersection where PREC14-R1.1(b) and PREC14-R2.2 apply.



Figure PRE14 1. Marsden Technology Park Precinct Sight Line Set Back

Heavy Industrial Zone (HIZ)

Issues

The Heavy Industrial Zone (HIZ) provides for large scale industrial activities which contribute to the economic wellbeing of Whangārei District and the wider Northland Region. Industrial activities in the Heavy Industrial Zone generally require large sites allotments with few constraints, access to freight routes, separation from sensitive land uses, and protection from the development of sensitive activities and other non-industrial land uses.

Industrial activities often produce objectionable odour, dust and noise emissions, and use, store or produce hazardous materials. Consequently, the Heavy Industrial Zone has a lower level of amenity when compared to other zones and often comprises large buildings, stockpiles of materials, fenced concreted yards and restricted public access to sites.

The Heavy Industrial Zone is and should continue to be located away from more sensitive zones such as Residential Zones and Open Space and Recreation Zones, to ensure that adverse effects on sensitive activities are minimised, as well as to prevent reverse sensitivity and increased risk effects that may limit the operation and expansion of industrial activities. To support this approach, it is critical to protect industrial activities from the encroaching development of sensitive activities.

Industrial activities have potential adverse effects on the environment that must be managed.

These activities should not be located in significant natural, cultural or historic areas, or the coastal environment unless they have a functional or operational need to do so (such as ports).

While industrial activities are the primary focus within the Heavy Industrial Zone, it also provides for ancillary activities which are inherently a part of industrial activities, such as small scale food and beverage activities and offices and retail activities, but only to the extent that they are required to facilitate the operation of industrial activities. The Heavy Industrial Zone also provides for research laboratories used for scientific, industrial or medical research, and training facilities for an industrial activities.

Objectives

HIZ-01 Effective and Efficient Functioning

Industrial activities, particularly those which are noxious or generate objectionable odour, dust or noise, function effectively and efficiently without constraint from non-compatible activities.

HIZ-02 Adverse Effects

Adverse effects on the natural environment and amenity of adjacent zones, excluding the Light Industrial Zone, are managed.

HIZ-03 Ancillary Activities

Ancillary activities are controlled to ensure that industrial land supply is not compromised.

HIZ-04 Reverse Sensitivity

Activities that may compromise the operation of industrial activities or generate reverse sensitivity or increased risk effects, are avoided within the Heavy Industrial Zone.

HIZ-05 Subdivision

The supply of large sites allotments within the Heavy Industrial Zone is preserved for industrial activities, particularly those which are noxious or generate objectionable odour, dust or noise.

HIZ-O6 Research and Training

Recognise the relationship of industrial activities with research laboratories used for scientific, industrial or medical research with training.

Policies

HIZ-P1 Character and Amenity

To recognise and maintain the character and amenity values of the Heavy Industrial Zone including, but not limited to:

1. High levels of noise.
2. Large site allotment sizes, often with restricted public access.
3. Moderate to high levels of exposure to potential nuisances such as odour and other air emissions.
4. High levels of heavy traffic, particularly on arterial routes and during daytime hours.
5. A low presence of active building frontages and landscaping.

HIZ-P2 Industrial Activities

To enable industrial activities, particularly those which are noxious or generate objectionable odour, dust or noise to locate and operate in the Heavy Industrial Zone without constraint from other activities.

HIZ-P3 Non-Industrial Activities

To avoid non-industrial activities, including sensitive activities, except for activities that:

1. Are ancillary activities to the operation of industrial activities within the Zone, and are necessary to be located as part of the industrial activity.
2. Do not undermine the integrity of other Business Zones.
3. Do not generate reverse sensitivity or increased risk effects.
4. Do not have the potential to hinder or constrain the establishment, operation, and/or expansion of activities otherwise anticipated within the Heavy Industrial Zone.

HIZ-P4 Surrounding Environment

To manage the visual effects on the surrounding environment by limiting building height and requiring setbacks and landscaping, while recognising the functional and operational needs of industrial activities.

HIZ-P5 Esplanade Areas

To safeguard esplanade areas and manage stormwater by limiting buildings adjacent to Mean High Water Springs and river banks.

HIZ-P6 Subdivision

To avoid the fragmentation of Heavy Industrial Zone land where subdivision design and layout would not facilitate industrial activities.

HIZ-P7 Research and Training

To provide for research laboratories used for scientific, industrial or medical research, and training facilities where they are designed, located and managed to operate symbiotically with industrial activities.

Rules

HIZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

HIZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules HIZ-R3 – R4.

HIZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is:
 - a. 20m above ground level; or
 - b. 35m above ground level provided that no more than 25% of the net site area is occupied by buildings and major structures that exceed 20m above ground level.

Activity Status when compliance not achieved: Discretionary

HIZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 4.5m from road boundaries.
 - b. 3m from any Light Industrial Zone boundary.
 - c. 20m from any Rural Production Zone or Open Space and Recreation Zone boundary.
 - d. 27m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance with rule HIZ-R4.1(a) – (c) not achieved: Restricted Discretionary
 Matters of discretion:

1. Any special or unusual characteristic of the site which is relevant to the rule.
2. The functional and operational needs of industrial activities.
3. The effects on the amenity of neighbouring sites.
4. The characteristics of the development.

Activity Status when compliance with rule HIZ-R4.1(d) not achieved: Discretionary

HIZ-R5 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rule HIZ-R3.
 - b. Complies with rule HIZ-R4.
 - c. Is screened from view from adjacent public places and surrounding sites, except that this does not apply to construction materials stored to be used on-site within 12 months each 10-year period from 15 July 2020.
2. Vessels and masts associated with marine industry activities are excluded from HIZ-R5.

Activity Status when compliance with HIZ-R5.1 (b) – (c) not achieved: Restricted Discretionary
Matters of discretion

1. Effects in relation to dust and odour.
2. Visual amenity effects.
3. The matters of discretion in HIZ-R4.

Activity Status when compliance not achieved with HIZ-R5.1 (a) not achieved: Discretionary

HIZ-R6 Farming

Activity Status: Permitted

HIZ-R7 Waste Management Facility

Activity Status: Permitted

HIZ-R8 Landfill

Activity Status: Permitted

HIZ-R9 General Industry

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Cumulative effects resulting from the fragmentation of land suitable for large scale industrial activities.
2. Mitigation measures to manage adverse effects on adjacent Rural Production Zone or Open Space and Recreation Zones.

HIZ-R10 Manufacturing

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Cumulative effects resulting from the fragmentation of land suitable for large scale industrial activities.
2. Mitigation measures to manage adverse effects on adjacent Rural Production Zone or Open Space and Recreation Zones.

HIZ-R11 Repair and Maintenance Services

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Cumulative effects resulting from the fragmentation of land suitable for large scale industrial activities.
2. Mitigation measures to manage adverse effects on adjacent Rural Production Zone or Open Space and Recreation Zones.

HIZ-R12 Marine Industry

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. All site boundaries which are adjoining a Rural Production Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Cumulative effects resulting from the fragmentation of land suitable for large scale industrial activities.

2. Mitigation measures to manage adverse effects on adjacent Rural Production Zone or Open Space and Recreation Zones.

HIZ-R13 Storage

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The individual activity has a business net floor area greater than 1,000m².
3. All site boundaries which are adjoining a Rural Production Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects resulting from the fragmentation of land suitable for large scale industrial activities, including consideration of:
 - a. The ability to relocate the activity and/or building.
 - b. The duration of the activity.
 - c. The nature of the activity.
 - d. The size and location of the activity.
 - e. Any cumulative effects.
2. Mitigation measures to manage adverse effects on adjacent Rural Production Zone, Residential Zone or Open Space and Recreation Zones.

HIZ-R14 Artisan Industrial Activities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The individual activity has a business net floor area greater than 1,000m².
3. All site boundaries which are adjoining a Rural Production Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects resulting from the fragmentation of land suitable for large scale industrial activities, including consideration of:
 - a. The ability to relocate the activity and/or building.
 - b. The duration of the activity.
 - c. The nature of the activity.
 - d. The size and location of the activity.
 - e. Any cumulative effects.
2. Mitigation measures to manage adverse effects on adjacent Rural Production Zone, Residential Zone or Open Space and Recreation Zones.

HIZ-R15 Trade Retail

Activity Status: Permitted

Where:

1. The activity is:
 - a. An ancillary activity to an industrial activity on the site.
 - b. Less than 150m² gross floor area per site, except that this clause does not apply to office activities ancillary to an industrial activity.

Activity Status when compliance not achieved: Non-Complying

HIZ-R16 General Retail

Activity Status: Permitted

Where:

1. The activity is:
 - a. An ancillary activity to an industrial activity on the site.
 - b. Less than 150m² gross floor area per site, except that this clause does not apply to office activities ancillary to an industrial activity.

Activity Status when compliance not achieved: Non-Complying

HIZ-R17 Commercial Services

Activity Status: Permitted

Where:

1. The activity is:
 - a. An ancillary activity to an industrial activity on the site.
 - b. Less than 150m² gross floor area per site, except that this clause does not apply to office activities ancillary to an industrial activity.

Activity Status when compliance not achieved: Non-Complying

HIZ-R18 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. The maximum gross floor area is 150m² per site.
3. The activity is not operated or open for visitors, clients, deliveries or servicing outside the hours of 07:00 and 16:00.
4. All site boundaries which are adjoining a Rural Production Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved: Discretionary

HIZ-R19 Service Stations

Activity Status: Permitted

Where:

1. The retail from a service station does not exceed 50m² gross floor area, excluding the retail of petrol.
2. All site boundaries which are adjoining a Rural Production Zone or Open Space and Recreation Zone are planted with trees or shrubs to a minimum height of 1.8m above ground level and a minimum depth of 2m, except within 5m of a road boundary where the maximum height is 1.2m above ground level.

Activity Status when compliance not achieved with HIZ-R19.1: Non-Complying

Activity Status when compliance not achieved with HIZ-R19.2: Restricted Discretionary

Matters of discretion:

1. Mitigation measures to manage adverse effects on adjacent Rural Production Zone or Open Space and Recreation Zones.

HIZ-R20 General Public Amenities

Activity Status: Restricted Discretionary

Matters of discretion:

1. Reverse sensitivity effects on neighbouring industrial activities.
2. Purpose of the general public amenity and the length of use and the health and safety of the public.
3. Mitigation measures to manage adverse effects.

HIZ-R21 Emergency Services

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

HIZ-R22 Plantation Forestry

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. *Training facilities for an industrial activity are defined as general industry.*

HIZ-R23 Intensive Livestock Farming

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. *Training facilities for an industrial activity are defined as general industry.*

HIZ-R24 Farm Quarrying

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

HIZ-R25 Residential Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

HIZ-R26 Drive-Through-Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

HIZ-R27 Grocery Store

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

HIZ-R28 Entertainment Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

HIZ-R29 Visitor Accommodation

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

HIZ-R30 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

HIZ-R31 Place of Assembly

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

HIZ-R32 Recreational Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

HIZ-R33 Care Centre

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

HIZ-R34 Educational Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

HIZ-R35 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

HIZ-R36 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

HIZ-R37 General Community

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Note:

1. Training facilities for an industrial activity are defined as general industry.

PREC6 – Marsden Point Energy Precinct (MPEP)

Issues

The Marsden Point Energy Precinct (MPEP) applies to the land associated with the Marsden Point Refinery, which is identified as regionally significant infrastructure. The Marsden Point Energy Precinct permits all activities that are related to the current and reasonably foreseeable future function of the refinery site. Thus, in addition to the day-to-day running of the refinery, the Marsden Point Energy Precinct provides for the needs of staff and visitors, as well as people and communities in the District, including by adapting to changing technological, operational, economic, environmental and social conditions.

Objectives

PREC6-O1 Regional Significance

Recognise and provide for the Marsden Point Refinery as regionally significant infrastructure.

Policies

PREC6-P1 Refinery Functioning

To enable the operation, maintenance and upgrading of the Marsden Point Refinery by providing for a range of activities associated with the production, import, refining and/or distribution of energy products.

Rules

PREC6-R1 Refinery Activities

Activity Status: Permitted

PREC6-R2 Building and Major Structure Setbacks

Activity Status: Permitted

PREC6-R3 Building Height

Activity Status: Permitted

Where:

1. All buildings shall comply with HIZ-R3.

PREC6-R4 Major Structure Height

Activity Status: Permitted

Where:

1. The major structure exists at 15 July 2020 and following the alteration or replacement works, its height is not materially increased; or
2. The maximum major structure height is:
 - a. 20m above ground level; or
 - b. 40m above ground level provided that no more than 25% of the net site area is occupied by buildings and major structure that exceed 20m above ground level; or
3. The construction of up to three additional columns to those existing at 15 July 2020 are constructed to a maximum height of 56m above ground level; or

4. The construction of one additional furnace stack to that existing at 15 July 2020 is constructed to a maximum height of 75m above ground level; or
5. The alteration or replacement of the flare stack that exists at 15 July 2020 does not exceed a maximum height of 130m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The effects of the bulk and location of the building or structure.
2. The effects on Cultural Values, High or Outstanding Natural Character, Outstanding Natural Landscapes and Outstanding Natural Features.
3. The operational and safety requirements for the structure.

PREC6-R5 Boundary Landscaping

Activity Status: Permitted

Note:

1. *This means that no activity within PREC6 shall require boundary landscaping.*

PREC6-R6 Lighting: Artificial Lighting Associated with Refinery Activities

Activity Status: Permitted

PREC7 – Bream Bay Marine Science and Research Precinct (BBMSRP)

Issues

The Bream Bay Marine Science and Research Precinct (BBMSRP) applies to the land associated with the Northland Marine and Research Centre, a specialist hub for aquaculture, including its commercialisation, marine science and marine research activities located in Bream Bay, Northland. The Centre has a functional and operational need to be located in and adjacent to the coastal environment.

The BBMSRP permits all activities related to the primary function of the site including aquaculture / marine science research and commercialisation activities, laboratories, diving and training. In addition to the day-to-day running of the facility, the BBMSRP provides for the needs of staff and visitors to the site.

Objectives

PREC7-O1 Significance of Facility

Recognise and provide for the Northland Marine and Research Centre as a nationally significant facility in the marine science and aquaculture industry.

Policies

PREC7-P1 Marine and Research Centre

To enable the operation, maintenance, development and upgrading of the Northland Marine and Research Centre by providing for activities which are related to the primary function of the site.

PREC7-P2 Research and Commercialisation

To provide for the commercialisation of aquaculture and marine science as part of functioning of the Bream Bay Marine Science and Research Precinct.

Rules

PREC7-R1 Any Activity

Activity Status: Permitted

Where:

1. The activity complies with rules HIZ-R1, HIZ-R6 – R8, or HIZ-R9 – R14 except the following:
 - a. HIZ-R9 – R12.2.
 - b. HIZ-R13 and HIZ-R14.2 – 3.

PREC7-R2 Ancillary Activities

Activity Status: Permitted

Where:

1. The activity is ancillary to a primary activity that is permitted in accordance with rules HIZ-R1, HIZ-R6 – R8, or HIZ-R9 – R14.

PREC7-R3 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least 3m from site boundaries.

Natural Open Space Zone (NOSZ)

Issues

The Natural Open Space Zone (NOSZ) identifies areas of open space land primarily managed for the conservation and protection of natural resources. The land is generally in Council or Department of Conservation ownership. Examples of such land include: bush reserves, headlands, natural wetlands and parts of the coastline. The Natural Open Space Zone provides for the natural, ecological, landscape, cultural and heritage values of these open spaces.

Identifying these areas helps to preserve and define Whangārei's natural character and provides a connection to our natural heritage. These open spaces play a special role in educating residents and visitors and providing recreational opportunities. Often the natural elements and unmodified nature of these areas gives them a sense of wilderness and isolation.

The Natural Open Space Zone consists of the following New Zealand Reserve Association Park Categories:

- Unmanaged natural park areas.
- Unmanaged recreation and ecological linkages.
- Unmanaged green space.

The Natural Open Space Zone often has high ecological/biodiversity values and it is therefore appropriate to limit the scale and intensity of activities and development to ensure there are minimal adverse effects and as little modification to the environment as possible.

The Natural Open Space Zone is characterised by minimal buildings and structures, largely undeveloped areas and open expanses of land. Land may have limited public access and infrastructure such as car parks, walking tracks and camp grounds.

Where buildings and improvements are proposed, they should generally relate to conservation and land management, recreation, education, and visitor information. The Natural Open Space Zone seeks to achieve a high quality built form and signage that responds to the surrounding natural environment resulting in an attractive and vibrant area for residents and visitors. Commercial activities are restricted in the Natural Open Space Zone to protect the high-quality amenity values of the natural environment.

Objectives

NOSZ-01 Natural Environment

Protect and enhance the natural, ecological, landscape, cultural and heritage values of the Natural Open Space Zone.

NOSZ-02 Activities and Buildings

Buildings associated with recreational, educational, cultural and conservation activities, complement and do not compromise the values and qualities of the Natural Open Space Zone.

NOSZ-03 Kauri Dieback Disease

Avoid the spread of plant pathogens including *Phytophthora Agathidicida* (Kauri Dieback Disease).

Policies

NOSZ-P1 Open Spaces

To identify and protect open spaces that are managed primarily for conservation and have high natural, ecological, landscape, cultural and heritage values.

NOSZ-P2 Adverse Effects

To manage adverse effects on the values and qualities of the Natural Open Space Zone by limiting the use, location, scale, and design of buildings.

NOSZ-P3 Enable Appropriate Structures

To enable structures and platforms in appropriate locations to enhance visitors understanding and experience of natural, cultural and heritage values.

NOSZ-P4 Limiting Inappropriate Activities

To avoid, remedy and mitigate adverse effects on the values and qualities of the Natural Open Space Zone by managing the scale and nature of activities.

NOSZ-P5 Manage Activities

To avoid adverse effects on amenity and character of the Natural Open Space Zone by managing activities to ensure that they support ongoing conservation.

NOSZ-P6 Subdivision

To avoid the fragmentation of Natural Open Space Zone land where subdivision would not protect high natural, ecological, landscape, cultural and heritage values.

NOSZ-P7 Subdivision Design and Layout

To protect the natural, cultural and heritage values of the Natural Open Space Zone by managing the design and layout of subdivision.

NOSZ-P8 Kauri Dieback Disease

To discourage vegetation clearance within the vicinity of New Zealand Kauri tree (*Agathis Australis*) and to ensure that vegetation clearance is undertaken in a way to avoid the spread of plant pathogens including *Phytophthora Agathidicida* (Kauri Dieback Disease).

Rules

NOSZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

NOSZ-R2 Any Activity

Activity Status: Permitted

Where:

1. The activity is in accordance with Section 4(3) of the Resource Management Act 1991.

NOSZ-R3 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules NOSZ-R4 – R7.

NOSZ-R4 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 5.5m above ground level.

Activity Status when compliance not achieved: Discretionary

NOSZ-R5 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures comply with the minimum building and major structure setback rule of the adjoining zone closest to the building or major structure.
3. All buildings and major structures are set back at least 27m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).
4. Except that artificial lighting poles not exceeding 5.5m in height are exempt from compliance with NOSZ-R5(2).

Rule Exemption:

1. NOSZ-R5.1 does not apply where the adjoining zone is an Open Space and Recreation Zone.

Activity Status when compliance not achieved: Discretionary

NOSZ-R6 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures comply with the minimum height in relation to boundary rule of the adjoining zone closest to the building or major structure.

Rule Exemption:

1. NOSZ-R6 does not apply where the adjoining zone is an Open Space and Recreation Zone.

Activity Status when compliance not achieved: Discretionary

NOSZ-R7 Building Gross Floor Area

Activity Status: Permitted

Where:

1. The maximum gross floor area of any building is 50m².
2. The total cumulative gross floor area of all buildings is no more than 15% of the site area.

Activity Status when compliance not achieved: Discretionary

NOSZ-R8 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rules NOSZ -R4 – R7.
 - b. Is screened from view from adjacent public places and surrounding Local Centre Zone, Mixed Use Zone, Residential Zone or Open Space and Recreation Zones, except for construction materials to be used on-site for a maximum period of 12 months within each 10-year period from 15 July 2020.

Activity Status when compliance not achieved: Discretionary

NOSZ-R9 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of indigenous vegetation:
 - a. Does not exceed 250m² per site within each 10-year period from 15 July 2020.
 - b. Is not undertaken within 20m of a water body.
 - c. Do not occur within three times the maximum radius of the canopy dripline of a New Zealand Kauri tree (*Agathis Australis*). OR
2. The clearance of indigenous vegetation is associated with:
 - a. Routine maintenance within 7.5m of the eaves of existing buildings:
 - i. Including the removal of any tree where any part of the trunk is within the 7.5m distance.
 - ii. Excluding damage to the roots or removal of any tree where the trunk is outside the 7.5m distance.
 - b. Operation, maintenance and repair of existing tracks, lawns, gardens, fences, drains, drainage infrastructure, new walking tracks and other lawfully established activities. Except that no indigenous vegetation clearance shall occur within three times the maximum radius of the canopy dripline of a New Zealand Kauri tree (*Agathis Australis*).
 - c. Pest plant removal and biosecurity works.
 - d. Vegetation removal for customary rights.
 - e. Conservation planting, including planting for ecological restoration purposes.

Note:

1. See the *TREE Chapter* for rules relating to Notable Trees.

Activity Status when compliance not achieved: Discretionary

NOSZ-R10 Farming

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R11 Residential Unit

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. Any combination of activities listed in rules NOSZ-R11 to NOSZ-R19 have:
 - a. A cumulative gross floor area of less than 300m² per site.
 - b. A cumulative outdoor area less than 500m².

Activity Status when compliance not achieved: Non-Complying

NOSZ-R12 General Retail

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. Any combination of activities listed in rules NOSZ-R11 to NOSZ-R19 have:
 - a. A cumulative gross floor area of less than 300m² per site.
 - b. A cumulative outdoor area less than 500m².

Activity Status when compliance not achieved: Non-Complying

NOSZ-R13 Commercial Services

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. Any combination of activities listed in rules NOSZ-R11 to NOSZ-R19 have:
 - a. A cumulative gross floor area of less than 300m² per site.
 - b. A cumulative outdoor area less than 500m².

Activity Status when compliance not achieved: Non-Complying

NOSZ-R14 Food and Beverage Activity

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. Any combination of activities listed in rules NOSZ-R11 to NOSZ-R19 have:
 - a. A cumulative gross floor area of less than 300m² per site.
 - b. A cumulative outdoor area less than 500m².

Activity Status when compliance not achieved: Non-Complying

NOSZ-R15 Visitor Accommodation

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. Any combination of activities listed in rules NOSZ-R11 to NOSZ-R19 have:
 - a. A cumulative gross floor area of less than 300m² per site.
 - b. A cumulative outdoor area less than 500m².

Activity Status when compliance not achieved: Non-Complying

NOSZ-R16 Place of Assembly

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. Any combination of activities listed in rules NOSZ-R11 to NOSZ-R19 have:
 - a. A cumulative gross floor area of less than 300m² per site.
 - b. A cumulative outdoor area less than 500m².

Activity Status when compliance not achieved: Non-Complying

NOSZ-R17 Recreational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. Any combination of activities listed in rules NOSZ-R11 to NOSZ-R19 have:
 - a. A cumulative gross floor area of less than 300m² per site.
 - b. A cumulative outdoor area less than 500m².

Activity Status when compliance not achieved: Non-Complying

NOSZ-R18 Educational Facility

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. Any combination of activities listed in rules NOSZ-R11 to NOSZ-R19 have:
 - a. A cumulative gross floor area of less than 300m² per site.
 - b. A cumulative outdoor area less than 500m².

Activity Status when compliance not achieved: Non-Complying

NOSZ-R19 General Community

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. Any combination of activities listed in rules NOSZ-R11 to NOSZ-R19 have:
 - a. A cumulative gross floor area of less than 300m² per site.
 - b. A cumulative outdoor area less than 500m².

Activity Status when compliance not achieved: Non-Complying

NOSZ-R20 Plantation Forestry

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R21 Intensive Livestock Farming

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R22 Farm Quarrying

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R23 Industrial Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R24 Supported Residential Care

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R25 Retirement Village

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R26 Trade Retail

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R27 Drive-Through-Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R28 Service Station

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R29 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R30 Grocery Store

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R31 Entertainment Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R32 Care Centre

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R33 Emergency Services

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R34 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

NOSZ-R35 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Open Space Zone (OSZ)

Issues

The Open Space Zone (OSZ) applies to small to medium sized local parks which are used for a variety of outdoor informal recreational activities and community uses, such as walking, running, cycling, relaxing and socialising, picnics, playing and enjoying the environment.

Generally the Open Space Zone is characterised by limited buildings and structures that support the enjoyment of the public open space, such as barbeques and picnic facilities, playgrounds, skate parks, informal hard courts, shelters, toilet and changing facilities, and small-scale community buildings.

The Open Space Zone consists of the following New Zealand Reserve Association Park Categories:

- Neighbourhood Parks.
- Managed Recreation and Ecological Linkages.
- Managed Natural Park Areas.

Limiting built development and activities that are not based on recreational or community use will help to maintain the open space character and amenity value, and enable opportunities for a range of informal recreational activities to occur.

The capacity of land for passive recreational use should be carefully monitored. Additional land may be required over the next 10 years to provide for future population needs.

Objectives

OSZ-O1 Informal Recreation

Provide for accessible quality public open spaces for informal recreation and small-scale community uses.

OSZ-O2 Values

Protect the amenity, cultural, historic and natural values of the Open Space Zone.

OSZ-O3 Kauri Dieback Disease

Avoid the spread of plant pathogens including *Phytophthora Agathidicida* (Kauri Dieback Disease).

Policies

OSZ-P1 Providing for Community

To provide for a variety of accessible informal recreational activities and small-scale community uses while mitigating any potential adverse effects on neighbouring residents, the community and the environment.

OSZ-P2 Building and Structures

To limit the location, scale and design of buildings and structures to complement the natural, historic, cultural and recreational values and function of the Open Space Zone.

OSZ-P3 Protection

To protect the natural, cultural, historic and recreational values of the Open Space Zone by avoiding activities that are not recreational or small scale community activities.

OSZ-P4 Non-Recreation Activities

To manage non-recreation activities by ensuring that they:

1. Are not likely to generate reverse sensitivity effects.
2. Support, or are compatible with, the recreation, education and place of assembly activities within the zone.
3. Ensure that the natural, cultural, heritage and recreational values are not compromised by the nature, scale and design of activities and buildings.

OSZ-P5 Subdivision

To avoid the fragmentation of Open Space Zone land where subdivision design and layout would not protect high natural, cultural, heritage and recreational values.

OSZ-P6 Kauri Dieback Disease

To discourage vegetation clearance within the vicinity of New Zealand Kauri tree (*Agathis Australis*) and to ensure that vegetation clearance is undertaken in a way to avoid the spread of plant pathogens including *Phytophthora Agathidicida* (Kauri Dieback Disease).

Rules

OSZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

OSZ-R2 Any Activity

Activity Status: Permitted

Where:

1. The activity is in accordance with Section 4(3) of the RMA 1991.

OSZ-R3 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules OSZ-R4 – R7.

OSZ-R4 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 8m above ground level, excluding floodlights which have a maximum height of 18.5m above ground level.

Activity Status when compliance not achieved: Discretionary

OSZ-R5 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures comply with the minimum building and major structure setback rule of the adjoining zone closest to the building or major structure.
2. All buildings or major structures are set back at least 27m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).
3. **Except that artificial lighting poles not exceeding 6m in height are exempt from compliance with OSZ-R5(2).**

Rule Exemption:

1. OSZ-R5.1 does not apply where the adjoining zone is an Open Space and Recreation Zone.

Activity Status when compliance not achieved: Discretionary

OSZ-R6 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures comply with the minimum height in relation to boundary rule of the adjoining zone closest to the building or major structure.

Rule Exemption:

1. OSZ-R6 does not apply where the adjoining zone is an Open Space and Recreation Zone.

Activity Status when compliance not achieved: Discretionary

OSZ-R7 Building Coverage

Activity Status: Permitted

Where:

1. The coverage of all buildings does not exceed 500m² or 15% of the net site area whichever is the lesser.

Activity Status when compliance not achieved: Discretionary

OSZ-R8 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rules OSZ-R4 – R6.
 - b. Is screened from view from adjacent public places and surrounding Local Centre Zone, Mixed Use Zone, Residential Zone or Open Space and Recreation Zones, except for construction materials for a maximum period of 12 months within each 10-year period from 15 July 2020.

Activity Status when compliance not achieved: Discretionary

OSZ-R9 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of indigenous vegetation:
 - a. Does not exceed 250m² per site within each 10-year period from 15 July 2020.
 - b. Is not undertaken within 20m of a water body.
 - c. Do not occur within three times the maximum radius of the canopy dripline of a New Zealand Kauri tree (*Agathis Australis*). OR
 - d. Is associated with:
 - i. Routine maintenance within 7.5m of the eaves of existing buildings:
 - a) Including the removal of any tree where any part of the trunk is within the 7.5m distance.
 - b) Excluding damage to the roots or removal of any tree where the trunk is outside the 7.5m distance.
 - ii. Operation, maintenance and repair of existing tracks, lawns, gardens, fences, drains, drainage infrastructure, new walking tracks and other lawfully established activities. Except that no indigenous vegetation clearance shall occur within three times the maximum radius of the canopy dripline of a New Zealand Kauri tree (*Agathis Australis*).
 - iii. Pest plant removal and biosecurity works.
 - iv. Vegetation removal for customary rights.
 - v. Conservation planting, including planting for ecological restoration purposes.

Note:

1. See the *TREE Chapter* for rules relating to Notable Trees.

Activity Status when compliance not achieved: Discretionary

OSZ-R10 Place of Assembly

Activity Status: Permitted

Where:

1. The place of assembly, educational facilities or general community activity is located further than 50m from a Residential Zone.
2. The recreational facility is located further than 10m from a Residential Zone.
3. Any combination of activities listed in rules OSZ-R10 to OSZ-R13 have:
 - a. A cumulative gross floor area of less than 300m² per site.
 - b. A cumulative outdoor area less than 500m², excluding space associated with general public amenities.
4. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

OSZ-R11 Recreational Facilities

Activity Status: Permitted

Where:

1. The place of assembly, educational facilities or general community activity is located further than 50m from a Residential Zone.
2. The recreational facility is located further than 10m from a Residential Zone.
3. Any combination of activities listed in rules OSZ-R10 to OSZ-R13 have:
 - a. ~~A~~ a cumulative gross floor area of less than 300m² per site.
 - b. ~~A cumulative outdoor area less than 500m²~~.
4. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

OSZ-R12 Educational Facilities

Activity Status: Permitted

Where:

1. The place of assembly, educational facilities or general community activity is located further than 50m from a Residential Zone.
2. The recreational facility is located further than 10m from a Residential Zone.
3. Any combination of activities listed in rules OSZ-R10 to OSZ-R13 have:
 - a. A cumulative gross floor area of less than 300m² per site.
 - b. A cumulative outdoor area less than 500m², excluding space associated with general public amenities.
4. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

OSZ-R13 General Community

Activity Status: Permitted

Where:

1. The place of assembly, educational facilities or general community activity is located further than 50m from a Residential Zone.
2. The recreational facility is located further than 10m from a Residential Zone.
3. Any combination of activities listed in rules OSZ-R10 to OSZ-R13 have:
 - a. A cumulative gross floor area of less than 300m² per site.
 - b. A cumulative outdoor area less than 500m², excluding space associated with general public amenities.
4. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

OSZ-R14 Farming

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

OSZ-R15 Plantation Forestry

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

OSZ-R16 Community Corrections Activity

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

OSZ-R17 Intensive Livestock Farming

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

OSZ-R18 Farm Quarrying

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

OSZ-R19 Industrial Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

OSZ-R20 Residential Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

OSZ-R21 Commercial Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

OSZ-R22 Care Centre

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

OSZ-R23 Emergency Services

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

OSZ-R24 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

Sport and Active Recreation Zone (SARZ)

Issues

The Sport and Active Recreation Zone (SARZ) provides for large open space areas that are primarily used for organised activities including events and indoor and outdoor organised sports. These areas are actively managed and have high levels of development, public utilisation and social interaction.

The Sport and Active Recreation Zone includes major parks (referred to as destination parks), sports fields, hard-court areas and greens, multi-sports facilities, community activities, boat ramps, public gardens, cemeteries, community halls and some smaller areas such as civic spaces.

The Sport and Active Recreation Zone consists of the following New Zealand Reserve Association Park Categories:

- Sport and Recreation.
- Civic Spaces.
- Public Gardens.
- Cemetery/Heritage.

These areas can include buildings and structures such as grandstands, sports and community clubrooms, toilets and changing facilities. The high level of use and development of these areas can generate adverse effects, such as noise, traffic, and lighting, that need to be managed.

Commercial activities within the Sport and Active Recreation Zone must be ancillary activities to sport and active recreational activities.

In addition to meeting local recreation and sport's needs, Whangārei is also seen as a significant venue for hosting regional and national events due in part to its regional position and population mass. The Sport and Active Recreation Zone seeks to ensure that these regionally significant areas achieve a high quality built form that responds to and interacts with the surrounding environment resulting in an attractive and vibrant area for residents and visitors.

The capacity of land for sport and active recreational use should be carefully monitored. Additional land may be required over the next 10 years to provide for future population needs.

Objectives

SARZ-01 Recreation and Community Activities

Provide for a range of accessible sport, active recreational and community activities.

SARZ-02 Adverse Effects

Recognise the potential effects on adjacent sites and surrounding areas from sport, active recreation and community activities.

SARZ-03 Associated Activities

Enable activities directly associated with sport and recreation that enhance the use and enjoyment of the Sport and Active Recreation Zone.

Policies

SARZ-P1 Active Recreation

To enable active recreation by providing for a range of accessible sport, recreational and community activities, associated buildings and infrastructure.

SARZ-P2 Adverse Effects

To manage adverse effects on residents, the community and the environment, by limiting the scale and location of buildings.

SARZ-P3 Amenity

To manage the nature, scale, intensity and location of activities to ensure they are compatible with the amenity of surrounding Residential Zones.

SARZ-P4 Enabled Activities

To enhance the use and enjoyment of the Sport and Active Recreation Zone by enabling activities that are ancillary to sport and recreation on the site.

SARZ-P5 Non-Recreation Activities

To manage non-recreational or non-active sport activities by ensuring that they:

1. Are not likely to generate reverse sensitivity effects.
2. Support, or are compatible with, the operation of place of assembly, recreational or educational activities within the Zone.
3. Ensure that the potential establishment of future place of assembly, recreational or educational activities is not compromised by the nature, scale and design of activities and buildings.
4. Do not compromise the viability and vitality of the City Centre, Waterfront, Mixed Use, Local Centre, Neighbourhood Centre and Shopping Centre Zones.

SARZ-P6 Subdivision

To avoid the fragmentation of Sport and Active Recreation Zone land where subdivision design and layout would not facilitate place of assembly, recreational or educational activities.

Rules

SARZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

SARZ-R2 Any Activity

Activity Status: Permitted

Where:

1. The activity is in accordance with Section 4(3) of the Resource Management Act 1991.

SARZ-R3 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules SARZ-R4 – R6.

SARZ-R4 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is 10m above ground level, excluding floodlights which have a maximum height of 18.5m above ground level.

Activity Status when compliance not achieved: Discretionary

SARZ-R5 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures comply with the minimum building and major structure setback rule of the adjoining zone closest to the building or major structure.
2. All buildings and major structures are set back at least 27m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).
3. Except that artificial lighting poles not exceeding 6m in height are exempt from compliance with SARZ-R5(2).

Rule Exemption:

1. SARZ-R5.1 does not apply where the adjoining zone is an Open Space and Recreation Zone.

Activity Status when compliance not achieved: Discretionary

SARZ-R6 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures comply with the minimum height in relation to boundary rule of the adjoining zone closest to the building or major structure.

Rule Exemption:

1. SARZ-R6.1 does not apply where the adjoining zone is an Open Space and Recreation Zone.

Activity Status when compliance not achieved: Discretionary

SARZ-R7 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of storage or stockpile:
 - a. Complies with rules SARZ-R4 – R6.
 - b. Is screened from view from adjacent public places and surrounding Local Centre Zone, Mixed Use Zone, Residential Zone or Open Space and Recreation Zones, except for construction materials for a maximum period of 12 months within each 10-year period from 15 July 2020.

Activity Status when compliance not achieved: Discretionary

SARZ-R8 Garden Centres

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to the primary place of assembly, recreational facility or education facility within the same site.
2. The activity is located further than 50m from a Residential Zone.
3. Any combination of activities listed in rules SARZ-R8 to SARZ-R11 have:
 - a. A cumulative gross floor area of less than 25% of the site area.
 - b. A cumulative outdoor area less than 500m².

Activity Status when compliance not achieved: Discretionary

SARZ-R9 General Retail

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to the primary place of assembly, recreational facility or education facility within the same site.
2. The activity is located further than 50m from a Residential Zone.
3. Any combination of activities listed in rules SARZ-R8 to SARZ-R11 have:
 - a. A cumulative gross floor area of less than 25% of the site area.
 - b. A cumulative outdoor area less than 500m².

Activity Status when compliance not achieved: Discretionary

SARZ-R10 Commercial Services

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to the primary place of assembly, recreational facility or education facility within the same site.
2. The activity is located further than 50m from a Residential Zone.
3. Any combination of activities listed in rules SARZ-R8 to SARZ-R11 have:
 - a. A cumulative gross floor area of less than 25% of the site area.
 - b. A cumulative outdoor area less than 500m².

Activity Status when compliance not achieved: Discretionary

SARZ-R11 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to the primary place of assembly, recreational facility or education facility within the same site.
2. The activity is located further than 50m from a Residential Zone.
3. Any combination of activities listed in rules SARZ-R8 to SARZ-R11 have:

- a. A cumulative gross floor area of less than 25% of the site area.
- b. A cumulative outdoor area less than 500m².

Activity Status when compliance not achieved: Discretionary

SARZ-R12 Place of Assembly

Activity Status: Permitted

Where:

1. The activity is located:
 - a. Within 50m of Residential Zone boundaries and is not open for visitors, clients, deliveries or servicing and does not operate outside the hours of 08:00 and 22:00; or
 - b. Further than 50m from Residential Zone boundaries.
2. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

SARZ-R13 Entertainment Facilities

Activity Status: Permitted

Where:

1. The activity is located:
 - a. Within 50m of Residential Zone boundaries and is not open for visitors, clients, deliveries or servicing and does not operate outside the hours of 08:00 and 22:00; or
 - b. Further than 50m from Residential Zone boundaries.
2. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

SARZ-R14 Recreational Facilities

Activity Status: Permitted

Where:

1. The activity is located:
 - a. Within 50m of Residential Zone boundaries and is not open for visitors, clients, deliveries or servicing and does not operate outside the hours of 08:00 and 22:00; or
 - b. Further than 50m from Residential Zone boundaries.
2. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

SARZ-R15 Educational Facilities

Activity Status: Permitted

Where:

1. The activity is located:
 - a. Within 50m of Residential Zone boundaries and is not open for visitors, clients, deliveries or servicing and does not operate outside the hours of 08:00 and 22:00; or
 - b. Further than 50m from Residential Zone boundaries.

2. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

SARZ-R16 General Community

Activity Status: Permitted

Where:

1. The activity is located:
 - a. Within 50m of Residential Zone boundaries and is not open for visitors, clients, deliveries or servicing and does not operate outside the hours of 08:00 and 22:00; or
 - b. Further than 50m from Residential Zone boundaries.
2. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

SARZ-R17 Community Corrections Activity

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R18 Rural Production Activity

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R19 Industrial Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R20 Residential Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R21 Motor Vehicle Sales

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R22 Marine Retail

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R23 Drive-Through-Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R24 Hire Premise

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R25 Service Stations

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R26 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R27 Trade Suppliers

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R28 Grocery Store

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R29 Visitor Accommodation

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R30 Care Centre

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R31 Emergency Service

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R32 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

SARZ-R33 General Commercial

Activity Status: Non-Complying

Where:

2. The activity is a primary activity or ancillary activity.

Airport Zone (AIRPZ)

Issues

The Airport Zone (AIRPZ) recognises the significance of the Whangārei Airport (“Airport”) to the Whangārei District and Northland Region as regionally significant infrastructure. The Airport is a significant physical resource, and contributes to the social and economic wellbeing of the Whangārei District and the Northland Region, as well as to elsewhere within New Zealand as part of a national network of airports.

The Airport is situated at Onerahi on an elevated area of land overlooking the Whangārei Harbour. It is approximately 6km by road to the southeast of Whangārei’s City Centre and covers an area of approximately 60ha. The Airport is comprised of aerodrome facilities as well as a range of facilities to support its regional air transport function including: a main runway and cross wind runway, taxiways and apron areas; a passenger terminal; navigation aids; and maintenance and support buildings and facilities.

The Airport plays an important role in serving local business, government, industry and tourism in Whangārei and the wider Northland Region. The Airport is located within Whangārei’s Urban Area. Given its proximity to nearby residential land uses, there are noise, air emissions, safety and traffic issues that may arise that need to be carefully managed within the Airport Zone and surrounding environments.

The sustainable management of the Airport requires acknowledging and allowing for the continued operation of airport activities and appropriate ancillary activities while managing the potential adverse effects on surrounding land uses. To this end, the land comprising the Airport Zone is subject to a designation for Aerodrome purposes which authorises a range of activities, such as aircraft movements, which are necessary to enable the ongoing operation of the Airport. An Airspace designation also restricts the intrusion of structures into the airport approach/take off paths.

It is intended that the Airport Zone will provide for activities that are compatible with the Airport in a manner that protects the Airport from adverse effects and reverse sensitivity. Designations take priority over zoning and any conditions or restrictions on the Aerodrome or Airspace designations will override the provisions in the Airport Zone, should a land use or subdivision conflict arise. It is also acknowledged that the Airport may relocate in the future and it is expected that the management of land use and subdivision in the Airport Zone will have regard to potential future uses.

Objectives

AIRPZ-O1 Regionally Significant Infrastructure

Recognise and provide for the operational area of Whangārei Airport as regionally significant infrastructure and the contribution it makes to the economic and social wellbeing of the District and Region.

AIRPZ-O2 Efficient and Effective Operation

Provide for the efficient and effective ongoing operation, maintenance, upgrade and development of Whangārei Airport.

AIRPZ-O3 Adverse Effects/Reverse Sensitivity

Manage the adverse effects (including reverse sensitivity effects) associated with Whangārei Airport which could compromise the amenity, health, safety and well-being of the surrounding community.

AIRPZ-O4 Subdivision

Avoid fragmentation of the Airport Zone and potential reverse sensitivity effects associated with subdivision.

Policies

AIRPZ-P1 Regional Significance

To recognise the regional significance of the Airport by enabling a wide range of existing and future airport operations and activities.

AIRPZ-P2 Operation and Expansion

To enable the continued operation of Whangārei Airport and ancillary activities with provision for controlled growth in aircraft movements.

AIRPZ-P3 Amenity and Character

To manage and minimise adverse effects to surrounding residential areas' amenity and character by ensuring that all new activities and buildings in the Airport Zone are:

1. Of a scale and character that is compatible with Residential Zones.
2. Sited in a location sufficiently setback from site boundaries to enable privacy, the retention of open space and access to sunlight in Residential Zones.

AIRPZ-P4 Subdivision

To retain the airport land holding by avoiding fragmentation of airport land through inappropriate subdivision.

Rules

AIRPZ-R1 Any Activity not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

AIRPZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules AIRPZ-R3 – R6.

AIRPZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is:
 - a. 10.5m above ground level; or

- b. 8m above ground level where located on a site adjoining a Residential Zone or Open Space and Recreation Zone.

Activity Status when compliance not achieved: Discretionary

AIRPZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 4.5m from any road boundaries.
 - b. 3m from the boundaries of the Airport Zone.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining properties.
3. Effects on the streetscape character of the area.
4. Effects on the safety and efficiency of the transport network.

AIRPZ-R5 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any Residential Zone or Open Space and Recreation Zone.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining and adjacent properties.

AIRPZ-R6 Building and Major Structure Coverage

Activity Status: Permitted

Where:

1. Any building or major structure results in the total cumulative building and major structure coverage being no more than 50% of the area of the total Airport Zone.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The scale and bulk of buildings and major structures in relation to the site and the existing built density of the locality.
2. The outlook and privacy of adjoining and adjacent properties.
3. Visual dominance of buildings and major structures.

AIRPZ-R7 Landing, Departure, Movement, or Servicing of Aircraft Activities

Activity Status: Permitted

AIRPZ-R8 Access to Aircraft or Airport Facilities

Activity Status: Permitted

Where:

1. The activity requires direct or reasonable access to aircraft or airport facilities to transport goods or to provide passenger services.

Activity Status when compliance not achieved: Discretionary

AIRPZ-R9 Community Activities

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to airport operations.

Activity Status when compliance not achieved: Non-Complying

AIRPZ-R10 Industrial Activities

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to airport operations.

Activity Status when compliance not achieved: Non-Complying

AIRPZ-R11 Commercial Services

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to airport operations.

Activity Status when compliance not achieved: Non-Complying

AIRPZ-R12 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to airport operations.

Activity Status when compliance not achieved: Non-Complying

AIRPZ-R13 General Retail

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to airport operations.

Activity Status when compliance not achieved: Non-Complying

AIRPZ-R14 Impervious Areas

Activity Status: Permitted

Where:

1. Any impervious area does not increase the cumulative total impervious area to be more than 80% of the total area of the Airport Zone.

