

Planning and Development Committee Agenda

Date: Thursday, 17 May, 2018

Time: 9:00 am

Location: Council Chamber
Forum North, Rust Avenue
Whangarei

Elected Members: Cr Greg Innes (Chairperson)
Her Worship the Mayor Sheryl Mai
Cr Stu Bell
Cr Gavin Benney
Cr Crichton Christie
Cr Vince Cocurullo
Cr Tricia Cutforth
Cr Shelley Deeming
Cr Sue Glen
Cr Phil Halse
Cr Cherry Hermon
Cr Greg Martin
Cr Sharon Morgan
Cr Anna Murphy

For any queries regarding this meeting please contact
the Whangarei District Council on (09) 430-4200.

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Planning and Development Committee – Terms of Reference

Membership

Chairperson: Councillor G C Innes

Members: Her Worship the Mayor Sheryl Mai
Councillors Stu Bell, Gavin Benney, Crichton Christie, Vince Cocurullo, Tricia Cutforth, Shelley Deeming, Sue Glen, Phil Halse, Cherry Hermon, Greg Martin, Sharon Morgan, Anna Murphy

Meetings: Monthly

Quorum: 7

Purpose

To oversee planning, monitoring and enforcement activities, and guide the economic and physical development and growth of Whangarei District.

Key responsibilities include:

- Regulatory / Compliance
 - Environmental health
 - General bylaw administration
 - Animal (dog and stock control)
 - Hazardous Substances and New Organisms Control
 - Parking Enforcement (vehicles registrations and warrant of fitness)
 - Noise Control
 - Food Act
 - Landuse Consents
 - Building Act
- Building Control
 - Property Information and Land Information Memoranda
 - Consents and inspections
- Resource Consents
 - Subdivision, Land Use and Development Control
 - Development Contributions
- District Plan
 - Plan Changes
 - District Plan administration

- Strategic Planning
 - Futures planning
 - Urban design
- Economic Development
 - District Marketing/Promotions
 - Developer engagement
- Commercial Property
- Shared Services – investigate opportunities for Shared Services for recommendation to council.

Delegations

- (i) All powers necessary to perform the committee's responsibilities, including, but not limited to:
 - (a) approval of expenditure of less than \$5 million plus GST.
 - (b) approval of a submission to an external body
 - (c) establishment of working parties or steering groups.
 - (d) power to establish subcommittees and to delegate their powers to that subcommittee.
 - (e) the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction (this allows for setting of fees and bylaw making processes up to but not including adoption).
 - (f) the power to delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002

Planning and Development Committee Meeting Minutes

Date: Thursday, 19 April, 2018
Time: 9:00 a.m.
Location: Council Chamber
Forum North, Rust Avenue
Whangarei

In Attendance	Cr Greg Innes (Chairperson) Her Worship the Mayor Sheryl Mai Cr Stu Bell Cr Gavin Benney Cr Crichton Christie Cr Tricia Cutforth Cr Shelley Deeming Cr Sue Glen Cr Phil Halse Cr Cherry Hermon Cr Greg Martin Cr Sharon Morgan Cr Anna Murphy
Not in Attendance	Cr Vince Cocurullo
Scribe	C Brindle (Senior Democracy Adviser)

1. Declarations of Interest

2. Apologies

Cr Vince Cocurullo (leave of absence)

Moved By Cr Greg Innes (Chairperson)

Seconded By Cr Crichton Christie

That the apology be sustained.

Carried

3. Confirmation of Minutes of Previous Planning and Development Committee Meeting

3.1 Minutes Planning and Development Committee meeting 15 March 2018

Moved By Cr Anna Murphy

Seconded By Cr Greg Martin

That the minutes of the Planning and Development Committee meeting held on Thursday 15 March 2018, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

Carried

4. Decision Reports

4.1 PC129 Notable and Public Trees (NPT) - Notification

Moved By Cr Sharon Morgan

Seconded By Cr Shelley Deeming

That the Planning and Development Committee

a) Adopt proposed Plan Change 129.

b) Resolves to publicly notify proposed Plan Changes 129 pursuant to Clause 5 of the First Schedule to the Resource Management Act 1991.