Activity Status when compliance not achieved: Discretionary

AIRPZ-R15 Visitor Accommodation

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

AIRPZ-R16 Residential Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

AIRPZ-R17 Trade Retail

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

AIRPZ-R18 Drive-Through-Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

AIRPZ-R19 Grocery Store

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

AIRPZ-R20 Entertainment Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

AIRPZ-R21 Service Stations

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

AIRPZ-R22 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

AIRPZ-R23 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

AIRPZ-R24 Rural Production Activities

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

Hospital Zone (HOSZ)

Issues

The Hospital Zone (HOSZ) recognises the significance of the facilities at the Whangārei Hospital ("Hospital") site, and their importance to the Whangārei District and to the Northland Region as regionally significant infrastructure. The purpose of the Hospital Zone is to provide for the ongoing operation of the Hospital, its future development and redevelopment, including associated residential care facilities.

The Hospital is strategically located on approximately 20ha of land on the southern side of State Highway 14 in the Maunu area of Whangārei City. It is bordered by Residential Zones and Open Space and Recreation Zones and has potential for extensive further greenfield development.

The Hospital is the most significant medical facility within the Northland Region. There will be further development of facilities within the Hospital Zone to cater for expanding populations within both Whangārei District and the wider Northland Region. A wide range of health-related services is expected as the Hospital responds to meet the needs of the expanding populations. New and expanded buildings and facilities will be established within the Hospital site to provide the necessary services for both inpatients and outpatients and also for community and private health care services.

The environment within the Hospital Zone is unique as the Hospital must operate continuously and without interruption. Emergency services and helicopter services need to access the Hospital at any time, resulting in higher levels of lighting and noise (particularly during the night) than in other Urban Areas. The Hospital is a 'significant destination' for patients, staff, visitors and the community. Traffic movements are currently at high volumes and are expected to increase as the Hospital expands. This has the potential to impact on the surrounding roading networks.

Some activities may be sensitive to the external effects of activities occurring within the Hospital Zone. Some activities proposed outside of the Hospital Zone may not be compatible with, or may present a risk of reverse sensitivity to, activities required to occur within the Hospital Zone. It is anticipated that such sensitive activities will be carefully managed during their establishment, and that development within the Hospital Zone will have regard to the potential adverse effects which may arise beyond the site.

Objectives

HOSZ-01 Current and Future Development

Enable and provide for:

1. The efficient and effective operation, expansion and future development of the Hospital within the Hospital Zone; and
2. A wide range of hospital activities and hospital related activities to meet the current and future needs of the Whangārei District and the Northland Region as population and health demands grow.

HOSZ-02 Managing Adverse Effects

Manage adverse effects from the provision of hospital activities and hospital related activities on the surrounding environment.

HOSZ-O3 Regionally Significant Infrastructure

Recognise and provide for the importance of Whangārei Hospital as regionally significant infrastructure and the contribution it makes to the economic and social wellbeing of the District and Region.

HOSZ-O4 Subdivision

Avoid fragmentation of the Hospital Zone associated with inappropriate subdivision.

Policies

HOSZ-P1 Regional Significance

To recognise the regional significance of Whangārei Hospital by providing for a wide range of existing and future hospital activities, hospital related activities and ancillary activities within the Hospital Zone.

HOSZ-P2 Protection of Land for Hospital Activities

To avoid the establishment of activities not related to hospital activities within the Hospital Zone unless such activities:

1. Demonstrate a direct requirement to establish within the Hospital Zone; and
2. Do not compromise or limit the safe and efficient operation of current and future hospital activities.

HOSZ-P3 Industrial Activities

To avoid the establishment of industrial activities within the Hospital Zone, unless they are research laboratories used for scientific or medical research.

HOSZ-P4 Adverse Effects

To manage adverse effects on the surrounding environment by controlling development at the interface between the Hospital Zone and adjoining zones.

HOSZ-P5 Buildings and Structures

To recognise that the efficient operational requirements of Whangārei Hospital may require buildings and structures that are of a larger height and bulk when compared to the surrounding environment.

HOSZ-P6 Subdivision

To avoid fragmentation associated with inappropriate subdivision by:

1. Retaining large sites and landholdings within the Hospital Zone; and
2. Only enabling subdivision within the Hospital Zone where it is required to meet the operational requirements of the Hospital.

Rules

HOSZ-R1 Any Activity not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

HOSZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules HOSZ-R3 – R6.

HOSZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum building height and major structure height is:
 - a. 32m above ground level, except that for up to 25% of the Hospital Zone the maximum height is 50m; and
 - b. 22.5m above ground level for any building setback within 30m of the Hospital Zone / West End Avenue boundary; and
 - c. 32m above ground level for any building setback within 30m of the Hospital Zone / Maunu Road boundary.

Activity Status when compliance not achieved: Discretionary

HOSZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 4.5m from road boundaries.
 - b. 20m from the West End Avenue/Hospital Zone boundary. A building or buildings may be located within the 20m setback, provided that any part of a building or buildings within 20m of the boundary shall not exceed 30m in length for each building or part of a building and shall be setback a minimum of 4.5m from the West End Avenue/Hospital Zone boundary. Where there is more than one building or part of a building within the 20m setback area, each building must be separated from the next building within the 20m setback area by a distance equal to the average width of that part of each of these two buildings within the setback area.
 - c. 3m from any Residential Zone and Open Space and Recreation Zone.
 - d. 20m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m excluding bridges, culverts and fences.

Activity Status when compliance not achieved with HOSZ-R4.1(a) – (c): Restricted Discretionary
 Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining properties.
3. Effects on the streetscape character of the area.
4. Effects on the safety and efficiency of the transport network.

Activity Status when compliance not achieved with HOSZ-R4.1(d): Discretionary

HOSZ-R5 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All buildings and major structures:
 - a. Do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any Residential Zone or Open Space and Recreation Zone boundary; or
 - b. Where the Hospital Zone adjoins Maunu Road, height in relation to boundary shall be measured from the centreline of Maunu Road at a point 3m above ground level at an angle of 55° toward the Hospital Zone.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining and adjacent properties.

HOSZ-R6 Building and Major Structure Coverage

Activity Status: Permitted

Where:

1. Any building or major structure results in the total cumulative building and major structure coverage being no more than 60% of the area of the Hospital Zone.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The scale and bulk of buildings and major structures in relation to the site and the existing built density of the locality.
2. The outlook and privacy of adjoining and adjacent properties.
3. Visual dominance of buildings and major structures.

HOSZ-R7 Landscaping

Activity Status: Permitted

Where:

1. All land within 4m of the West End Avenue / Hospital Zone boundary, excluding footpaths, walkways and vehicle access ways is planted in trees and grass prior to the occupation of any new buildings built within 20m of West End Avenue; and
2. Any trees shall be planted at minimum 10m spaces and shall be capable of growing to a minimum mature height of 10m.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining properties.
3. Effects on the streetscape character of the area.
4. Effects on the safety and efficiency of the transport network.
5. The extent of existing and proposed landscaping.

HOSZ-R8 Fences

Activity Status: Permitted

Where:

1. Fencing within 10m of a road boundary or boundary of a Residential Zone or Open Space and Recreation Zone, is no higher than 2m above ground level.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects of shading and visual dominance on adjoining properties.
2. Urban design and passive surveillance.
3. Effects on streetscape character and amenity.
4. Health and safety effects.

HOSZ-R9 Visitor Accommodation

Activity Status: Permitted

Where:

1. The visitor accommodation is an ancillary activity to the hospital for the purposes of non-permanent accommodation for hospital staff, contractors, patients or family.

Activity Status when compliance not achieved: Non-Complying

HOSZ-R10 Commercial Services

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to the hospital.

Activity Status when compliance not achieved: Non-Complying

HOSZ-R11 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to the hospital.

Activity Status when compliance not achieved: Non-Complying

HOSZ-R12 Place of Assembly

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to the hospital.

Activity Status when compliance not achieved: Non-Complying

HOSZ-R13 Emergency Services

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to the hospital.

Activity Status when compliance not achieved: Non-Complying

HOSZ-R14 Educational Facilities

Activity Status: Permitted

Where:

1. The activity is an ancillary activity to the hospital.

Activity Status when compliance not achieved: Non-Complying

HOSZ-R15 Hospital and Hospital Related Activities

Activity Status: Permitted

HOSZ-R16 Impervious Areas

Activity Status: Permitted

Where:

1. Any impervious area does not increase the cumulative total impervious area to be more than 80% of the total area of the Hospital Zone.

Note:

1. Existing use rights may apply to impervious areas that have been lawfully established in the Hospital Zone prior to 15 July 2020.

Activity Status when compliance not achieved: Discretionary

HOSZ-R17 Car Parking

Activity Status: Permitted

Where:

1. Car parking spaces are not within 2m of a road boundary, excluding any on-street car parking.
2. Formed car parking spaces located within 4.5m of a road boundary or a zone boundary shall be screened from the adjoining road or zone by a minimum 2m wide landscaping strip with a maximum plant height of 1.15m (excluding any tree planting).

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Traffic safety.
2. Amenity effects on adjoining residential properties.

HOSZ-R18 Controlled Activity Integrated Transport Assessments

Activity Status: Controlled

Where:

1. Any new or modified vehicle entry or exit to West End Avenue is proposed.
2. Any new **building** activity, development or changes in **Hospital** staff numbers results in the total **Hospital** staff numbers reaching or exceeding 2,930.

Matters of control:

1. **Effects** on the safe and efficient operation of the transport network immediately adjacent to the Hospital Zone including **vehicle accessways**.
2. Methods to facilitate **access** to public and **active transport modes**.
3. Parking and travel demand management.
4. Recommendations and proposed mitigation measures of the Integrated Transport Assessment and any further information provided through the consent process.
5. Methods of ongoing monitoring and reporting of staff numbers.

Compliance Standard:

1. *HOSZ-R18.2 does not apply where consent has previously been granted under HOSZ-R18.2.*

Notes:

1. *Any application shall comply with information requirement rule HOSZ-REQ1.*
2. *Any application under this rule will require assessment against the District-Wide objectives and policies within the Transport Chapter.*

HOSZ-R19 Restricted Discretionary Activity Integrated Transport Assessments

Activity Status: Restricted Discretionary

Where:

1. Any new **building** activity, development or changes in **Hospital** staff numbers results in the total **Hospital** staff numbers:
 - a. Reaching or exceeding 3,060; or
 - b. Thereafter, increasing by an increment of at least 100 above 3,060 (e.g. at 3,160, 3,260, 3,360, etc.).

Matters of discretion:

1. **Effects** on the safe and efficient operation of the transport network adjacent to the Hospital Zone including **vehicle accessways** and operation of the State Highway 14 / Hospital Road intersection.
2. Methods to facilitate **access** to public and **active transport modes**.
3. Parking and travel demand management.
4. Recommendations and proposed mitigation measures of the Integrated Transport Assessment and any further information provided through the consent process.
5. Methods of ongoing monitoring and reporting of staff numbers.

Compliance Standard:

1. *HOSZ-R19.1(a) does not apply where consent has previously been granted under HOSZ-R19.1(a).*

Notes:

1. *Any application shall comply with information requirement rule HOSZ-REQ2.*

2. *Any application under this rule will require assessment against the District-Wide objectives and policies within the Transport Chapter.*

HOSZ-R20 Care Centres

Activity Status: Restricted Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

Matters of discretion:

1. Traffic.
2. Parking.
3. Hours of operation.
4. Noise.

HOSZ-R21 Residential Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

HOSZ-R22 Retail Activities (excluding Hospital Related Activities)

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

HOSZ-R23 Entertainment Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

HOSZ-R24 Service Stations

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

HOSZ-R25 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

HOSZ-R26 Recreational Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

HOSZ-R27 Rural Production Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

HOSZ-R28 HOSZ-R28 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

HOSZ-R29 HOSZ-R29 General Community

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

HOSZ-R30 Industrial Activities (Excluding Research Laboratories used for scientific or medical research)

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

Information Requirement Rules

HOSZ-REQ1 Controlled Integrated Transport Assessments

1. Any application pursuant to HOSZ-R18 shall include an Integrated Transport Assessment prepared by a suitably qualified professional which shall include (but is not limited to):
 - a. A description of the site characteristics, existing development, total staff numbers, existing traffic conditions and trip generation, proposed activity and its intensity.
 - b. An assessment of the features of the existing transport network, including the following where relevant to the proposal:
 - i. Existing access arrangements, on-site car parking and crossing locations.
 - ii. Existing internal vehicle and pedestrian circulation.
 - iii. Existing walking and cycling networks.
 - iv. Existing public transport service routes and frequencies including bus stops and lanes.
 - c. A description of the estimated number of trips which will be generated by each transport mode (public transport, walking, cycling and private vehicles, including heavy vehicles).
 - d. The accessibility to public transport and how the design of the development will encourage public transport use by considering the attractiveness, safety, distance and suitability of the walking routes to the nearest bus stop.
 - e. The accessibility for pedestrians and cyclists and how the design of the development will encourage walking and cycling to nearby destinations such as reserves, other public spaces and commercial or community facilities.
 - f. Evidence of consultation with the New Zealand Transport Agency and commentary on response to that consultation.
 - g. An assessment of the peak hour performance (within any 24 hour period) of the State Highway 14 / Hospital Road intersection.
 - h. A description of measures that will be put in place to mitigate against the effects of the construction process where construction work is required.

HOSZ-REQ2 Restricted Discretionary Integrated Transport Assessments

1. Any application pursuant to HOSZ-R19 shall include an Integrated Transport Assessment prepared by a suitably qualified professional which shall include (but is not limited to):
 - a. A description of the site characteristics, existing development, total staff numbers, existing traffic conditions and trip generation, proposed activity and its intensity.
 - b. An assessment of the features of the existing transport network, including the following where relevant to the proposal:
 - i. Existing access arrangements, on-site car parking and crossing locations.
 - ii. Existing internal vehicle and pedestrian circulation.
 - iii. Existing walking and cycling networks.
 - iv. Existing public transport service routes and frequencies including bus stops and lanes.
 - c. A description of the estimated number of trips which will be generated by each transport mode (public transport, walking, cycling and private vehicles, including heavy vehicles).
 - d. The accessibility to public transport and how the design of the development will encourage public transport use by considering the attractiveness, safety, distance and suitability of the walking routes to the nearest bus stop.
 - e. The accessibility for pedestrians and cyclists and how the design of the development will encourage walking and cycling to nearby destinations such as reserves, other public spaces and commercial or community facilities.
 - f. The effects on the transport network adjacent to the Hospital Zone of average vehicles per day directly related to Hospital activities that exceed 8,520 vehicles per day.
 - g. The effects of peak traffic flows directly related to Hospital activities on the operation of the State Highway 14 / Hospital Road intersection when the adjacent length of State Highway 14 is experiencing peak flows.
 - h. Evidence of consultation with the New Zealand Transport Agency and commentary on response to that consultation.
 - i. A description of measures that will be put in place to mitigate against the effects of the construction process where construction work is required.

Port Zone (PORTZ)

Issues

The Port Zone (PORTZ) recognises the significance of the Whangārei Port (“Port”) and its importance to the Whangārei District and the Northland Region as regionally significant infrastructure. The purpose of the Port Zone is:

- To enable the ongoing and future growth and development of the Port and any associated operational areas and facilities; and
- To provide for operations relating to the transportation of people and freight including within the Port Zone.
- To enable appropriate commercial and industrial development adjacent to Marsden Bay Drive, and to otherwise manage non-port related activities so as not to compromise or constrain the primary purpose of the zone.

The Port Zone only applies to the Port located at Marsden Point. The Port Zone covers three areas of land: Port Operations Area A, Port Management Area B and Port Management Area C (see PORTZ Appendix 1).

- Port Operations Area A contains and is limited to the functions and operations of the Port.
- Port Management Area B is managed to provide for the future expansion of the Port’s operations, together with interim uses that do not compromise or constrain the primary purpose of the zone.
- Port Management Area C provides for appropriate commercial and industrial activities 80m either side of adjacent to Marsden Bay Drive, buffering future Port operations from the public road.

The Port is currently managed and operated by Northport. The Port is a deep-water commercial port situated at the entrance to the Whangārei Harbour. It occupies a strategic location as the country’s northernmost multi-purpose Port and the closest to most of New Zealand’s international markets.

The Port is a major large-scale facility that comprises a range of activities. It is an important physical resource and contributes significant social and economic benefits to people and communities of the Whangārei District and the Northland Region. The Port facilities also create economic growth for the region by the provision of long-term infrastructure and employment opportunities.

It is expected that there will be future expansion and development within the Port Zone to respond to the future growth of the upper North Island. Flexibility to adapt and to develop the area in order to support the Port and its future operations is important. The unique operational needs and environmental effects associated with the Port necessitates a special purpose zone which is tailored to address those needs and effects.

This chapter seeks to ensure that a balance is found between:

- The continued and future operation and development of the Port within Port Operations Areas A and Port Management Area B; and
- Appropriate commercial and industrial activities in Port Management Area C; and
- Managing effects on the environment.

Objectives

PORTZ-O1 Regionally Significant Infrastructure

Recognise and provide for the importance of the Port as regionally significant infrastructure and the contribution it makes to the economic and social wellbeing of the District and Region.

PORTZ-O2 Current Operation and Future Development

Recognise the unique characteristics of the Port and provide for:

1. The efficient and effective ongoing operation of port activities within the Port Zone without undue constraints; and
2. The future development and expansion of Port operations and activities within the Port Zone.

PORTZ-O3 Adverse Effects

Manage the adverse effects of the Port and port activities on the environment.

PORTZ-O4 Public Access to the Coastal Marine Area

Maintain, and where practicable enhance, public access, use and enjoyment to and along the Coastal Marine Area, provided it does not adversely affect the efficient and safe operation of the Port.

PORTZ-O5 Fragmentation

Avoid fragmentation of the Port Zone and potential reverse sensitivity effects associated with subdivision and land use.

PORTZ-O6 Cultural Values

To recognise and provide for the relationship of Māori and their culture and traditions with their cultural landscapes in the future development and expansion of the Port.

Policies

PORTZ-P1 Regional Significance

To recognise the regional significance of the Port by providing for a wide range of existing and future port operations and port activities within the Port Zone.

PORTZ-P2 Protection of Land for Port Activities within Port Operations Area A

To avoid the establishment of non-port related or sensitive activities within Port Operations Area A unless such activities:

1. Demonstrate a direct requirement to establish within proximity to the Port; and
2. Do not compromise or constrain the safe and efficient operation of current and future port activities.

PORTZ-P3 Management of Land to provide for current and future Port Activities within Port Management Area B

To manage the establishment of non-port related activities and avoid the establishment of sensitive activities within the Port Management Area B to ensure that activities do not compromise or constrain the safe and efficient operation of current and future port activities.

PORTZ-P4 Management of Land within Port Management Area C

To enable appropriate commercial activities and industrial activities adjacent to Marsden Bay Drive while:

1. Not compromising or constraining the safe and efficient operation of current and future port activities.
2. Managing reverse sensitivity.
3. Mapping Port Management Area C to preserve transport corridors for Port traffic.
4. Recognising that Marsden Bay Drive is a Primary Collector public road.
5. Not compromising the viability and vitality of the City Centre, Waterfront, Mixed Use, Local Centre, Neighbourhood Centre and Shopping Centre Zones.

PORTZ-P5 Adverse Effects

To manage adverse effects of the Port and associated port activities by:

1. Limiting the height of buildings and outdoor storage areas to minimise adverse visual amenity effects while recognising the operational requirements of the Port;
2. Minimising adverse effects of noise and light spill while recognising the operational requirements of the Port; and
3. Managing the effects of earthworks (other than earthworks associated with flood control works) to ensure such works do not divert flood flow onto neighbouring properties or deplete flood plain storage capacity.

PORTZ-P6 Public Access to the Coastal Marine Area

To manage public accessways to and along the Coastal Marine Area by:

1. Recognising the need for public walking access to and along the Coastal Marine Area; and
2. Maintaining, enhancing and developing public accessways to and along the Coastal Marine Area.
3. Only restricting public accessways to and along the Coastal Marine Area where it is necessary to:
 - a. Protect public health and safety; or
 - b. Ensure the efficient and effective operation of the Port is not compromised.
 - c. Meet the requirements of other regulations and legislation.

PORTZ-P7 Fragmentation

To retain large sites and land holdings by avoiding fragmentation of the Port Zone through inappropriate subdivision and land use.

PORTZ-P8 Plant Nursery

To enable a small-scale plant nursery to establish in Port Management Area B.

PORTZ-P9 Cultural Values

Ensure activities within the Port Zone are undertaken in a manner which recognises and provides for the cultural values associated with cultural landscapes by:

1. Limiting the height of buildings and outdoor storage areas to minimise adverse effects on cultural landscapes; and
2. Requiring an assessment of cultural values where these may be adversely affected by future development within the Port Zone.

Rules

PORTZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

PORTZ-R2 Building and Major Structure Height

1. Activity Status: Permitted

Where:

- a. In the Port Operations Area A:
 - i. The maximum building height and major structure height (excluding public utilities, light towers, silos, aerials, cranes, containers and tanks) is 20m above ground level.
 - ii. The maximum height for public utilities, light towers, silos, aerials and tanks (excluding cranes and containers) is 60m above ground level.
 - iii. The maximum operational crane height is 85m above ground level.
 - iv. The maximum height for containers is 30m above ground level.
- b. In the Port Management Area B:
 - i. The maximum building height and major structure height (excluding public utilities, light towers, silos, aerials, containers and tanks) is 20m above ground level.
 - ii. The maximum height for public utilities, light towers, silos, aerials and tanks is 40m above ground level.
 - iii. The maximum height for containers is 20m above ground level.
- c. In the Port Management Area C:
 - i. The maximum building height and major structure is 15m above ground level.

Activity Status when compliance not achieved with PORTZ-R2.1(a)(iii): Restricted Discretionary
 Matters of discretion:

1. Visual effects on Takahiwai marae and kāinga and other identified cultural sites.
2. Location of the buildings/structures.
3. Number of buildings/structures.
4. Arrangement of buildings/structures.

Activity Status when compliance not achieved with PORTZ-R2.1(a)(i), R2.1(a)(ii), R2.1(a)(iv), R2.1(b)(i) - (iii) or R2.1(c)(i): Discretionary

PORTZ-R3 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures are set back at least:
 - a. 10m from road boundaries.
 - b. 3m from any Heavy Industrial or Light Industrial Zone boundary.

- c. 15m from any Open Space and Recreation Zone or Residential Zone boundary, except in the Port Operations Area A.
- d. 27m from Mean High Water Springs or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences), except in the Port Operations Area A.

Activity Status when compliance not achieved with PORTZ-R3.1(a) – (c): Restricted Discretionary
 Matters of discretion:

- 1. The outlook and privacy of adjoining and adjacent properties.
- 2. Effects of shading and visual dominance on adjoining properties.
- 3. Effects on the streetscape character of the area.
- 4. Effects on the safety and efficiency of the transport network.

Activity Status when compliance not achieved with PORTZ-R3.1(d): Discretionary

PORTZ-R4 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

- 1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any Residential Zone or Open Space and Recreation Zone boundary.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

- 1. The outlook and privacy of adjoining and adjacent properties.
- 2. Effects of shading and visual dominance on adjoining and adjacent properties.

PORTZ-R5 Minor Buildings

Activity Status: Permitted

Note:

- 1. Minor buildings are exempt from rules PORTZ-R2 – R4.

PORTZ-R6 Port Activities

Activity Status: Permitted

PORTZ-R7 Helicopter Facilities – Including Helicopter Take-Off and Associated Fuelling and Service Facilities

Activity Status: Permitted

PORTZ-R8 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

- 1. The outdoor area of storage or stockpile complies with rules PORTZ-R3 – R4.
- 2. The maximum height of the outdoor area of storage or stockpile is 20m above ground level.

Activity Status when compliance not achieved with PORTZ-R8.1: Restricted Discretionary

Matters of discretion:

1. Effects in relation to dust and odour.
2. Visual amenity effects.
3. The matters of discretion in PORTZ-R3 – R4.

Activity Status when compliance not achieved with PORTZ-R8.2: Discretionary

PORTZ-R9 Plant Nursery

Activity Status: Permitted

Where:

1. A maximum of two full-time equivalent employees are present on the site at any one time.
2. Any structures are no greater than 5m in height and are capable of being relocated or removed.

Activity Status when compliance not achieved: Discretionary

PORTZ-R10 Service Stations

1. Activity Status: Permitted

Where:

- a. In the Port Management Area C:
 - i. The activity is a primary activity or ancillary activity.

2. Activity Status: Non-Complying

Where:

- a. In the Port Operations Area A and Port Management Area B:
 - i. The activity is a primary activity or ancillary activity.

PORTZ-R11 Trade Retail

1. Activity Status: Permitted

Where:

- a. In the Port Management Area C:
 - i. The activity is a primary activity or ancillary activity.
- b. In the Port Management Area B:
 - i. The activity is an ancillary activity to port activities.
 - ii. The activity is less than 100m² gross floor area.

2. Activity Status: Non-Complying

Where:

- a. In the Port Operations Area A:
 - i. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved with PORTZ-R11(b)(i)-(ii): Discretionary

PORTZ-R12 General Retail

1. Activity Status: Permitted

Where:

- a. In the Port Management Area C:

- i. The activity is an ancillary activity to an industrial activity in the same building.
 - ii. The maximum business net floor area of the general retail activity is 250m².
- 2. Activity Status: Non-Complying
 - Where:
 - a. In the Port Operations Area A and Port Management Area B:
 - i. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved with PORTZ-R12.1: Non-Complying

PORTZ-R13 Commercial Services

- 1. Activity Status: Permitted
 - Where:
 - a. In the Port Management Area C:
 - i. The activity is an ancillary activity to an industrial activity in the same building.
 - ii. The maximum business net floor area of the commercial service is 250m².
- 2. Activity Status: Non-Complying
 - Where:
 - a. In the Port Operations Area A and Port Management Area B:
 - i. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved with PORTZ-R13.1: Discretionary

PORTZ-R14 Food and Beverage Activity

- 1. Activity Status: Permitted
 - Where:
 - a. In the Port Management Area B and Port Management Area C:
 - i. The activity is a primary activity or ancillary activity.
 - ii. The maximum business net floor area of each food and beverage activity and drive-through-facility is 250m².
 - iii. There is a cumulative maximum of 10 food and beverage activities and drive-through-facilities in total across areas Port Management Area B and Port Management Area C.
- 2. Activity Status: Non-Complying
 - Where:
 - a. In the Port Operations Area A:
 - i. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved with PORTZ-R14.1: Non-Complying

PORTZ-R15 Drive-Through-Facilities

- 1. Activity Status: Permitted
 - Where:
 - a. In the Port Management Area B and Port Management Area C:
 - i. The activity is a primary activity or ancillary activity.

- ii. The maximum business net floor area of each food and beverage activity and drive-through-facility is 250m².
 - iii. There is a cumulative maximum of 10 food and beverage activities and drive-through-facilities in total across areas Port Management Area B and Port Management Area C.
- 2. Activity Status: Non-Complying
Where:
 - a. In the Port Operations Area A:
 - i. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved with PORTZ-R15.1: Non-Complying

PORTZ-R16 Any New, or Extension to an Existing, Public Accessway or Walkway to and Along the Coastal Marine Area

Activity Status: Restricted Discretionary

Matters of discretion:

- 1. Location and design of the public accessway or walkway.
- 2. Degree of earthworks.
- 3. Effects on public safety.
- 4. Effects on port operations/activities.
- 5. Existing access to and along the Coastal Marine Area.

PORTZ-R17 Sea-Farers Mission and Managers Accommodation

Activity Status: Restricted Discretionary

Matters of discretion:

- 1. Location.
- 2. Ground floor area.
- 3. Reverse sensitivity effects.

PORTZ-R18 Manufacturing (Excluding Storage for Port Activities)

- 1. Activity Status: Permitted

Where:

- a. In the Port Management Area C:
 - i. The activity is a primary activity or ancillary activity.

- 2. Activity Status: Restricted Discretionary

Where:

- a. In the Port Management Area B:
 - i. The activity is a primary activity or ancillary activity.

Matters of discretion:

- 1. Ability to relocate the activity and/or building.
- 2. Duration of the activity.
- 3. Nature of the activity.
- 4. Compatibility of activity with port operations and port activities.
- 5. Effects on port operations and activities and whether they will remain viable in the long term.

6. Size and location of the activity and/or building.
3. Activity Status: Non-Complying
Where:
 - a. In the Port Operations Area A:
 - i. The activity is a primary activity or ancillary activity.

PORTZ-R19 Storage (Excluding Storage for Port Activities)

1. Activity Status: Permitted
Where:
 - a. In the Port Management Area C:
 - i. The activity is a primary activity or ancillary activity.
2. Activity Status: Restricted Discretionary
Where:
 - a. In the Port Management Area B:
 - i. The activity is a primary activity or ancillary activity.

Matters of discretion:

 1. Ability to relocate the activity and/or building.
 2. Duration of the activity.
 3. Nature of the activity.
 4. Compatibility of activity with port operations and port activities.
 5. Effects on port operations and activities and whether they will remain viable in the long term.
 6. Size and location of the activity and/or building.
3. Activity Status: Non-Complying
Where:
 - a. In the Port Operations Area A:
 - i. The activity is a primary activity or ancillary activity.

PORTZ-R20 Repair and Maintenance Services (Excluding for Port Activities)

1. Activity Status: Permitted
Where:
 - a. In the Port Management Area C:
 - i. The activity is a primary activity or ancillary activity.
2. Activity Status: Restricted Discretionary
Where:
 - a. Port Management Area B
 - i. The activity is a primary activity or ancillary activity.

Matters of discretion:

 1. Ability to relocate the activity and/or building.
 2. Duration of the activity.
 3. Nature of the activity.
 4. Compatibility of activity with port operations and port activities.
 5. Effects on port operations and activities and whether they will remain viable in the long term.

6. Size and location of the activity and/or building.
3. Activity Status: Non-Complying
Where:
 - a. In the Port Operations Area A:
 - i. The activity is a primary activity or ancillary activity.

PORTZ-R21 Marine Industry

1. Activity Status: Permitted
Where:
 - a. In the Port Management Area C:
 - i. The activity is a primary activity or ancillary activity.
2. Activity Status: Restricted Discretionary
Where:
 - a. In the Port Management Area B:
 - i. The activity is a primary activity or ancillary activity.

Matters of discretion:

 1. Ability to relocate the activity and/or building.
 2. Duration of the activity.
 3. Nature of the activity.
 4. Compatibility of activity with port operations and port activities.
 5. Effects on port operations and activities and whether they will remain viable in the long term.
 6. Size and location of the activity and/or building.
3. Activity Status: Non-Complying
Where:
 - a. In the Port Operations Area A:
 - i. The activity is a primary activity or ancillary activity.

PORTZ-R22 Artisan Industrial Activities

1. Activity Status: Permitted
Where:
 - a. In the Port Management Area C:
 - i. The activity is a primary activity or ancillary activity.
2. Activity Status: Restricted Discretionary
Where:
 - a. In the Port Management Area B:
 - i. The activity is a primary activity or ancillary activity.

Matters of discretion:

 1. Ability to relocate the activity and/or building.
 2. Duration of the activity.
 3. Nature of the activity.
 4. Compatibility of activity with port operations and port activities.
 5. Effects on port operations and activities and whether they will remain viable in the long term.

6. Size and location of the activity and/or building.
3. Activity Status: Non-Complying
Where:
 - a. In the Port Operations Area A:
 - i. The activity is a primary activity or ancillary activity.

PORTZ-R23 General Industry

1. Activity Status: Permitted
Where:
 - a. In the Port Management Area C:
 - i. The activity is a primary activity or ancillary activity.
2. Activity Status: Restricted Discretionary
Where:
 - a. In the Port Management Area B:
 - i. The activity is a primary activity or ancillary activity.

Matters of discretion:

 1. Ability to relocate the activity and/or building.
 2. Duration of the activity.
 3. Nature of the activity.
 4. Compatibility of activity with port operations and port activities.
 5. Effects on port operations and activities and whether they will remain viable in the long term.
 6. Size and location of the activity and/or building.
3. Activity Status: Non-Complying
Where:
 - a. In the Port Operations Area A:
 - i. The activity is a primary activity or ancillary activity.

PORTZ-R24 Waste Management Facilities (Excluding for Port Activities)

1. Activity Status: Permitted
Where:
 - a. In the Port Management Area C:
 - i. The activity is a primary activity or ancillary activity.
2. Activity Status: Restricted Discretionary
Where:
 - a. In the Port Management Area B:
 - i. The activity is a primary activity or ancillary activity.

Matters of discretion:

 1. Ability to relocate the activity and/or building.
 2. Duration of the activity.
 3. Nature of the activity.
 4. Compatibility of activity with port operations and port activities.
 5. Effects on port operations and activities and whether they will remain viable in the long term.

6. Size and location of the activity and/or building.
3. Activity Status: Non-Complying
Where:
 - a. In the Port Operations Area A:
 - i. The activity is a primary activity or ancillary activity.

PORTZ-R25 Residential Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PORTZ-R26 Community Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PORTZ-R27 Landfill

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PORTZ-R28 Rural Production Activities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PORTZ-R29 Entertainment Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PORTZ-R30 Visitor Accommodation

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PORTZ-R31 Grocery Store

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PORTZ-R32 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PORTZ-R33 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PORTZ Appendix 1 – Map

Port Operations Area A, Port Management Area B and Port Management Area C delineated on the map below are subject to the PORTZ rules.



Figure PORTZ 1: Port Operations Area A, Port Management Area B and Port Management Area C

Ruakaka Equine Zone (REZ)

Issues

The Ruakaka Equine Zone (REZ) provides for the ongoing use of the site for equine related activities (including training and racing), while providing a framework for future development to underpin its long term viability as a racecourse. Future development is to be compatible with the primary racecourse function and includes residential and commercial activities, as well as hospitality and event hosting.

Whangārei Racing Club, a non-profit organisation, has been operating on the racecourse site at Ruakaka since 1974. The facility also provides opportunities for local groups to use the grounds for a range of community activities and this will continue under the new Zone.

The site is within the coastal environment and has sensitive interfaces with the coast to the east, Department of Conservation administered Crown land to the south and a dune lake reserve to the south west. On the southern tip of the Crown land, there is a Wildlife Refuge gazetted under the 1953 Wildlife Act, including most of the Ruakaka Estuary. This reserve does not abut the Ruakaka Equine Zone. These areas provide habitat to a range of Threatened and At Risk fauna.

Further to the west is the Ruakaka Estuary and scarp, upon which residential development looks out over the site and with extensive views of Bream Bay. The western and northern interfaces of the site border existing and planned residential areas.

In addition to the recreational activities associated with the current horse racing-related activities on the site, the racecourse offers opportunities to expand the economic base of the area through horse training and related educational activities, visitor accommodation and events. The site also offers opportunities in providing for housing choices, improved public access to the coastal area and neighbourhood-level services for the wider residential area.

The Ruakaka Equine Zone has been divided into a number of Precincts. These Precincts reflect the specific characteristics of different parts of the racecourse site and enable different future uses. Equine related activities are provided for across the Zone, along with compatible commercial activities in specific Precincts. The Zone provisions encourage proposals for comprehensive and integrated development of the precincts.

Notes:

1. For the purposes of the REZ Chapter, in determining residential intensity, one “REZ unit” is the equivalent of one residential unit or 3 commercial activity accommodation units (e.g. hotel rooms or motel units).
2. Precinct A, B, C and D are not a result of the Decision on the Urban and Services Plan Changes, therefore will not appear in the Precinct Mapping.

Objectives

REZ-O1

The long-term viability of equine activities within the Ruakaka Equine Zone is secured.

REZ-O2

The expansion of horse racing and training-related activities, and a cluster of compatible commercial and equine education facilities is enabled.

REZ-O3

A comprehensive and integrated framework for future residential and mixed-use development is provided to ensure the viability of ongoing equine related activities, provide for a high quality

environment within the Ruakaka Equine Zone, and respect the amenity of the surrounding environment.

REZ-O4

The natural character of the coastline is protected, and any adverse effects of development of the Ruakaka Equine Zone on the adjacent Crown land administered by the Department of Conservation, Ruakaka Wildlife Refuge and dune lake and their significant wildlife are avoided.

Policies

REZ-P1

To protect the ongoing operation of the Whangārei Racing Club on the site while providing opportunities for expansion of equine related activities by ensuring that:

- a. The racetrack and infield area is retained for equine related activities.
- b. There will be a maximum of 250 REZ units within the Zone.
- c. All residential units within the Ruakaka Equine Zone will enter into a 'no complaints' covenant to ensure that the residential development does not impact on the day-to-day equine related activities and events.
- d. Use of the Ruakaka Equine Zone by community groups is provided for, but their use of facilities is to be compatible with the primary function of the Zone as a racecourse.

REZ-P2

To ensure comprehensive and integrated future residential and mixed-use development for the entire Ruakaka Equine Zone or individual Precincts by requiring applications for non equine related land use and/or subdivision within Precincts B, C and D to include comprehensive Precinct Layout Plans (PLP) prepared with reference to:

- a. The objectives and policies of the Ruakaka Equine Zone and Precinct/s.
- b. Anticipated built form and activities.
- c. Proposed intensity of development.
- d. Relationships and connections with adjacent Precincts and other zones/environments.

REZ-P3

To preserve the natural character of the coastline, the adjacent Department of Conservation administered Crown land, Ruakaka Wildlife Refuge and dune lake by, for example, setting back buildings and major structures, managing their design and providing indigenous vegetated buffer strips along the boundaries. New development should not be visible from the beach area, when viewed from the foreshore area adjacent to the Zone, except for any redevelopment on the grandstand hill.

REZ-P4

To respect the amenity of the areas surrounding the Ruakaka Equine Zone and to promote amenity within the Zone through considerate building design including building and major structure mass, height, colour and materials.

REZ-P5

To avoid significant adverse effects on the amenity of surrounding residential areas, in particular panoramic views of Bream Bay.

REZ-P6

To provide for visual and physical connections through the site and managed access to the coast.

REZ-P7

To maintain and enhance visual connections to landscape features in the wider area, including headlands and off-shore islands.

REZ-P8

To manage the effects of infrastructure provision and site works and require on-site stormwater attenuation and re-use, through adherence to the Three Waters Management Chapter.

REZ-P9

To achieve hydrological neutrality for the Zone through identifying and establishing appropriate management measures for on-going maintenance and upkeep of sustainable, low-impact stormwater management facilities using best practice options.

REZ-P10

To avoid adverse effects on the ecological and cultural values of the coastal area, the adjacent Crown land administered by the Department of Conservation, the Ruakaka Wildlife Refuge and the dune lake, through:

- a. Providing for up to a maximum number of REZ units as set out in REZ-P1(b).
- b. Encouraging adaptive management staging of development, particularly in Precinct B.
- c. Preparation and implementation of an Ecological Plan that demonstrates how the ecological values of the coastline, adjacent Department of Conservation administered reserves, Ruakaka Wildlife Refuge and dune lake are to be protected from development of the Ruakaka Equine Zone.
- d. Controlling building and major structure location and design, requiring vegetated buffers, managing stormwater quality and quantity, access controls, control of plant and animal pests, exclusion of domestic cats and dogs, and avoiding disturbance of habitats from development of the Ruakaka Equine Zone.
- e. Preparation and implementation of a tangata whenua cultural monitoring plan that identifies protocols for engagement with Patuharakeke, archaeological discovery protocols, recognition of and interpretation of Tangata whenua values on site, and a kaitiaki monitoring programme.

Rules

REZ-R1 Eligibility Rules

1. Eligibility Rules applicable to subdivision and land use within the Zone are detailed in REZ-R1 and REZ-SUB-R1.
2. The Zone-wide objectives and policies and the specific policies set out in the relevant individual precinct land use and subdivision sections shall form the basis of assessment for any resource consent application in the Ruakaka Equine Zone.
3. The first land use application for a non equine related activity in each of Precincts B, C and D will be publicly notified.
4. Any other application will be subject to the notification tests of the Resource Management Act 1991.
5. All parking shall be provided within the boundary of the Ruakaka Equine Zone.

REZ-R2 Discretionary Activities

The following activities are discretionary activities within the Ruakaka Equine Zone:

1. Comprehensive and integrated development and/or subdivision in Precinct B, C or D where that would result in up to 250 REZ units in total within the whole of the REZ.
2. Constructing up to 3 access points (including a horse access point) from Precinct D into adjoining Crown land administered by the Department of Conservation.
3. Subdivision of the REZ into Precincts A, B, C or D.

REZ-R3 Non-Complying Activities

The following activities are non-complying activities within the Ruakaka Equine Zone:

1. Any development that would result in more than 250 REZ units in total within the whole of the REZ.
2. Industrial activity.
3. Constructing more than 3 access points (including a horse access point) from Precinct D into adjoining Crown land administered by the Department of Conservation.
4. Land use and subdivision activities not permitted, prohibited or requiring consent as a discretionary activity.

REZ-R4 Prohibited Activities

The following activities are prohibited activities within the Ruakaka Equine Zone:

1. The keeping of cats, dogs or mustelids in the Ruakaka Equine Zone (except seeing-eye dogs).
2. The dumping of any waste, including green waste, from the Ruakaka Equine Zone into adjoining Crown land administered by the Department of Conservation.
3. Constructing access points from Precinct B and C into adjoining Crown land administered by the Department of Conservation.

REZ-R5 Subdivision and Land Use Application Information Requirements

1. All applications for non equine related land use and/or subdivision, including comprehensive and integrated development, must include:
 - a. Assessments of environmental effects, as detailed in REZ-R5.2.
 - b. For Precinct B, C or D, a Precinct Layout Plan prepared for the whole of the Precinct/s as described in REZ-R5.3 and REZ-P2.
 - c. Proposed consent conditions, as detailed in REZ-R5.4.
 - d. For Precinct B, C or D, an Ecological Plan or updated Ecological Plan prepared in accordance with REZ-R6.
 - e. Event Plans where required in REZ-R7.
2. Assessments of environmental effects shall contain the following information, as is relevant to the proposed development and activities and to a level of detail that is commensurate with the anticipated effects associated with the subdivision and/or development:
 - a. Context analysis, including how development within the precinct will integrate with existing and possible development in adjacent precincts and other zones and consistency with any prior Precinct Layout Plan.
 - b. Traffic effects assessment, within the site and on the local roading and state highway networks.
 - c. Building design assessment including consideration of exterior materials and colours, factors contributing to low energy sustainable design, including the use of durable, low

- maintenance materials, passive heating, passive cooling, use of solar energy and rainwater harvesting.
- d. Ecological effects assessment (as described in REZ-R6).
 - e. Consideration of Adaptive Management Staging.
 - f. Timing of development.
 - g. Landscape and visual effects assessment, including natural character.
 - h. Infrastructure effects assessment.
 - i. Stormwater management effects assessment.
 - j. Infrastructure funding.
 - k. Cultural effects assessment by tangata whenua.
 - l. Tangata whenua cultural monitoring plan (as described in REZ-P9(e)).
 - m. Archaeological effects assessment.
 - n. Urban design assessment.
 - o. Specialist reports submitted in conjunction with Plan Change 113.
 - p. Additional management methods, such as Council bylaws, Memoranda of Encumbrance, and Memoranda of Understanding.
3. Precinct Layout Plans shall set out how the Precincts are to be subdivided or developed, responding to, and compatible with, the assessment of environmental effects and relevant objectives and policies and must depict, as a minimum, the following features (as relevant to each Precinct):
- a. Location and types of proposed activities.
 - b. Building envelopes (footprints, height, separation/setbacks, coverage).
 - c. Proposed road layout and cross sections.
 - d. Pedestrian and cycle facilities.
 - e. Proposed landscaping.
 - f. Proposed fencing.
 - g. Areas of cultural significance, including archaeological sites.
 - h. Relationships and connections with adjacent Precincts and other zones/environments.
 - i. Subdivision or development design, including number, size and shape of sites allotments; infrastructure, servicing, accessways and engineering details; land tenure (e.g. freehold, leasehold, cross lease, company leases, unit titles); and any staging / timing of subdivision or development.
4. Proposed conditions of consent shall include (but shall not be limited to) the following matters:
- a. Noise, lighting, visual amenity, car parking, traffic management.
 - b. Building design implementation.
 - c. Urban design.
 - d. Fencing.
 - e. Landscaping.
 - f. Adaptive Management Staging/Timing of development (if proposed).
 - g. Stormwater management, including groundwater quality and dune lake re-charge.
 - h. Identification, protection, and monitoring of areas of cultural significance, including archaeological sites.
 - i. Ecological requirements (as detailed in REZ-R6).

- j. 'No Complaints' covenants for residential units (as required by REZ-P1(c)).
- k. Subdivision or development design and associated Whangārei District Council engineering standards including financial and monitoring mechanisms such as bonds.
- l. A means by which conditions are binding such as covenants or consent notices.
- m. Compliance with Precinct Layout Plans.
- n. Prevention of the keeping and introduction of cats, dogs and mustelids.