Carried

4.2 RMA Consents - New Road Name - Evo Land Ltd

Moved By Cr Shelley Deeming

Seconded By Her Worship the Mayor Sheryl Mai

That the Planning and Development Committee approve the new public road off Karanui Road to be named Cornerstone Place.

Carried

4.3 RMA Consents - New Road Name - Blue Moon Limited

Moved By Cr Crichton Christie
Seconded By Cr Shelley Deeming

That the Planning and Development Committee approve the three new private ROWs within the new subdivision off Cove Road, Waipu to be named Solar Way, Milky Way and Galaxy Lane and the two new public roads off Cove Road to be named Blue Moon Rise and Starlight Place.

Carried

5. Information Reports

5.1 Planning and Development Capital Projects Report for the month ending 28 February 2018

Moved By Cr Sharon Morgan
Seconded By Cr Cherry Hermon

That the Planning and Development Committee note the Planning and Development Capital Projects Report for the month ending 28 February 2018.

Carried

5.2 Planning and Development and Strategy and Democracy Operational Report

Moved By Cr Greg Martin
Seconded By Cr Shelley Deeming

That the Planning and Development Committee notes the operational report for April 2018.

Carried

Presentation of Awards

Her Worship the Mayor presented the NZPI Award for Best Practice – Non-Statutory Process for Te Tokerau Papakainga Tool Kit to Melissa McGrath, Manager District Plan and David Badham, Consultant Planner (Barker and Associates).

Her Worship the Mayor also presented the NZPI commendation for Best Practice Strategic Planning and Guidance for the Whangarei City Centre Plan to Alicia Lawrie and Sonya Seutter on behalf of the Strategy Department.

6. Public Excluded Business

There was no business conducted in public excluded.

7. Closure of Meeting

The meeting concluded at 10.04am.

Confirmed this 17th day of May 2018

Councillor Greg Innes (Chairperson)

4.1 National Environmental Standard for Plantation Forestry

Meeting: Planning and Development Committee

Date of meeting: 17 May 2018

Reporting officer: Evan Cook (Senior Policy Planner)

1 Purpose

To align the District Plan with the new National Environmental Standard for Plantation Forestry.

2 Recommendation

That the Planning and Development Committee

- a) approves the amendments to the Operative District Plan, as detailed in Attachments 1-4, in accordance with section 44A (4,) (5) and (6) of the RMA without going through the Schedule 1 Process of the RMA.

3 Background

The National Environmental Standard for Plantation Forestry (NES) came into effect on 1 May 2018. The NES seeks to:

- Maintain or improve the environmental outcomes associated with plantation forestry activities; and
- Increase the efficiency and certainty of managing plantation forestry activities.

The NES sets out standards for the following plantation forestry activities.

- Afforestation
- Pruning and thinning to waste
- Earthworks
- River crossings
- Forestry quarrying
- Harvesting
- Mechanical land preparation
- Replanting
- Ancillary activities (slash traps, indigenous vegetation clearance, non-indigenous vegetation clearance)

- General Provisions (Discharges, disturbance and diversions, Noise and vibration, Dust, indigenous bird nesting and fuel storage and refuelling)

Where plan rules duplicate or conflict with a provision in the NES, section 44A of the RMA states that local authorities must amend their plan or proposed plan to remove the duplication or conflict “As soon as practicable” after the date the NES comes into force. Local authorities are able to make these changes without using the RMA Schedule 1 (public notification and submission) process.

Some rules in district plans are able to be more stringent than the NES, where the rules are for the protection of matters covered by section 6 of the RMA. This includes rules that protect the coastal environment, outstanding landscapes, water quality or indigenous biodiversity.

4 Discussion

Staff have assessed the District Plan for conflict with the NES. There is only one rule that is more stringent than the NES, which is in relation to afforestation under critical electricity lines. It is recommended that the reference to plantation forestry be removed from the rule (Attachment 1).

A number of provisions are more stringent than the NES however these are in relation to Section 6 Matters, mainly in relation to earthworks and indigenous vegetation clearance within Outstanding Natural Landscapes, and the Coastal Area.