REZ-R6 Ecological Requirements

1. The first non-equine related land use or subdivision application for Precinct B, C or D shall include an Ecological Plan for the whole of the Ruakaka Equine Zone, as set out below. Subsequent applications should review, update and replace this Ecological Plan, as necessary.
2. Components of the Ecological Plan process shall include:
 - a. Baseline ecological monitoring of the environment comprising a minimum of 3 consecutive years of pre-lodgement monitoring in accordance with REZ Table 1-2.
 - b. Ecological effects assessment informed by the results of baseline monitoring, submitted in conjunction with other resource consent information requirements.
 - c. Ecological Plan (or updated Ecological Plan) outlining the management strategies/options for addressing adverse effects of development, based on the findings of the ecological effects assessment, and incorporating provisions for ongoing ecological monitoring including appropriate review conditions of consent.
 - d. An Ecological Plan shall be prepared by a suitably qualified and experienced ecologist.
3. The purpose of an ecological effects assessment is to identify and assess actual and potential ecological effects arising from human disturbance and plant and animal pests associated with existing and proposed development within the Ruakaka Equine Zone.
4. An ecological effects assessment shall take into account:
 - a. The nature of development and level of intensity proposed.
 - b. Direct effects (resulting from physical development of the Ruakaka Equine Zone including land clearance, earthworks, construction, stormwater).
 - c. Secondary effects (resulting from increased activities and habitat modifications within the Ruakaka Equine Zone and the surrounding area, following proposed development).
 - d. Cumulative effects (resulting from future development that might occur, and additional to the effects that can be expected to have already occurred as a result of development of the wider Ruakaka area which will also increase in the future).
 - e. The range of existing vegetation, wildlife, habitat values and special values within the REZ and the surrounding area (comprising the coastline, adjacent Crown land administered by the Department of Conservation, the Ruakaka Wildlife Refuge and the dune lake) including:
 - i. Native vegetation.
 - ii. Plant communities of value.
 - iii. Birds and bird communities.
 - iv. Invertebrate communities.
 - v. Aquatic biota (fish, invertebrates and macrophytes).
 - vi. Habitats of note in the context of the wider ecological district.
 - vii. Habitats of local, regional or national value or significance.

- viii. Wildlife or vegetation values of special interest, including species or communities with a conservation rating rarity value, buffering or linkage values etc.
- f. Existing threats and risks including:
 - i. Weed and plant pests.
 - ii. Increased people pressure.
 - iii. Threats/risks to plant communities based on existing and proposed use of site (i.e fire, vehicle access ways, grazing, stock access, and plant pests).
 - iv. Range of animal pest species.
 - v. Risks to wildlife from known animal pests.
 - vi. Disturbance as a result of existing land use and activities.
 - vii. Threats/risks to habitats as a whole from existing land use (i.e. stock access, human activities/disturbance, stormwater, wastewater).
 - viii. Other threats/risks to special values (e.g. high summer visitor population).
- 5. The purpose of an Ecological Plan is to demonstrate how the ecological values of the coastline, adjacent Crown land administered by the Department of Conservation, the Ruakaka Wildlife Refuge and the dune lake, are to be protected, including means of managing potential ecological effects identified in the ecological effects assessment.
- 6. Ecological Plans shall be prepared and reviewed in consultation with the Department of Conservation and tangata whenua. When an Ecological Plan (or its review) is submitted to Council for approval it shall include a summary of the consultation undertaken, any responses received from the Department of Conservation, tangata whenua, and any coastal care community group, and the changes (if any) made as a result of the consultation.
- 7. Ecological Plans shall also specify:
 - a. The range of management strategies required to avoid, remedy or mitigate adverse effects of development.
 - b. Monitoring requirements and performance indicators to identify when successful implementation of management options has been achieved and if desired outcomes have been realised.
- 8. Management strategies may include:
 - a. Measures for avoidance/minimisation of native vegetation removal.
 - b. Adaptive management.
 - c. Habitat replacement and enhancement.
 - d. Rehabilitation and landscape plans.
 - e. Use of plants from local genetic stock.
 - f. Development and implementation of an ongoing weed and plant pest management plan.
 - g. Fencing to constrain access to vegetated areas (including horse/stock access) and/or to discourage the dumping of green waste.
 - h. Access limitations to defined areas through sensitive adjoining habitats.
 - i. Vehicle restrictions through dune habitats.
 - j. Managing fire risk, including prohibition or restriction of use of open fires.
 - k. Baseline and ongoing monitoring of shorebirds, including identification of sources and levels of human interaction with, and disturbance to, shorebirds and their habitat.
 - l. Prevention of the keeping and introduction of domestic pets.

- m. Informative signage and educational material on the significance of the area and on appropriate behaviour, and behaviours that should be avoided by residents, workers and visitors.
 - n. Seasonal management of bird nesting areas through the presence of a wildlife warden, and/or protective fencing and/or temporary access restrictions and appropriate signage.
 - o. Lighting design (including street lighting) to reduce light spill.
 - p. Noise management including precinct design and vegetated buffers.
 - q. Development of a fauna management plan and/or other specialised management plans if warranted in terms of the values identified in REZ-R6.4(e).
9. The following information shall be incorporated in a draft Ecological Plan:
- a. The details of protection/perimeter fencing and when this is to be erected.
 - b. The location of limited access points across the coastal dunes and methods of construction in accordance with Department of Conservation standards, and how use of these access points will be enforced.
 - c. The methods by which domestic pets (including cats, dogs and mustelids) will be excluded (such as by way of covenants on titles; advice to site lot owners/occupiers; signage and follow-up enforcement).
 - d. The methods by which dumping of green waste, and introduction of pest plants and animals will be prevented and/or controlled.
 - e. The methods by which light spill (including street lighting) and noise will be controlled.
 - f. The type of educational material to be provided prior to and following development occurring.
 - g. The duties and appointment details of a warden or similar (i.e. in lead up and during breeding season and outside breeding season).
 - h. Details regarding availability of the Ecological Plan, with the owners of the Racecourse and the Council to ensure that an up-to-date copy of the full Ecological Plan is available for public viewing, in addition to a summary of key points sign-posted within the Ruakaka Equine Zone.
 - i. A means by which future residents (and other users of the REZ) could participate in, on a voluntary basis, the maintenance and management of adjoining Crown land administered by the Department of Conservation (such as dune restoration).
 - j. The process by which the following will be progressively reviewed and implemented as development proceeds:
 - i. Weed and pest control within and adjacent to the Ruakaka Equine Zone.
 - ii. Stormwater management including the maintenance of the natural hydrological processes, wetland values and water quality, of the dune lake.
 - iii. Actions to minimise disturbance within adjacent Crown land administered by the Department of Conservation, the Ruakaka Wildlife Refuge and the dune lake.
 - iv. The rehabilitation of adjacent dune habitats in the Ruakaka Bream Bay Scenic Reserve (excluding the backdunes in the area north of the Ruakaka Racecourse) as shown on Map REZ 4 aimed at enhancing natural habitat values.
 - k. Provisions for the establishment of an Ecological Management Fund sufficient to provide for the annual cost of implementing the Ecological Plan in perpetuity, including, as a minimum, the following:

- i. An initial bond, with the amount and legal process involved to be specified within the Ecological Plan. The bond shall be sufficient to provide for the first three years of implementation of the Ecological Plan.
 - ii. Details of a residents and landowners annual fee, levy or similar to ensure sufficient contributions to the Ecological Management Fund in perpetuity.
 - iii. Details of a Residents' Society (or similar), with responsibility for ensuring the on-going implementation of the Ecological Plan.
 - l. Performance indicators and methods for monitoring the effectiveness of management strategies, including:
 - i. Record keeping and reporting on outcomes.
 - ii. Ongoing monitoring to identify potential cumulative **effects** and the effectiveness of the Ecological Plan.
 - iii. Where staged development and/or an adaptive management approach is proposed, a feedback mechanism for monitoring results to inform decision making.
 - m. Any additional ecological requirements, threats or management opportunities identified in the assessment of ecological **effects**.
10. The purpose of the baseline and ongoing ecological monitoring programme is to establish the effectiveness of the management strategies and, if an adaptive management staged development is proposed, to determine if it should proceed to the next stage.
11. The minimum requirements and timeframes for ecological monitoring are given in REZ Table 1 and REZ Table 2.

General

REZ Table 1. Monitoring and Performance indicators - General

Item	Monitoring	Performance Indicator
Godwit/Knot	Arrival times; numbers; location; source of disturbance (human/climatic); at least three neap and three spring tides monthly over 2.7m above chart datum; November to March inclusive.	Continued use of high tide roost site (s).
Variable oyster catcher and New Zealand Dotterel	Breeding habitat stability; location; source of disturbance (human/climatic); numbers/nest density; breeding outcomes; monitored August to March inclusive.	Breeding areas and breeding population are maintained.
Other shorebirds and seabirds	Location, density and distribution of bird species in the lower estuary at low and high tide; source of disturbance (human/climatic); at least 3 days monthly.	Resident bird species are not displaced.
Human Activity and Disturbance	Human presence, numbers, activity including areas of shellfish collection, in relation to bird location; human impact on bird use and persistence using the previous Department of Conservation data collection site or other sites ; at least three days monthly, both high water and low water , plus/minus 1 hour of each diurnal tide.	Threatened and resident bird species.

Item	Monitoring	Performance Indicator
Dune <u>lake</u> ecology	Nutrients; annually.	Nutrient concentrations stable and not deteriorating.
Fire risk	Human activities such as fires within the REZ; fireworks; vegetation management around <u>boundary</u> of REZ and Department of Conservation managed <u>land</u> .	No unauthorised fires due to REZ development.
Dune vegetation	The status and changes in foredune vegetation, particularly Spinifex.	No reduction in extent of foredune vegetation.

Other Matters

REZ Table 2. Monitoring and Performance indicators - Other Matters

Item	Requirements
Collection of Data	<ol style="list-style-type: none"> Baseline monitoring shall be a minimum of three consecutive years of monitoring data. Once monitoring has commenced, seasonal data must be maintained so that any gap in data is no more than two consecutive years. At least three consecutive years of monitoring data is required to correct any gap of more than two consecutive years in monitoring data. For adaptive management development, at least three consecutive years of monitoring data when the stage is fully developed should support an application to proceed to the next stage. All data is to be assessed for each application.
Annual Report	The monitoring programme must provide for an annual report to Council.
Area to be monitored	For each item identified above, the indicative area to be monitored is shown in Map REZ.4.

REZ-R7 Event Requirements

- Provision is included within Precincts A, B and D for the holding of equine related events, and within Precincts A and D for non equine related events.
- Events within the definition of 'Equine Related Activities' include:
 - Entertainment (related to race days).
 - Race meetings.
 - Pony clubs and riding schools.
- For the purposes of the Ruakaka Equine Zone, the types of event are defined as:
 - Small-scale events (involving between 50 and 400 people at any one time within the Ruakaka Equine Zone).
 - Medium-scale events (involving between 400 – 2,000 people at any one time within the Ruakaka Equine Zone).
 - Large-scale events (involving over 2,000 people at any one time within the Ruakaka Equine Zone).
- All non equine related events shall take place in accordance with Event Plans certified by Council:

- a. Small-scale and medium-scale non equine related events shall be in accordance with a generic Event Plan.
 - b. Large-scale, non equine related events shall be in accordance with an event - specific Event Plan.
5. Event Plans shall set out the management of events, and must contain a description of the following matters:
 - a. The Precinct/s in which events shall take place.
 - b. Nature of event.
 - c. Scale of event (number of persons involved).
 - d. Timing, duration, hours of operation, and frequency.
 - e. Details of methods to avoid disruption to on-site racecourse activities, minimize disturbance of nearby ecological resources, and manage effects on the functioning of surrounding roads and the amenity of surrounding residential areas, including:
 - i. Traffic management.
 - ii. Vehicle Accessways and parking.
 - iii. Crowd management.
 - iv. Health and safety issues.
 - v. Litter control.
 - vi. Noise control.
 - vii. Control of light spill.
 - viii. Protection of ecological values.
 - ix. Information to residents/public prior to event.
 - x. Exclusion of cats, dogs and mustelids.
6. The owners of the racecourse and the Council will ensure that copies of Council certified generic and event-specific Event Plans are available for public viewing.

REZ Appendix 1- Maps

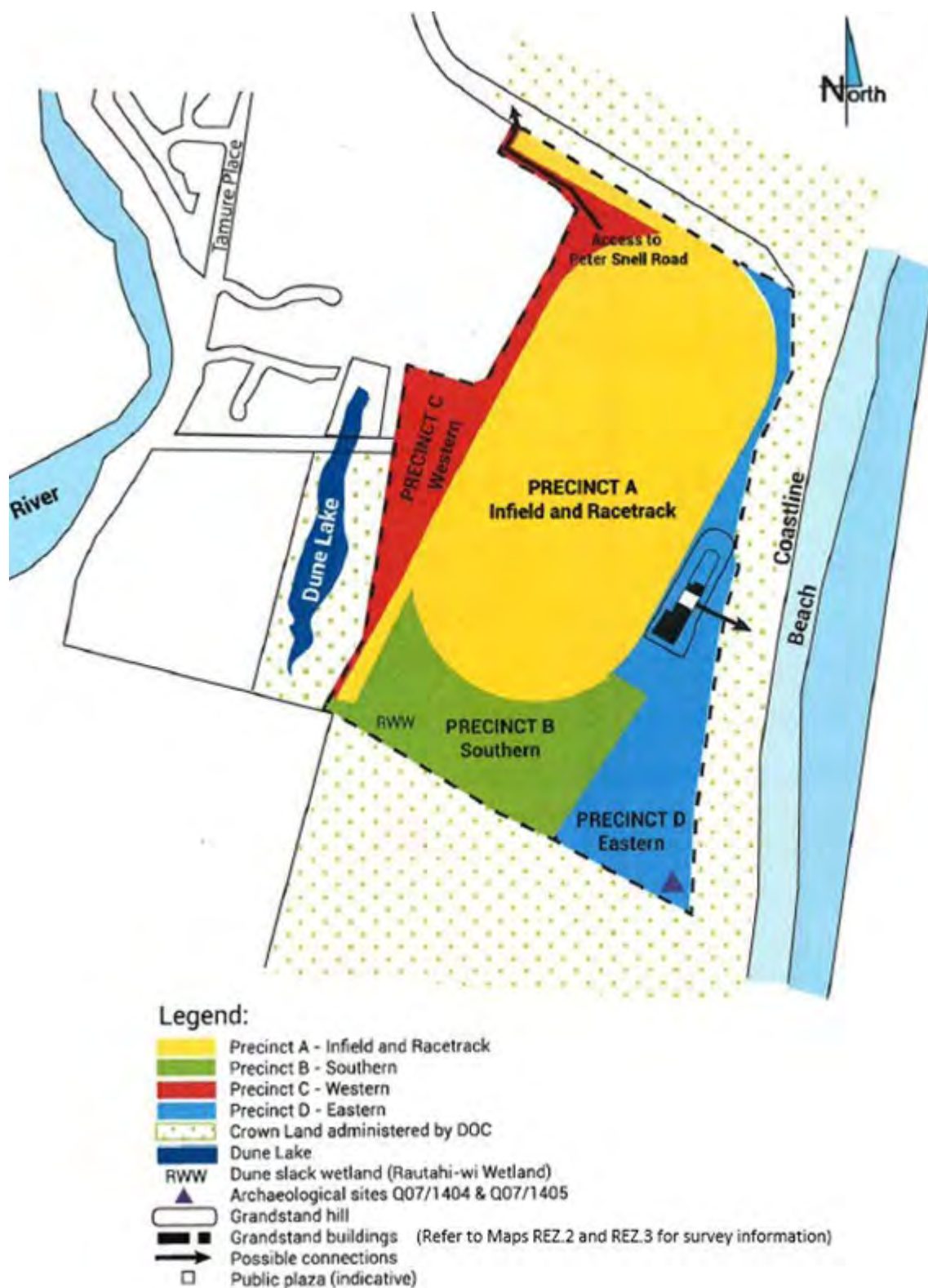


Figure REZ 1: REZ Map 1 (for indicative purposes only)

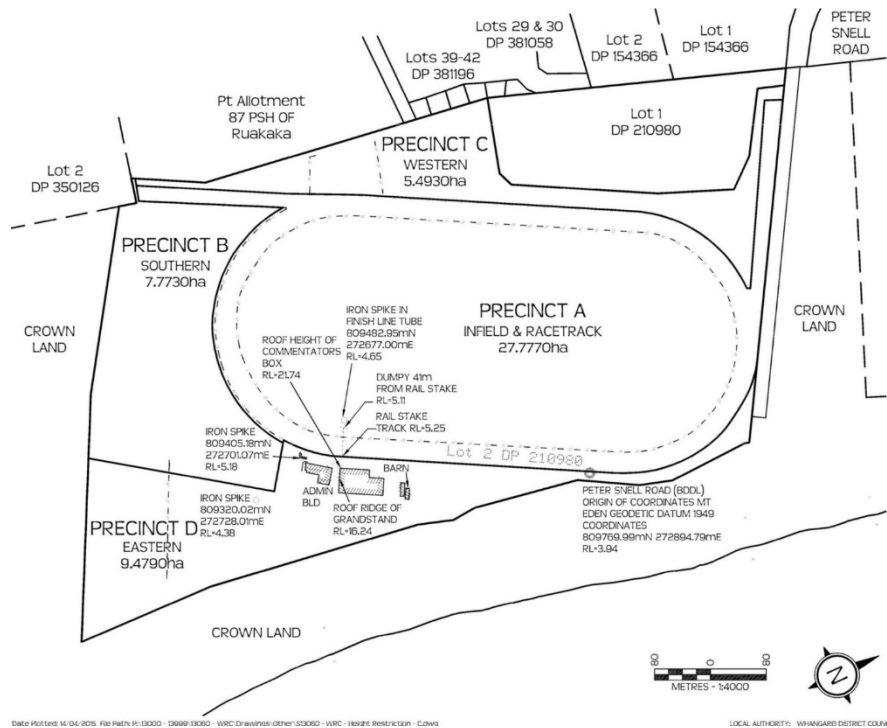


Figure REZ 2: REZ Map 2



Figure REZ 3: REZ Map 3



Figure REZ 4: REZ Map 4 – Indicative Monitoring Areas (Refer REZ Table 1-2 in REZ-R6.)

REZ-SUB – Subdivision Provisions

Policies

REZ-SUB-P1 Effects on Equine Related Activities

To avoid, remedy or mitigate the effects of subdivision on the operation of the site for equine use.

REZ-SUB-P2 Effects on Natural Character and Amenity

To ensure subdivision and development is designed and located to avoid, remedy or mitigate adverse effects, and where possible enhance the natural character of the coastal environment, Department of Conservation administered reserves, the Ruakaka Wildlife Refuge and the dune lake.

To provide for the long term protection and enhancement of the adjacent natural features through subdivision design in accordance with required setbacks and appropriately designed buffer zones. To take into account the amenity of the surrounding environment and impact on view shafts across the Ruakaka Equine Zone in the location and orientation of building sites/platforms.

REZ-SUB-P3 Infrastructure, Servicing, and Engineering Design.

To ensure that all infrastructure, servicing, and engineering design are in accordance with the District-Wide provisions of the District Plan.

To provide for an efficiently staged provision of services and infrastructure, including roading, water supply and wastewater.

To require adequate provision for potable and fire fighting water supplies to each building site at the time of subdivision.

REZ-SUB-P4 Stormwater Management

To achieve hydrological neutrality for the Zone through identifying and establishing appropriate management measures for on-going maintenance and upkeep of sustainable, low-impact stormwater management facilities using best practice options.

REZ-SUB-P5 Public Access, Roding and Pedestrian and Cycle Connections

To promote connectivity and managed accessibility in and around the Ruakaka Equine Zone and to the coast by providing areas for public access and pedestrian and cycle connections through the Ruakaka Equine Zone.

REZ-SUB-P6 Staging of Subdivision

To ensure the road layout and accessways into the Ruakaka Equine Zone as part of any subdivision is designed to avoid, remedy or mitigate any adverse effects on the surrounding road network.

To enable non equine related subdivision proposals for comprehensive and integrated development for the entire Ruakaka Equine Zone or individual Precincts (excluding Precinct A) to be developed in a staged manner.

Rules

REZ-SUB-R1 Eligibility Rules

1. Subdivision is a prohibited activity within Precinct A (Infield & Racetrack).
2. Non equine related subdivision in Precinct B, C or D as part of a comprehensive and integrated development is a discretionary activity.

3. Equine related subdivision in Precinct B, C or D is a discretionary activity.
4. Subdivision that is not prohibited or requiring consent as a discretionary activity is a non-complying activity.

Note:

1. *There are also other relevant subdivision rules in section REZ-R1.*

REZ-PREC-A – Infield and Racetrack (Precinct A)

Issues

The infield area of this Precinct can be developed for enhanced equine and community-related activities that support the ongoing use of the site for horse racing and training and community use. A new track can be provided inside the existing track and additional race day parking can be provided in the infield with access either at grade or under the existing racetrack. Buildings and major structures are to be limited to a single level, with a predominance of open space. Precinct A – Infield and Racetrack is shown on Map REZ 1.

Objectives

REZ-PREC-A-O1 Objective

To allow the creation of an equine and recreational cluster within the infield area and the provision of effective race day facilities while maintaining an open space character.

Policies

REZ-PREC-A-P1 Clustering of equine related activities

To enable a cluster of equine related activities within the infield that can share facilities to ensure an efficient use of space.

REZ-PREC-A-P2 Maintaining a sense of openness

To limit building and major structure coverage and height within the infield to a low level to ensure that a sense of openness is maintained.

REZ-PREC-A-P3 Community-related recreation and events

1. To support the ongoing use of the infield for community related passive and active recreation, where this is compatible with primary use of the precinct for equine related activities.
2. To enable public and recreational facilities to locate in the infield, provided that their hours of operation and associated management do not disrupt the primary use of the Ruakaka Equine Zone as a racecourse, the amenity of surrounding residential areas, and the protection of wildlife habitat within the adjacent Crown land administered by the Department of Conservation, the Ruakaka Wildlife Refuge and the dune lake.
3. To ensure the adverse effects of non equine related events on adjacent residential and open space areas are managed appropriately.

Rules

REZ-PREC-A-R1 Permitted Activities

1. Any equine related activity provided that:
 - a. The construction or alteration of any building or major structure (excluding minor buildings) does not exceed a height of 6m.
 - b. The construction of any individual building or major structure (excluding minor buildings) does not exceed a gross floor area of 1,000m².

- c. Building and major structure (excluding minor buildings) coverage will not exceed 15% of the gross precinct area of Precinct A.
 - d. The activity does not include the use of floodlighting resulting in light spill beyond the Zone.
 - e. Accommodation for horse-trainers, students and caretakers associated with the permanent housing and training of horses, does not exceed the following gross floor area requirements across the Ruakaka Equine Zone:
 - i. One shared accommodation facility within the vicinity of the stables, of up to 100m² gross floor area.
 - ii. One relocatable residential unit of up to 200m² gross floor area for a foreman or trainer. One further such relocatable residential unit may be included for each additional (permanently housed) 15 horses, up to a maximum of 45 (permanently housed) horses.
2. Any non-equine related events comprising:
- a. Gatherings of up to 50 people.
 - b. Small-scale events.
 - c. Medium-scale events not exceeding a total of 12 per calendar year.
 - d. Provided that:
 - i. The activity does not include the use of floodlighting resulting in light spill beyond the Zone.
 - ii. The activity does not include the use of amplified music resulting in noise beyond the levels of the Residential Zones' requirements at the Ruakaka Equine Zone boundary.
 - iii. The activity does not involve the construction of permanent buildings or major structures (excluding minor buildings).
 - iv. Small-scale and medium-scale events take place in accordance with a certified generic Event Plan prepared in accordance with REZ-R7.

REZ-PREC-A-R2 Discretionary Activities

- 1. Sportsfields and non equine related recreational facilities, including clubrooms and storage sheds.
- 2. Recreational facilities not involving artificial lighting, including golf courses and golf driving ranges.
- 3. Any other commercial activity, whether a primary activity or ancillary activity, provided that:
 - a. The construction or alteration of any building or major structure (excluding minor buildings) does not exceed a height of 6m above ground level.
 - b. The construction of any individual building or major structure (excluding minor buildings) does not exceed a gross floor area of 1,000m².
 - c. Buildings and major structure (excluding minor buildings) coverage will not exceed 15% of the gross precinct area of Precinct A.
- 4. Any activity requiring the use of floodlighting resulting in light spill beyond the Zone.
- 5. Any activity using amplified music resulting in noise beyond the levels at the Residential Zones' requirements.
- 6. The 13th and any subsequent medium-scale non equine related event per calendar year.
- 7. Any large-scale, non equine related event.

REZ-PREC-A-R3 Non-Complying Activities

Any activity other than those listed as permitted, discretionary or prohibited activities shall be a non complying activity.

REZ-PREC-A-R4 Notification Rule

Non complying and discretionary activities will be subject to the notification tests of the Resource Management Act 1991.

REZ-PREC-B – Southern (Precinct B)

Issues

The area to the south of the existing racecourse can accommodate training and equine related activities as well as being able to be developed for terraced and low rise apartment type residential development. Any development above 2 storeys will need to be assessed to demonstrate that the adverse effects on the amenity of surrounding residential areas is no more than minor. Precinct B – Southern is shown on Map REZ.1.

Objectives

REZ-PREC-B-O1 Objective

To allow the development of a range of residential accommodation that is compatible with the surrounding environment and ensures linkages through the site to the coast. Some non-residential development is also anticipated, limited to small scale office-based activities (health, business and service-related, educational, community and cultural) each occupying no more than 200m² gross floor area.

Policies

REZ-PREC-B-P1 Residential Development

To develop a high quality living environment that is designed to be compatible with other racecourse activities.

REZ-PREC-B-P2 Non-Residential activities

To encourage the concentration of non residential activities compatible with a residential and racecourse environment to the south of the grandstand area, helping to form a small commercial and community hub.

REZ-PREC-B-P3 Preservation of Natural Character of Crown Land to the South

To preserve the natural character of the Crown land to the south by ensuring that any public access to the coast and to Crown land administered by the Department of Conservation shall only be through Precinct D, and by ensuring the visual dominance of buildings and major structures is minimised through:

1. Appropriate separation, building and major structure, orientation and design (building articulation (expression, form), roofline design, choice of materials and colours).
2. Softening of the boundary treatment through an indigenous vegetation buffer strip.
3. Building and major structure design that minimizes the extent of built mass fronting the reserve.
4. Minimal windows, doors and other openings to the south.
5. Use of directional lighting to reduce the potential for light and noise spill, especially to the south.

REZ-PREC-B-P4 Urban Design

To ensure that residential buildings are of a high quality and the environment is well-designed, development should:

1. Include buildings that help to frame and activate (directly interact with) public and semi public areas, while offering privacy and security to residents.

2. Address appropriate performance standards in relation to:
 - a. Internal amenity (size of units, daylight access, ventilation, circulation space).
 - b. Privacy – visual and aural.
 - c. On-site outdoor space.
 - d. Building articulation (expression, form) and design, including ground floor activation (direct interaction with the street or open space) and roofscapes.
 - e. Maintenance of exterior (durability) and quality of finish.
 - f. Car parking and vehicle circulation.
 - g. Waste management.
3. Incorporate a variety of residential unit sizes, with a mix of smaller and larger units across the Precinct, as well as within larger developments.
4. Provide each unit with its own private outdoor space for privacy and easy use in terms of relationship to indoor spaces.
5. Generally utilise lifts and interior corridors for access to low rise apartments and limit shared exterior walkways and stairs. The number of units served by such facilities should not exceed 6 to 8 per floor.
6. Activate (enliven) ground floors that front streets, walkways and communal open spaces (public or private) through appropriate placement of windows, doors and internal activities. Fencing should be low so as to maintain visual interaction.

REZ-PREC-B-P5 Access

Appropriate vehicle, pedestrian and cycle access is to be provided to and within this Precinct, as well as connections with Precincts C and D. The main circulation route should be aligned so that it captures a vista towards the Hen Island (Taranga).

REZ-PREC-B-P6 Stormwater Management

To protect the ecological values of the dune lake in addition to meeting the requirements of the Three Waters Management Chapter, appropriate on-site stormwater management of run-off from hard surfaces, streets and open car parking areas will be required.

REZ-PREC-B-P7 Sourcing of Plant Species

To enhance biodiversity, only locally sourced, indigenous plant species should be used and a planting plan should be in place to manage vegetation height. Species should be selected from within the Waipu Ecological District.

Rules

REZ-PREC-B-R1 Permitted Activities

Prior to the commencement of construction of any buildings and major structures (excluding minor buildings) associated with non equine related activities in Precinct B the following activities shall be permitted activities:

1. Any equine related activity provided that:
 - a. The construction or alteration of any building or major structure (except minor buildings) does not exceed two storeys (8m) in height.
 - b. Building and major structure (excluding minor buildings) coverage will not exceed 15% of the gross precinct area of Precinct B.
 - c. The activity does not include the use of floodlighting resulting in light spill beyond the Zone.

- d. The construction or alteration of any building or structure complies with a 3m high plus a 35 degree daylight angle, as measured from the southern boundary of Precinct B.
- e. Accommodation for horse-trainers, students and caretakers associated with the permanent housing and training of horses, does not exceed the following gross floor area requirements across the Ruakaka Equine Zone:
 - i. One shared accommodation facility within the vicinity of the stables, of up to 100m² gross floor area.
 - ii. One relocatable residential unit of up to 200m² gross floor area for a foreman or trainer. One further such relocatable residential unit may be included for each additional (permanently housed) 15 horses, up to a maximum of 45 (permanently housed) horses.

REZ-PREC-B-R2 Discretionary Activities

1. Any non equine related activity comprising comprehensive and integrated development provided that:
 - a. Non residential development is limited to small-scale office-based activities (commercial service related, educational, community and cultural) each occupying no more than 200m² gross floor area.
 - b. Development over 2 storeys in height will not occupy more than 10% of the gross precinct area, with no building or major structure exceeding 14m/4 storeys in height.
 - c. Total building and major structure (excluding minor buildings) coverage will not exceed 40% of the gross precinct area.
 - d. No more than 60% of the gross precinct area will comprise impervious areas (including roofs, streets, footpaths more than 1m wide, patios greater than 20m² and accessways driveways).
 - e. Buildings and major structures (excluding minor buildings) will be set back a minimum of 13m from the common boundary to the south, with provision within the setback for:
 - i. A minimum of 5m width of indigenous vegetation planting.
 - ii. A path for horse access to the beach linking with the horse access to the beach through Precinct D, with indigenous planting along both sides, with the horse access secured by appropriate fence treatment.
 - f. Building and major structures (excluding minor buildings) will comply with a daylight angle of 3m high and sloping 35 degrees into the site, measured from the southern boundary of Precinct B.
 - g. Noise levels are maintained at the Residential Zones' requirements at the Ruakaka Equine Zone boundary.
 - h. Fencing of the dune slack wetland identified on Map REZ 1 has been undertaken in advance of non equine development within Precinct B.
2. Any equine related activity that is not a permitted activity.

REZ-PREC-B-R3 Non Complying Activities

Any activity other than those listed as permitted, discretionary or prohibited activities shall be a non complying activity.

REZ-PREC-B-R4 Notification Rule

Non complying and discretionary activities will be subject to the notification tests of the Resource Management Act 1991, except as provided for in REZ-R1.

REZ-PREC-C – Western (Precinct C)

Issues

The land to the west of the existing racetrack will be able to be developed primarily for residential units. These residential units could provide an opportunity for different types of live/work options such as clustered housing and stabling. Adverse effects of the housing on the ecological values of the dune lake are to be avoided. Stand alone residential development and more intensive formats are possible within this Precinct. Precinct C – Western is shown on Map REZ 1.

Objectives

REZ-PREC-C-01 Objective

To allow the development of residential units (stand-alone and terrace-type) and stabling facilities that are designed to be stepped back from the interface with the dune lake.

Policies

REZ-PREC-C-P1 Built Development

To provide housing choice by allowing medium density housing and residential terrace style accommodation and/or residential/stabling development for trainers/visitors.

REZ-PREC-C-P2 Design of Development

To ensure that development is well designed, with each residential unit having its own private outdoor space and appropriate relationship with adjoining units, while enabling residential units to relate positively to streets.

REZ-PREC-C-P3 Visual Amenity

To protect visual amenity of the surrounding residential areas through a planting plan to control vegetation growth heights.

REZ-PREC-C-P4 Effects on Dune Lake

To preserve the natural character of the dune lake by ensuring the visual dominance of buildings and major structures is minimised through:

1. Appropriate separation, building and major structure orientation and design (building articulation (expression, form), roofline design, choice of materials and colours).
2. Softening of the boundary treatment through an indigenous vegetation buffer strip.
3. Building and major structure design that minimizes the extent of built mass fronting the dune lake reserve.
4. Minimal windows, doors and other openings to the south-west.
5. Use of directional lighting, to reduce the potential for light and noise spill, especially to the west.
6. No public access provided to the dune lake.
7. No living areas, including decks, of any residential building or other REZ unit being visible from the surface of the dune lake.

REZ-PREC-C-P5 Stormwater Management

To require specific on-site stormwater management techniques so that treated stormwater from streets, accessways driveways, roofs and other hard surfaces will not adversely affect the

ecological values of the dune lake and can be used to help recharge the dune lake, if appropriate, in addition to meeting the Three Waters Management Chapter provisions.

REZ-PREC-C-P6 Sourcing of Plant Species

To enhance biodiversity, only locally sourced, indigenous plant species should be used and a planting plan should be in place to manage vegetation height. Species should be selected from within the Waipu Ecological District.

Rules

REZ-PREC-C-R1 Permitted Activities

Prior to the commencement of construction of any buildings or major structures (excluding minor buildings) associated with non equine related activities in Precinct C the following activities shall be permitted activities:

1. Any equine related activity provided that:
 - a. The construction or alteration of any building or major structure (excluding minor buildings) does not exceed two storeys (8m) in height above ground level.
 - b. Building and major structure (excluding minor buildings) coverage will not exceed 15% of the gross precinct area of Precinct C.
 - c. The activity does not include the use of floodlighting resulting in light spill beyond the Zone.
 - d. The construction or alteration of any building or major structure (excluding minor structure) complies with a 3m high plus a 45 degree daylight angle, as measured from the western boundary of the Zone.
 - e. The construction or alteration of any building or major structure (excluding minor buildings) is not within 5m of the Precinct C boundary with the dune lake reserve.
 - f. Accommodation for horse-trainers, students and caretakers associated with the permanent housing and training of horses, does not exceed the following gross floor area requirements across the Ruakaka Equine Zone:
 - i. One shared accommodation facility within the vicinity of stables, of up to 100m² gross floor area.
 - ii. One relocatable residential unit of up to 200m² gross floor area for a foreman or trainer. One further such relocatable residential unit may be included for each additional (permanently housed) 15 horses, up to a maximum of 45 (permanently housed) horses.
 - g. Living areas, including decks, of any residential unit within the Precinct shall not be visible from any point on the surface of the dune lake, with this surface set at a nominal height of RL3.25.

REZ-PREC-C-R2 Discretionary Activities

Activity Status: Discretionary

Where:

1. The construction or alteration of any residential unit (other than equine related accommodation permitted in REZ-PREC-C-R1.1(a)) provided that:
 - a. Buildings will not exceed two storeys (8m above ground level) in height.
 - b. Buildings will not cover more than 35% of the gross precinct area of Precinct C.

- c. Impervious area (including roofs, streets, footpaths more than 1m wide, patios greater than 20m² and accessways driveways) will not cover more than 60% of the gross precinct area of Precinct C.
 - d. A buffer area with a minimum width of 5m is provided between any development and the boundary with the dune lake reserve, with the buffer using methods such as indigenous planting, earth bund, fencing.
 - e. No living areas, including decks, of any Ruakaka Equine Zone unit will be visible from any point on the surface of the dune lake, with this surface set at a nominal height of RL3.25.
 - f. Noise levels are maintained at Residential Zone requirements.
2. Any equine related activity that is not a permitted activity.

REZ-PREC-C-R3 Non-Complying Activities

Any activity other than those listed as permitted, discretionary or prohibited activities

REZ-PREC-C-R4 Notification Rule

Non-complying and discretionary activities will be subject to the notification tests of the Resource Management Act 1991, except as provided for in REZ-R1.

REZ-PREC-D – Eastern (Precinct D)

Issues

This precinct can, in addition to equine related activities, also accommodate compatible commercial and community-related development, including hotel/conference facilities, café/restaurants and event spaces, offices and business activities, as well as an element of residential development. New residential development is not to be visible from the coast. Any redevelopment of the current grandstand buildings which increases the size of the building envelope will require specific assessment in terms of design and visual impact on views enjoyed by surrounding residents. Development is expected to provide a number of public facilities including access to the beach, a public plaza or similar and some public car parking. Precinct D – Eastern is shown on Map REZ 1.

Objectives

REZ-PREC-D-O1 Objective

To allow for the development of the eastern precinct and existing grandstand and function rooms, capitalising on the views from the existing landform, to provide for multiple uses that may include watching racing, public open space, accommodation, conference centre facilities and related commercial development, as well as some low scale residential development.

Policies

REZ-PREC-D-P1 Commercial and Community Opportunities

To provide for a variety of commercial and community opportunities to be developed within the Precinct including visitor accommodation (hotel/motel) and conference centres, cafes/restaurants and similar. Some residential development is also expected.

REZ-PREC-D-P2 Visibility of Buildings and Major Structures from Beach

To preserve the natural character of the coastline by limiting the visibility of any new building or major structure as viewed from the beach. Any building or major structure, or part of building or part of major structure, that is visible from the beach should be of a high design standard, compatible with the coastal setting.

Buildings and major structures should be designed and located so that they are not visible from the beach, except for buildings and major structures on the grandstand hill. Assessment of this shall be taken from Mean Low Water Springs. View points should be taken from several points along the beach, including oblique views from the beach at the southern and northern boundary of the site.

REZ-PREC-D-P3 Development of Grandstand Buildings

Any expansion of the grandstand buildings (in terms of height and/or length, as measured in a north/south alignment) should be designed so as to minimise the disruption to the views from surrounding residences. Specific analysis of alternative designs will be required to be prepared and taken into account in any development. Additional height is preferred to additional horizontal bulk. However this will need to be balanced with the need to preserve the natural character values of the coastal environment by limiting visibility from the beach area.

To enhance public amenity, a plaza that is available for public use should be provided on the grandstand hill to allow views both across the racecourse and out to the coast and the landscape features of the headlands (Bream Head and Bream Tail) and the off-shore islands.

REZ-PREC-D-P4 Alternative Location for Parking

To maintain adequate on-site parking by ensuring that at the point at which this Precinct is developed for non equine related activities a suitable alternative location for race day parking has been found and/or provision within the Precinct is made for parking on race day.

REZ-PREC-D-P5 Events

To minimise disruption to adjacent residential areas and Crown land administered by the Department of Conservation, Wildlife Refuge and dune lake from events by managing their timing, frequency and effects.

REZ-PREC-D-P6 Access to Coast

To manage access to the coastal environment in consultation with the Department of Conservation:

1. Limited public access point(s) to the beach shall be provided with public car parking provided adjacent to one of these access points.
2. Any walking access point should be located north of the mid-point of the eastern boundary of the Ruakaka Equine Zone.
3. No car access shall be provided to the beach.
4. The horse access point to the beach is to remain, and be re-aligned within the Ruakaka Equine Zone to run inside the southern boundary of the Ruakaka Equine Zone connecting with Precinct B but clear of known archaeological sites.
5. The northern informal beach access is to be closed to vehicles and fenced, and the dune is to be restored.

REZ-PREC-D-P7 Noise and Lighting Effects

To limit light and noise spill into the adjacent Crown land administered by the Department of Conservation through building design that includes use of directional lighting on exterior facades of buildings, and minimises windows, doors and balconies on the south side of adjacent buildings.

REZ-PREC-D-P8 Ecological Issues

To protect the ecological values of the coastal dunes, a buffer area 5m wide must be created between any development and the boundary with the coastal dune reserve to the east. This buffer area must be designed using appropriate methods such as indigenous planting and fencing.

To enhance biodiversity, only locally sourced, indigenous plant species should be used and a planting plan should be in place to manage vegetation height.

REZ-PREC-D-P9 Stormwater Management

To require appropriate on-site management of stormwater run-off from hard surfaces, streets and open car parking areas to protect the ecological values of the dune lake in addition to meeting the Three Waters Management Chapter.

REZ-PREC-D-P10 Coastal Erosion Hazard Risks

To ensure that very long term (greater than 100 years) coastal erosion hazard risks are taken into account including:

1. Not compromising the effectiveness of existing natural defences (foreshore dune).
2. Avoiding the use of hard protection structures or barriers and providing space for natural defences to be augmented in the future.
3. Promoting awareness of coastal erosion risks including into the very long term.

Rules

REZ-PREC-D-R1 Permitted Activities

Prior to the commencement of construction of any buildings or major structures (excluding minor buildings) associated with non equine related activities in Precinct D the following activities shall be permitted activities:

1. Any equine related activity provided that:
 - a. The activity does not include the use of floodlighting resulting in light spill beyond the Zone.
 - b. The construction or alteration of any building or structure does not exceed two storeys (8m above ground level) in height.
 - c. Any new building or major structure (excluding minor buildings) and/or redevelopment of existing buildings or major structures (excluding minor buildings) on the grandstand hill as shown on Map REZ 1 that does not:
 - i. Exceed the height of the existing grandstand (RL16.24), (with the exception of the footprint of the existing commentators' box building where the height shall not exceed a height of RL21.74).
 - ii. Extend further in a north-south direction than the NE (north-east) wall of the Barn and the SW (south-west) wall of the Administration Building as indicated on Maps REZ 2 and REZ 3.
 - d. Building and major structure (excluding minor buildings) coverage will not exceed 15% of the gross precinct area of Precinct D.
 - e. Except for buildings or major structures (excluding minor buildings) on the grandstand hill, buildings or major structures (excluding minor buildings) will not be visible from Mean Low Water Springs from any point between the northern and southern boundaries of the Ruakaka Equine Zone.
 - f. The construction or alteration of any building or structure complies with a 3m high plus a 35 degree daylight angle, as measured from the southern boundary of the Precinct.
 - g. Accommodation for horse-trainers, students and caretakers associated with the permanent housing and training of horses does not exceed the following gross floor area requirements across the Ruakaka Equine Zone:
 - i. One shared accommodation facility within the vicinity of stables, of up to 100m² gross floor area.
 - ii. One relocatable residential unit of up to 200m² gross floor area for a foreman or trainer. One further such relocatable residential unit may be included for each additional (permanently housed) 15 horses, up to a maximum of 45 (permanently housed) horses.
 - h. The activity does not involve any development or ground disturbance within 25m of archaeological sites Q07/1404 and Q07/1405.
2. Any non equine related events in the existing facilities (grandstand, administration building and carpark) comprising:
 - a. Gatherings of up to 50 people.
 - b. Small-scale events.
 - c. Medium-scale events not exceeding a total of 12 per calendar year. Provided that:
 - i. The activity does not include the use of floodlighting resulting in light spill beyond the Zone.

- ii. The activity does not include the use of amplified music resulting in noise beyond the levels of the Residential Zones' requirements at the Ruakaka Equine Zone boundary.
- iii. The activity does not involve the construction of permanent buildings or major structures (excluding minor buildings).
- iv. The activity does not involve any development or ground disturbance within 25m of archaeological sites Q07/1404 and Q07/1405.
- v. Small-scale and medium-scale events take place in accordance with a certified generic Event Plan prepared in accordance with REZ-R7.

REZ-PREC-D-R2 Discretionary Activities

1. Non equine related activities comprising comprehensive and integrated development:
 - a. Visitor accommodation and place of assembly primarily for hotel/conference activity/function space/visitor accommodation.
 - b. Any commercial activity, place of assembly, educational facility or recreational facility (not forming part of a hotel/conference facility), where each development is less than 500m² gross floor area.
 - c. Any new building or major structure (excluding minor buildings) and/or redevelopment of existing buildings or major structures (excluding minor buildings) on the grandstand hill as shown on Map REZ 1 that:
 - i. Does not exceed the height of the existing grandstand (RL16.24), (with the exception of the footprint of the existing commentators' box building where the height shall not exceed RL21.74).
 - ii. Does not extend further in a north-south direction than the NE (north-east) wall of the Barn and the SW (south-west) wall of the Administration Building as indicated on Maps REZ 2 and REZ 3.
 - d. Residential buildings that are not visible from the beach area, (when viewed from Mean Low Water Springs, at any point between the northern and southern boundaries of the Ruakaka Equine Zone).
 - e. The construction or alteration of buildings associated with the above activities (a)-(d) provided that:
 - i. Buildings and major structures (excluding minor structures) visible from the beach will be limited to redevelopment of buildings on the grandstand hill as provided for in REZ.5.4.1(c).
 - ii. Buildings and major structures (excluding minor structures) will be set back at least 13m from the southern boundary, with the 13m setback providing:
 - A minimum of 5m width of indigenous vegetation planting.
 - A continuation of the horse access path to the beach from Precinct B, with indigenous vegetation planting along both sides, and the horse access secured by fencing.
 - iii. Buildings and major structures (excluding minor structures) will be set back more than 5m from the boundary with the foreshore reserve to the east.
 - iv. Buildings and major structures (excluding minor structures) will comply with a daylight angle measured at the southern Ruakaka Equine Zone boundary of 3m high and sloping 35 degrees into the site.
 - v. Impervious areas (including roofs, streets, footpaths more than 1m wide, patios greater than 20m² and accessways driveways) will comprise more than 60% of the gross precinct area.

- f. Noise levels are maintained at the Residential Zones' requirements at the Ruakaka Equine Zone boundary.
 - g. Any activity involving any development or ground disturbance within 25m of archaeological sites Q07/1404 and Q07/1405.
 - h. The 13th and any subsequent medium-scale non equine related event per calendar year.
 - i. Any large-scale non equine related event.
2. Any equine related activity that is not a permitted activity.

REZ-PREC-D-R3 Non-Complying Activities

Any activities other than those listed as permitted, discretionary or prohibited activities shall be a non-complying activity.

REZ-PREC-D-R4 Notification Rule

Non-complying and discretionary activities will be subject to the notification tests of the Resource Management Act 1991, except as provided for in REZ-R1.

Precincts (PREC)

Issues

A precinct spatially identifies and manages an area where additional place-based provisions apply which to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s) or refine or modify **land** use outcomes. If a precinct applies to only one underlying zone it will be located in the relevant zone chapter, if a precinct applies to multiple underlying zones it will be located in the precincts chapter.

The objectives, policies and rules of the underlying zone apply in addition to any relevant provisions of a precinct unless stated otherwise. The underlying zone rules shall apply when a precinct does not state a precinct rule for the same activity.

As stated in the Relationship Between Spatial Layers Chapter - Rule HPW-R1.2, where an activity is subject to a precinct rule and the activity status of that activity in the precinct is different to the activity status in the zone or in the district-wide matter rules, then the activity status in the precinct takes precedence over the activity status in the zone or district-wide matter rules, whether that activity status is more or less restrictive.

Table PREC 1. Precinct List

Precinct Number	Precinct Name	Chapter
PREC1	Northland Christian Camp Precinct (NCCP)	General Residential Zone (GRZ)
PREC2	Western Hills Drive Precinct (WDDP)	Medium Density Residential Zone (MRZ)
PREC3	Maunu Town Centre Precinct (MTCP)	Local Centre Zone (LCZ)
PREC4	Hihiaua Peninsula Precinct (HPP)	Mixed Use Zone (MUZ)
PREC5	South Whangarei Gateway Precinct (SWGP)	Light Industrial Zone (LIZ)
PREC6	Marsden Point Energy Precinct (MPEP)	Heavy Industrial Zone (HIZ)
PREC7	Bream Bay Marine Science and Research Precinct (BBMSRP)	Heavy Industrial Zone (HIZ)
PREC8	Light and Heavy Industry Setback from Water Exemption Precinct (SWEP)	Precincts (PREC)
PREC9	Ruakaka Environmental Benefit Precinct (REBP)	General Residential Zone (GRZ)
PREC10	Waterfront Commercial Precinct Zone (WZ)	Waterfront Zone (WZ)
PREC11	Onerahi Industrial Precinct (OIP)	Light Industrial Zone (LIZ)
PREC12	Parihaka Environmental Benefit Precinct (PEBP)	Low Density Residential Zone (LRZ)
PREC13	Vinegar Hill Road Precinct (VHRP)	Precincts (PREC)
PREC14	Marsden Technology Park Precinct (MTPP)	Light Industrial Zone (LIZ)
PREC15	Pyle Road West Precinct (PRWP)	Precincts (PREC)
PREC16	Marsden Urban Expansion Precinct (MUEP)	General Residential Zone (GRZ)
PREC17	O'Shea Road Environmental Benefit Precinct (OEBP)	Low Density Residential Zone (LRZ)
PREC18	Site Specific Environmental Benefit - 734 Pataua North Road, Whareora (Part Lot 1 DP 94742)	Rural Production Zone (RPZ)
PREC19	Site Specific Environmental Benefit - 128 and 172 Awaroa River Road, Whangarei (Lot 3 DP 317977 and Lot 2 DP 87364)	Rural Production Zone (RPZ)

Precinct Number	Precinct Name	Chapter
PREC20	Site Specific Environmental Benefit - 2487 Whangarei Heads Road, Whangarei (Part Allot 17 PSH of Manaia)	Rural Production Zone (RPZ)
PREC21	Site Specific Environmental Benefit - 1007 Cove Road, Waipu (Lot 3 DP 67636)	Rural Production Zone (RPZ)
PREC22	Site Specific Environmental Benefit - 995 Cove Road, Waipu (Part Lot 1 DP 69511)	Rural Production Zone (RPZ)
PREC23	Marsden City Precinct (MCP)	Precincts (PREC)

PREC8 – Light and Heavy Industry Setback from Water Exemption Precinct (SWEP)

Issues

The Light and Heavy Industry Setback from Water Exemption Precinct recognises the functional and operational need for industrial activities, particularly marine industry in close proximity to the coastal marine area.

Objectives

PREC8-O1 Water Setbacks

Recognise the functional and operational need for industrial activities, particularly marine industry to be located within the setback from Mean High Water Springs.

Policies

PREC8-P1 Water Setbacks

To recognise the functional and operational need for industrial activities, particularly marine industry to be located within the setback from the coastal marine area by applying an exemption to the setback rules.

Rules

PREC8-R1 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All buildings and major structures comply with:
 - a. LIZ-R4.1(a), (b), and (c).
 - b. HIZ-R4.1(a), (b), and (c).

Note:

1. All buildings within PREC8 are exempt from compliance with LIZ-R4.1(d) and HIZ-R4.1(d).

PREC13 – Vinegar Hill Road Precinct (VHRP)

Issues

The Vinegar Hill Road Precinct provides for General Residential Zone subdivision and land use provided that adverse effects on the adjacent transport network are managed and an appropriate esplanade reserve is created with physical and visual connections provided between the reserve and residential development. All relevant district-wide provisions and underlying zone provisions apply in addition to PREC13-R1 and R2.

Objectives

PREC13-O1 Transport Effects

Adverse effects on the safety and efficiency of the adjacent transport network are managed.

PREC13-O2 Esplanade Area

The recreational and ecological values along the stream adjacent to the Precinct are enhanced.

PREC13-O2 Urban Design

Development achieves quality urban design outcomes and connectivity with public spaces and adjoining sites.

Policies

PREC13-P1 Vehicle Crossings

To manage effects on the adjacent transport network by:

1. Limiting the number of new vehicle crossings onto Vinegar Hill Road.
2. Locating the vehicle crossings in appropriate locations with regard to existing and proposed intersections, vehicle crossings and bridges.

PREC13-P2 Esplanade Area

To provide public access to the stream adjacent to the Precinct and to protect ecological values within the site by creating an esplanade reserve over the Natural Open Space Zone in the Precinct.

PREC13-P3 Urban Design

To design subdivision and the associated transport network to achieve quality urban design outcomes and connectivity by providing:

1. Strong visual and physical connections between public places in the General Residential Zone and Natural Open Space Zone within the Precinct.
2. Appropriate levels of passive surveillance over the Natural Open Space Zone within the Precinct.
3. Opportunities for transport network connectivity to adjoining Residential Zone land.

Rules

PREC13-R1 Vehicle Crossings

Activity Status: Permitted

Where:

1. The vehicle crossing complies with TRA-R5 – R6.
2. A maximum of two new vehicle crossings onto Vinegar Hill Road are constructed.
3. All vehicle crossings are located at least 150m from the bridge on Vinegar Hill Road at the southern end of the Precinct.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Location, size and design of vehicle crossings and accessways.
2. The safety and efficiency of the transport network for vehicles, pedestrians and cyclists.

PREC13-R2 Subdivision

Activity Status: Controlled

Where:

1. The subdivision is a controlled activity under SUB-R5.
2. The subdivision results in crossings which comply with PREC13-R1.
3. The area zoned as Natural Open Space Zone in PREC13 is proposed to be vested in the Whangarei District Council.

Matters of control:

1. The matters over which control is reserved in SUB-R5.
2. The design and location of vehicle crossings onto Vinegar Hill Road.
3. Vesting of reserves and open space with Whangarei District Council.

Note:

1. *All relevant District-Wide and Overlay subdivision objectives, policies and rules apply in addition to PREC13-R2.*

Activity Status when compliance is not achieved: Discretionary

PREC15 – Pyle Road West Precinct (PRWP)

Issues

The Pyle Road West Precinct provides for development consistent with the Low Density Residential Zone where the risks associated with natural hazards and their impacts on people, property, infrastructure and the environment are appropriately assessed and managed.

The Pyle Road West Precinct applies to a spatially confined area to minimise the sprawl of residential development along the coast and to retain the balance of the parent site allotment as Rural Production Zone.

All relevant district-wide provisions and underlying Low Density Residential Zone provisions apply.

Objectives

PREC15-O1 Coastal and Flood Hazards

Subdivision, land uses and development are appropriately assessed and managed so that the risks and impacts of coastal and flood hazards on people, property, infrastructure and the environment are minimised.

PREC15-O2 Climate Change

The potential effects of climate change are recognised and considered when coastal and flood hazard risks are assessed and managed.

Policies

PREC15-P1 Risk Assessment

To identify the level of coastal and flood hazard risk present within the site and surrounding area, including any uncertainty as to the likelihood or consequences of a natural hazard event, by requiring the hazard risks to be assessed to an appropriate extent prior to subdivision, land use and development.

PREC15-P2 Risk Management

To manage coastal and flood hazard risk to an appropriate level giving consideration to:

1. The nature, frequency and scale of the natural hazard(s) present within the site.
2. The existing and potential risks and adverse effects to people, property, infrastructure and the environment within and beyond the site.
3. The location, design and construction of building platforms, major structures, vehicle accessways, and infrastructure.
4. The nature, scale, location and design of earthworks and vegetation clearance activities.
5. The proposed use of the site, including its vulnerability to the hazard(s).
6. The ability to adapt to long term changes in natural hazards.

PREC15-P3 Climate Change

To ensure that the effects of climate change are taken into account when managing subdivision, land use and development by:

1. Ensuring that the effects of climate change are considered within coastal and flood risk assessments.

- Ensuring that the latest national guidance and best available information on the likely effects of climate change are considered within any risk assessment for coastal and flood hazards.

Rules

PREC15-R1 Principal Residential Unit

Activity Status: Permitted

Where:

- The principal residential unit complies with LRZ-R15.
- No more than eight principal residential units are constructed within PREC15.

Activity Status when compliance not achieved: Non-complying

PREC15-R2 Subdivision

Activity Status: Controlled

Where:

- The subdivision is of a site that existed on 8 October 2021.
- The subdivision results in no more than eight sites within PREC15.
- The buildings identified as to be removed on Figure PREC15 1 are removed from the No Build Area identified on Figure PREC15 1 prior to the Council issuing the section 224(c) certificate.
- The area zoned as Natural Open Space Zone is proposed to be vested in the Whangarei District Council.

Matters of control:

- The matters over which control is reserved in SUB-R5.
- Removal or relocation of existing buildings as identified on Figure PREC15 1.
- Vesting of open space with Whangārei District Council.

Note:

- All relevant District-Wide and Overlay subdivision objectives, policies and rules apply in addition to PREC15-R2.*

Activity Status when compliance is not achieved: Non-Complying

PREC15-R3 Buildings and Major Structures, Vehicle Accessways and Wastewater Collection, Treatment and Disposal Infrastructure

Activity Status: Non-complying

Where:

- Any new building or major structure, vehicle accessways, or wastewater collection, treatment or disposal infrastructure is located within the No Build Area identified on Figure PREC15 1.
- Habitable buildings have a finished floor level below 3.8m One Tree Point Datum.
- Non-habitable buildings have a finished floor level below 3.6m One Tree Point Datum.

Compliance Standard:

- Rule PREC15-R3.1 does not apply to replacement of and/or extension to any building or major structure that existed on 8 October 2021 provided that it is not identified as to be removed on Figure PREC15 1.*



Figure PREC15 1. PREC15 Map

PREC23 – Marsden City Precinct (MCP)

Issues

The Marsden City Precinct (MCP) provides for the development of a new sustainable community with a comprehensively planned town centre surrounded with a compatible mix of residential and employment activities. The precinct provides for a range of residential densities, including higher residential densities close to the Marsden Town Centre, to increase housing capacity while providing a choice of living environments. The precinct provides opportunities for a school, community facilities and a range of open spaces. The co-location of residential, community and employment generating land uses within the precinct will reduce commuter travel to other areas within the region.

The transport network in Marsden City will be progressively upgraded over time to support development in the wider area. The precinct includes provisions to ensure that the development of land for business and housing is coordinated with the construction of the transport network upgrades necessary to support it.

The wastewater system within the Marsden/Ruakaka Catchment has capacity constraints and significant investment in this system is required to provide increased capacity to service growth within the catchment over the long term. While Council is planning and working towards implementing capacity upgrades, careful management of the capacity within the catchment is required to ensure the sustainable operation of the reticulated network and system in the interim. Planning applications and decisions in the Marsden City Precinct should be cognisant of available capacity of the overall wastewater system at a catchment level.

The Marsden Point area contains industrial land uses that play an important role in the economy of the region. The precinct includes provisions to manage any reverse sensitivity that may arise between residential development and the industrial land use, State Highway 15 and Marsden Rail corridor.

There are six sub-precincts within the Marsden City Precinct:

- Sub-Precinct A is zoned Town Centre Zone and contains the primary retail area and is the focal point for retail, commercial and civic development and pedestrian activity;
- Sub-Precinct B is zoned Mixed Use Zone and provides for high density residential and a range of commercial activities that will complement the town centre and maximise the efficient use of land;
- Sub-Precinct C is zoned Medium Density Residential Zone and will provide for medium residential development in easy walking distance to the Town Centre Zone;
- Sub-Precinct D is zoned General Residential Zone and provides for residential development of a suburban character;
- Sub-Precinct E is zoned Commercial Zone (south), providing for a range of business activities and generally precluding residential development given the areas proximity to State Highway 15;
- Sub-Precinct F is zoned Commercial Zone (north & east) and similarly provides for a range of business activities and generally precludes residential development given the areas proximity to the rail designation.

The MCP has a suite of objectives, policies and rules that will guide development within the MCP. The objectives, policies and rules apply in addition to the underlying zone unless otherwise stated.

MCP Appendices attached to this chapter and include:

- Sub-Precinct Plan
- Indicative & New Road Network Plan

- Intersection Upgrade Trigger Area Plan
- Intersection Design Plans
- Spatial Arrangement Guidelines
- Existing Street Upgrade Trigger Plan
- Existing Street Typology Plan and Cross Sections
- New Street Cross Sections

All other district-wide objectives, policies and rules apply to development in the MCP unless otherwise stated in the MCP provisions.

Objectives

PREC23-O1 Liveable Precinct

The Marsden City Precinct is developed in a comprehensive and integrated way to provide for a compatible mix of residential living, commercial, employment and education.

PREC23-O2 Housing Choice

Different types of housing and levels of intensification are enabled to provide a choice of living environments.

PREC23-O3 Streetscape and Residential Amenity

Development positively engages with the street and provides quality on-site residential amenity for residents.

PREC23-O4 Infrastructure and Services

Development is supported by appropriate infrastructure and services to meet development capacity.

PREC23-O5 Transport and Access

Access to the precinct occurs in an effective, efficient and safe manner that manages effects on One Tree Point Road, State Highway 15 and the surrounding road network.

PREC23-O6 Reverse Sensitivity

Manage reverse sensitivity effects between zones and incompatible land use activities.

PREC23-O7 Open Space

Create a strong network of public open space, including places to enjoy a range of active and passive recreational activities whilst also enhancing the local ecology.

PREC23-O8 Mana Whenua

Recognise and provide for the relationship of mana whenua and their culture and traditions with their cultural landscapes in the future development of the Marsden City Precinct.

Policies

PREC23-P1 Liveable Precinct

Enable the comprehensive and integrated development of Marsden City Precinct in accordance with the underlying zones.

PREC23-P2 Integrated Development

Encourage higher density and mixed-use development, and an integrated urban form, with public transport networks, pedestrian facilities and cycleways, to provide an alternative to, and reduce dependency on, private motor vehicles as a means of transportation.

PREC23-P3 Streetscape

Encourage development to achieve attractive and safe streets and public spaces in residential areas including by:

1. Providing for passive surveillance
2. Optimising front yard landscaping
3. Minimising visual dominance of garage doors.
4. Recognising that residential at ground floor may be appropriate in Sub- Precinct A where development maintains privacy and amenity for ground floor occupants and allows opportunities for passive surveillance.

PREC23-P4 Multi Unit Development

Manage the design and appearance of multi-unit development so that it integrates with the wider Marsden City Precinct.

PREC23-P5 Residential Amenity

Require residential units to be designed to meet the day-to-day needs of residents by providing:

1. Privacy, outlook, and daylight.
2. Useable and accessible outdoor living space with good sunlight access.
3. Reasonable levels of internal noise

PREC23-P6 Infrastructure and Services

Require the efficient provision of three waters infrastructure for the Marsden City Precinct.

PREC23-P7 Transport and Access

Ensure that the timing of and development in Marsden City Precinct is coordinated with intersection upgrades necessary to manage the adverse effects of development on the wider transport network, in particular at:

1. SH15/One Tree Point Road/McCathie Road intersection.
2. One Tree Point Road/Pokapu Road.
3. One Tree Point Road/Casey Road.
4. One Tree Point Road/Roosevelt Road.

PREC23-P8 Reverse Sensitivity

Avoid reverse sensitivity effects on State Highway 15, the designated rail corridor and surrounding industrial land use by discouraging the establishment of noise sensitive activities in close proximity to these uses.

PREC23-P9 Open Space

Require subdivision within the Marsden City Precinct to provide for the recreation and amenity needs of residents by providing:

1. At a minimum, open spaces within Lot 59 DP 465292, Lot 60 DP 465292 and Lot 65 DP 465292 which are prominent and accessible by pedestrians;
2. For the number and size of open spaces in proportion to the future density of the neighbourhood; and
3. For pedestrian and cycle linkages.

PREC23-P10 Mana Whenua

Development shall recognise and take into account mana whenua values by:

1. Enabling the consideration of mana whenua values in the design of development.
2. Consulting with mana whenua to understand their values relevant to development within the Marsden City Precinct.

PREC23-P11 Residential Activities and Visitor Accommodation in Commercial (South) Sub Precinct

Manage reverse sensitivity effects and enable appropriate visitor accommodation in the Sub-Precinct E Commercial Zone (South) by:

1. Restricting the establishment of residential activities within the Commercial (South) Sub-Precinct.
2. Discouraging the establishment of visitor accommodation on sites adjoining State Highway 15.

Rules

PREC23-R1 Any Activity

Activity Status: Permitted

1. The underlying zone shall apply as identified on the District Plan Zone maps.

Note:

1. *The provisions of the underlying Town Centre Zone shall apply to Sub-Precinct A.*
2. *The provisions of the underlying General Residential Zone shall apply to Sub-Precinct B with the amendments set out in PREC23-R15 – R16.*
3. *The provisions of the underlying Medium Density Residential Zone shall apply to Sub-Precinct C.*
4. *The provisions of the underlying Mixed-Use Zone shall apply to Sub-Precinct D with the amendments set out in PREC23-R17.*
5. *The provisions of the underlying Commercial Zone shall apply to Sub-Precinct E with the amendments set out in PREC23-R18 – R21.*
6. *The provisions of the underlying Commercial Zone shall apply to Sub-Precinct F with the amendments set out in PREC23-R22 – R24.*
7. *Rules PREC23-R3 – R14 apply in addition to underlying zone and District-wide rules.*

PREC23-R2 Any Activity

1. The relevant rules of the district-wide chapters apply unless otherwise stated in the Marsden City Precinct rules.

Note:

1. *Rules PREC23-R3 – R14 apply in addition to underlying zone and District-wide rules.*

PREC23-R3 Any Development Building or Major Structure within Sub Precincts B, E and F

Activity Status: Permitted

Where:

1. Within Sub Precincts B, E and F an area not less than 2m in depth along the site frontage of One Tree Point Road and State Highway 15 is landscaped with a combination of trees, shrubs, and ground cover to a minimum height of 1.8m above ground level; with a maximum spacing of 10m from the centre of each tree.

Activity Status when compliance not achieved: Restricted Discretionary

Matters for discretion:

1. Streetscape character and amenity.
2. The appropriateness of the nature, type and size of the planting proposed to soften the scale and visual impact of built form along road boundaries.

PREC23-R4 Any Building or Major Structure

Activity Status: Permitted

Where:

1. The building or major structure (excluding minor buildings) is not located within 10m of an indicative or future street, lane cycle lane or link road as shown on the PREC23 Appendix B Indicative and New Road Network Plan layout.

Compliance Standards:

1. *PREC23-R4.1 does not apply where the indicative or future street, lane, cycle lane or link road has been constructed and vested pursuant to PREC23-R7 and PREC23-R8.*

Note:

1. *Where a road has been constructed and vested, the relevant building setback rules for the underlying zone shall apply.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Location, size and design of buildings and activities.
2. Effects on the future growth or expansion of the future transport network.
3. Alternative routes to achieve the indicative PREC Appendix B: Indicative and New Road Network Plan layout.

PREC23-R5 Any Subdivision or Development Building or Major Structure within Intersection Upgrade Trigger Area Plan

1. Activity Status: Permitted

Where:

- a. Any proposed subdivision or development building or major structure occurs within a trigger area shown in Appendix C, Intersection Upgrade Trigger Area Plan, and the corresponding intersection has been upgraded or constructed:
 - i. To comply with the corresponding Appendices D, E and F Intersection Design Plans; or
 - ii. In accordance with an approved consent pursuant to PREC23-R5.
2. Activity Status when compliance not achieved with PREC23-R5(1): Controlled

Where:

- a. Any proposed subdivision or **development building or major structure** occurs within a trigger area shown in Appendix C - Intersection Upgrade Trigger Area Plan and the corresponding intersection is proposed to be upgraded or constructed in accordance with the Appendices D, E and F Intersection Design Plans.

Matters of control:

1. The extent to which the design of the upgrades, or construction, are in accordance with the Spatial Arrangement Guidelines within Appendix G.
2. Detailed design and construction of the upgrades or construction.
3. Traffic and pedestrian safety and efficiency.

Notification:

Any controlled activity under PREC23-R5(2) shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) or section 95B of the Resource Management Act 1991.

3. Activity Status: Restricted Discretionary

Where:

- a. Any proposed subdivision or **development building or major structure** occurs within a trigger area shown in Appendix C - Intersection Upgrade Trigger Area Plan and the corresponding intersection is not proposed to be upgraded or constructed in accordance with Appendices D, E and F Intersection Design Plans.

Matters of Discretion:

1. The matters of control in PREC23-R5(2).
2. Consideration of the Whangarei District Council Engineering Standards.

Notification:

Any restricted discretionary activity under PREC23-R5(3) shall not be publicly notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

Notes:

1. *The intersections are identified in Appendix C - Intersection Upgrade Trigger Area Plan as:*
 - a. *i. Casey Road and Theodore Drive*
 - b. *ii. Roosevelt Road and Theodore Drive*
 - c. *iii. Pokapu Road and Waiwarawara Drive*
2. *Intersections i. and ii. are subject to upgrading, whereas intersection iii. is subject to construction.*

PREC23-R6 Any Subdivision or Development Building or Major Structure within a Sector of the Existing Street Upgrade Trigger Plan

1. Activity Status: Permitted

Where:

- a. Any proposed subdivision or **development building or major structure** occurs within a Sector shown in Appendix H – Existing Street Upgrade Trigger Plan and the corresponding road has been upgraded:
 - i. To comply with the relevant Cross Section(s) as identified within the Existing Street Typology Plan within Appendix I; or

- ii. In accordance with an approved consent pursuant to PREC23-R6.
2. Activity Status when compliance not achieved with PREC23-R6(1): Controlled Where:
- a. Any proposed subdivision or **development building or major structure** occurs within a Sector shown in Appendix H Existing Street Upgrade Trigger Plan and the corresponding roads are proposed to be upgraded in accordance with the relevant Cross Section(s) as identified within the Existing Street Typology Plan within Appendix I.

Matters of control:

1. The extent to which the design of the upgrades are in accordance with the Spatial Arrangement Guidelines in Appendix G.
2. Detailed design and construction of the upgrades;
3. Traffic and pedestrian safety and efficiency.

Notification:

Any controlled activity under PREC23-R6(2) shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) or section 95B of the Resource Management Act 1991.

3. Activity Status: Restricted Discretionary

Where:

- a. Any proposed subdivision or **development building or major structure** occurs within a Sector shown in Appendix H Existing Street Upgrade Trigger Plan and the corresponding roads are not proposed to be upgraded in accordance with the relevant Cross Section(s) as identified within the Existing Street Typology Plan within Appendix I.

Matters of Discretion:

1. The matters of control in PREC23-R6(2).
2. Consideration of the Whangarei District Council Engineering Standards.

Notification:

Any restricted discretionary activity under PREC23-R6(3) shall not be publicly notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

PREC23-R7 Construction of any new public road or service lane

Activity Status: Restricted Discretionary

Matters of discretion:

1. The matters of discretion listed in Transport Chapter Rule TRA-R17 and TRA-R18.
2. Alternative location of any public road or service lane and the impact on the future ability to achieve the indicative PREC23 Appendix B: Indicative and New Road Network Plan outcomes.
3. The provision, design, construction and standards of the public road or service lane street, lane, cycle lane or link road.
4. Urban design best practice.
5. Traffic, cycle and pedestrian safety and efficiency.

Notes:

1. *Applications shall comply with information requirement rule TRA-REQ3 and PREC23-REQ2.*
2. *Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Whangārei District Council Engineering Standards; OR*
3. *Acceptable means of compliance for the provision and design of infrastructure is contained within the PREC23 Appendix I Existing Street Cross Sections and Appendix J Cross Sections.*
4. *For the purposes of this rule public road or service lane shall include indicative streets, lanes and link roads shown in PREC23 Appendix B: Indicative and New Road Network Plan layout.*

PREC23-R8 Any major road alteration to an existing public road

Activity Status: Restricted Discretionary

Matters of discretion:

1. The matters of discretion listed in Transport Chapter Rule TRA-R17 and TRA-R18.
2. Alternative location of any public road or service lane and the impact on the future ability to achieve the indicative PREC23 Appendix B: Indicative and New Road Network Plan outcomes.
3. The provision, design, construction and standards of the public road or service lane street, lane, cycle lane or link road.
4. Urban design best practice.
5. Traffic, cycle and pedestrian safety and efficiency.

Notes:

1. *Applications shall comply with information requirement rule TRA-REQ3 and PREC23-REQ2.*
2. *Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Whangārei District Council Engineering Standards; OR*
3. *Acceptable means of compliance for the provision and design of infrastructure is contained within the PREC23 Appendix I Existing Street Cross Sections and Appendix J Cross Sections.*
4. *For the purposes of this rule public road or service lane shall include indicative streets, lanes and link roads shown in PREC23 Appendix B: Indicative and New Road Network Plan layout.*

PREC23-R9 Any Activity

Activity Status: Restricted Discretionary

Where in All Zones within the MCP:

1. The activity results in a non-compliance with the thresholds of Transport Chapter Rule TRA-R15.1 – 4; or
2. The activity results in a non-compliance with the thresholds in TRA-R16.1 – 4; or
3. The activity results in the total number of residential units within the MCP exceeding 500.

Matters of discretion

1. The matters of discretion listed in Transport Chapter Rule TRA-R15 and TRAR16.

Compliance Standards:

1. *Compliance standards listed in Transport Chapter Rule TRA-R15 and TRA-R16; and*
2. *PREC23-R9.3 does not apply for any activity where consent has previously been granted for the activity under PREC23-R9.3.*

Notes:

1. *Applications shall comply with information requirement rule TRA-REQ1.*
2. *Where PREC23-R9.3 is infringed, applications shall also comply with information requirement rule PREC23-REQ3.*

PREC23-R10 Subdivision of Lot 59 DP 465292

Activity Status: Restricted Discretionary

Where:

1. Two areas of land within the General Residential Zone of Lot 59 DP 465292 are proposed as publicly accessible open space reserve that:
 - a. Are not rear sites.
 - b. Each have at least two site boundaries directly adjoining a road where at least one of those boundaries for each area is on the northern side of the reserve area.
 - c. Are located at least 350m away from each other.

Matters of discretion:

1. Matters listed in the Relationship Between Spatial Layers Chapter HPW- R9.
2. The vesting of the reserves with Whangarei District Council or where alternative ownership arrangements are proposed, appropriate mechanisms for ongoing management and maintenance.
3. The design, location and accessibility of the reserves.
4. The extent to which any proposed publicly accessible open space reserve provides sufficient recreational and leisure opportunities for residents, employees and visitors within the Marsden City Precinct taking into account existing parks or reserves within the Marsden City Precinct.
5. Pedestrian safety and efficiency.
6. Provision of appropriate connections to and from the publicly accessible open space reserve.

Compliance Standards:

1. *PREC23-R10.1 does not apply where two areas of land that each complies with PREC23-R10.1(a) – (c) has have already been confirmed as reserve elsewhere within the General Residential Zone of Lot 59 DP 465292.*
2. *All relevant District-Wide and Overlay subdivision objectives, policies and rules apply in addition to PREC23-R10.*

Activity Status when compliance not achieved: Discretionary

PREC23-R11 Subdivision of Lot 60 DP 465292

Activity Status: Restricted Discretionary

Where:

1. An area of land within the General Residential Zone of Lot 60 DP 465292 is proposed as publicly accessible open space reserve that:
 - a. Is not a rear site.
 - b. Has at least two site boundaries directly adjoining a road where at least one of those boundaries for each area is on the northern side of the reserve area.

Matters of discretion:

1. Matters listed in the Relationship Between Spatial Layers Chapter HPW-R9.

2. The vesting of the reserve with Whangarei District Council or where alternative ownership arrangements are proposed, appropriate mechanisms for ongoing management and maintenance.
3. The design, location and accessibility of the reserve.
4. The extent to which any proposed publicly accessible open space reserve provides sufficient recreational and leisure opportunities for residents, employees and visitors within the Marsden City Precinct taking into account existing parks or reserves within the Marsden City Precinct.
5. Pedestrian safety and efficiency.
6. Provision of appropriate connections to and from the publicly accessible open space reserve.

Compliance Standards:

1. *PREC23-R11.1 does not apply where two areas of land that each complies with PREC23-R11.1(a) – (b) has have already been confirmed as reserve elsewhere within the General Residential Zone of Lot 60 DP 465292.*
2. *All relevant District-Wide and Overlay subdivision objectives, policies and rules apply in addition to PREC23-R11.*

Activity Status when compliance not achieved: Discretionary

PREC23-R12 Subdivision of Lot 65 DP 465292

Activity Status: Restricted Discretionary

Where:

1. An area of land within the General Residential Zone of Lot 65 DP 465292 is proposed as publicly accessible open space reserve that:
 - a. Is not a rear site.
 - b. Has at least two site boundaries directly adjoining a road where at least one of those boundaries for each area is on the northern side of the reserve area.

Matters of discretion:

1. Matters listed in the Relationship Between Spatial Layers Chapter HPW-R9.
2. The vesting of the reserves with Whangarei District Council or where alternative ownership arrangements are proposed, appropriate mechanisms for ongoing management and maintenance.
3. The design, location and accessibility of the reserve.
4. The extent to which any proposed publicly accessible open space reserve provides sufficient recreational and leisure opportunities for residents, employees and visitors within the Marsden City Precinct taking into account existing parks or reserves within the Marsden City Precinct.
5. Pedestrian safety and efficiency.
6. Provision of appropriate connections to and from the publicly accessible open space reserve.

Compliance Standards:

1. *PREC23-R12.1 does not apply where two areas of land that each complies with PREC23-R12.1(a) – (b) has have already been confirmed as reserve elsewhere within the General Residential Zone of Lot 65 DP 465292.*

2. All relevant District-Wide and Overlay subdivision objectives, policies and rules apply in addition to PREC23-R12.

Activity Status when compliance not achieved: Discretionary

PREC23-R13 Subdivision Connecting to a Public Reticulated Wastewater Network

Activity Status: Restricted Discretionary

Where:

1. The activity complies with the Restricted Discretionary activity criteria of TWM-R3.

Matters of discretion:

1. Those listed in TWM-R3.
2. The particular treatment and disposal capacity of the Marsden/ Ruakaka Wastewater System, including any adverse effects relating to potential over-allocation of capacity.
3. The proposal, and any future permitted activities on the proposal site(s), and their potential wastewater generation.

Note:

1. Any application shall comply with information requirement rule PREC23-REQ1.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The matters of discretion listed in TWM-R3 and PREC23-R13.
2. The extent and effect of any non-compliance with TWM-R3 and PREC23-R13.

Notification:

Wastewater activities are not subject to the notification rule in TWM-R3 and are subject to the notification tests of the RMA.

Note:

1. Any application shall comply with information requirement PREC23-REQ1.

PREC23-R14 Access to Sites Fronting One Tree Point Road and State Highway 15 Port Marsden Highway

Activity Status: Non-Complying

Where:

1. Direct **vehicle access** to One Tree Point Road or State Highway 15 Port Marsden Highway is provided.

PREC23-R15 Minor Buildings

In Sub-Precinct B – Mixed-Use this rule overrides MUZ-R2.

Activity Status: Permitted

Note:

1. *Minor buildings are exempt from rules PREC23-R16.*

PREC23-R16 Building and Major Structure Setbacks

In Sub-Precinct B – Mixed-Use this rule overrides MUZ-R4.

Activity Status: Permitted

Where:

1. The building is within 1m of road boundaries for at least 75% of the site frontage for any front site, except for:
 - a. Any combination of the following:
 - i. One setback of up to 3m for a maximum width of 2.5m to allow for a recessed pedestrian entrance.
 - ii. One setback adjacent to a side boundary of the site for a maximum width of 6m to allow for a through-site-link.
2. All buildings and major structures are set back at least:
 - a. 3m from any Residential or Open Space and Recreation Zone boundary.

Note:

1. *PREC23-R16 does not apply to the One Tree Point Road boundary.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters for discretion:

1. The extent to which visual dominance effects are minimised.
2. The location, design, size, safety and accessibility of any proposed recessed pedestrian entrance or through-site-link where it does not comply with the minimum dimensions in PREC23-R16.1(a).
3. The extent to which the proposal demonstrates best practice principles of urban design.
4. Crime Prevention Through Environmental Design.
5. Effects on active frontage, pedestrian safety and walkability.
6. Where PREC23-R16.2 is infringed, the effects on:
 - a. The privacy of and amenity of adjoining sites; and
 - b. Shading on adjoining sites and public open space.

PREC23-R17 Retirement Village

In Sub-Precinct D – General Residential this rule overrides GRZ-R14.

Activity Status: Permitted

Where:

1. The activity generates less than 25 traffic movements per site, per day.

Activity Status when compliance not achieved: Restricted Discretionary

Where:

1. The activity meets Rules GRZ-R3 Building and Major Structure Height, GRZ-R4 Building and Major Structure Setbacks, GRZ-R5 Building and Major Structure Height in Relation to Boundary, GRZ-R8 Building and Major Structure Coverage.

Matters of discretion:

1. Appropriate privacy and amenity of the occupants on-site and that of adjoining sites.
2. Sufficient sunlight access to outdoor living space and habitable rooms within the site.
3. The proximity of the site to communal open space that has the potential to mitigate any lack of private outdoor living space.
4. The relationship to the street and public open spaces.
5. Building intensity, scale, location, form and appearance.
6. Design of parking and access **ways**.
7. The suitability of the site for increased residential density, including:
 - a. The availability and accessibility of open space, and private or public amenities and common facilities.
 - b. Capacity and availability of infrastructure.
 - c. Road access and effects on transport, including availability of public and active transport options.

Activity Status where the activity status is not Permitted or Restricted Discretionary: Discretionary

PREC23-R18 Building and Major Structure Setbacks

In Sub-Precinct E – Commercial (South) this rule overrides COMZ-R4.

Activity Status: Permitted

Where:

1. All buildings and major structure are set back at least
 - a. 3m from any Residential boundary.
 - b. 27m from or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance with PREC23-R18.1(a) is not achieved: Restricted Discretionary

Matters of discretion:

1. Any special or unusual characteristics of the site which is relevant to the rule.
2. The functional and operational needs of commercial activities.
3. The effects on the amenity of neighbouring sites.
4. The effects on the amenity of neighbouring zones.
5. The characteristics of the development.

Activity Status when compliance with rules PREC23-R18.1(b) is not achieved: Discretionary

PREC23-R19 Building Frontages

In Sub-Precinct E – Commercial (South) this rule overrides COMZ-R6.

Activity Status: Permitted

Where:

1. At least 25% of the building frontage at ground floor is clear glazing.

Note:

1. *PREC23-R19 does not apply to the One Tree Point Road/SH15 frontages.*

Activity Status when compliance not achieved: Discretionary

PREC23-R20 Visitor Accommodation

In Sub-Precinct E – Commercial (South) this rule overrides COMZ-R29.

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. The site accommodating the activity does not adjoin State Highway 15.

Activity Status when compliance not achieved: Non-complying Activity

PREC23-R21 Educational Facilities

In Sub-Precinct E – Commercial (South) this rule overrides COMZ-R26.

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.
2. The site accommodating the activity does not adjoin State Highway 15.

Activity Status when compliance not achieved: Non-complying Activity

PREC23-R22 Building and Major Structure Setbacks

In Sub-Precinct F – Commercial (North & East) this rule overrides COMZ-R4.

Activity Status: Permitted

Where:

1. All buildings and major structure are set back at least:
 - a. 3m from any Residential boundary
 - b. 27m from or the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance with PREC23-R22.1(a) is not achieved: Restricted Discretionary

Matters of discretion:

1. Any special or unusual characteristics of the site which is relevant to the rule.
2. The functional and operational needs of commercial activities.
3. The effects on the amenity of neighbouring sites.
4. The effects on the amenity of neighbouring zones.
5. The characteristics of the development.

Activity Status when compliance with rules PREC23-R22.1(b) is not achieved: Discretionary

PREC23-R23 Building Frontages

In Sub-Precinct F – Commercial (North & East) this rule overrides COMZ-R6.

Activity Status: Permitted

Where:

1. At least 25% of the building frontage at ground floor is clear glazing.

Note:

1. *PREC23-R23 does not apply to the SH15 frontage.*

Activity Status when compliance not achieved: Discretionary

PREC23-R24 Educational Facilities

In Sub-Precinct F – Commercial (North & East) this rule overrides COMZ-R26.

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

Information Requirement Rules

PREC23-REQ1 Connection to Reticulated Wastewater Networks

Wastewater

1. Any consent application where connection to public reticulated wastewater network(s) is proposed shall include an assessment detailing (where relevant):
 - a. Those matters listed in information requirement rule TWM-REQ1.
 - b. Confirmation from Council that sufficient capacity exists within public reticulated wastewater system particularly noting the potential wastewater treatment and disposal constraints in the Marsden / Ruakaka catchment.

PREC23-REQ2 Development of Street Network – Transport Assessment

Transport Assessment

1. Any application pursuant to PREC23-R7 or R8 shall include an Integrated Transport Assessment prepared by a suitably qualified and experienced professional detailing and/or assessing the following:
 - a. The extent to which the design of the road network is generally in accordance with the locations shown on Marsden City Precinct Appendix B: Indicative and New Road Network Plan.
 - b. The extent to which the design of roads is generally in accordance with Marsden City Precinct Appendix J: Street Cross Sections.
 - c. The extent to which an alternative layout achieves an integrated street network within the MCP.
 - d. The provision, design, construction and standards of the proposed street network.
 - e. How the proposal provides for traffic and pedestrian safety within MCP.

Note:

1. *Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Whangārei District Council Engineering Standards.*

PREC23-REQ3 Information Requirements for Integrated Transport Assessments in the Marsden City Precinct

1. Any application pursuant to PREC23-R9.3 shall include an Integrated Transport Assessment prepared by a suitably qualified and experienced professional pursuant to information requirement rules TRA-REQ1 and TRA-REQ2 respectively and shall include additional assessment of the following matters:
 - a. The vehicle trip generation and distribution associated with the activity.
 - b. Travel management measures that promote alternative travel behaviour (to the private car).
 - c. The performance the intersection of SH15 and One Tree Point Road, with the assessment detailing whether upgrading is required to:
 - i. maintain Level of Service (LOS) D or better
 - ii. queues not extending to or through upstream intersections
 - iii. restrict queues from coming within any location where sight distance cannot be achieved
 - iv. have a degree of saturation for individual traffic movements no higher than 95%.
 - d. The performance of the local road intersections that the Marsden City Precinct takes access from with One Tree Point Road, with the assessment detailing whether safety and or capacity measures are required to support the activity, with the capacity upgrades being based on
 - i. maintaining an overall intersection LOS D or better.
 - ii. queues not extending to or through upstream intersections.
 - iii. having a degree of saturation for turning movements no higher than 95%.
 - e. The Level of Service at the intersection of SH1 and SH15, taking into account the activity.

Note: the purpose of clause information requirement rule PREC23-REQ3(e) is to provide data for the SH1 and SH15 intersection for NZTA's operations and forward work programme. For the avoidance of doubt, it is not to be used for requiring the upgrade of the SH1 and SH15 intersection to be paid for, or constructed by, an applicant for resource consent within the Marsden City Precinct pursuant to PREC23-R9.

PREC23 Appendix A – Sub Precinct Plan



Figure PREC23 1. Sub Precinct Plan

PREC23 Appendix B – Indicative & New Road Network Plan







Figure PREC23 2. Indicative & New Road Network Plan

PREC23 Appendix C – Intersection Upgrade Trigger Area Plan

Intersections should be upgraded in accordance with the separate appendices below:

- Appendix D – Intersection Design Plan – Intersection i
- Appendix E – Intersection Design Plan – Intersection ii
- Appendix F – Intersection Design Plan – Intersection iii

Key

-  Marsden City
-  Northern Block
-  Southern Block
-  State Highway 15

Areas that trigger intersection upgrades

Intersection /Areas	Street Upgrade Sectors	Streets	Block
i	A, B, C	Casey Rd, Theodore Dr	Northern Block
ii	D, E, F	Roosevelt Rd, Theodore Dr	
iii	K, L	Pokapu Rd, Waiwarawara Dr	Southern Block

The upgrades of the existing streets are addressed in 'Appendix H - Existing Street Upgrade Trigger Plan' which is provided as a separate appendix.



Figure PREC23 3. Intersection Upgrade Trigger Area Plan

PREC23 Appendix D – Intersection Design Plan – Intersection i

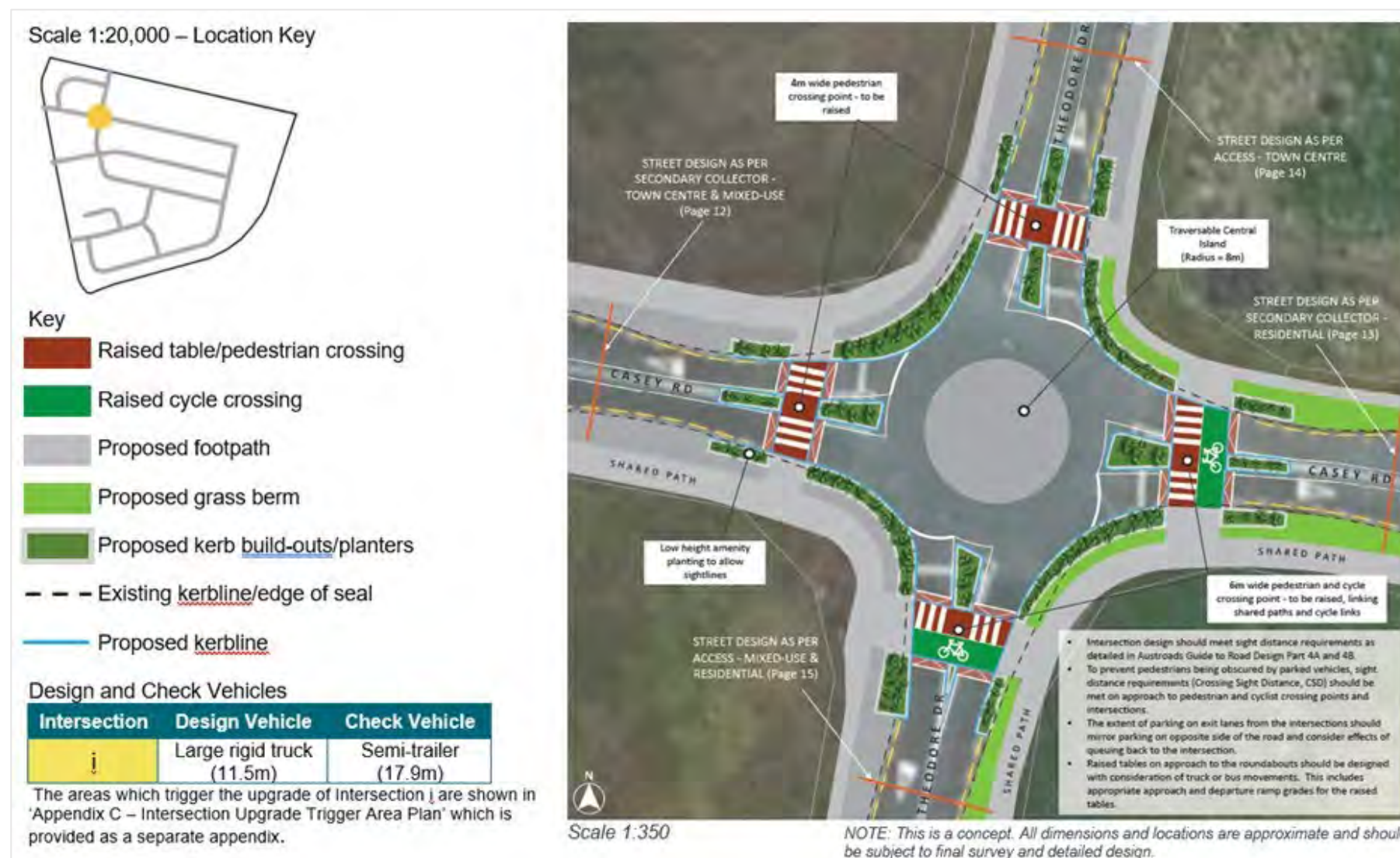


Figure PREC23 4. Intersection Design Plan – Intersection i

PREC23 Appendix E – Intersection Design Plan Intersection ii



Figure PREC23 5. Intersection Design Plan - Intersection ii

PREC23 Appendix F – Intersection Design Plan – Intersection iii

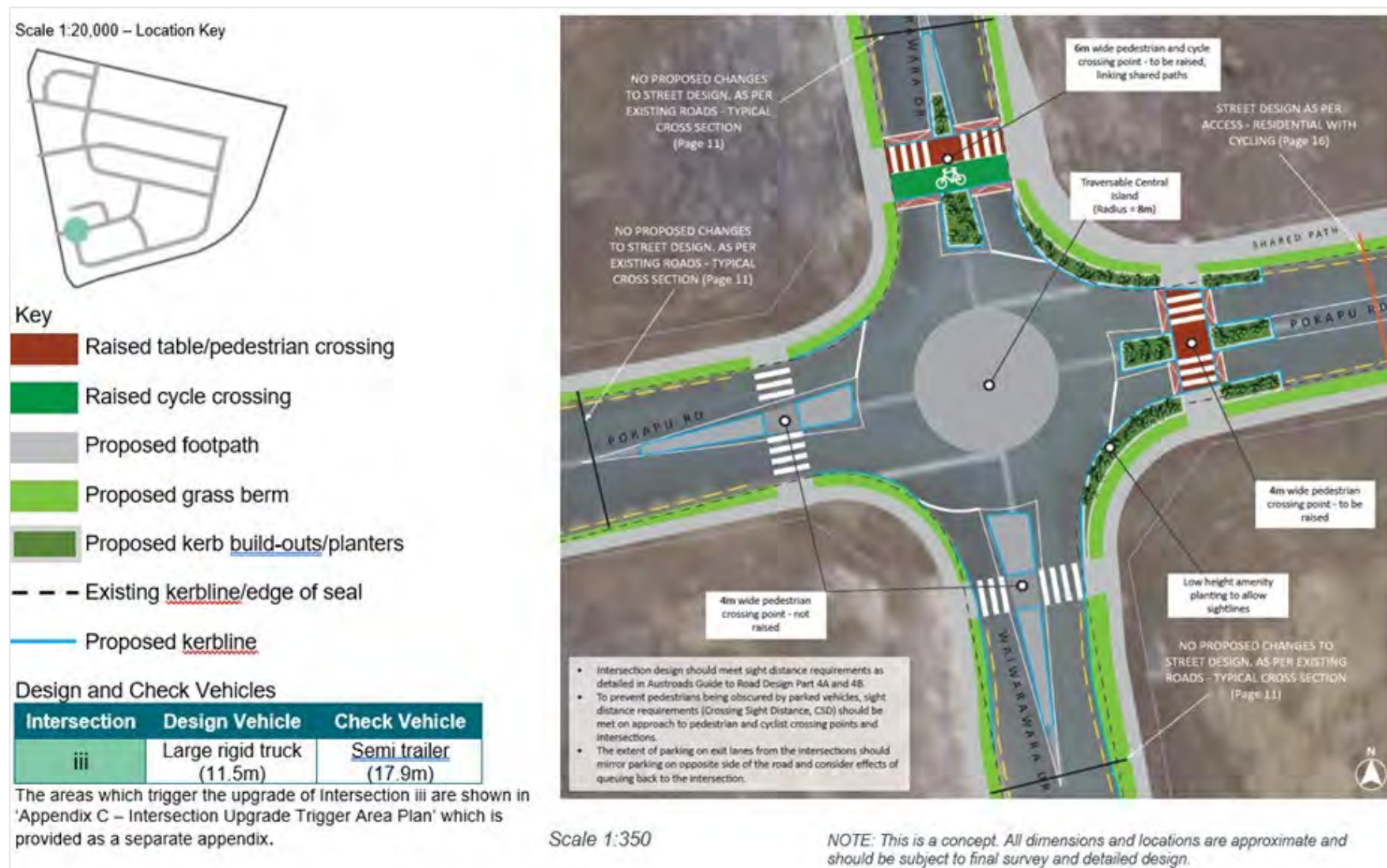


Figure PREC23 6. Intersection Design Plan – Intersection iii

PREC23 Appendix G – Spatial Arrangement Guideline

Spatial Arrangement Guidelines

The purpose of the below guidelines is to provide direction as to the key design outcomes being sought within each of the street typologies and to inform detailed design.

Kerb Build-outs / Parallel Carparking

- Designed to provide road narrowing within the existing carriageway and provide traffic calming.
- Provide a min **300mm gap** in-between the existing kerb line and the new kerb build-out to provide for stormwater flow.
- Position kerb build-outs across the road from one another for consistent road narrowing and traffic calming.
- Trees and low planting should be included within kerb build outs to provide additional softening and amenity to the streets. Planting should allow sightlines between footpaths and vehicle lanes.
- As a guideline, street trees/kerb build-outs should be located at approximately **50-70 metre spacings**.
- Parallel parking and kerb build outs should not be positioned where they could interfere with vehicle accessways /driveways, intersections, underground infrastructure (including stormwater inlets) and where they could impair visibility to/from the proposed shared paths.
- Consider positioning kerb build-outs within the vicinity of common boundaries, or abutting the centre of the lot boundary to allow for future driveways/accessway design.
- Minimum dimension of the kerb build-outs should be informed by the width of parallel parking, approximately **2 - 2.25 metres in width** and approximately **4-6 metres in length**. However, their exact length should be informed by detailed design and on-site constraints.
- Parallel parking should also consider locations of existing street lights.

Central Planter

- Low level planting on central planters to maintain sightlines between all carriageway users.
- Planting will need to be considerate of underground infrastructure.
- Central planters to be positioned in key locations to provide traffic calming including at street entrances, at pedestrian crossing points and in key locations where additional traffic calming is required. Position central planters where they will not interfere with vehicle accessways / driveways, intersections and underground infrastructure.
- As a guideline, central planters should be located at approximately **50-70 metre spacings**, and should be located parallel to kerb build-outs where possible.
- The location of central planters will need to be considerate of vehicle accessways and driveways to not disrupt vehicle turning.

- Minimum dimension of the central planter should be a **minimum of 2 metres in width** to allow a safe pedestrian refuge between vehicle lanes. They should be **4-6 metres in length**, but their exact length should be informed by detailed design.

Shared paths

- Shared paths should be at least **3 metres wide**.
- Shared path crossings should be 'Primary Treatment' under the Safe System Treatment Hierarchy.

Street Trees

- Street trees and vegetation should be predominantly native.
- Street trees should be considerate of and equally spaced between lighting columns to not disrupt street lighting.
- Create a clear gap between planting to ensure sightlines are maintained between pedestrians and vehicles. Low planting should be no more than **0.8 metres in height** and tree canopies should be **1.8 - 2 metres above the footpath**.
- Use frangible (breakable) tree species to create permeability and reduce safety risks to vehicles in the event of a crash.

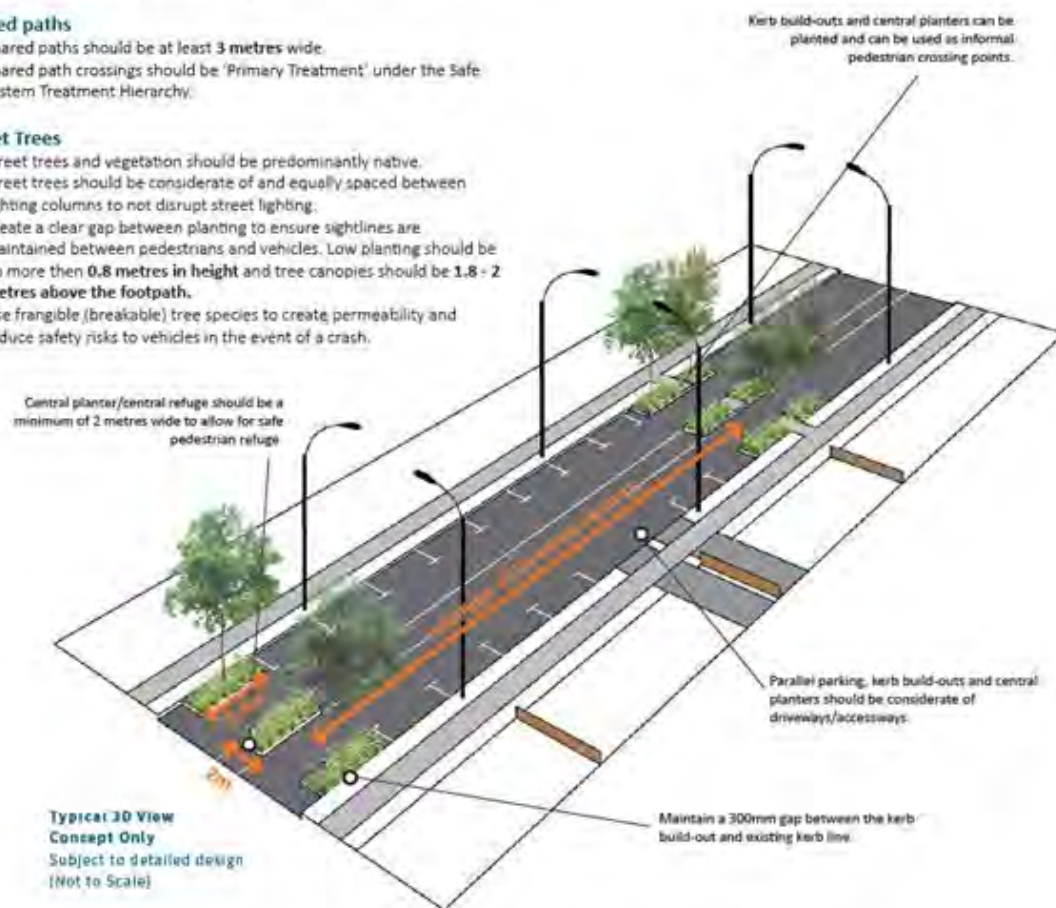


Figure PREC23 7. Spatial Arrangement Guideline

PREC23 Appendix H – Existing Street Upgrade Trigger Plan

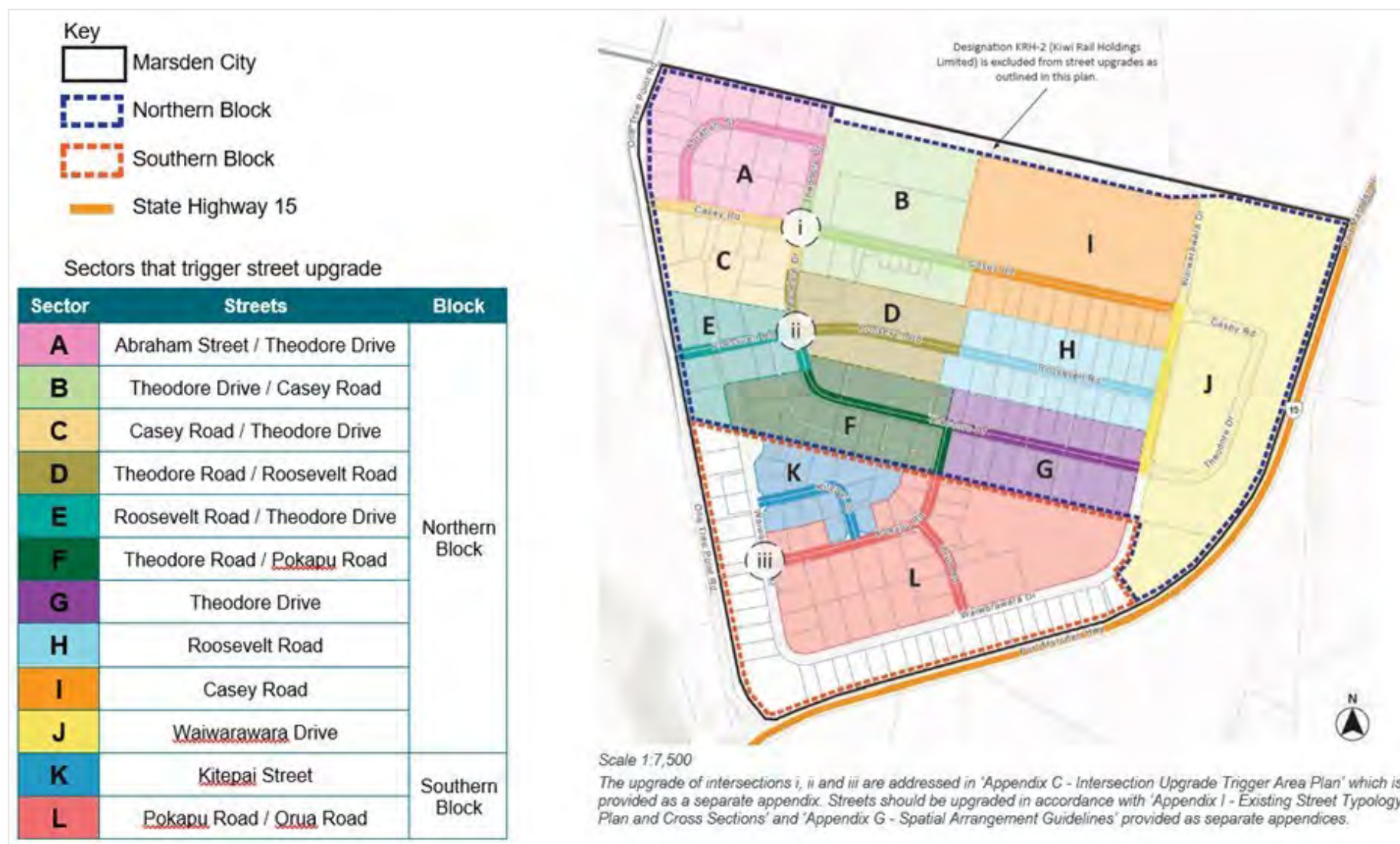


Figure PREC23 8. Existing Street Upgrade Trigger Plan

PREC23 Appendix I– Existing Street Typology Plan



Figure PREC23 9. Existing Street Typology Plan

PREC23 Appendix I – Existing Street Cross Section AA

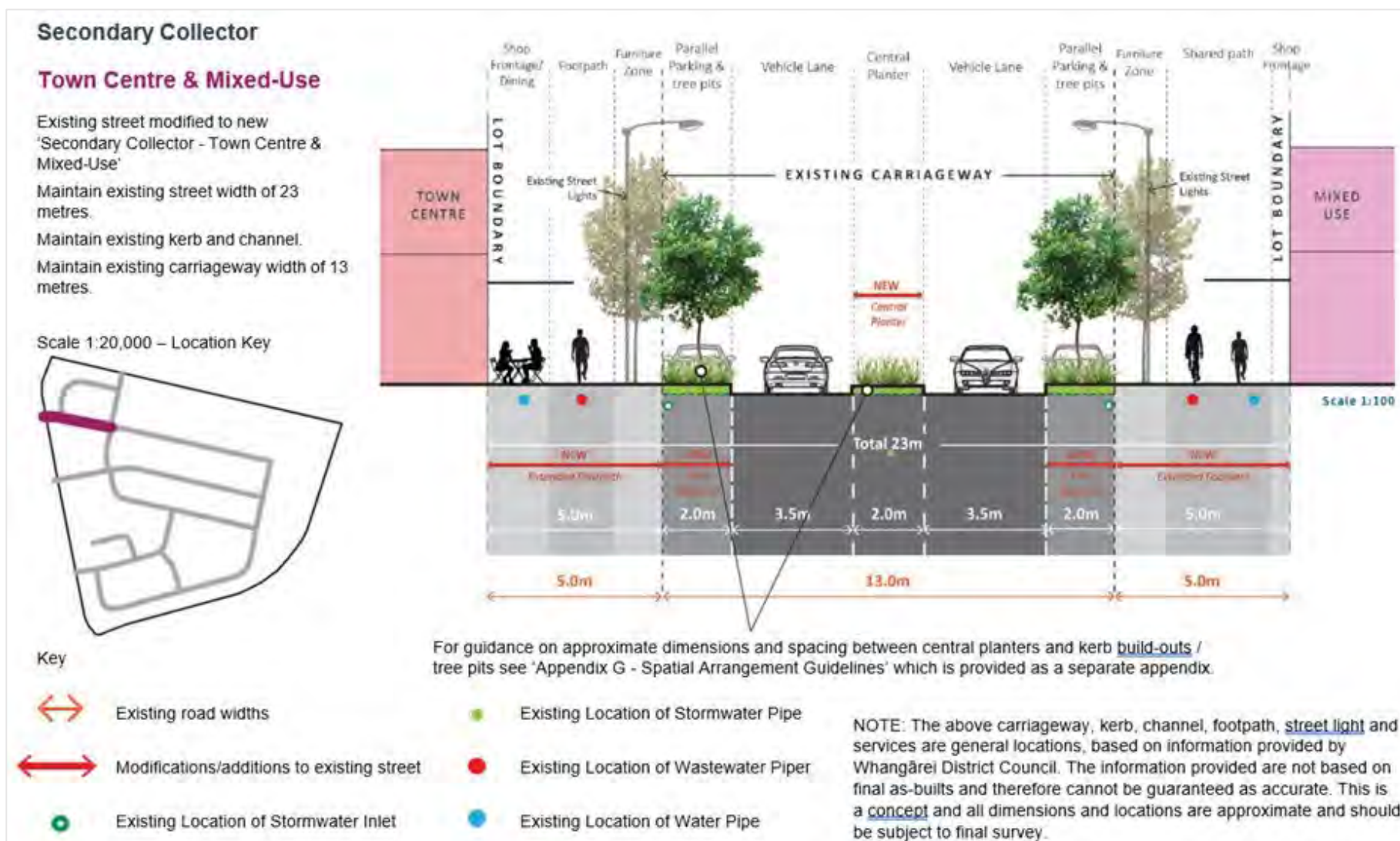


Figure PREC23 10. Existing Street Cross Section AA

PREC23 Appendix I – Existing Street Cross Section BB

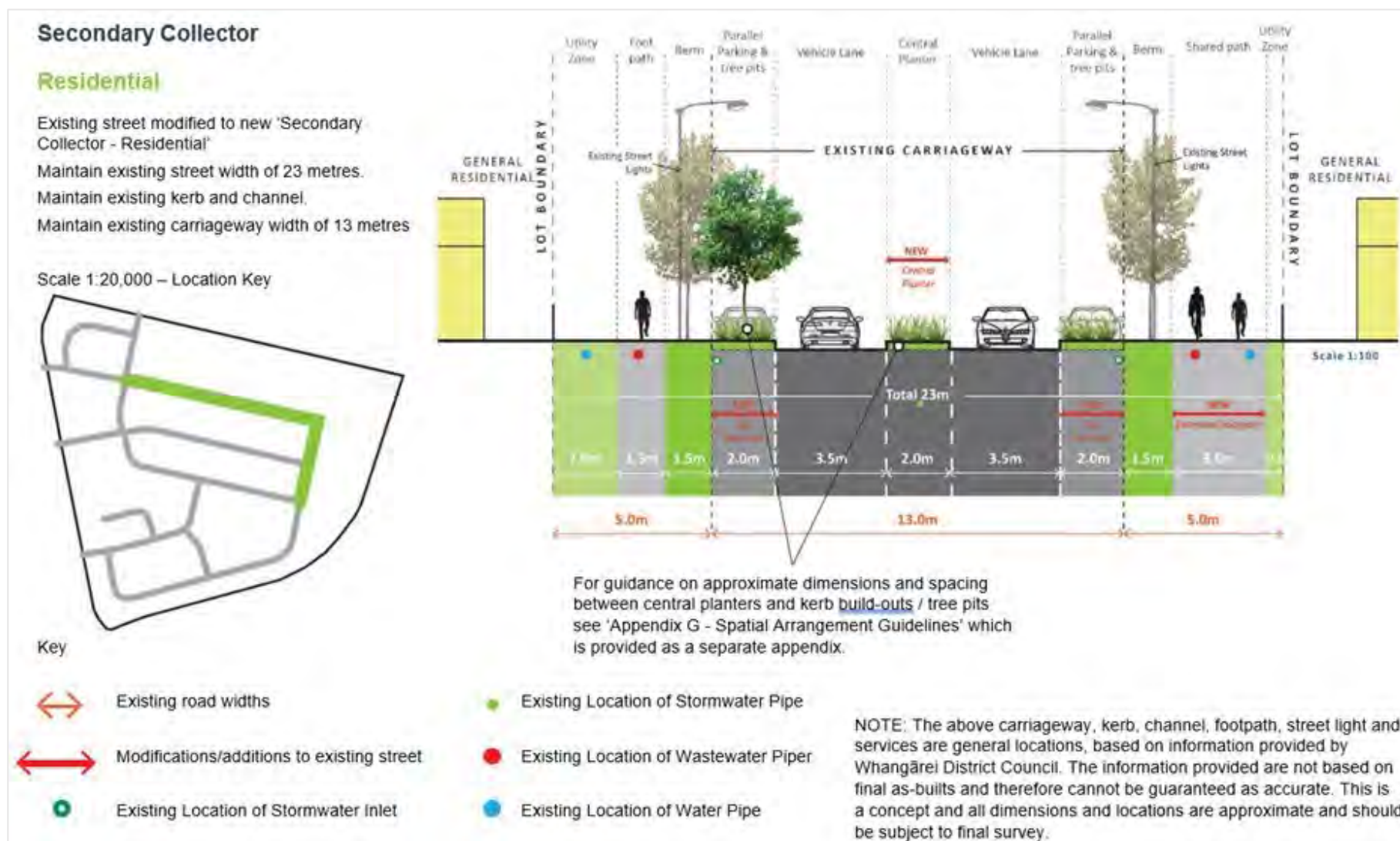


Figure PREC23 11. Existing Street Cross Section BB

PREC23 Appendix I – Existing Street Cross Section CC

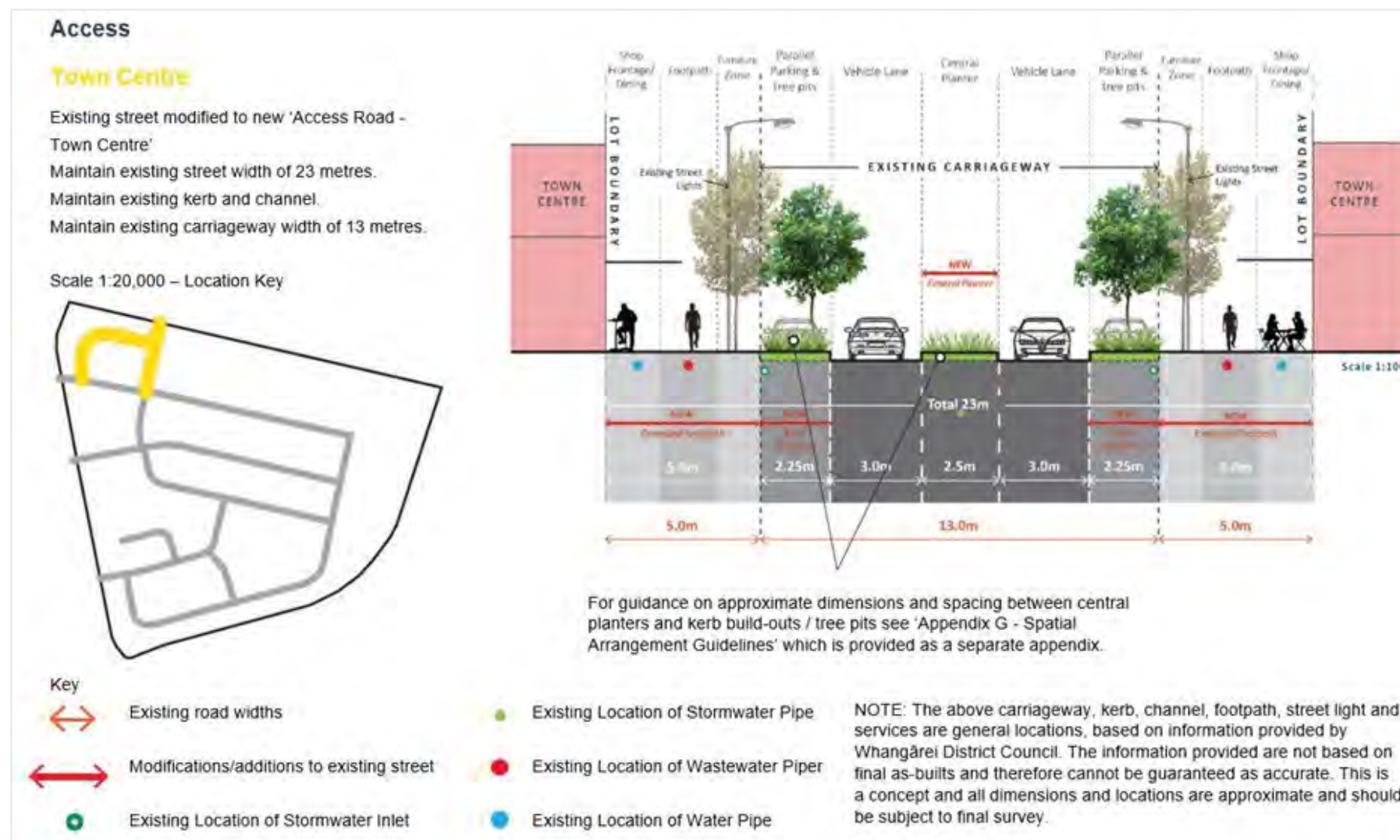


Figure PREC23 12. Existing Street Cross Section CC

PREC23 Appendix I – Existing Street Cross Section DD

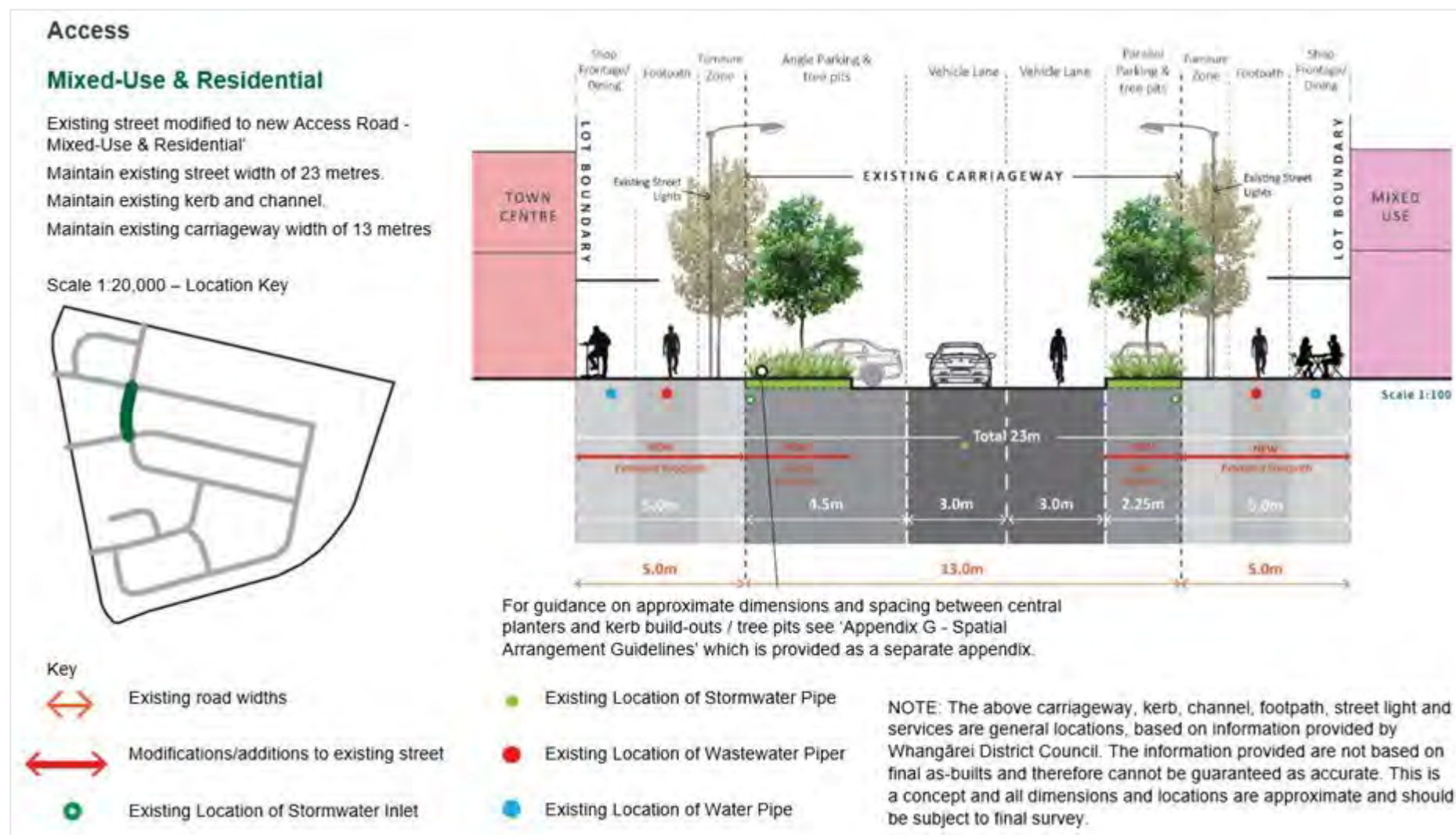


Figure PREC23 13. Existing Street Cross Section DD

PREC23 Appendix I – Existing Street Cross Section EE

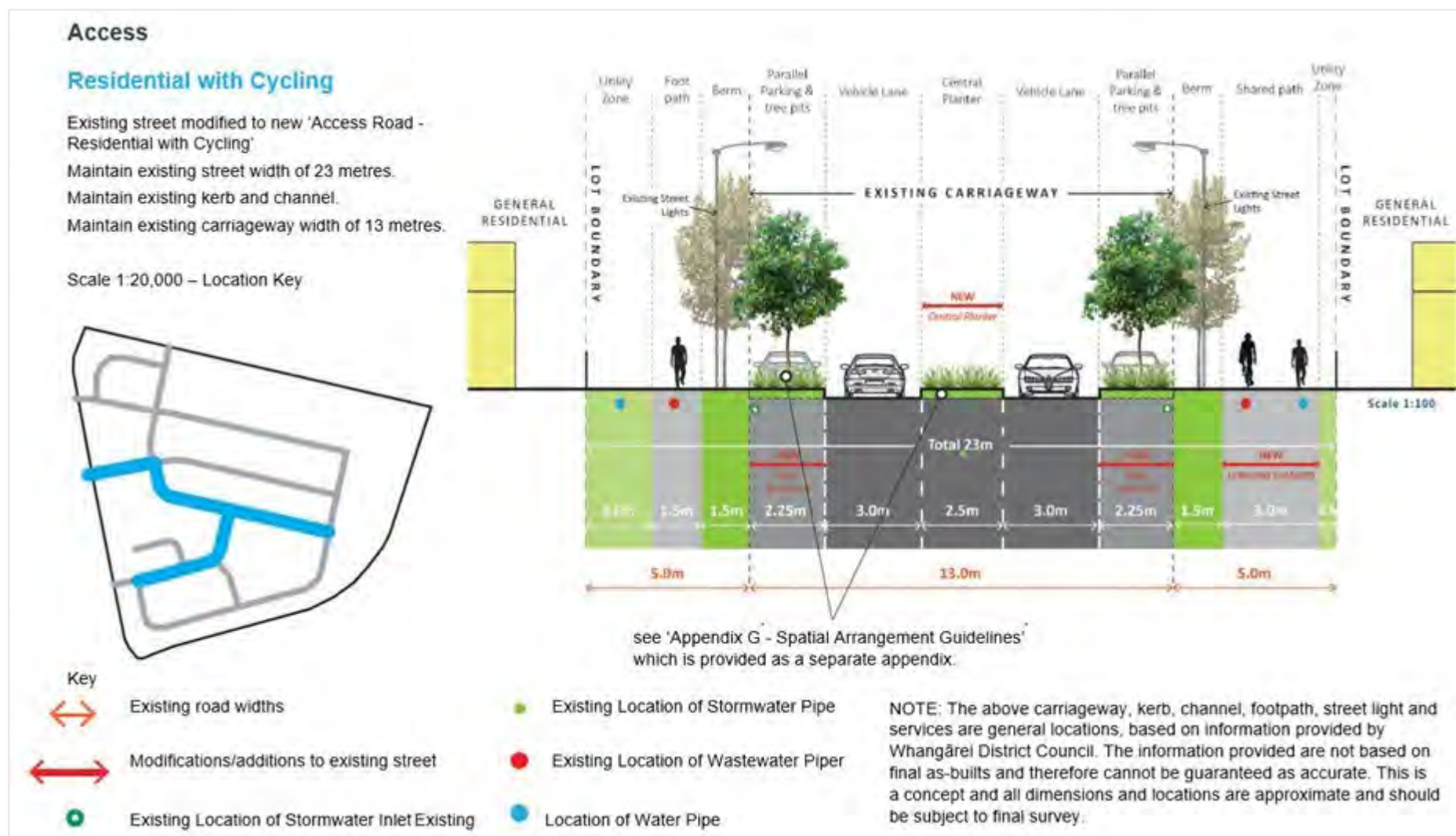


Figure PREC23 14. Existing Street Cross Section EE

PREC23 Appendix I – Existing Street Cross Section FF

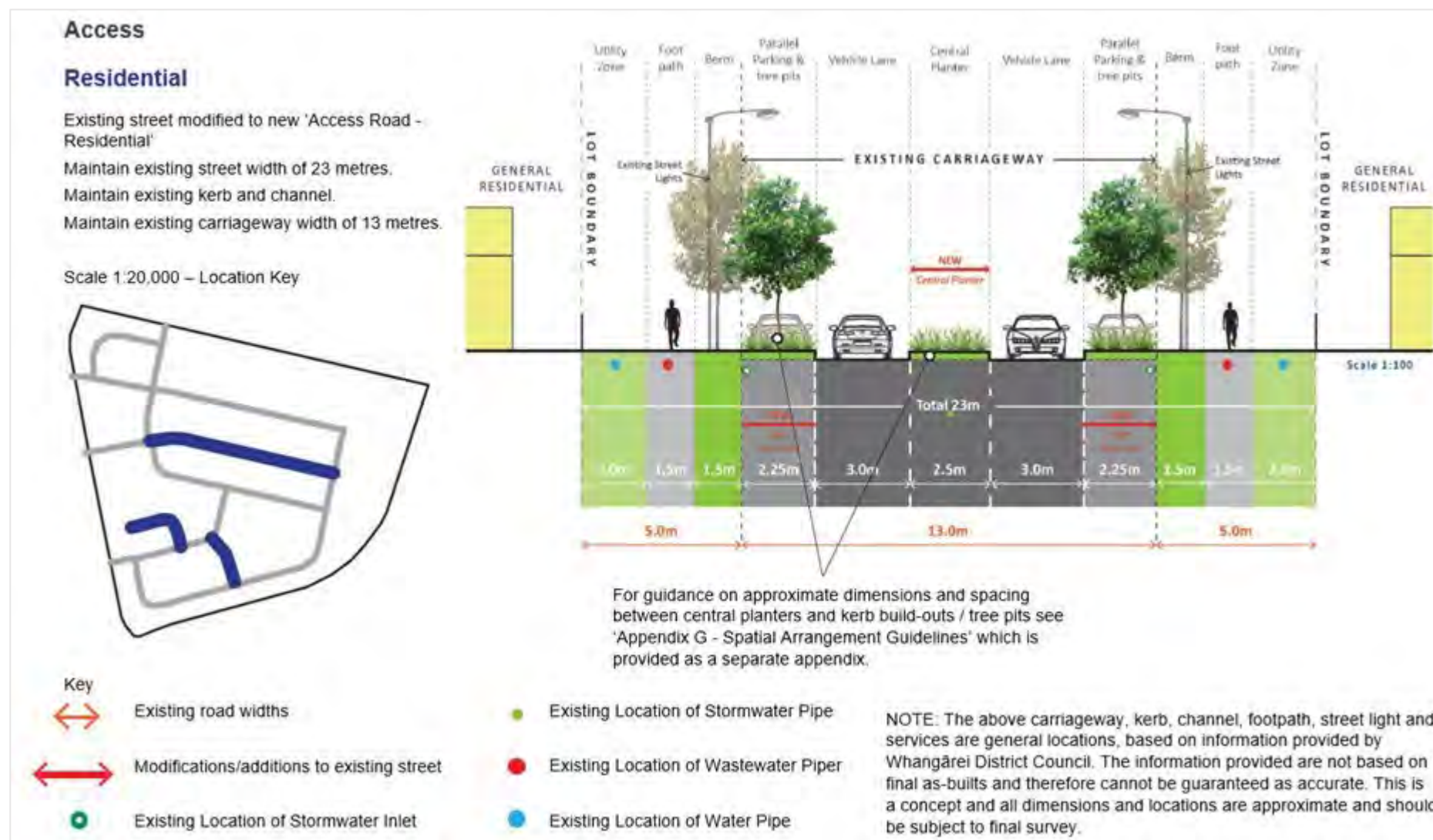


Figure PREC23 15. Existing Street Cross Section FF

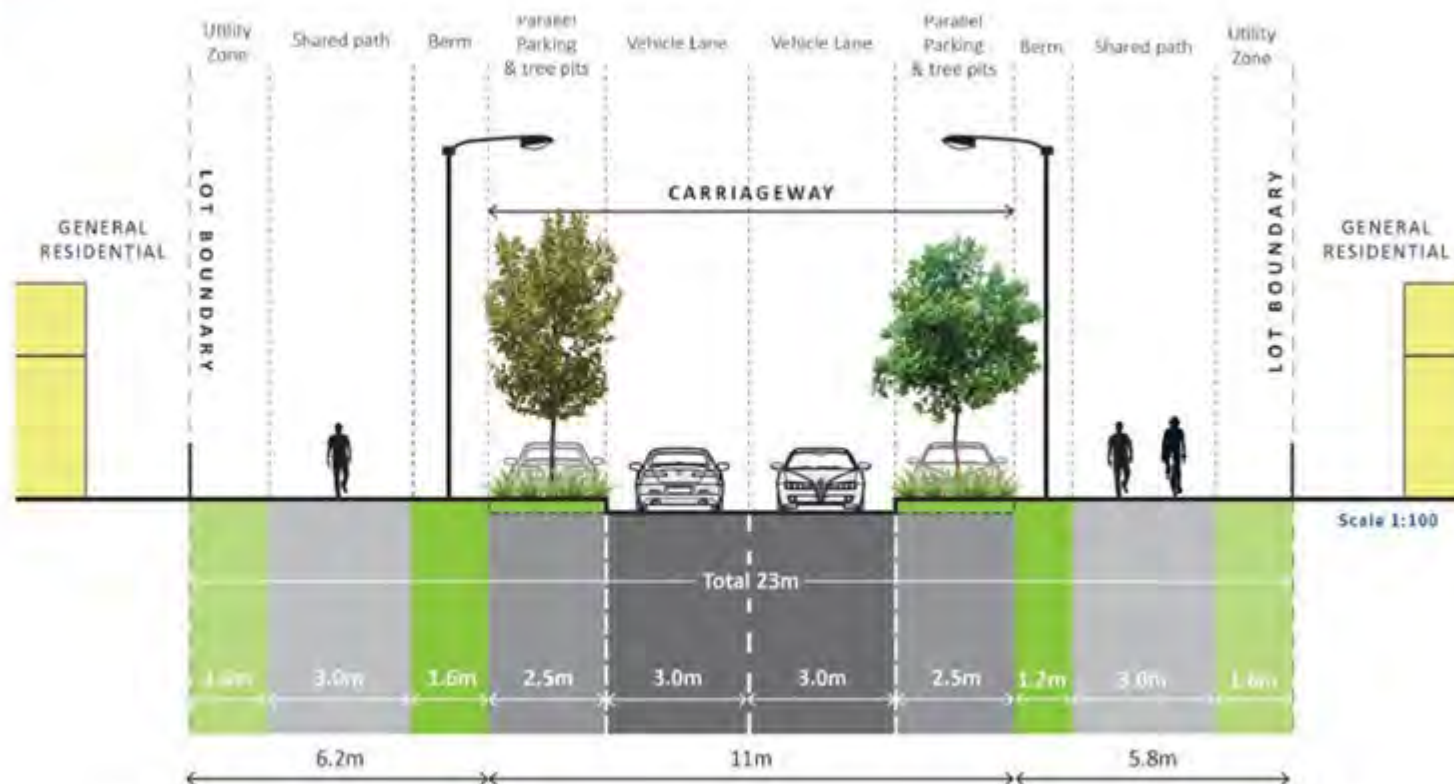
PREC23 Appendix J – New Street Cross Section GG

New Residential (with Cycling)

Street width of 23 metres.

Carriageway width of 11 metres with kerb buildouts/tree pits.

The locations of the new street cross sections are shown in 'Appendix B - Indicative & New Road Network Plan' which is provided as a separate appendix.



NOTE: This is a concept and all dimensions and locations are approximate and should be subject to final survey.

Figure PREC23 16. New Street Cross Section GG

PREC23 Appendix J – New Street Cross Section HH

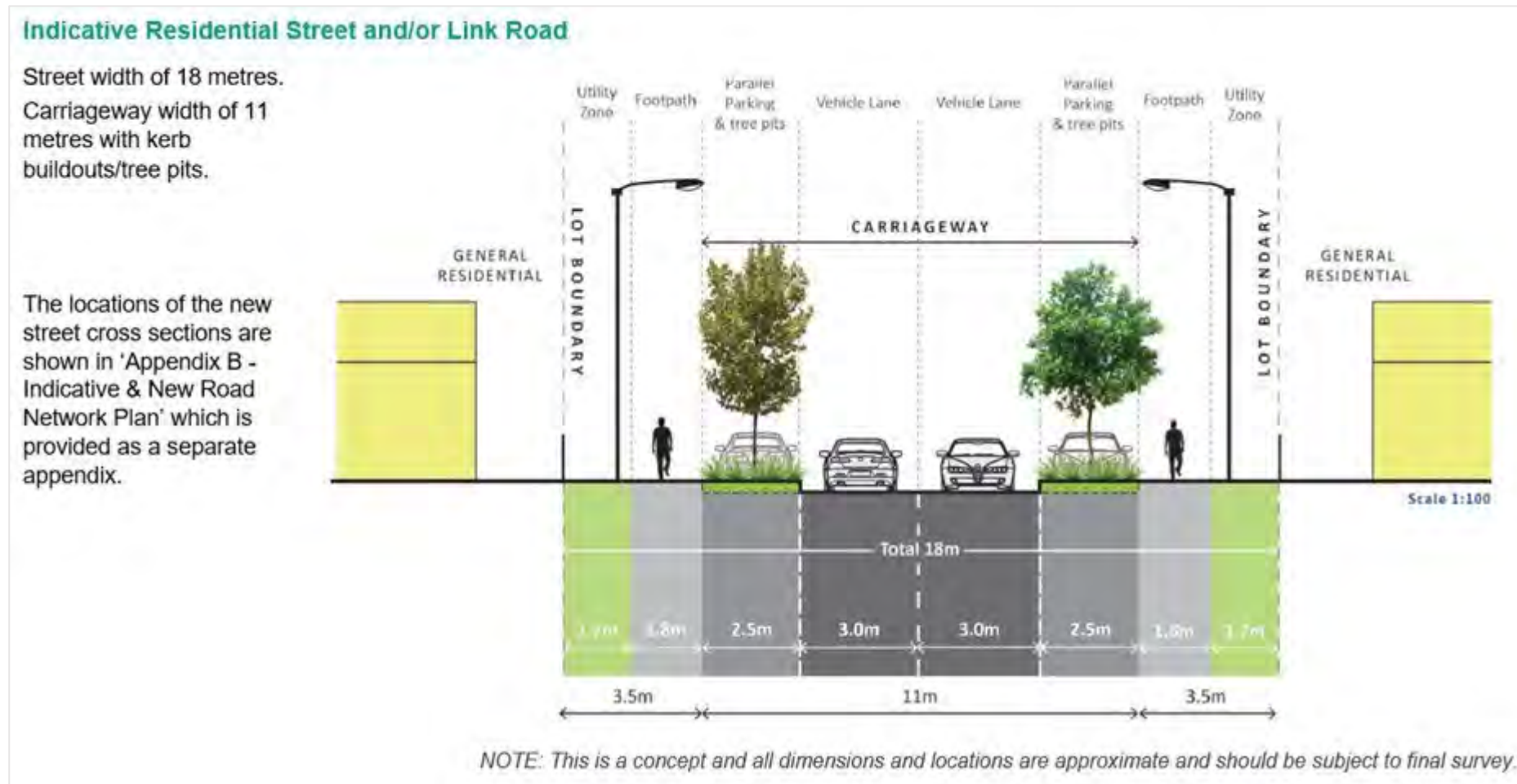


Figure PREC23 17. New Street Cross Section HH

Port Nikau Development Area (PNDA)

Issues

The Port Nikau Development Area (PNDA) enables the development of a liveable, mixed-use environment where people can practically live, work and play within the area with a specific focus on amenity values, urban design and open space.

The PNDA has a suite of objectives, policies, and rules that will guide the assessment of resource consent applications. The rules require development to proceed in accordance with PNDA Plans and Building Typologies included in PNDA Appendix 1.

The objectives, policies and rules of the underlying zones do not apply to development under the PNDA, except in circumstances stated in the PNDA provisions.

PNDA Plans related to this chapter include:

- Underlying Zone PNDA plan;
- Sub-Area PNDA plan;
- Residential Area A building typologies;
- Residential Area B building typologies;
- Residential Area C building typologies;
- Residential A and Local Commercial Area D spatial layout plans;
- Port Nikau Public Realm Plan (street and open space networks);
- Street cross – sections.

The district-wide objectives, policies and rules of the Subdivision Chapter does not apply to development in the PNDA unless otherwise stated in the PNDA provisions.

All other district-wide objectives, policies and rules shall apply to development in the PNDA unless otherwise stated in the PNDA provisions.

Objectives

PNDA-O1 Urban Design

Create a strong sense of place through application of urban design principles.

PNDA-O2 Infrastructure

Ensure adequate provision of infrastructure and services to meet development capacity while recognising the impacts of development on existing infrastructure networks.

PNDA-O3 Reverse Sensitivity

Manage reverse sensitivity effects between Zones and between incompatible land use activities.

PNDA-O4 Range of Activities

Provide for mixed-use development, including commercial, community and residential activities, that:

1. Provides for the community's social and economic needs;
2. Improves community access to goods, services, community facilities, and opportunities for social interaction;
3. Manages adverse effects on the environment;
4. Does not undermine the vitality and viability of the City Centre;

5. Creates high levels of internal amenity through good quality urban design.

PNDA-O5 Biodiversity

Development of the site allows for the maintenance of existing (pre-development) ecological values.

PNDA-O6 Open Space

To incorporate open space for recreation and public access to the coastal marine area.

Policies

PNDA-P1 Urban Design (Overall Development Structure)

Discourage development which is not consistent with the urban design principles in the PNDA plans.

PNDA-P2 Built Form

To achieve high quality urban design outcomes by enabling medium density housing and providing for a mix of housing typologies to encourage a diverse community consistent with the PNDA plans.

PNDA-P3 Street Networks and Formation

To ensure the provision of an effective and safe transport network:

1. A simple and legible street layout.
2. A street network that is linked to a well-connected movement system with choice of travel direction, and easy access to the Town Centre.
3. That streets are aligned to create viewshafts to the water, Town Centre, the central park, and the southern park.
4. The inclusion of park-side-streets to maximise the visibility of public reserves to create safe and active green spaces.

PNDA-P4 Reticulated Infrastructure Services

To ensure that new sites lots and development are appropriately serviced by:

1. Either
 - a. Requiring new sites lots to have a connection to reticulated infrastructure services (water, sewer, stormwater, electricity and telecommunications); or
 - b. In the case of super lots, demonstrating that infrastructure services can be provided to the future sites lots upon further subdivision; and
2. Considering alternative locations for three waters infrastructure where there are reduced road widths in accordance with the PNDA street network and cross sections, and trees within berms that could adversely affect underground infrastructure.

PNDA-P5 Reverse Sensitivity

To avoid, remedy, or mitigate adverse reverse sensitivity effects of sensitive activities by managing the design and location of sensitive activities in proximity to commercial and industrial activities in the neighbouring Light Industrial zones.

PNDA-P6 Ecological Values

To recognise the existing wader bird habitat of ecological significance by retaining the existing open water buffer between the south-western boundary of the PNDA and the wader bird habitat (on the outer edge of the mangroves).

PNDA-P7 Open Space

To provide open space that:

1. Meets the recreational needs applicable to the density of development.
2. Facilitates public access to the coastal marine area, recognising that some activities have an operational necessity to be located within riparian and coastal margins and that in some instances the exclusion of public access is necessary.

PNDA-P8 Mixed-Use

To manage potential adverse effects of non-residential uses by confining commercial and community uses (other than home occupations) to the Mixed-Use Area.

PNDA-P9 Town Centre

Discourage development that does not achieve the following outcomes for the Town Centre:

1. A simple and legible street layout.
2. Enhanced vehicle circulation.
3. The linking of landmarks, such as the tide gauge building, the waterfront edge, and the marina, with strongly defined pedestrian and vehicle routes.
4. Buildings, public spaces, and street networks designed to create view shafts to the water, tide gauge building, and plaza.
5. Breaks in built form on the main street to ensure visibility of the plaza and public areas in order to create safe and active green spaces.
6. A tree lined main street and a network of open spaces.
7. Orientation of public areas to the north and west for solar gain where practicable.

PNDA-P10 Subdivision

To encourage design and layout of subdivision that achieves the following:

1. Sites lots are shaped and sized to allow generous sunlight to living and outdoor spaces, and to provide high levels of on-site amenity and privacy.
2. Where possible, sites lots are located so that they over-look and front the road and open spaces.
3. The creation of multiple rear sites is limited, and where practicable avoided.

Rules

PNDA-R1 Any Activity

All Zones

1. Except for (2) and (3) below, the relevant rules of the district-wide chapters apply unless otherwise stated in the PNDA rules.
2. The rules of the district-wide Subdivision chapter do not apply to the PNDA.
3. The following rules and appendices of the district-wide Transport Chapter do not apply to the Port Nikau Development Area:
 - a. TRA-R5.2.
 - b. TRA-R12.
 - c. TRA-R14.4.
 - d. TRA-R15.
 - e. TRA-R16.

- f. TRA-R17.
- g. TRA-R18.
- h. TRA Appendix 2D and 2E.

PNDA-R2 Financial Contributions

All Zones

1. Any **road** upgrading or provision of public open space required under rules PNDA-R4 and PNDA-R5 may be provided in accordance with the Financial Contributions chapter of the Whangārei District Plan.

PNDA-R3 Minor Buildings

All Zones

Activity Status: Permitted

Note:

1. *Minor buildings are exempt from rules PNDA-R10 to PNDA-R12 and PNDA-R63 to PNDA-R66.*

PNDA-R4 New and/or Upgraded Roads, Shared Access **ways, Service Lanes, and Pedestrian Networks**

All Zones

Activity Status: Controlled

Where:

1. New and/or upgraded **roads, shared access ways, service lanes**, and footpaths are:
 - a. Located in accordance with the PNDA Plans (refer PNDA Appendix 1).
 - b. Formed in accordance with the PNDA 'Street Sections' plans.

Matters of control:

1. Design, construction, and maintenance of the **road, shared access ways**, or pedestrian network.
2. Traffic safety and visibility.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Alternative location of open space and impact on PNDA layout.
2. Consideration of the Whangarei District Council Engineering Standards.
3. Urban design best practice.
4. Traffic and pedestrian safety and efficiency.
5. Vesting of streets and the split of linear parks between **road** to vest and reserve to vest with Whangārei District Council.

PNDA-R5 Open Space

All Zones

Activity status: Permitted

Where:

1. Open Space is spatially located in accordance with the PNDA Plans (refer PNDA Appendix 1).

Activity Status when compliance not achieved: Restricted Discretionary

Matters for discretion:

1. Alternative location of open space and impact on PNDA layout.
2. Consideration of the Whangarei District Council Engineering Standards.
3. Urban design and landscape best practice.
4. Pedestrian safety and efficiency.
5. Vesting of open space with Whangarei District Council.

PNDA-R6 Subdivision

All Zones

Activity Status: Controlled

Where:

1. Every Super Lot:
 - a. Spatially aligns with the PNDA plans (refer PNDA Appendix 1), including the street network and the ability to accommodate the relevant **building** typologies.
2. Every **site allotment** that does not contain an existing **residential unit** at the time of **subdivision** (excluding super lots) is capable of accommodating the **building** typologies under the PNDA plans (refer PNDA Appendix 1) and rules.
3. Every **site allotment** that does contain an existing **residential unit** or **building** at the time of **subdivision** (including unit titles) complies with the PNDA permitted activity rules.
4. Open Space is spatially located in accordance with the PNDA Plans (refer PNDA Appendix 1).

Matters over which control is reserved

1. The ability to **site** appropriate **building** typologies within the proposed **sites lots**.
2. Fire rating on **boundaries**.
3. Compliance with the relevant PNDA plans (refer PNDA Appendix 1).
4. The provision, location, design, capacity, connection, upgrading, staging and integration of **infrastructure** in accordance with the PNDA Plans (refer PNDA Appendix 1) and rules.
5. The staged provision of park and/or public **land** (including public open space), spatially in accordance with the PNDA plans (refer PNDA Appendix 1).
6. Public **access** to the CMA in accordance with the PNDA plans (refer PNDA Appendix 1).
7. The need for consent notices to manage future **built form** on super lots, particularly the relationship of this **built form** with potential development on adjacent **sites lots**.

Activity Status when compliance not achieved with PNDA-R6.1 - 3 Discretionary

Activity Status when compliance not achieved with PNDA-R6.4:

Restricted Discretionary

Matters for discretion:

1. Alternative location of open space and impact on PNDA layout.
2. Consideration of the Whangarei District Council Engineering Standards.
3. Urban design and landscape best practice.

4. Pedestrian safety and efficiency.

PNDA-R7 Rural Production Activity

All Zones

Activity status: Non Complying

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R8 Any Building in Residential Area A

All Zones

Activity Status: Permitted

Where:

1. The building complies with the Building Typology shown on the PNDA plans (refer PNDA Appendix 1).
2. Buildings are located within the site in accordance with the locations shown on the PNDA plans (refer PNDA Appendix 1).

Activity Status when compliance not achieved: Restricted Discretionary

Matters for discretion:

1. The general urban design principles depicted on the PNDA plans (refer PNDA Appendix 1).
2. Shading and privacy for adjoining properties.
3. The privacy of occupants.
4. Effects on amenity values.
5. Road frontage domination.
6. Access to private open space.

PNDA-R9 Any Building in Residential Area B and C

All Zones

Activity Status: Permitted

Where:

1. Buildings comply with one of the Area B and C Building Typologies as shown on the PNDA Plans (refer PNDA Appendix 1) and where they are located and orientated in accordance with the following criteria:
 - a. For sites with a single frontage, the front façade of the building shall include a window from a habitable room and a door as the main entrance within the front façade that these are clear and visible.
 - b. For sites with multiple public frontages, the building shall:
 - i. Provide pedestrian access to each frontage; and
 - ii. Include a kitchen, dining room, living room or bedroom to each frontage; and
 - iii. Articulate each building frontage as if it is a front façade; and
 - iv. Shall locate the garage behind the front façade if the building; and
 - v. Shall maintain one main roof form that is extended to the front of the building for single storey dwellings; and
 - vi. Garages shall be setback from road frontages a minimum of 5.5m; and

- vii. Shall comply with PNDA-R13; or
- 2. **Buildings** shall comply with PNDA-R10-R13.

Activity Status when compliance not achieved: Restricted Discretionary

Matters for discretion:

- 1. The general urban design principles depicted on the PNDA plans (refer PNDA Appendix 1).
- 2. Shading and privacy for adjoining properties.
- 3. The privacy of occupants.
- 4. Effects on amenity values.
- 5. **Road frontage** domination.
- 6. **Access** to private open space.

PNDA-R10 Building and Major Structure Height

All Zones

Activity Status: Permitted

Where:

- 1. The maximum **height** of **buildings** and **major structures** is 12m, except where the **building** or **major structure** is located within Residential Area A where the maximum **height** is 20m.

Activity Status when compliance not achieved: Restricted Discretionary

Matters for discretion:

- 1. The general urban design principles depicted on the PNDA plans (refer PNDA Appendix 1).
- 2. Shading and privacy for adjoining properties.

PNDA-R11 Building and Major Structure Setbacks

All Zones

Activity Status: Permitted

Where:

- 1. **Buildings** except within Residential Area A, and **major structures** are set back at least:
 - a. 10m from Mean High Water Springs; and
 - b. 2m from the **road boundary**.
- 2. Any **habitable room** of a **building** is set back at least 1m from side and rear **boundaries**, except where a common wall between two **buildings** on adjacent **sites** is proposed.
- 3. Any non-habitable **building** or non- **habitable room** of a **building** is set back at least 1m from side and rear **boundaries**, allowing for a nil **setback** of 7.5m on any single **boundary** for a maximum total **building** length of 10.5 m on all **boundaries**.

Activity Status when compliance not achieved: Restricted Discretionary

Matters for discretion:

- 1. The general urban design principles for **access** to the CMA depicted on the PNDA plans (refer PNDA Appendix 1).
- 2. The privacy of occupants.
- 3. Effects on amenity values.
- 4. **Road frontage** domination.

5. Access to private open space.

PNDA-R12 Building Bulk in Relation to Boundary

All Zones

Activity Status: Permitted

Where:

1. Any part of a building, except within Residential Area A that is greater than 3.5m in height is confined within the arms of a single 150° angle formed by two lines intersecting at a common point on any side or rear boundary such that each line forms an angle of 15° with that boundary, except that:
 - a. This rule does not apply where a common wall between two buildings on adjacent sites is proposed.

Note:

1. *Measurements for PNDA-R12.1 can be taken from the furthest boundary when adjoining an access lot access leg.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters for discretion:

1. Privacy and amenity of occupants on site.
2. Sufficient sunlight access to outdoor areas and habitable rooms within the site.
3. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.

PNDA-R13 Outdoor Living Courts

All Zones

Activity Status: Permitted

Where:

1. Every residential unit:
 - a. With one or more habitable rooms at ground floor level provides an outdoor living court of at least 20m² and at least 4m depth.
2. With all habitable rooms above ground floor with 1 bedrooms provides an outdoor living court of at least 4m² and at least 1.5m depth.
3. With all habitable rooms above ground floor, with 2 or more bedrooms provides an outdoor living court of at least 8m² and at least 2.4m depth.
4. The outdoor living court is able to receive direct sunlight for at least 5 hours on the winter solstice over at least 50% of the minimum space required under PNDA-R13.1 above.

Activity Status when compliance not achieved: Restricted Discretionary

Matters for discretion:

1. Privacy and amenity of occupants on site.
2. Sufficient sunlight access to outdoor areas and habitable rooms within the site.
3. The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.

Notification:

Any restricted discretionary activity under PNDA-R13 shall not require the written consent of affected persons and shall not be notified or limited notified unless special circumstances exist under section 95A(4) of the Resource Management Act, 1991.

PNDA-R14 Fences

All Zones

Activity Status: Permitted

Where:

1. Fences do not exceed a **height** of 2m above **ground level**, except in front yards where the maximum **height** does not exceed 1.2m.
2. Notwithstanding (1) above, the maximum **height** of fences in front yards is 2m where living courts are located at the front of the dwelling.
3. Any fence within 3m of a **road boundary** is at least 50% visually permeable for any portion above 1m high.
4. Fences adjoining a public open space area are at least 50% visually permeable for any portion above 1.5m high.
5. Fencing is not fortified with barbed wire, broken glass or any form of electrification.

Activity Status when compliance not achieved: Restricted Discretionary

Matters for discretion:

1. **Effects** on the amenity value of the streetscape.
2. CPTED.
3. Privacy and amenity of occupants on-**site**.

PNDA-R15 Landscaping

All Zones

Activity Status: Permitted

Where:

1. At least 25% of the **net site area** is in lawn or planted.

Activity Status when compliance not achieved: Discretionary

PNDA-R16 Garages

All Zones

Activity Status: Permitted

Where:

1. Any ground floor **garage** which faces the street occupies less than 40% of the **site frontage**; or
2. The **garage** has a **frontage** exceeding 40%;
 - a. The **garage** complies with the PNDA **building** typology in accordance with PNDA-R9 or PNDA-R8; and
 - b. Any adjoining **site** has an existing single **garage**.

Activity Status when compliance not achieved: Discretionary

PNDA-R17 Hours of Operation

All Zones

Activity status: Permitted

Where:

1. Any non-residential activity does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 18:00.

Activity Status when compliance not achieved: Discretionary

PNDA-R18 Principal Residential Unit

All Zones

Activity status: Permitted

Where:

1. Every principal residential unit provides a Net Floor Area of at least:
 - a. For 1 bedroom – 45m².
 - b. For 2 bedrooms – 70m².
 - c. For 3 bedrooms – 90m²
2. Every residential unit provides a living area that can receive direct sunlight for at least 5 hours on the winter solstice.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The design, size and layout of **buildings** to provide appropriate privacy and amenity of occupants on-site.

Notification:

Any restricted discretionary activity under PNDA-R18-R19 shall not require the written consent of affected persons and shall not be notified or limited notified unless special circumstances exist under section 95A(4) of the Resource Management Act 1991.

PNDA-R19 Minor Residential Unit

All Zones

Activity status: Permitted

Where:

1. Every principal residential unit provides a Net Floor Area of at least:
 - a. For 1 bedroom – 45m².
 - b. For 2 bedrooms – 70m².
 - c. For 3 bedrooms – 90m²
2. Every residential unit provides a living area that can receive direct sunlight for at least 5 hours on the winter solstice.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The design, size and layout of **buildings** to provide appropriate privacy and amenity of occupants on-site.

Notification:

Any restricted discretionary activity under PNDA-R18-R19 shall not require the written consent of affected persons and shall not be notified or limited notified unless special circumstances exist under section 95A(4) of the Resource Management Act 1991.

PNDA-R20 Retail Activity

Activities in Residential Areas 'A' and 'B'

Activity status: Permitted

Where:

1. The activity is ancillary to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 0800 or after 1600 on any day, the operation of machinery, receiving of customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per day.
5. There is no carparking between the residential unit and the road.
6. In addition to the principal operator the activity has no more than two persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

~~8. The total area of signage is less than 0.25m², per site.~~

~~9. There is no illuminated or moving signage.~~

~~10.8.~~ No more than 6 tariff-paid visitors are staying on-site at any one time.

~~11.9.~~ Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance not achieved: Discretionary

PNDA-R21 Commercial Services

Activities in Residential Areas 'A' and 'B'

Activity status: Permitted

Where:

1. The activity is ancillary to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 0800 or after 1600 on any day, the operation of machinery, receiving of customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per day.
5. There is no carparking between the residential unit and the road.
6. In addition to the principal operator the activity has no more than two persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

~~8. The total area of signage is less than 0.25m², per site.~~

~~9. There is no illuminated or moving signage.~~

~~10.8.~~ No more than 6 tariff-paid visitors are staying on-site at any one time.

~~11.9.~~ Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance not achieved: Discretionary

PNDA-R22 Food and Beverage Activity

Activities in Residential Areas 'A' and 'B'

Activity status: Permitted

Where:

1. The activity is ancillary to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 0800 or after 1600 on any day, the operation of machinery, receiving of customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per day.
5. There is no carparking between the residential unit and the road.
6. In addition to the principal operator the activity has no more than two persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

~~8. The total area of signage is less than 0.25m², per site.~~

~~9. There is no illuminated or moving signage.~~

~~10.8.~~ No more than 6 tariff-paid visitors are staying on-site at any one time.

~~11.9.~~ Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance not achieved: Discretionary

PNDA-R23 Care Centre

Activities in Residential Areas 'A' and 'B'

Activity status: Permitted

Where:

1. The activity is ancillary to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 0800 or after 1600 on any day, the operation of machinery, receiving of customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per day.
5. There is no carparking between the residential unit and the road.
6. In addition to the principal operator the activity has no more than two persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

~~8. The total area of signage is less than 0.25m², per site.~~

9. There is no illuminated or moving signage.

10.8. No more than 6 tariff-paid visitors are staying on-site at any one time.

11.9. Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance not achieved: Discretionary

PNDA-R24 Visitor Accommodation

Activities in Residential Areas 'A' and 'B'

Activity status: Permitted

Where:

1. The activity is ancillary to a residential unit on the site.
2. The principal operator of the activity is a permanent resident on the site.
3. The activity does not include, before 0800 or after 1600 on any day, the operation of machinery, receiving of customers or the loading or unloading of vehicles.
4. The activity generates less than 20 traffic movements per day.
5. There is no carparking between the residential unit and the road.
6. In addition to the principal operator the activity has no more than two persons engaged in providing the activity.
7. The activity does not exceed the use of 15% of the total gross floor area of all buildings on the site.

8. The total area of signage is less than 0.25m² per site.

9. There is no illuminated or moving signage.

10.8. No more than 6 tariff-paid visitors are staying on-site at any one time.

11.9. Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

Activity Status when compliance not achieved: Discretionary

PNDA-R25 Supported Residential Care

Activities in Residential Areas 'A' and 'B'

Activity status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R26 Retirement Village Premises

Activities in Residential Areas 'A' and 'B'

Activity status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R27 Place of Assembly

Activities in Residential Areas 'A' and 'B'

Activity status: Discretionary

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R28 Emergency Services

Activities in Residential Areas 'A' and 'B'

Activity status: Discretionary

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R29 Recreational Facilities

Activities in Residential Areas 'A' and 'B'

Activity status: Discretionary

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R30 Educational Facilities

Activities in Residential Areas 'A' and 'B'

Activity status: Discretionary

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R31 Entertainment Facilities

Activities in Residential Areas 'A' and 'B'

Activity status: Non Complying

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R32 Service Stations

Activities in Residential Areas 'A' and 'B'

Activity status: Non Complying

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R33 Funeral Home

Activities in Residential Areas 'A' and 'B'

Activity status: Non Complying

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R34 Hospital

Activities in Residential Areas 'A' and 'B'

Activity status: Non Complying

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R35 Industrial Activities

Activities in Residential Areas 'A' and 'B'

Activity status: Non Complying

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R36 General Commercial

Activities in Residential Areas 'A' and 'B'

Activity status: Non Complying

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R37 General Community

Activities in Residential Areas 'A' and 'B'

Activity status: Non Complying

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R38 Trade Supplier

Activities for Residential Area 'C'

Activity Status: Permitted

Where:

1. Any individual activity is less than 300m² per [site](#).
2. The activity is a primary activity or [ancillary activity](#).

Activity Status when compliance not achieved: Discretionary

PNDA-R39 Grocery Store

Activities for Residential Area 'C'

Activity Status: Permitted

Where:

1. Any individual activity is less than 300m² per [site](#).
2. The activity is a primary activity or [ancillary activity](#).

Activity Status when compliance not achieved: Discretionary

PNDA-R40 General Retail

Activities for Residential Area 'C'

Activity Status: Permitted

Where:

1. Any individual activity is less than 300m² per [site](#).

2. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

PNDA-R41 Food and Beverage Activity

Activities for Residential Area 'C'

Activity Status: Permitted

Where:

1. Any individual activity is less than 300m² per site.
2. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

PNDA-R42 Care Centre

Activities for Residential Area 'C'

Activity Status: Permitted

Where:

1. Any individual activity is less than 300m² per site.
2. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

PNDA-R43 Commercial Services

Activities for Residential Area 'C'

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R44 Visitor Accommodation

Activities for Residential Area 'C'

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R45 Place of Assembly

Activities for Residential Area 'C'

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R46 Recreational Facilities

Activities for Residential Area 'C'

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R47 Emergency Services

Activities for Residential Area 'C'

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R48 Educational Facilities

Activities for Residential Area 'C'

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R49 Standalone Car Parking Facility

Activities for Residential Area 'C'

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R50 Drive-Through-Facilities

Activities for Residential Area 'C'

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R51 Entertainment Facilities

Activities for Residential Area 'C'

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R52 Service Stations

Activities for Residential Area 'C'

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R53 General Commercial

Activities for Residential Area 'C'

Activity Status: Discretionary

Where:

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1. The activity is a primary activity or [ancillary activity](#).

PNDA-R54 General Community

Activities for Residential Area 'C'

Activity Status: Discretionary

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R55 Industrial Activities

Activities for Residential Area 'C'

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R56 Motor Vehicle Sales

Activities for Residential Area 'C'

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R57 Garden Centres

Activities for Residential Area 'C'

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R58 Marine Retail

Activities for Residential Area 'C'

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R59 Hire Premise

Activities for Residential Area 'C'

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R60 Funeral Home

Activities for Residential Area 'C'

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or [ancillary activity](#).

PNDA-R61 Hospital

Activities for Residential Area 'C'

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R62 Building

Local Commercial Area D

Activity Status: Permitted

Where

1. Buildings are located in accordance with:
 - a. The PNDA Plan; and
 - b. PNDA-R63 to R67.

PNDA-R63 Building and Major Structure Height

Local Commercial Area D

Activity Status: Permitted

Where:

1. The maximum height of buildings or major structures is 20m.

Activity Status when compliance not achieved: Discretionary

PNDA-R64 Building and Major Structure Setbacks from MHWS

Local Commercial Area D

Activity Status: Permitted

Where:

1. Any building is set back in accordance with the PNDA plans (refer PNDA Appendix 1); or
2. Any building or major structure is set back at least 10m from MHWS.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The general urban design principles for access to the CMA depicted on the PNDA plans (refer PNDA Appendix 1).

PNDA-R65 Building and Major Structure Setbacks

Local Commercial Area D

Activity Status: Permitted

Where:

1. Buildings are set back in accordance with the PNDA plans (refer PNDA Appendix 1); or
2. Buildings or major structures are set back:
 - a. 5m from a boundary that adjoins a Residential Zone or Open Space and Recreation Zone.

- b. Zero setback from a road boundary at ground floor level for the entire length of the street frontage, except:
 - i. A setback of up to 1.5m for a maximum width of 2.5m to allow for a recessed pedestrian entrance.

Activity Status when compliance not achieved: Discretionary

PNDA-R66 Building Frontages

Local Commercial Area D

Activity Status: Permitted

Where:

- 1. At least 65% of the building frontage at ground floor is clear glazing with no film or other covering or finish added to the glazing that would limit visibility through it.
- 2. The principal public entrance to the building is situated to face the road where the building is on a front site.
- 3. There are no roller doors, sectional doors or shutters (except emergency services and security grilles which allow views from the street into the premises) along the site frontage.

Activity Status when compliance not achieved: Discretionary

PNDA-R67 Verandahs

Local Commercial Area D

Activity Status: Permitted

Where:

- 1. All buildings within 2m of a road boundary are provided with verandahs:
 - a. Along the entire frontage of the building (excluding vehicle accessways) and forms a continuous line of shelter with adjacent verandahs; and
 - b. The clearance above the footpath is at least 3m and not more than 4m; and
 - c. The width of the verandah is:
 - i. The width of the corresponding footpath less 600mm from the kerb line; and
 - ii. A maximum of 5m

Activity Status when compliance not achieved: Discretionary

PNDA-R68 Fences

Local Commercial Area D

Activity Status: Permitted

Where:

- 1. The fence is along a site frontage and is required by a by-law or for public health and safety; or
- 2. The fence is along a road boundary.
- 3. Fencing within 1m of any side or rear boundary is no higher than 2m.

Activity Status when compliance not achieved: Discretionary

PNDA-R69 Outdoor Storage and Stockpiles

Local Commercial Area D

Activity Status: Permitted

Where:

1. Any outdoor area of storage or stockpile:
 - a. Complies with PNDA-R62.
 - b. Is screened from view from public places and surrounding residential or open space zone sites.

Activity Status when compliance not achieved: Discretionary

PNDA-R70 Carparking

Local Commercial Area D

Activity Status: Permitted

Where:

1. All carparking is spatially positioned in accordance with the PNDA town centre plan.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Availability of alternative modes of transport (including walking and public transport);
2. Trip generation.
3. Public amenity values.

PNDA-R71 Hours of Operation

Local Commercial Area D

Activity status: Permitted

Where:

1. Any non-residential activity does not operate or open for visitors, clients, deliveries or servicing outside the hours of 06:00 – 22:00 where the activity is located closer than 50m from a boundary with a Residential Zone.

Activity Status when compliance not achieved: Discretionary

PNDA-R72 Principal Residential Unit

Local Commercial Area D

Activity Status: Permitted

Where:

1. Every principal residential unit provides an internal area (excluding garages) of at least:
 - a. For 1 bedroom – 45 m²
 - b. For 2 bedrooms – 70 m²
 - c. For 3 bedrooms – 90 m²
2. Any 1 bedroom residential unit provides an outdoor living court of at least 4 m² and at least 1.5 m depth.

3. Any 2+ bedroom residential unit contains an outdoor living courts of at least 8 m² and at least 2.4 m depth.
4. Every residential unit is above ground floor.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The design, size and layout of buildings to provide appropriate privacy and amenity of occupants on-site.

PNDA-R73 Minor Residential Unit

Local Commercial Area D

Activity Status: Permitted

Where:

1. Every principal residential unit provides an internal area (excluding garages) of at least:
 - a. For 1 bedroom – 45 m²
 - b. For 2 bedrooms – 70 m²
 - c. For 3 bedrooms – 90 m²
2. Any 1 bedroom residential unit provides an outdoor living court of at least 4 m² and at least 1.5 m depth.
3. Any 2+ bedroom residential unit contains an outdoor living courts of at least 8 m² and at least 2.4 m depth.
4. Every residential unit is above ground floor.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The design, size and layout of buildings to provide appropriate privacy and amenity of occupants on-site.

PNDA-R74 Grocery Stores

Local Commercial Area D

Activity Status: Permitted

Where:

1. The gross floor area does not exceed 500m².
2. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

PNDA-R75 Commercial Services

Local Commercial Area D

Activity Status: Permitted

Where:

1. Any individual activity is less than 300m² per site.
2. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

PNDA-R76 Food and Beverage Activity

Local Commercial Area D

Activity Status: Permitted

Where:

1. Any individual activity is less than 300m² per site.
2. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

PNDA-R77 General Retail

Local Commercial Area D

Activity Status: Permitted

Where:

1. Any individual activity is less than 300m² per site.
2. The activity is a primary activity or ancillary activity.

Activity Status when compliance not achieved: Discretionary

PNDA-R78 Artisan Industrial Activities

Local Commercial Area D

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. Any individual activity is less than 300 m² gross floor area per site.
3. The goods sold on-site are also manufactured on-site, provided that the retailing is ancillary to the manufacturing. For this rule manufacturing excludes activities which comprise only the packaging, labelling, sorting, mixing or assembling of premade products.
4. Any outdoor area associated with the activity is not located between the front of the building and the road.

Activity Status when compliance not achieved: Discretionary

PNDA-R79 Place of Assembly

Local Commercial Area D

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. Any individual activity is less than 1,000 m² gross floor area per site.
3. Any outdoor area associated with the activity is not located between the front of the building and the road.

Activity Status when compliance not achieved: Discretionary

PNDA-R80 Entertainment Facilities

Local Commercial Area D

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. Any individual activity is less than 1,000 m² gross floor area per site.
3. Any outdoor area associated with the activity is not located between the front of the building and the road.

Activity Status when compliance not achieved: Discretionary

PNDA-R81 Recreational Facilities

Local Commercial Area D

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. Any individual activity is less than 1,000 m² gross floor area per site.
3. Any outdoor area associated with the activity is not located between the front of the building and the road.

Activity Status when compliance not achieved: Discretionary

PNDA-R82 Emergency Services

Local Commercial Area D

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. Any individual activity is less than 1,000 m² gross floor area per site.
3. Any outdoor area associated with the activity is not located between the front of the building and the road.

Activity Status when compliance not achieved: Discretionary

PNDA-R83 Educational Facilities

Local Commercial Area D

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.
2. Any individual activity is less than 1,000 m² gross floor area per site.
3. Any outdoor area associated with the activity is not located between the front of the building and the road.

Activity Status when compliance not achieved: Discretionary

PNDA-R84 Visitor Accommodation

Local Commercial Area D

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R85 Marine Retail

Local Commercial Area D

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R86 Motor Vehicle Sale

Local Commercial Area D

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R87 Garden Centres

Local Commercial Area D

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R88 Trade Suppliers

Local Commercial Area D

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R89 Supported Residential Care

Local Commercial Area D

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R90 Care Centre

Local Commercial Area D

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R91 Retirement Village

Local Commercial Area D

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R92 Drive-Through-Facility

Local Commercial Area D

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R93 Service Station

Local Commercial Area D

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R94 Funeral Home

Local Commercial Area D

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R95 Hospital

Local Commercial Area D

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R96 General Industry

Local Commercial Area D

Activity Status: Non Complying

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R97 Manufacturing and Storage

Local Commercial Area D

Activity Status: Non Complying

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R98 Repair and Maintenance

Local Commercial Area D

Activity Status: Non Complying

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R99 Marine Industry

Local Commercial Area D

Activity Status: Non Complying

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R100 Hire Premise Activities

Local Commercial Area D

Activity Status: Non Complying

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R101 Waste Management Facility

Local Commercial Area D

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R102 Landfill

Local Commercial Area D

Activity Status: Prohibited

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R103 Any Activity or Subdivision

Local Commercial Area D

Activity Status: Permitted

Where:

1. The subdivision does not result in the total number of sites allotments within the PNDA exceeding 500.
2. The activity does not result in:
 - a. The combined total number of residential units, retirement village units and supported residential care beds within the PNDA exceeding 500.
 - b. The total gross floor area of all retail activities within the PNDA exceeding 1,000m².
 - c. The total combined gross floor area of all industrial activities, commercial activities (excluding retail activities) and community activities within the PNDA exceeding 410m².

Notes:

1. Refer to PNDA-R104 or PNDA-R105 where a subdivision or activity does not fall within the thresholds under PNDA-R103.
2. All relevant District-Wide, Overlay and Development Area objectives, policies and rules apply in addition to PNDA-R103.

PNDA-R104 Any Activity or Subdivision

Local Commercial Area D

Activity Status: Permitted

Where:

1. Either:
 - a. The subdivision results in the total number of sites allotments within the PNDA exceeding 500 but not exceeding 1,100; or
 - b. The activity results in:
 - i. The combined total number of residential units, retirement village units and supported residential care beds within the PNDA exceeding 500 but not exceeding 1,100;
 - ii. The total gross floor area of retail activities within the PNDA exceeding 1,000m² but not exceeding 4,500m²; or
 - iii. The total combined gross floor area of all industrial activities, commercial activities (excluding retail activities) and community activities within the PNDA exceeding 410m² but not exceeding 4,050m². AND:
2. A Transport Statement satisfying the information requirement rule of PNDA-REQ1 prepared by a Chartered Professional Engineer in the practice field of Transportation is submitted to Council prior to the earliest of the land use activities being established, or land use, building or subdivision consent application being lodged; and
3. A statement prepared by a (separate) independent Chartered Professional Engineer in the practice field of Transportation accompanies the Transport Statement required under PNDA-R104.2 and confirms that the Transport Statement satisfies the information requirement rule of PNDA-REQ1.

Notes:

1. Refer to PNDA-R103 or PNDA-R105 where a subdivision or activity does not fall within the thresholds under PNDA-R104.1.
2. All relevant District-Wide, Overlay and Development Area objectives, policies and rules apply in addition to PNDA-R104.

Activity Status when compliance is not achieved with PNDA-R104.2 or PNDA-R104.3: Restricted Discretionary

Matters of discretion:

1. The extent to which traffic generated both within the Port Nikau Development Area and to/from the Port Nikau Development Area affects the operational capacity safety, efficiency, effectiveness and accessibility of the affected transport network outside of the Port Nikau Development Area.
2. Recommendations and proposed mitigation measures of the Integrated Transport Assessment and any further information provided through the consent process.
3. Required improvements, alterations or extensions to the affected transport network to mitigate adverse effects (including at level crossings).

4. The extent to which alterations or upgrades to Port Road since [insert operative date] have increased the carrying capacity of the transport network.

Notes:

1. Any application shall comply with information requirement rule PNDA-REQ2.
2. Any application under this rule will require assessment against the District-Wide objectives and policies within the Transport Chapter.

PNDA-R105 Any Activity or Subdivision

Local Commercial Area D

Activity Status: Restricted Discretionary

Where:

1. The subdivision results in the total number of **sites allotments** within the PNDA exceeding 1,100. Or:
2. The activity results in:
 - a. The combined total number of **residential units, retirement village** units and **supported residential care** beds within the PNDA exceeding 1,100; or
 - b. The total **gross floor area** of **retail activities** within the PNDA exceeding 4,500m²; or
 - c. The total combined gross floor area of all industrial activities, commercial activities (excluding retail activities) and community activities within the PNDA exceeding 4,050m².

Matters of discretion:

1. The extent to which traffic generated both within the Port Nikau Development Area and to/from the Port Nikau Development Area affects the operational capacity safety, efficiency, effectiveness and accessibility of the affected transport network outside of the Port Nikau Development Area.
2. Recommendations and proposed mitigation measures of the Integrated Transport Assessment and any further information provided through the consent process
3. Required improvements, alterations or extensions to the affected transport network to mitigate adverse effects (including at level crossings).

Notes:

1. Refer to PNDA-R103 or PNDA-R104 where a subdivision or activity does not fall within the thresholds under PNDA-R105.
2. Any application shall comply with information requirement rule PNDA-REQ2.
3. Any application under this rule will require assessment against the District-Wide objectives and policies within the Transport Chapter.
4. Any activity under PNDA-R105 is exempt from PNDA-R103 and PNDA-R104.

Information Requirement Rules

PNDA-REQ1 Transport Statement

1. The Transport Statement required by PNDA-R104.2 shall be prepared by a Chartered Professional Engineer in the practice field of Transportation and shall include:
 - a. An evaluation of the estimated number of trips which will be generated by each transport mode (public transport, walking, cycling and private vehicles, including heavy vehicles), both within the Port Nikau Development Area and to/from the Port Nikau Development Area.

- b. A determination of the total number of traffic movements (inclusive of the proposed activity) into and out of the Port Nikau Development Area, and confirmation that this does not exceed 386 v/hr inbound and 741 v/hr outbound in the AM peak, and 777 v/hr inbound and 356 v/hr outbound in the PM peak.

PNDA-REQ2 Integrated Transport Assessments

1. Any restricted discretionary application pursuant to PNDA-R103 – 105 shall include an Integrated Transport Assessment prepared by a Chartered Professional Engineer in the practice field of Transportation, which shall include:
 - a. A description of the site characteristics, existing development, existing traffic conditions and trip generation, surrounding land uses, proposed activity and its intensity, and future development potential of the site.
 - b. An assessment of the features of the affected transport network, including the following (where relevant to the proposal):
 - i. Existing access arrangements, on-site car parking and crossing locations.
 - ii. Existing internal vehicle and pedestrian circulation.
 - iii. Existing walking and cycling networks in the surrounding area to which the site will connect.
 - iv. Existing public transport service routes and frequencies including bus stops and lanes.
 - v. Hours of operation for non-residential activities.
 - vi. The adjacent transport network road hierarchy and the safety of the transport network in the vicinity including crash history.
 - vii. The location and type of any existing level crossings in the locality.
 - c. The existing level of development and future development potential within the Port Nikau Development Area.
 - d. A description of the estimated number of trips which will be generated by each transport mode (public transport, walking, cycling and private vehicles, including heavy vehicles) both within the Port Nikau Development Area and to/from the Port Nikau Development Area.
 - e. An assessment of the suitability of the proposal for all users within the development and connecting to the affected transport network. This shall include assessments of:
 - i. The alignment of the transportation outcomes delivered by the proposed development with the relevant Transport Chapter objectives and policies.
 - ii. The accessibility of the development for public transport and how the design of the development will encourage public transport use by considering the attractiveness, safety, distance and suitability of the walking routes between the site and the nearest existing bus stop.
 - iii. The accessibility of the development for pedestrians and cyclists, and how the design of the development will encourage walking and cycling, particularly to nearby destinations such as reserves, other public spaces and commercial or community facilities.
 - iv. Any safety implications that may detract from walking or cycling to/from the development.
 - v. The accessibility of the development by private motor vehicles and the suitability of the proposed access and use of the site with respect to the safe, efficient and effective functioning of the surrounding transport network.

- f. An evaluation of the **effects** of the development on the affected transport network, including:
 - i. Transportation modelling of the proposed traffic generated both within the Port Nikau Development Area and to/from the Port Nikau Development Area.
 - ii. Impacts on the operation of public **transport infrastructure**, and any vehicle and pedestrian/cyclist conflicts likely to arise from vehicle movements to and from the development.
 - iii. The impacts that any additional vehicle movements are likely to have on the capacity and operation of surrounding **road** and rail networks, including any intersections and level crossings.
- g. Identification of any necessary mitigation measures that will be required to address any impacts on the affected transport network, including:
 - i. Potential mitigation measures needed including any improvements, upgrades, alterations or extensions to the affected transport network.
 - ii. Any mitigation required to achieve convenient and safe operation of **access** points and loading areas for all users.
 - iii. How the design and layout of the proposed activity maximises opportunities, to the extent practical, for travel other than by private car.
 - iv. Where appropriate, the use of **Crime Prevention Through Environmental Design** principles and techniques to mitigate any safety issues for pedestrians or cyclists.
 - v. A description of measures that will be put in place to avoid or mitigate the **effects** of the construction process.
 - v. A summary of the Integrated Transport Assessment including key findings and implications that the development will have for transport including any proposed mitigation measures.
- h. An overview of the transport implications of existing **land** uses and any **land** use characteristics that affect the proposal, including in the wider surrounding area those that will affect assessment of the proposal.
- i. A description of any proposed transport upgrades or changes within the vicinity of the proposed development such as known intersection or **road** upgrades, cycle **infrastructure**, parking restrictions or public transport upgrades or changes. If the proposed development is to be staged this description shall consider how the proposal will correspond with planned transport upgrades.

PNDA Appendix 1 – PNDA Plans

Plan Set A - General

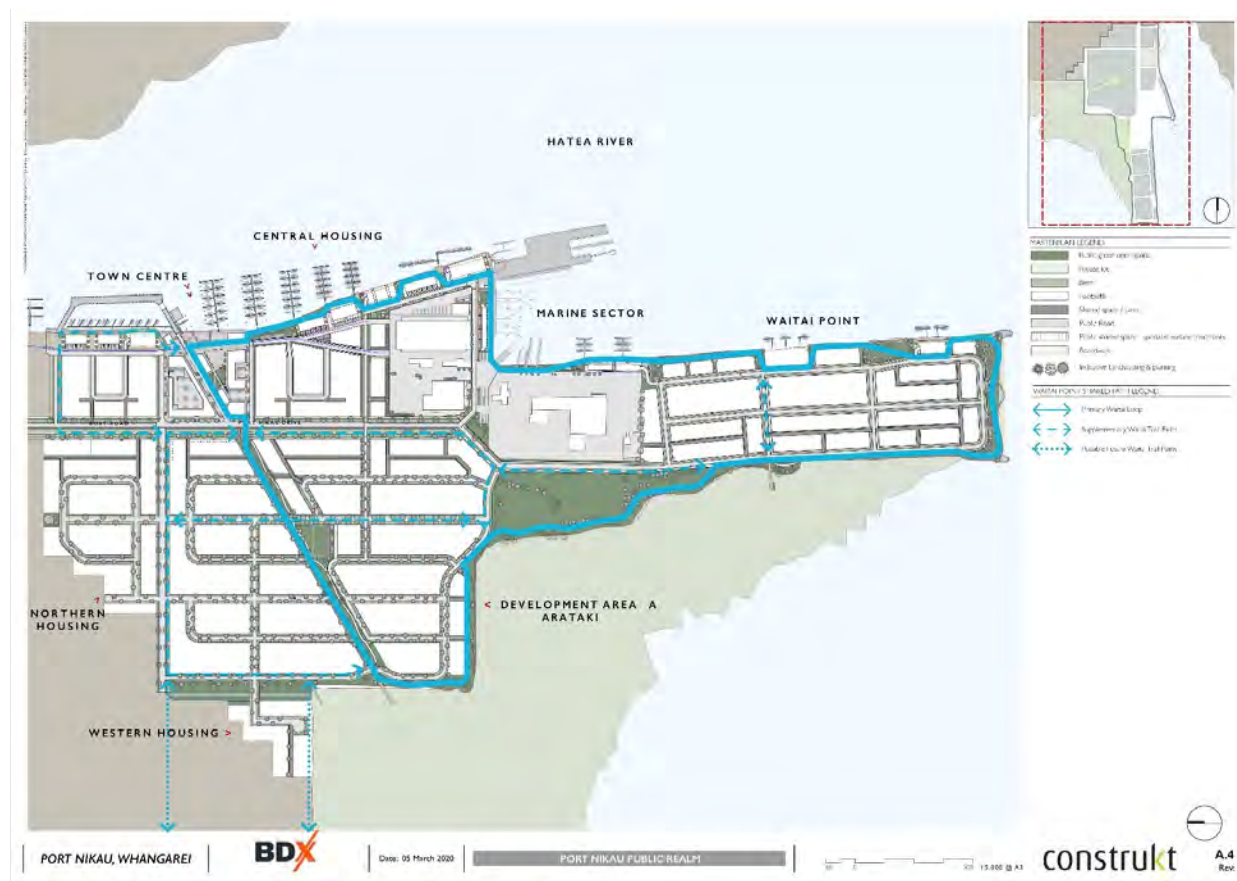
A-GENERAL	
A.1	COVER SHEET
A.2	LOCATION PLAN
A.3	PORT NIKAU MASTERPLAN
A.4	PORT NIKAU PUBLIC REACH
A.5	SUB-AREA PNDA PLAN
A.6	RESIDENTIAL AREA A LOT SUMMARY
B-TOWN CENTRE 1:500	
B.1	TOWN CENTRE - GROUND FLOOR SITEPLAN
B.2	TOWN CENTRE - LOT 1 SITEPLAN
B.3	TOWN CENTRE - APARTMENT FLOOR PLANS
C-TYPELOGY SITE PLANS 1:2500	
C.1	AREAS A + B - TYPELOGY PLAN - CENTRAL HOUSING
C.2	AREAS A + B - TYPELOGY PLAN - WAI (ALPINE)
C.3	AREAS B + C - TYPELOGY PLAN - APARTMENT
C.4	AREAS B + C - TYPELOGY PLAN - NORTH WEST HOUSING
D-EASTERN HARBOUR EDGE (AREA A) - LOT PLANS 1:750	
D.1	EASTERN HARBOUR EDGE (AREA A) - LOT 1-1
D.2	EASTERN HARBOUR EDGE (AREA A) - LOT 1-2
D.3	EASTERN HARBOUR EDGE (AREA A) - LOT 1-3
D.4	EASTERN HARBOUR EDGE (AREA A) - LOT 1-4
D.5	EASTERN HARBOUR EDGE (AREA A) - LOT 1-5
D.6	EASTERN HARBOUR EDGE (AREA A) - LOT 1-6
D.7	EASTERN HARBOUR EDGE (AREA A) - LOT 1-7
D.8	EASTERN HARBOUR EDGE (AREA A) - LOT 1-8
E-STREETSCAPE ELEVATIONS	
E.1	AREA B STREETSCAPE ELEVATIONS
E.2	AREA C STREETSCAPE ELEVATIONS
F-TYPELOGY PLANS AND ELEVATIONS 1:100	
F.1	TYPELOGY PLAN - 1-1A
F.2	ELEVATIONS - 1-1A
F.3	TYPELOGY PLAN - 1-1B
F.4	ELEVATIONS - 1-1B
F.5	TYPELOGY PLAN - 1-1C
F.6	ELEVATIONS - 1-1C
F.7	TYPELOGY PLAN - 1-1D
F.8	ELEVATIONS - 1-1D
F.9	TYPELOGY PLAN - 1-1E
F.10	ELEVATIONS - 1-1E
F.11	TYPELOGY PLAN - 1-1F
F.12	ELEVATIONS - 1-1F
F.13	TYPELOGY PLAN - 1-1G
F.14	ELEVATIONS - 1-1G
F.15	TYPELOGY PLAN - 1-1H
F.16	ELEVATIONS - 1-1H
F.17	TYPELOGY PLAN - 1-1I
F.18	ELEVATIONS - 1-1I
F.19	TYPELOGY PLAN - 1-1J
F.20	ELEVATIONS - 1-1J
F.21	TYPELOGY PLAN - 1-1K
F.22	ELEVATIONS - 1-1K
F.23	TYPELOGY PLAN - 1-1L
F.24	ELEVATIONS - 1-1L
F.25	TYPELOGY PLAN - 1-1M
F.26	ELEVATIONS - 1-1M
F.27	TYPELOGY PLAN - 1-1N
F.28	ELEVATIONS - 1-1N
F.29	TYPELOGY PLAN - 1-1O
F.30	ELEVATIONS - 1-1O
F.31	TYPELOGY PLAN - 1-1P
F.32	ELEVATIONS - 1-1P
F.33	TYPELOGY PLAN - 1-1Q
F.34	ELEVATIONS - 1-1Q
F.35	TYPELOGY PLAN - 1-1R
F.36	ELEVATIONS - 1-1R
F.37	TYPELOGY PLAN - 1-1S
F.38	ELEVATIONS - 1-1S
F.39	TYPELOGY PLAN - 1-1T
F.40	ELEVATIONS - 1-1T
F.41	TYPELOGY PLAN - 1-1U
F.42	ELEVATIONS - 1-1U
F.43	TYPELOGY PLAN - 1-1V
F.44	ELEVATIONS - 1-1V
F.45	TYPELOGY PLAN - 1-1W
F.46	ELEVATIONS - 1-1W
F.47	TYPELOGY PLAN - 1-1X
F.48	ELEVATIONS - 1-1X
F.49	TYPELOGY PLAN - 1-1Y
F.50	ELEVATIONS - 1-1Y
F.51	TYPELOGY PLAN - 1-1Z
F.52	ELEVATIONS - 1-1Z
F.53	ELEVATIONS - 1-1Z
G-EASTERN HARBOUR EDGE (AREA A) - FLOOR PLANS 1:250	
G.1	EASTERN HARBOUR EDGE (AREA A) - LOT 1
G.2	EASTERN HARBOUR EDGE (AREA A) - LOT 2
G.3	EASTERN HARBOUR EDGE (AREA A) - LOT 3
G.4	EASTERN HARBOUR EDGE (AREA A) - LOT 4
G.5	EASTERN HARBOUR EDGE (AREA A) - LOT 5
G.6	EASTERN HARBOUR EDGE (AREA A) - LOT 6
G.7	EASTERN HARBOUR EDGE (AREA A) - LOT 7
G.8	EASTERN HARBOUR EDGE (AREA A) - LOT 8
G.9	EASTERN HARBOUR EDGE (AREA A) - LOT 9
G.10	EASTERN HARBOUR EDGE (AREA A) - LOT 10
G.11	EASTERN HARBOUR EDGE (AREA A) - LOT 11
G.12	EASTERN HARBOUR EDGE (AREA A) - LOT 12
G.13	EASTERN HARBOUR EDGE (AREA A) - LOT 13
G.14	EASTERN HARBOUR EDGE (AREA A) - LOT 14
G.15	EASTERN HARBOUR EDGE (AREA A) - LOT 15
G.16	EASTERN HARBOUR EDGE (AREA A) - LOT 16
G.17	EASTERN HARBOUR EDGE (AREA A) - LOT 17
H-STREET SECTIONS	
H.1	STREET SECTIONS - AVONDALE
H.2	STREET SECTIONS - AVONDALE AND WAIWAI POINT
H.3	STREET SECTIONS - TOWN CENTRE - CENTRAL HOUSING
H.4	STREET SECTIONS - TOWN CENTRE - CENTRAL HOUSING
H.5	STREET SECTIONS - WAIWAI POINT
H.6	STREET SECTIONS - EASTERN HARBOUR EDGE

Figure 1 PNDA.1. Part A - General



Figure 2 PDNA.1. Part A - General





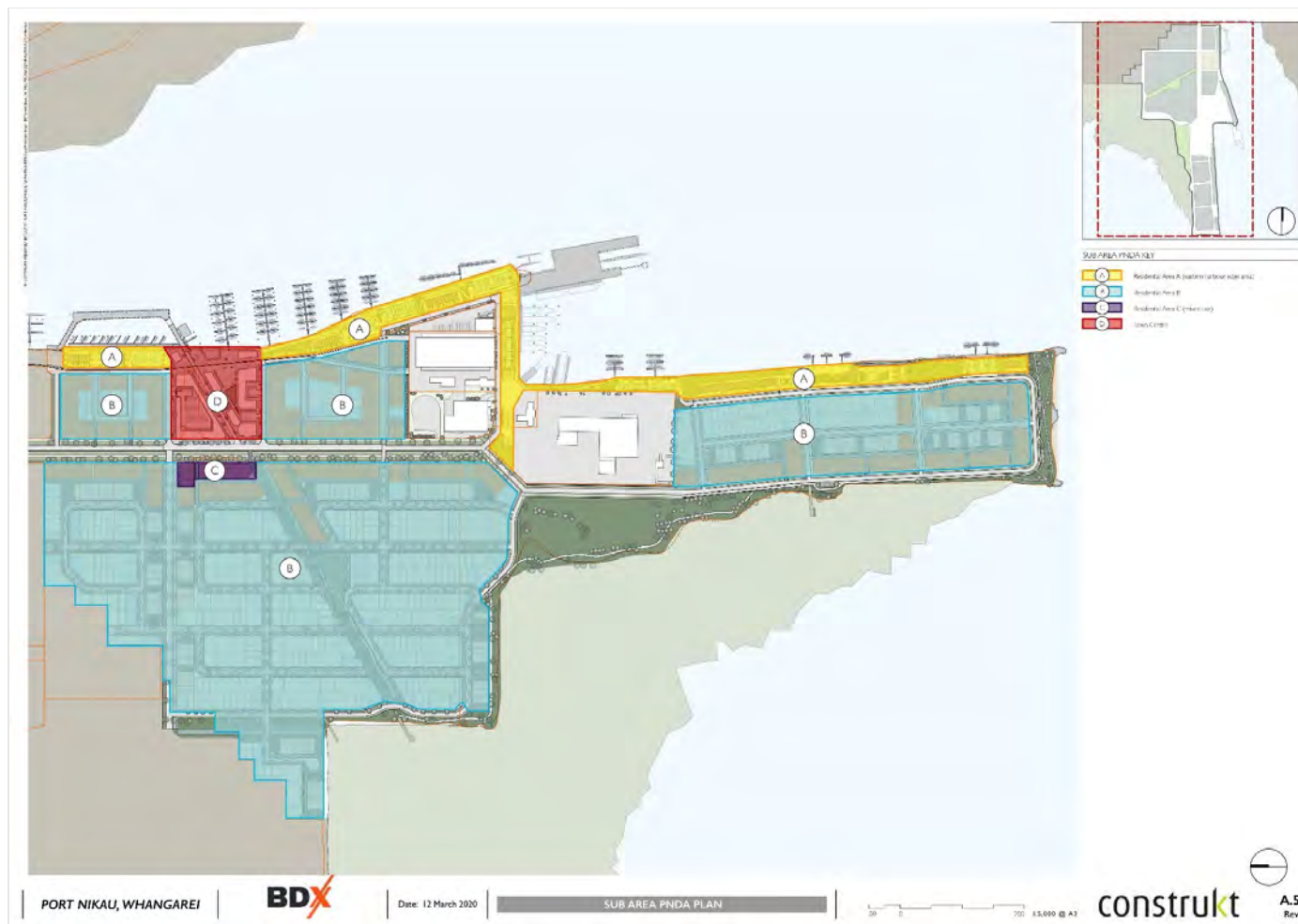


Figure 5 PDNA.1. Part A - General



Figure 6 PDNA.1. Part A - General

PORT NIKAU, WHANGAREI

BDX

Date: 05 March 2020

TOWN CENTRE - GROUND FLOOR SITE PLAN

scale 1:750

construct

B.I.

Operative in Part District Plan

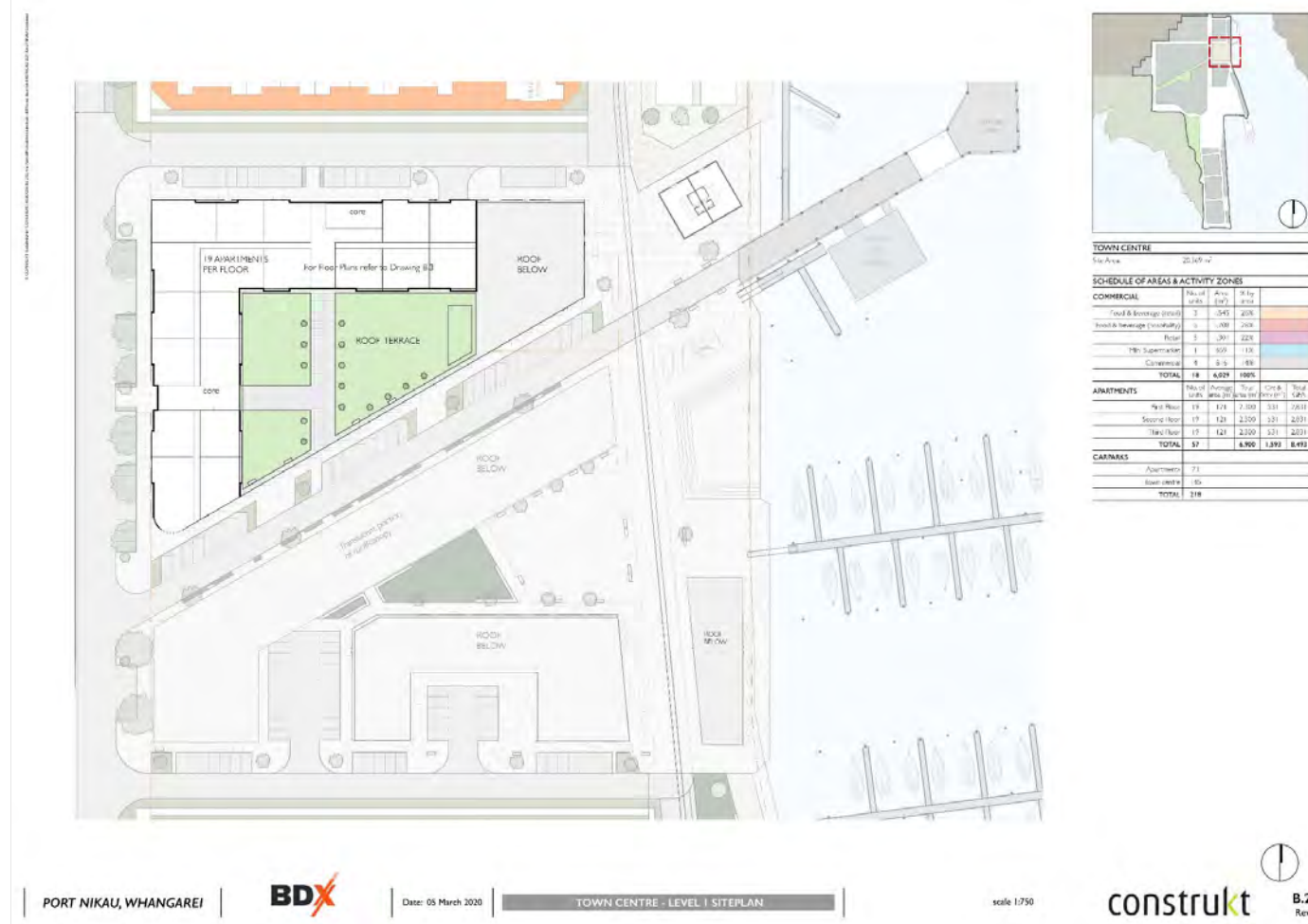


Figure 2 PDNA 1. Part B – Town Centre



Figure 3 PDNA 1. Part B – Town Centre

PORT NIKAU, WHANGAREI

BDX

Date: 05 March 2020

AREAS A + B. TYPOLOGY PLAN - CENTRAL HOUSING

0 20 00 1:5000 @A3

construkt

c.i.

Operative in Part District Plan



Figure 2 PDNA 1. Part C – Typology Site Plans



Figure 3 PDNA 1. Part C – Typology Site Plans



Figure 4 PDNA 1. Part C – Typology Site Plans

Plan Set D – Eastern Harbour Edge (Area A) – Site Lot Plans



Figure 1 PDNA 1. Part D – Eastern Harbour Edge (Area A) – Site Lot Plans



Figure 2 PDNA 1. Part D – Eastern Harbour Edge (Area A) – **Site Lot Plans**

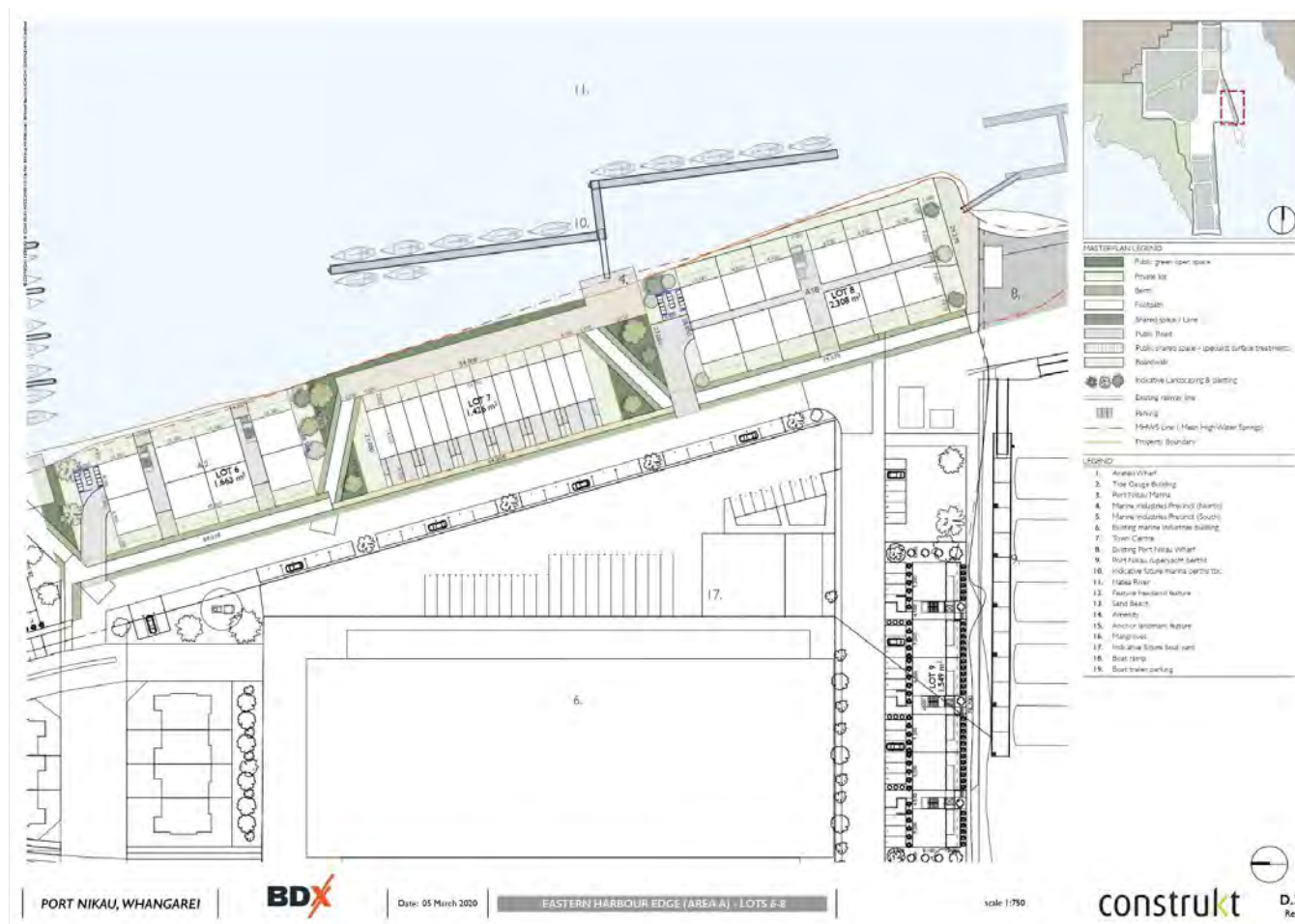


Figure 3 PDNA 1. Part D – Eastern Harbour Edge (Area A) – **Site Lot Plans**



Figure 4 PDNA 1. Part D – Eastern Harbour Edge (Area A) – Site Lot Plans



Figure 5 PDNA 1. Part D – Eastern Harbour Edge (Area A) – **Site Lot Plans**





Figure 7 PDNA 1. Part D – Eastern Harbour Edge (Area A) – [Site Lot Plans](#)



PDNA 1. Part D – Eastern Harbour Edge (Area A) – **Site** **Lot** Plans

Plan Set E – Streetscape Elevations



Figure 1 PDNA 1. Part E – Streetscape Elevations.

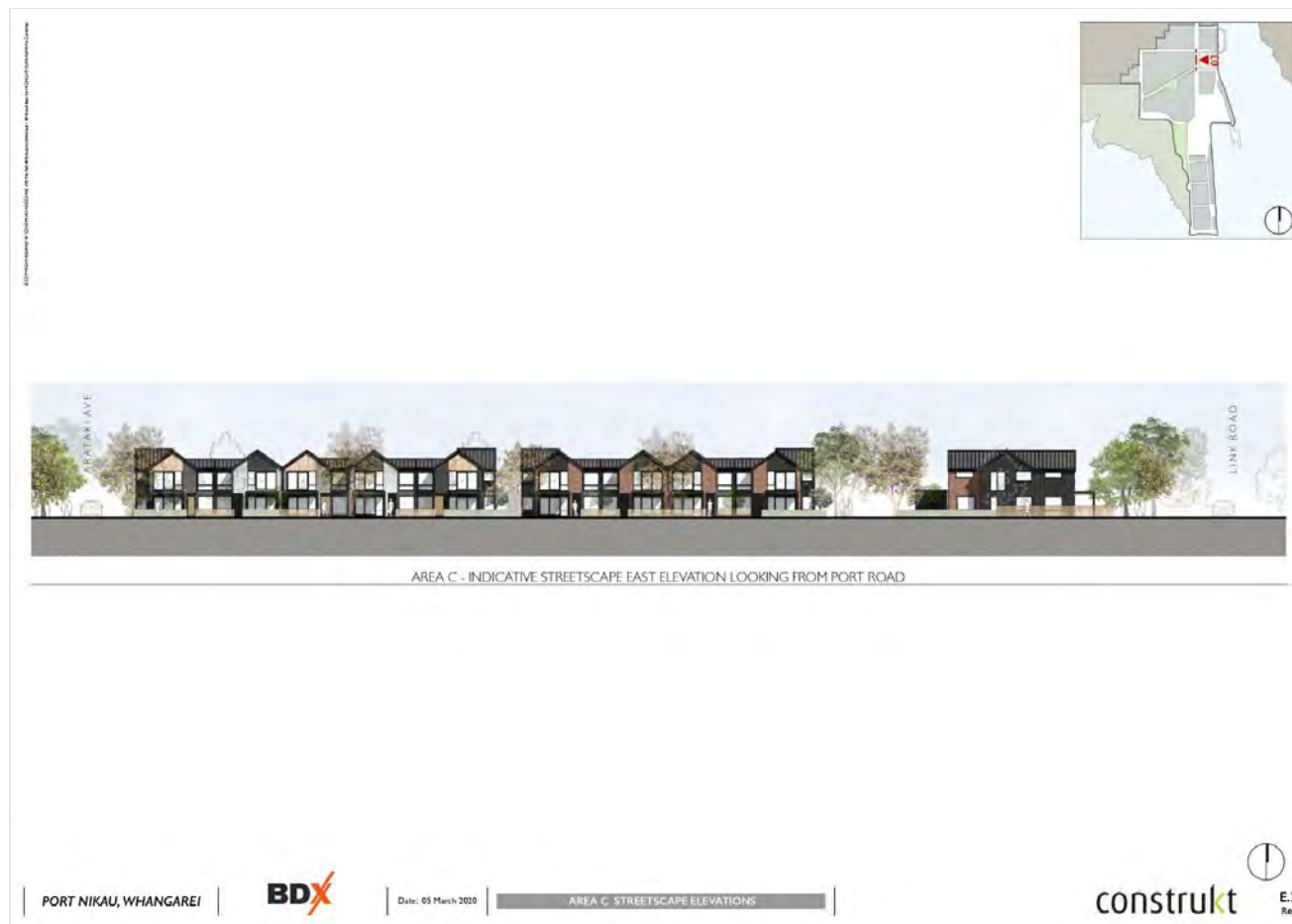


Figure 2 PDNA 1. Part E – Streetscape Elevations

Plan Set F – Typology Plans and Elevations



Figure 1 PDNA 1. Part F – Typology Plans and Elevations



Figure 2 PDNA 1. Part F – Typology Plans and Elevations



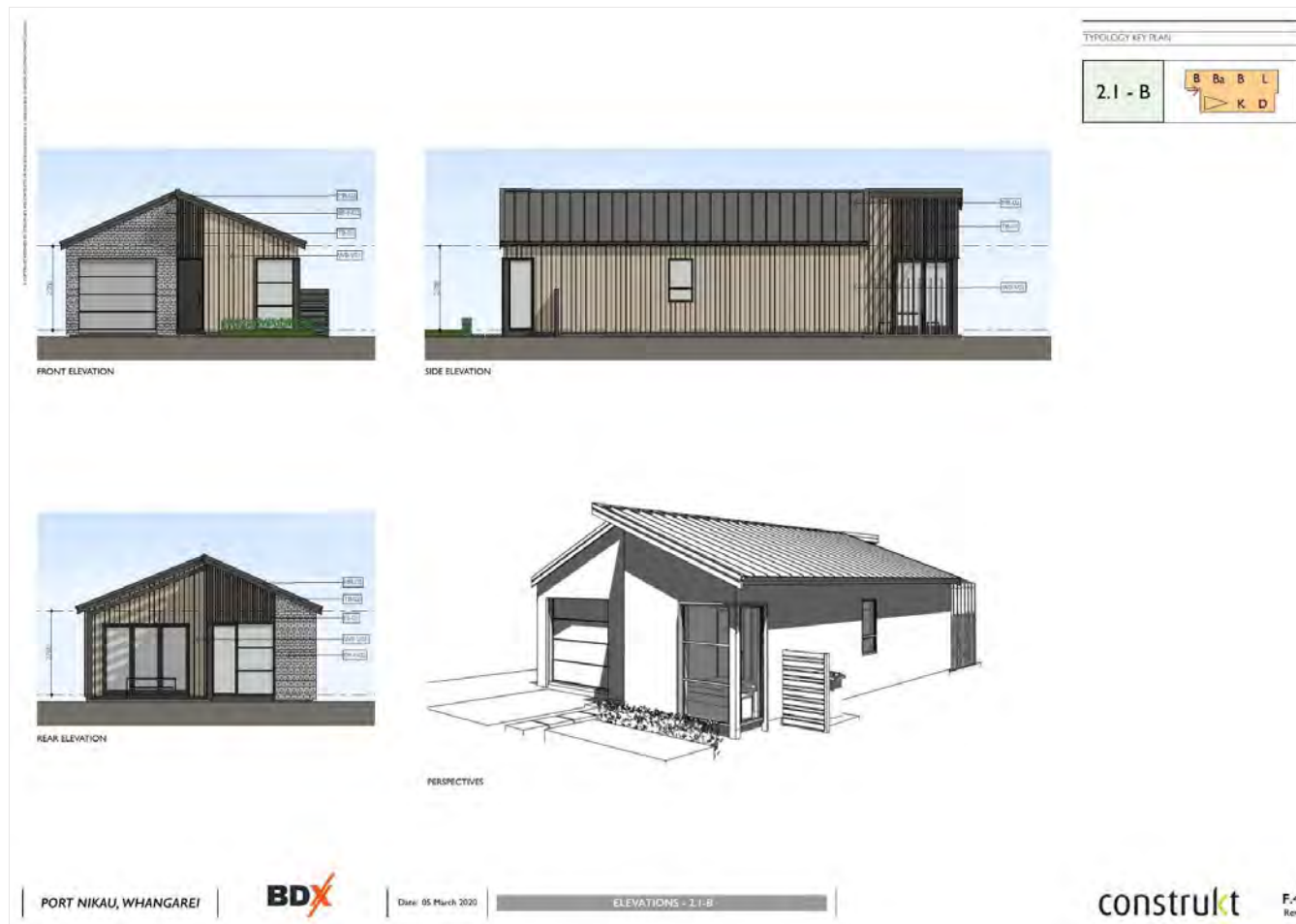


Figure 4 PDNA 1. Part F – Typology Plans and Elevations



Figure 5 PDNA 1. Part F – Typology Plans and Elevations

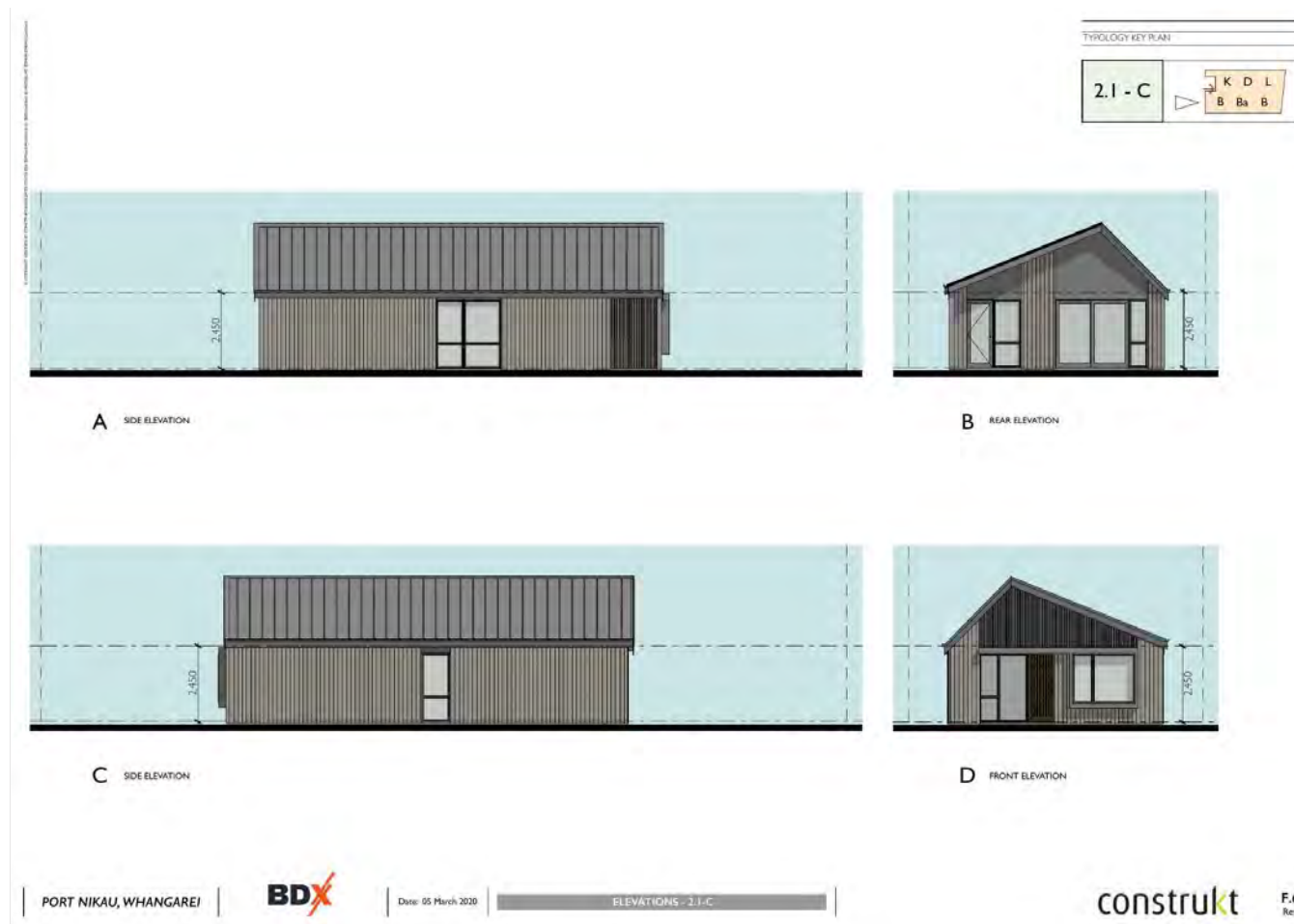


Figure 6 PDNA 1. Part F – Typology Plans and Elevations



Figure 7 PDNA 1. Part F – Typology Plans and Elevations



Figure 8 PDNA 1. Part F – Typology Plans and Elevations



Figure 9 PDNA 1. Part F – Typology Plans and Elevations



Figure 10 PDNA 1. Part F – Typology Plans and Elevations



Figure 11 PDNA 1. Part F – Typology Plans and Elevations



Figure 12 PDNA 1. Part F – Typology Plans and Elevations



Figure 13 PDNA 1. Part F – Typology Plans and Elevations



Figure 14 PDNA 1. Part F – Typology Plans and Elevations

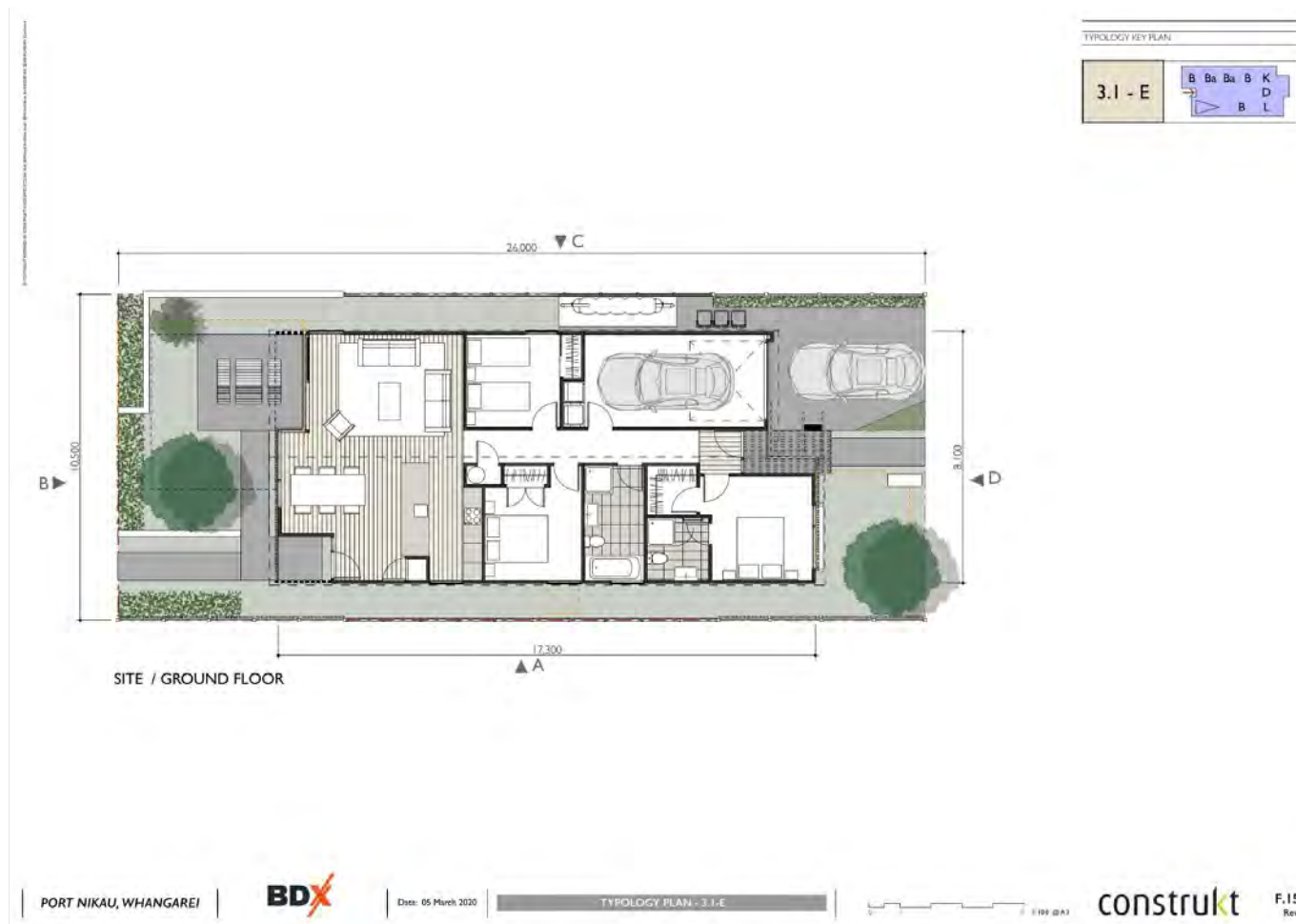


Figure 15 PDNA 1. Part F – Typology Plans and Elevations







Figure 18 PDNA 1. Part F – Typology Plans and Elevations



Figure 19 PDNA 1. Part F – Typology Plans and Elevations



Figure 20 PDNA 1. Part F – Typology Plans and Elevations



Figure 21 PDNA 1. Part F – Typology Plans and Elevations



Figure 22 PDNA 1. Part F – Typology Plans and Elevations



Figure 23 PDNA 1. Part F – Typology Plans and Elevations



Figure 24 PDNA 1. Part F – Typology Plans and Elevations

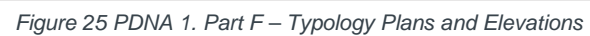




Figure 26 PDNA 1. Part F – Typology Plans and Elevations



Figure 27 PDNA 1. Part F – Typology Plans and Elevations



Figure 28 PDNA 1. Part F – Typology Plans and Elevations



Figure 29 PDNA 1. Part F – Typology Plans and Elevations



Figure 30 PDNA 1. Part F – Typology Plans and Elevations







Figure 33 PDNA 1. Part F – Typology Plans and Elevations



Figure 34 PDNA 1. Part F – Typology Plans and Elevations



Figure 35 PDNA 1. Part F – Typology Plans and Elevations



Figure 36 PDNA 1. Part F – Typology Plans and Elevations

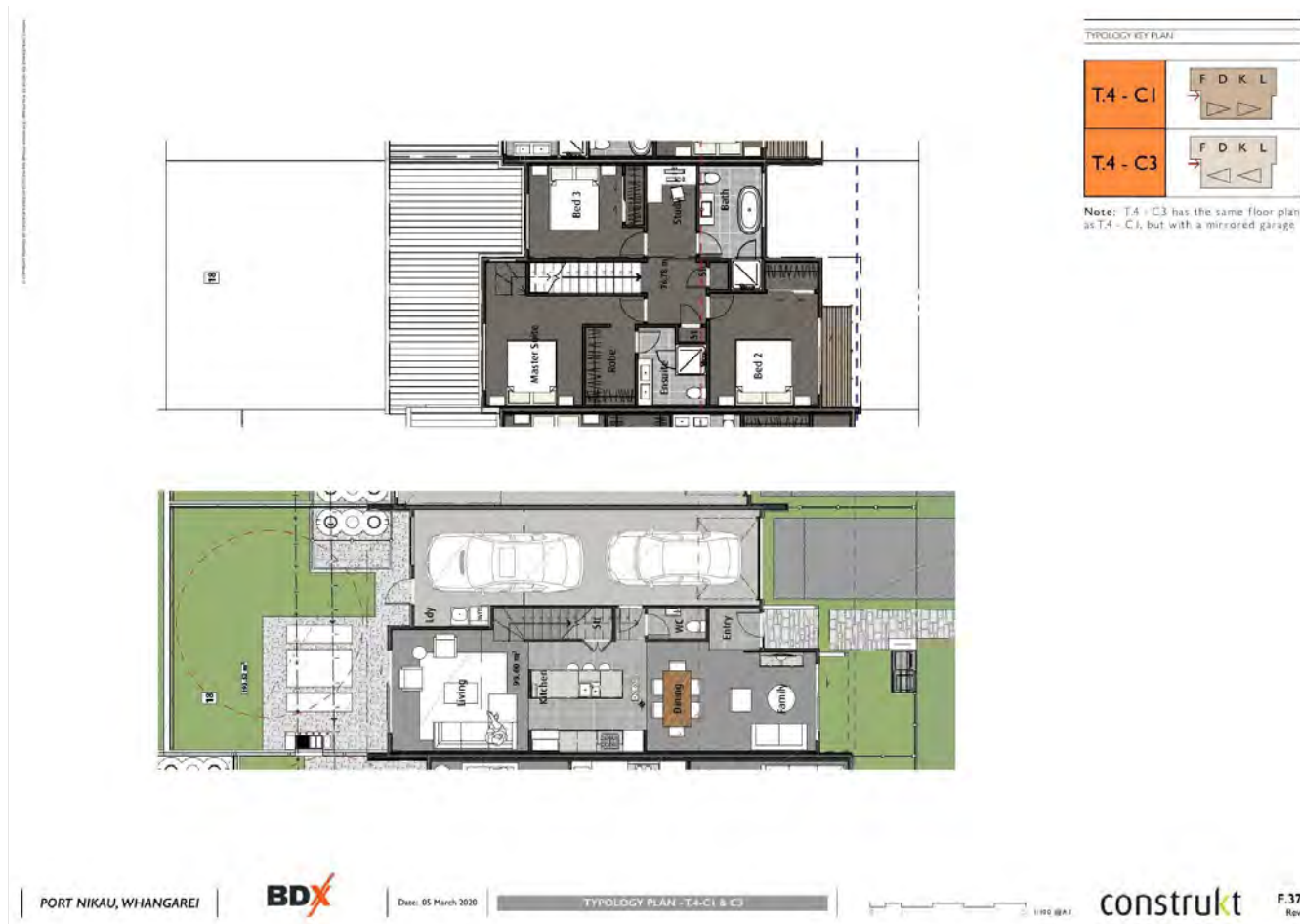


Figure 37 PDNA 1. Part F – Typology Plans and Elevations



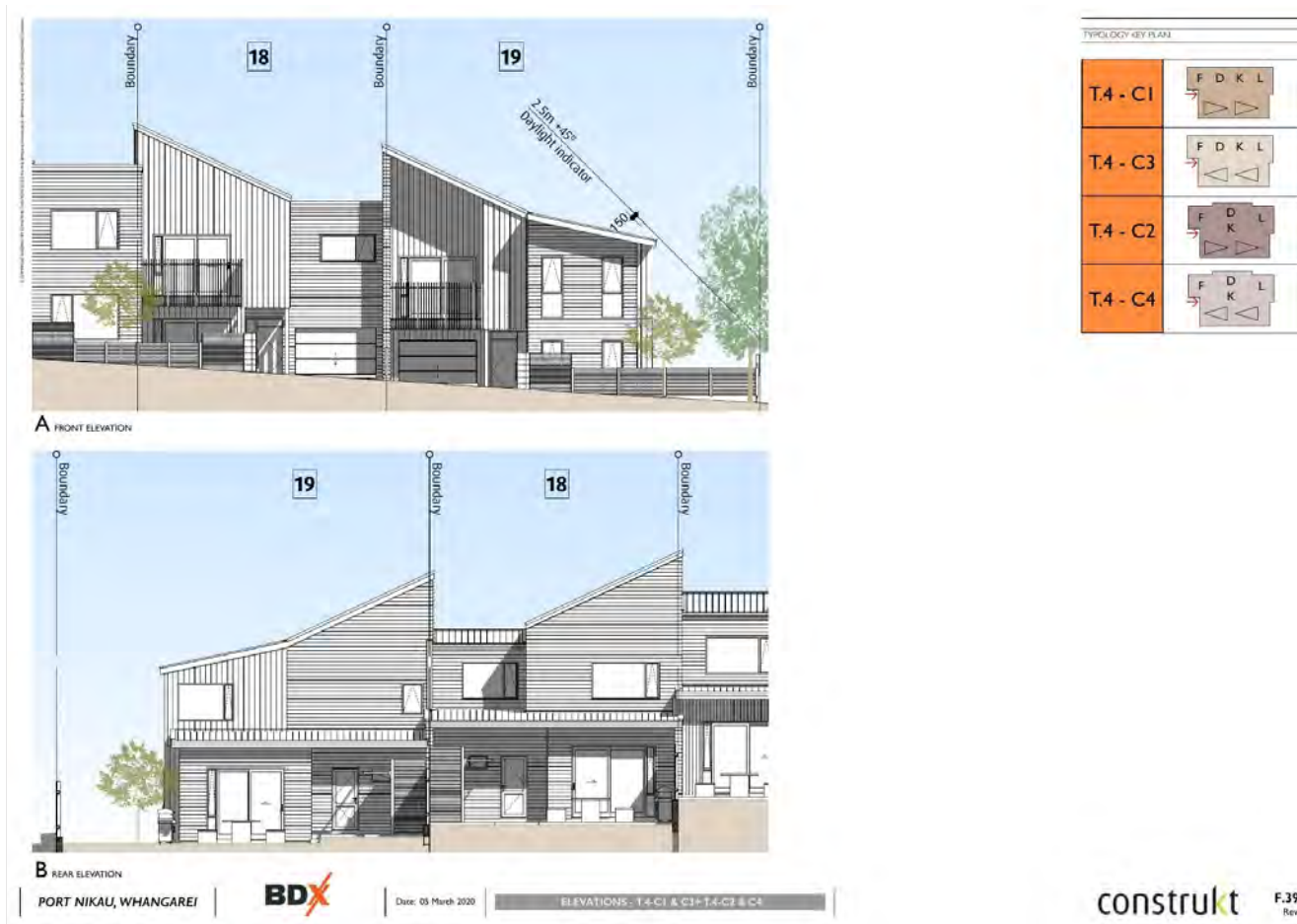


Figure 39 PDNA 1. Part F – Typology Plans and Elevations



Figure 40 PDNA 1. Part F – Typology Plans and Elevations



Figure 41 PDNA 1. Part F – Typology Plans and Elevations





Plan Set G – Eastern Harbour Edge (Area A) Floor Plans



Figure 1 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans



Figure 2 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans

Figure 2 PDNA 1. Part G – Typology Plans and Elevations



Figure 3 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans

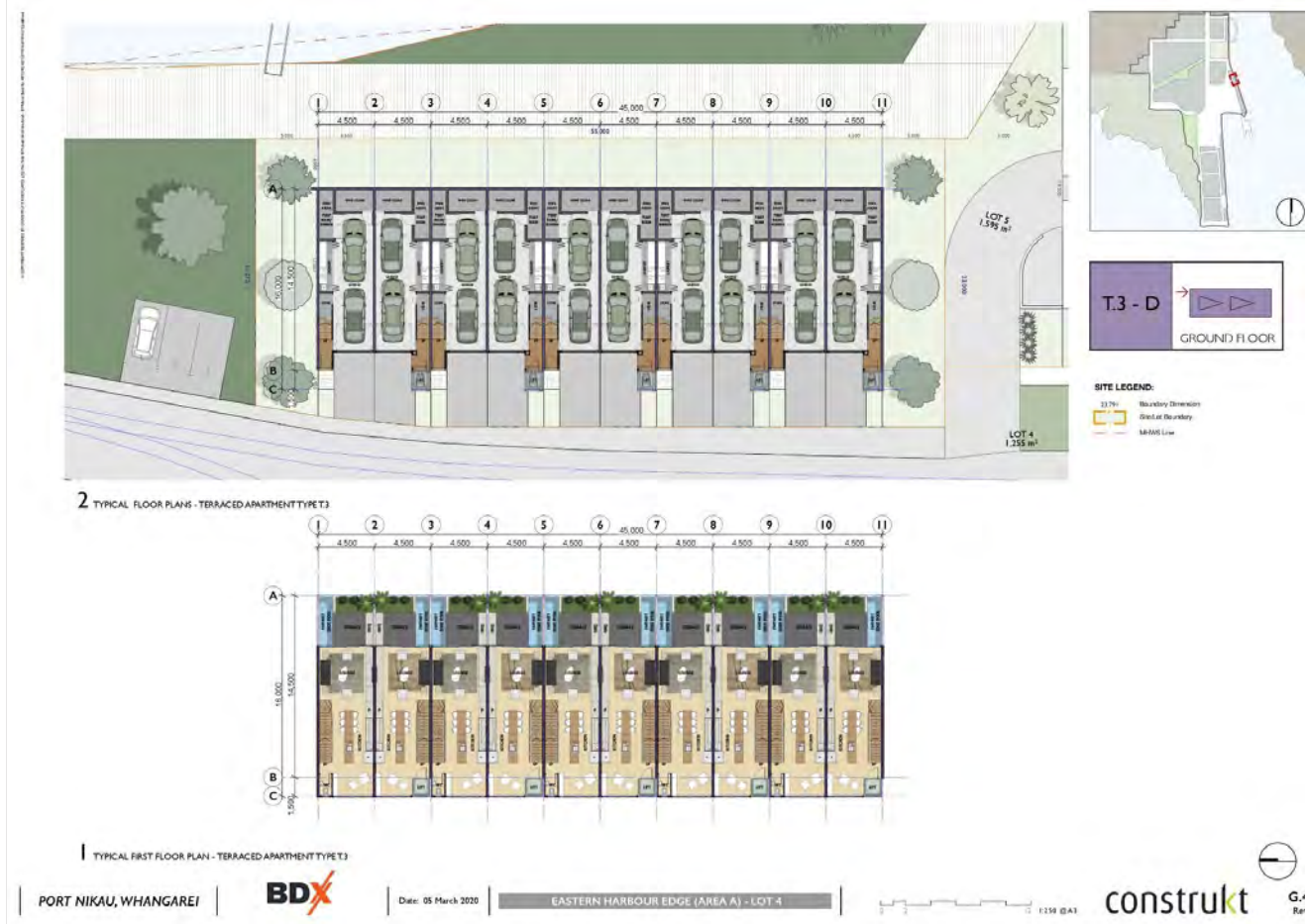


Figure 4 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans



Figure 5 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans

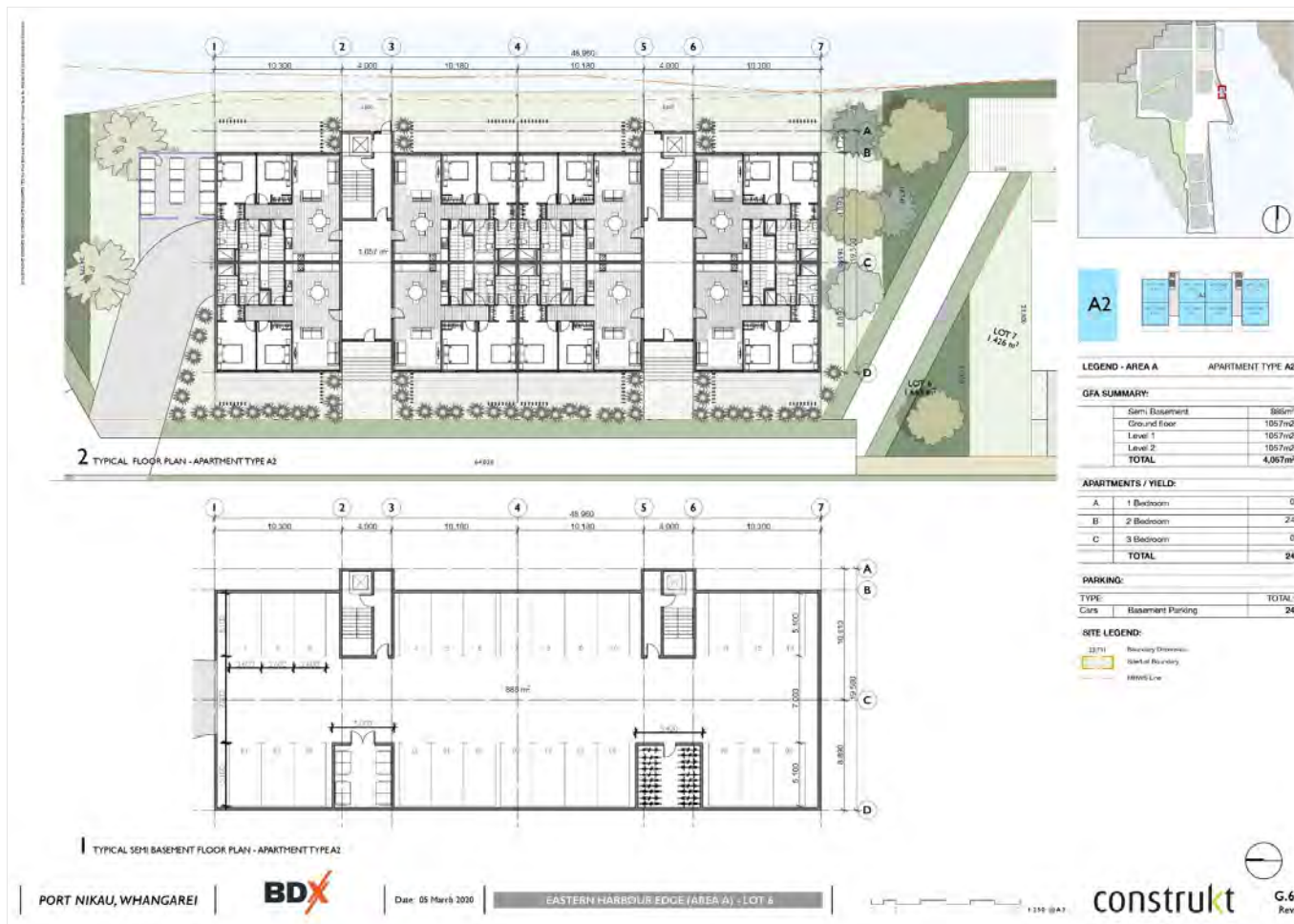


Figure 6 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans

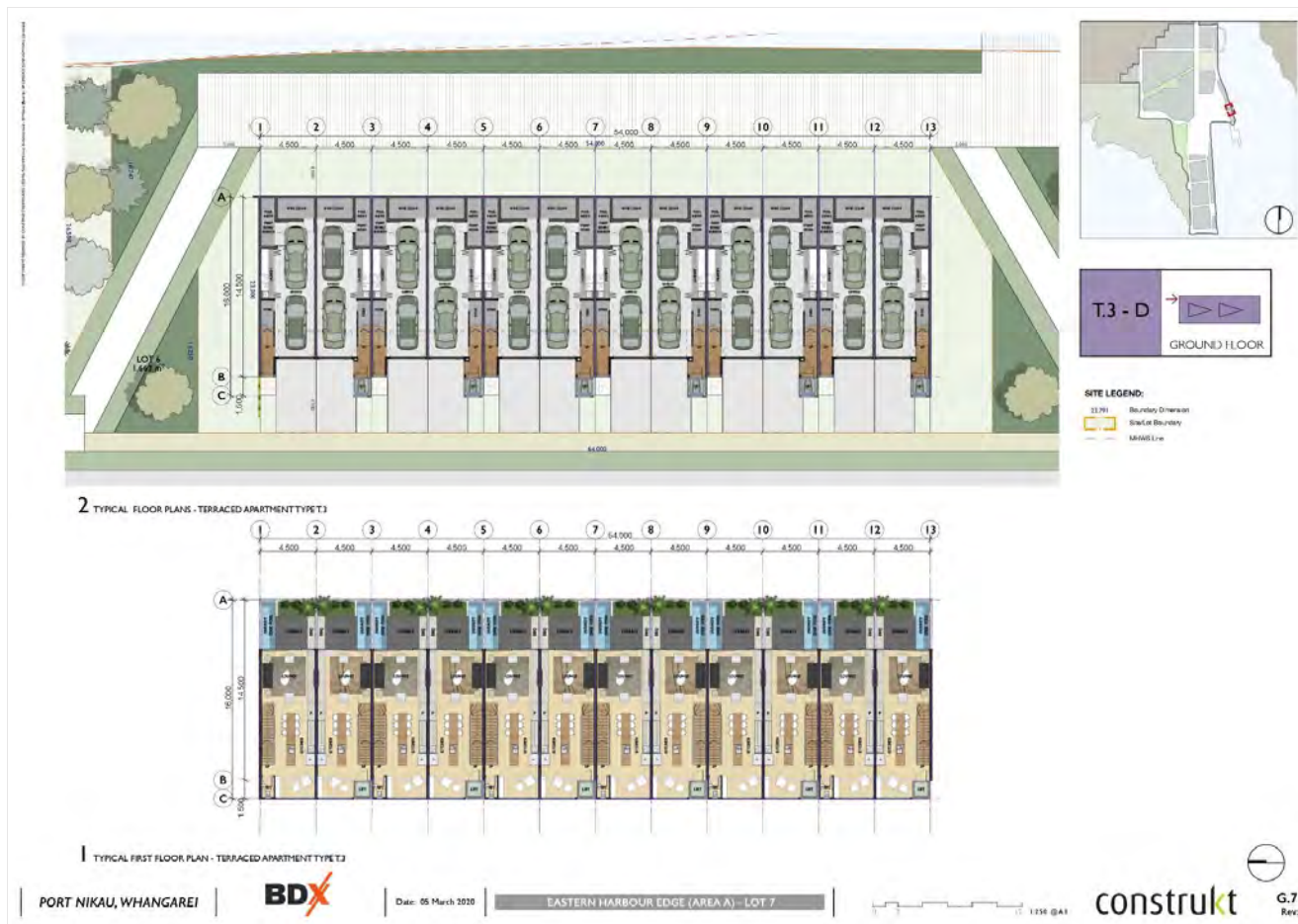


Figure 7 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans



Figure 8 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans



Figure 9 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans

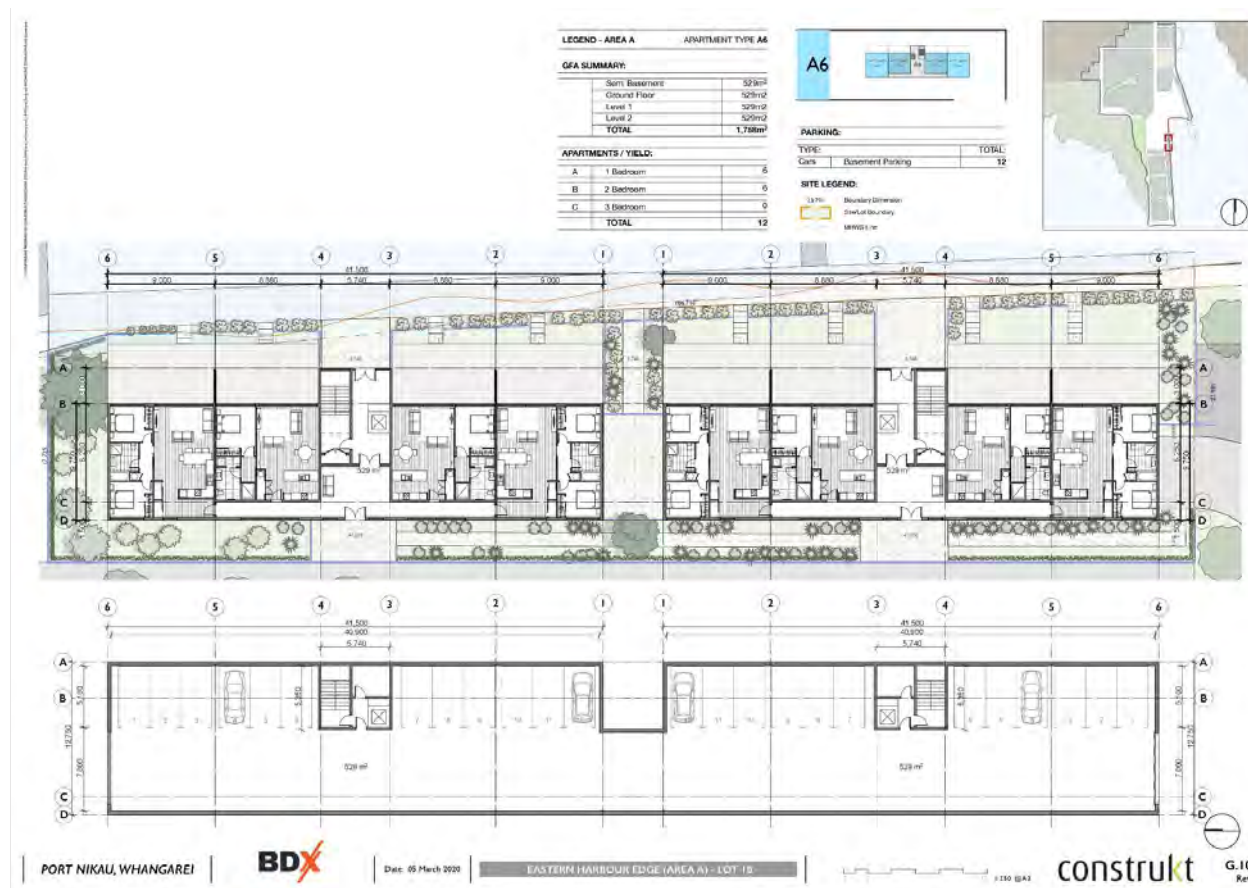


Figure 10 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans

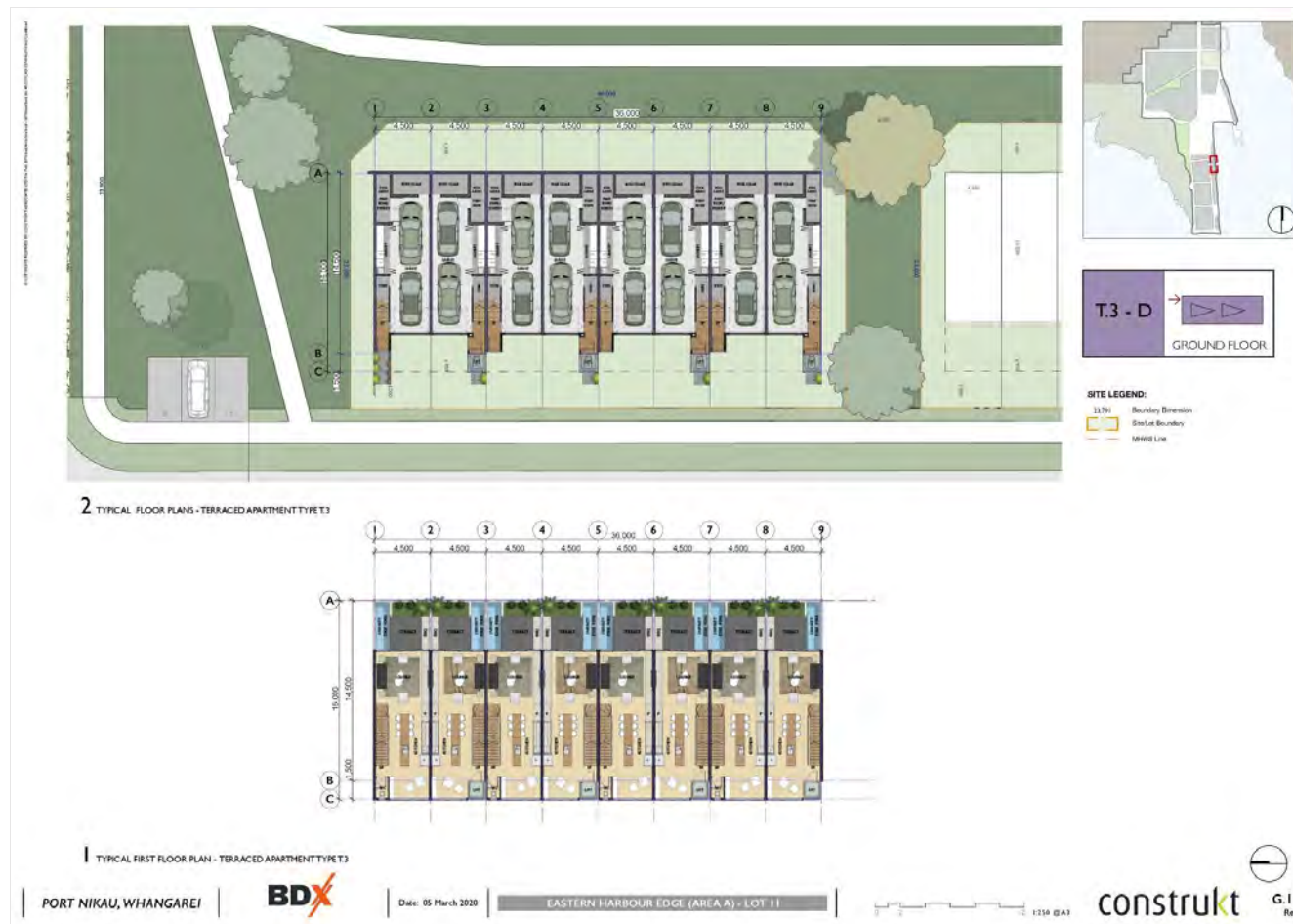


Figure 11 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans

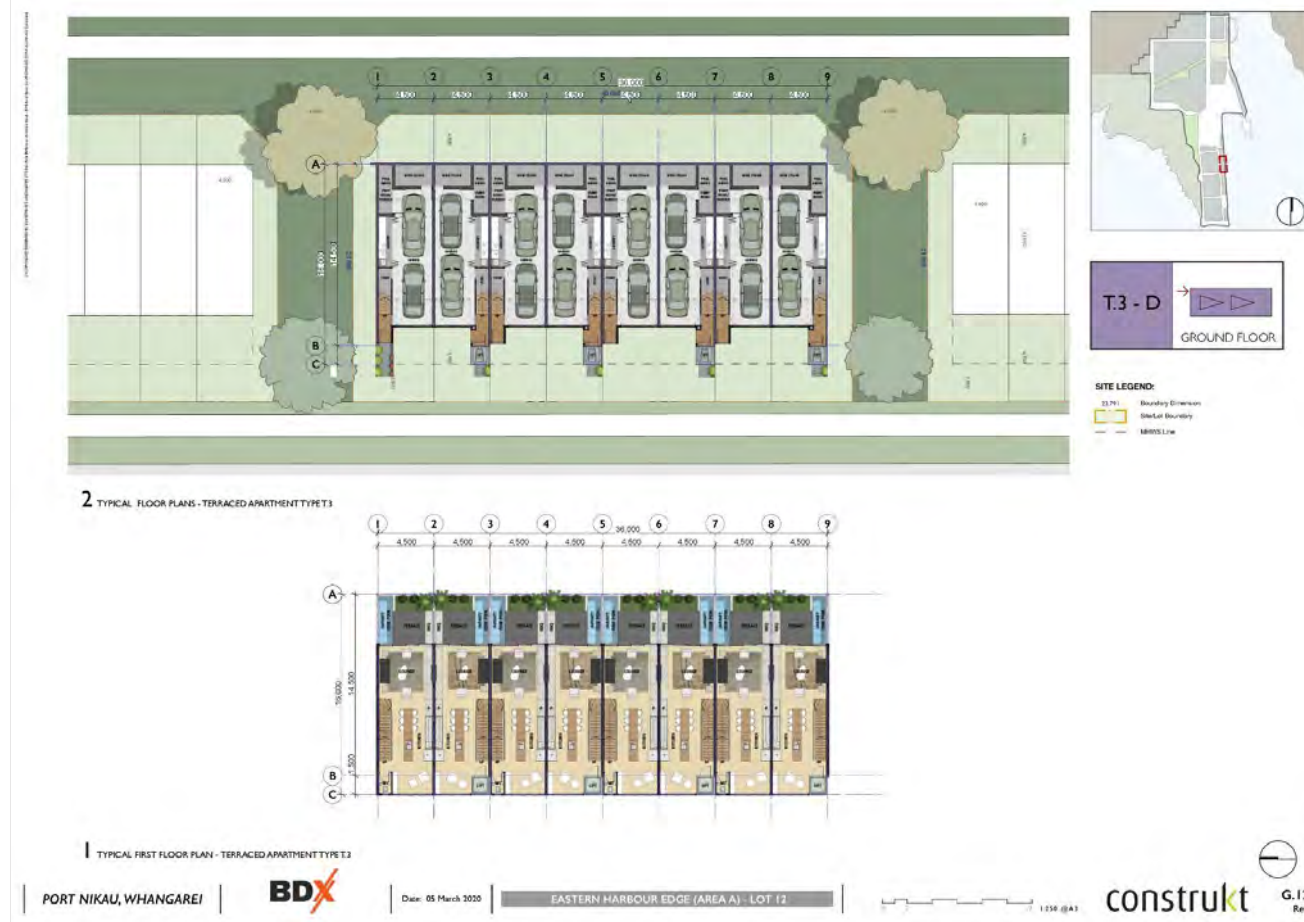


Figure 12 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans

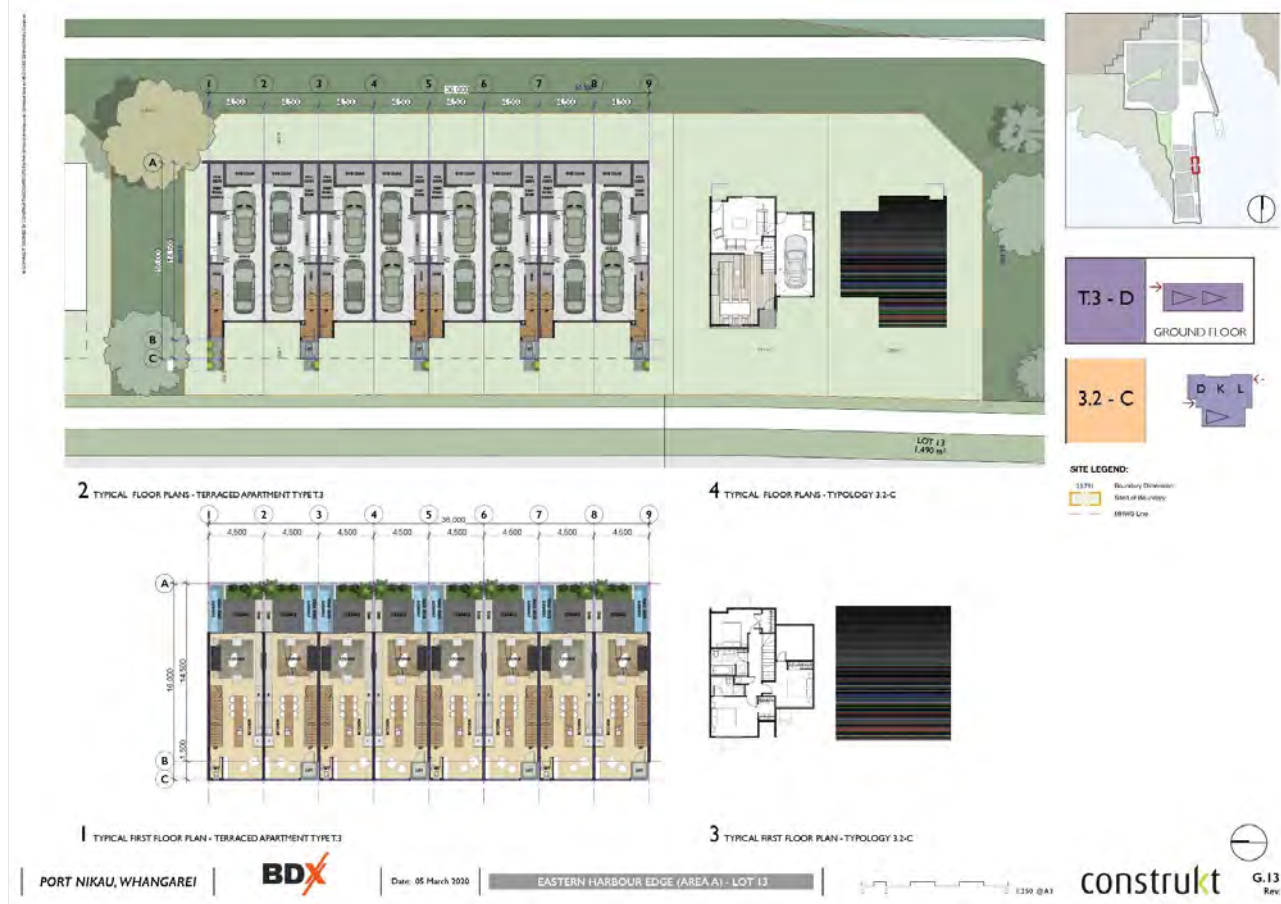


Figure 13 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans



Figure 14 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans



Figure 15 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans



Figure 16 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans

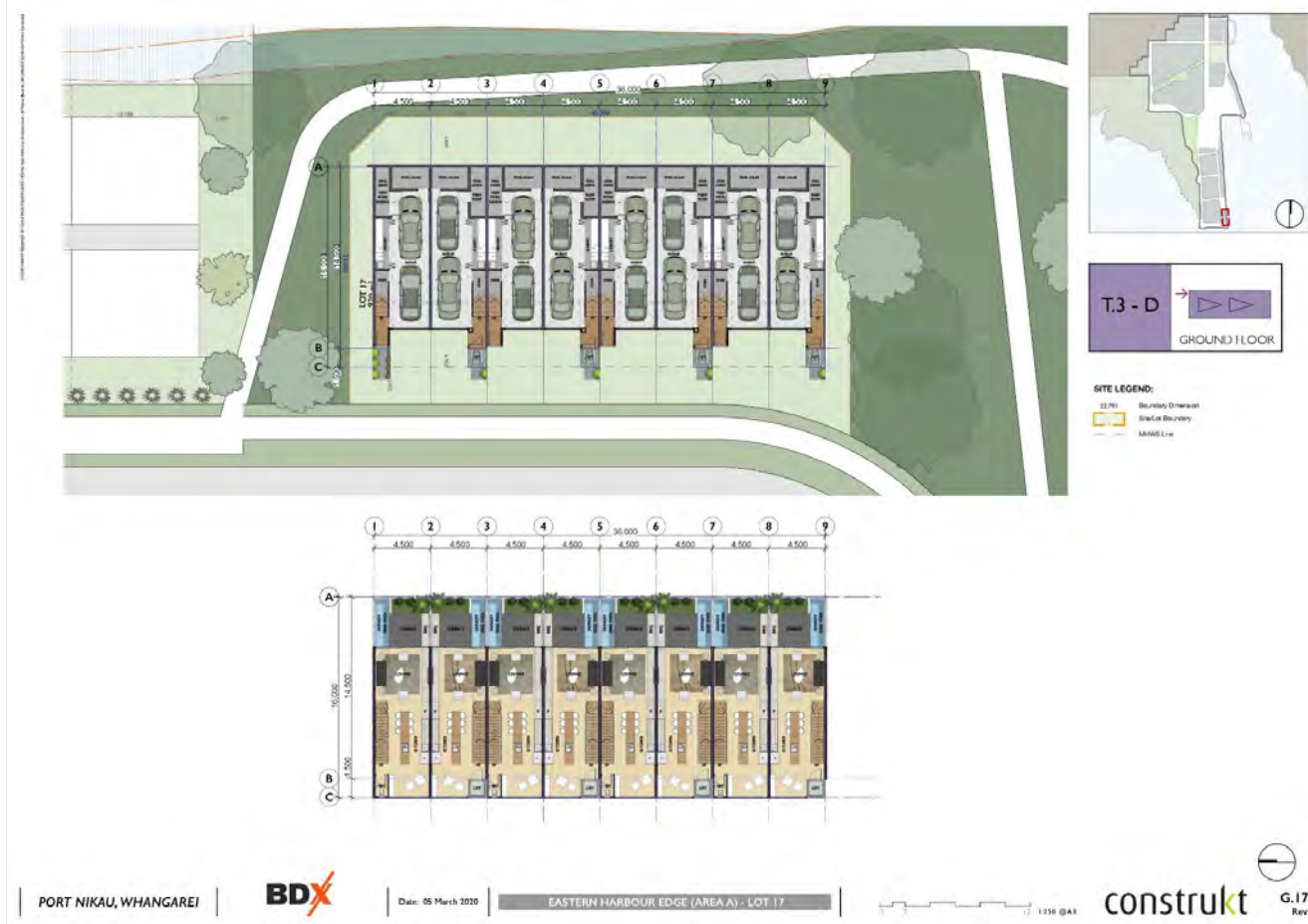
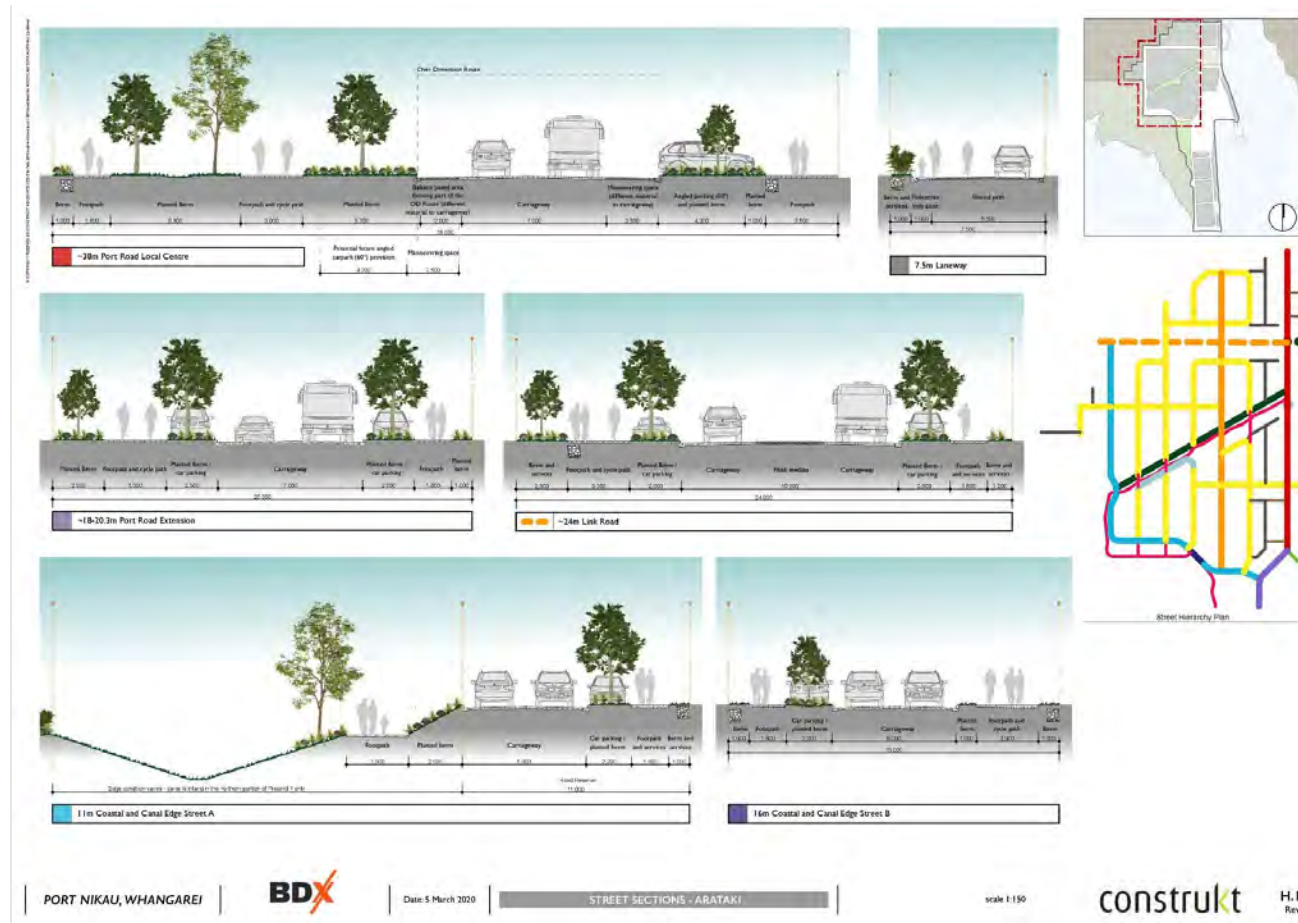
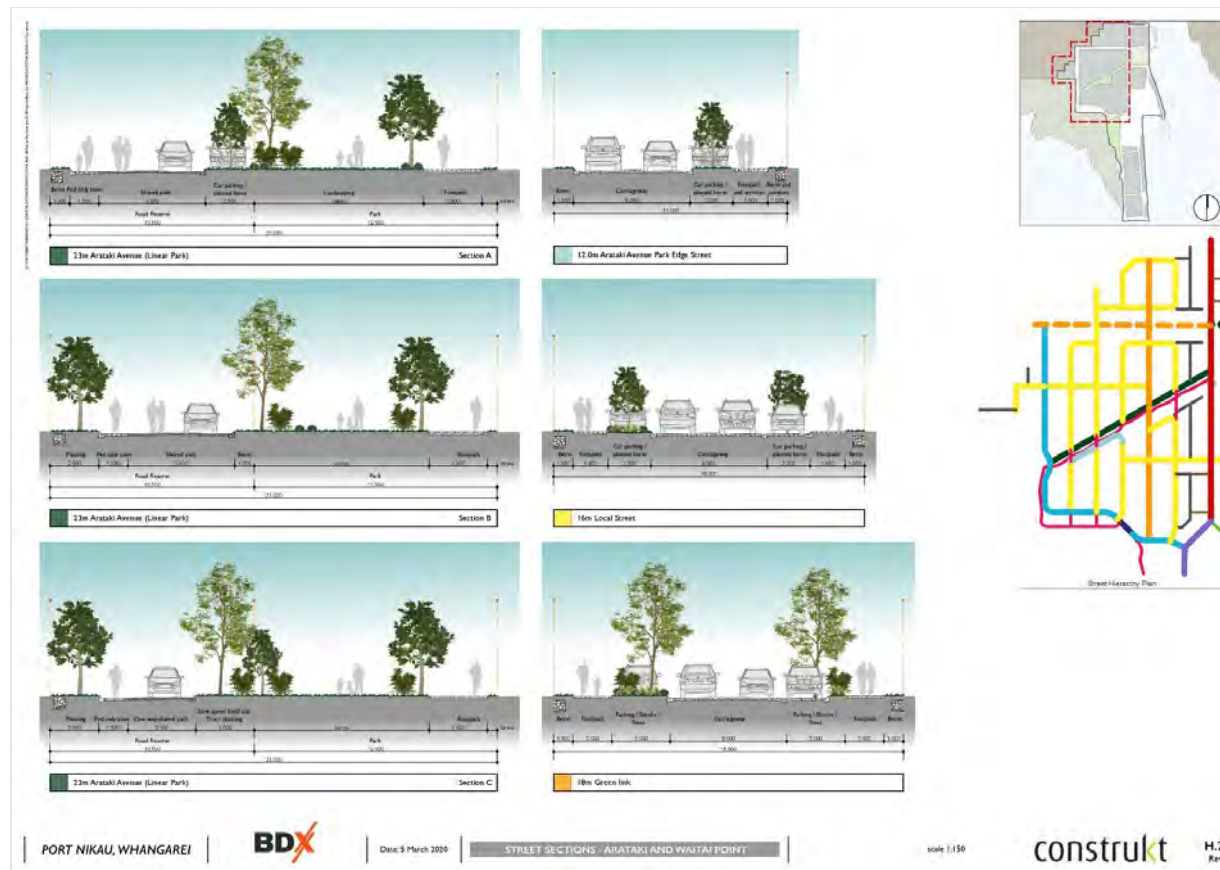


Figure 17 PDNA 1. Part G – Eastern Harbour Edge (Area A) Floor Plans

Plan Set H – Street Sections





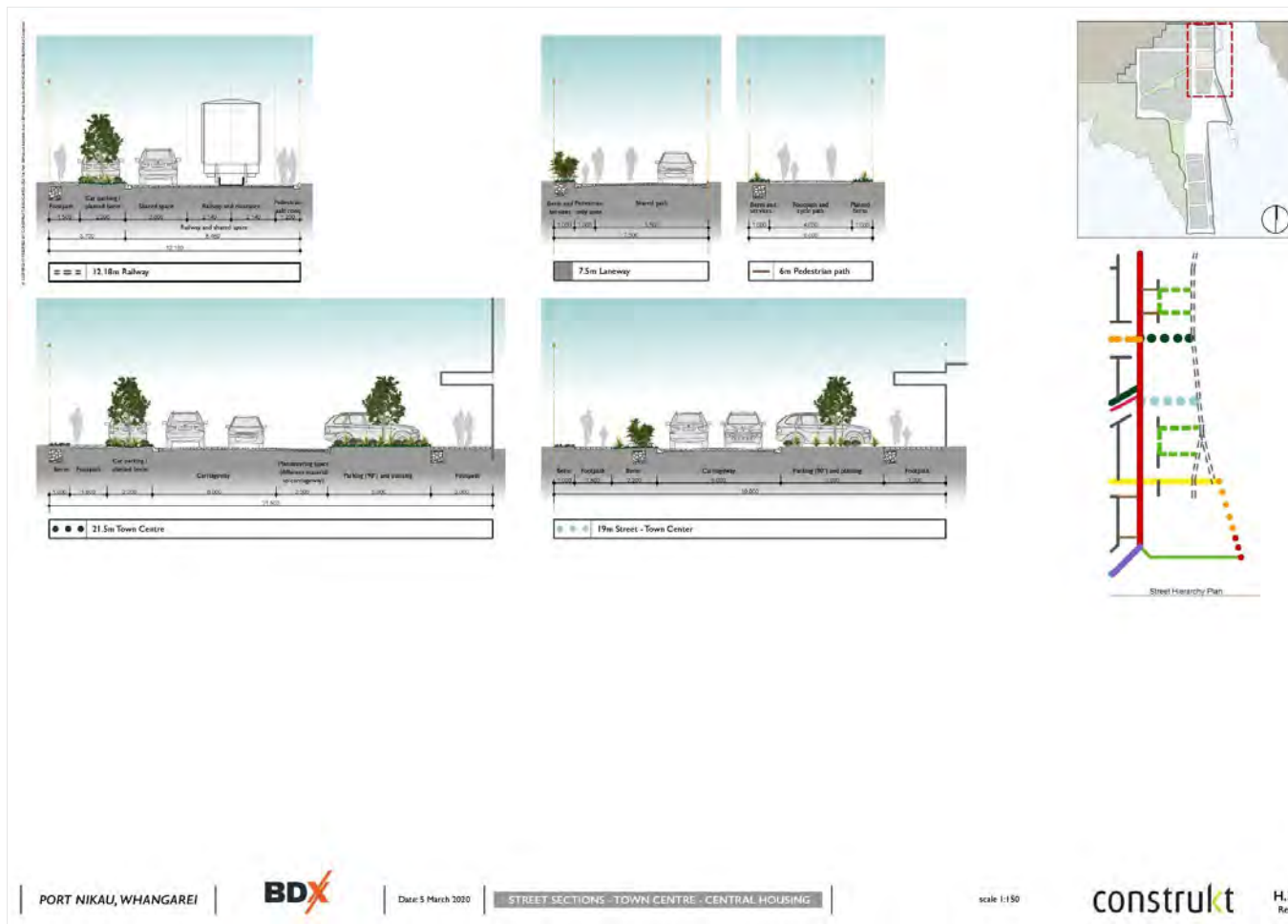


Figure 3 PDNA 1. Part H – Street Sections



Figure 4 PDNA 1. Part H –Street Sections

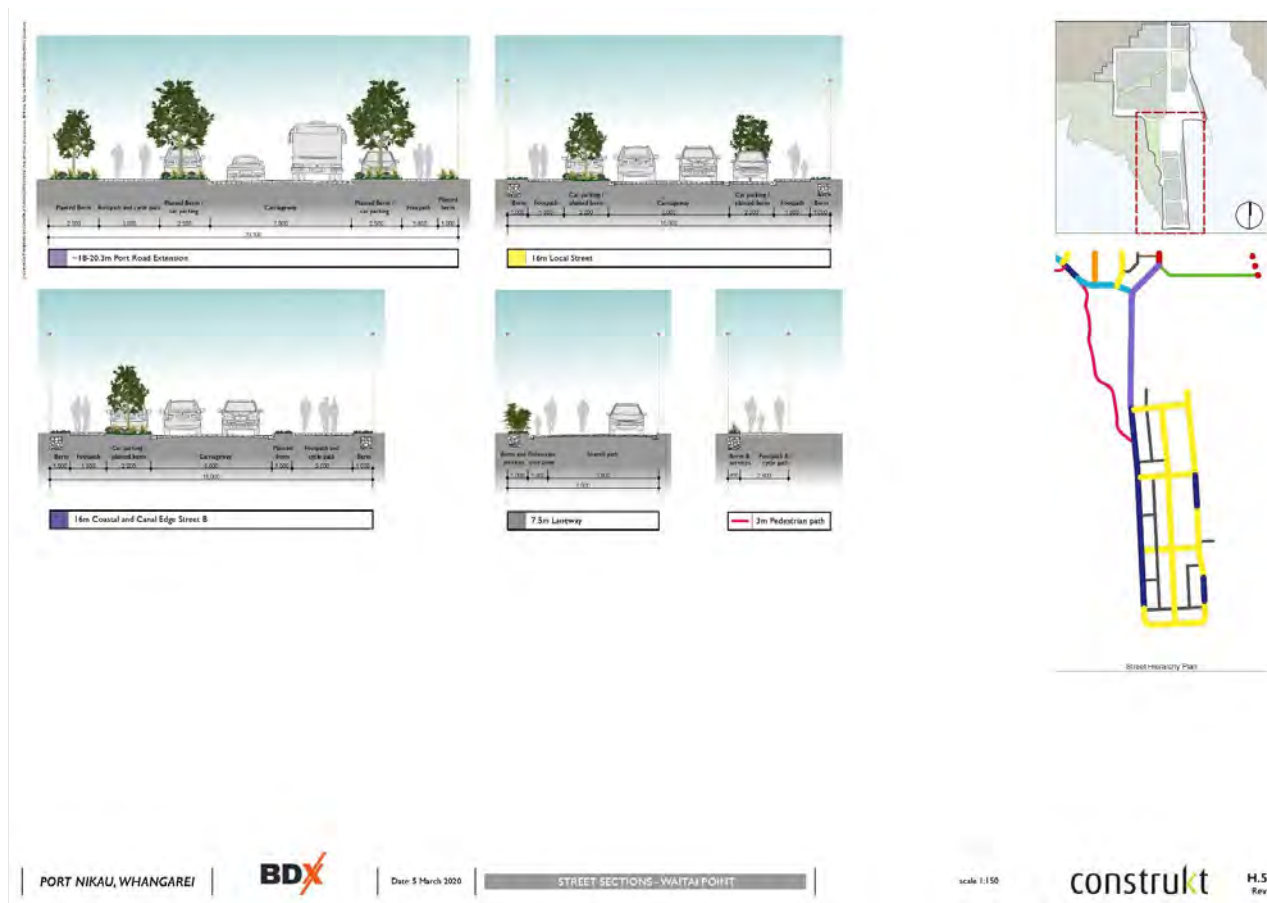


Figure 5 PDNA 1. Part H –Street Sections

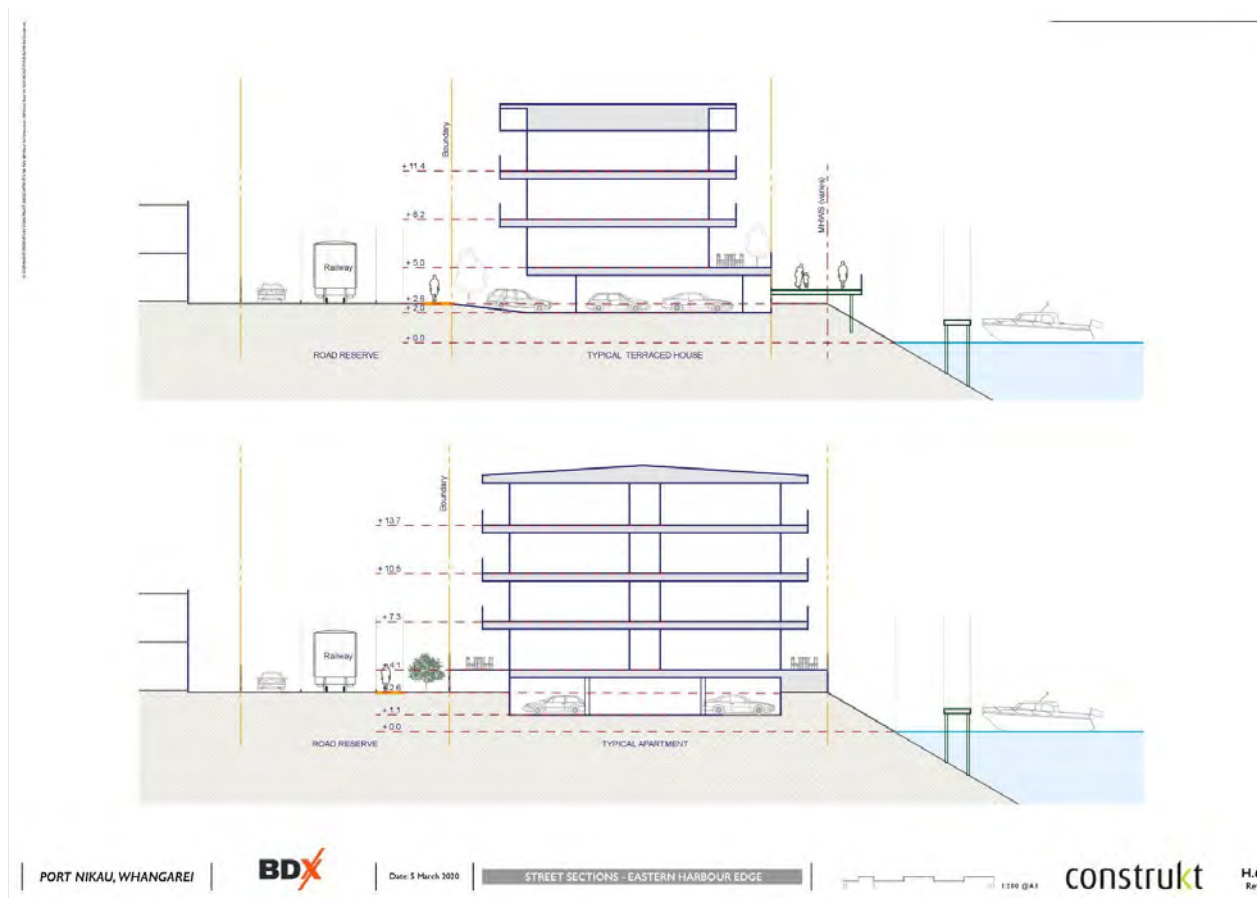


Figure 6 PDNA 1. Part H –Street Sections