It is also recommended that an advisory note be added to the introduction of the District Plan (Attachment 2) to direct users that the NES provisions apply and take precedence for plantation forestry activities (unless the rule is for the protection of a Section 6 Matter). To inform plan users that certain rules prevail over the NES it is also recommended that notes be added to District Plan Chapters 57 (Landscapes) and 38 (Countryside and Coastal Countryside Environments) (Attachments 3 and 4).

Forestry owners are required to meet certain requirements under the NES to be considered as permitted activities (in terms of notifying regional and district councils of upcoming afforestation, harvesting and farm quarrying activities). Staff have worked with NRC and the other local authorities to develop a process where forestry owners can notify the regional and local authorities all at once through a portal on the NRC website.

It is noted that the rural plan change package (including landscapes and coastal area chapters) are currently under appeal. Depending on the final outcome of mediation and appeals, additional notes may be required to inform plan users where the NES applies. Staff are also preparing communication with forestry companies to inform how the NES aligns with the District Plan provisions.

5 Significance and engagement

Council's Significance and Engagement Policy has been considered in relation to this Agenda item.

The decisions or matters of this Agenda item do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via the Agenda publication on the website.

6 Attachments

1. Chapter CEL.1
2. Chapter 2 – Introduction to Procedures
3. Chapter 38 – Countryside and Coastal Countryside Environment Rules
4. Chapter 57 – Landscape Areas

CEL.1

Critical Electricity Lines (CELs) and Substations

Index

CEL.1 Critical Electricity Lines (CELs) & Substations

CEL.1.1	Description & Expectations
CEL.1.2	Permitted Activity Land Use
CEL.1.3	Restricted Discretionary Activities – Land Use
CEL.1.4	Restricted Discretionary Activities – Subdivision
CEL.1.5	Assessment Criteria
CEL.1.6	Notification

CEL.1.1 Descriptions and Expectations

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

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 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 1000 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.

CEL.1.2 Permitted Activity Land Use

The following activities are permitted activities:

1. Within 10m of a CEL or the designation boundary of a substation:
 - i. Any building or structure that does not require building consent; or
 - ii. Alteration of any building that does not exceed outside the envelope or footprint of the existing building; or
 - iii. Earthworks that:
 - a. Are not directly above an underground cable(s); and
 - b. 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

CEL.1

Critical Electricity Lines (CELs) and Substations

- c. Are in accordance with NZECP 34:2001.
- 2. Within 20m of a CEL or the designated boundary of a substation:
 - i. Planting of trees other than shelterbelts, ~~production forestry~~ or commercial horticultural operations.
- 3. Activities described in CEL.1.2.1 and CEL.1.2.2 that do not meet the requirements for permitted activities under CEL.1.2.1 and CEL.1.2.2 provided that:

EITHER

3.1 Prior to the commencement of any works:

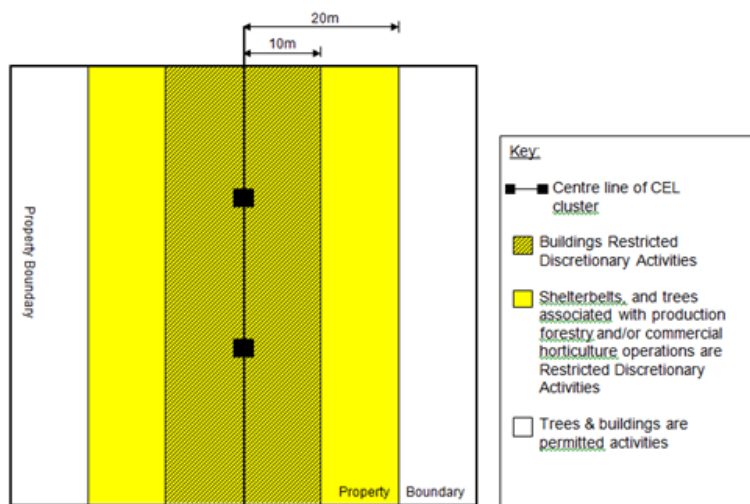
- i. Written notification has been provided to the Council; and
- ii. The proposed activity is being carried out in accordance with the Electricity Act 1992 and associated regulations (NZECP 34:2001, the Electricity (Hazards from Trees) Regulations 2003 (SR 2003/375), and the Electricity (Safety) Regulations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

OR

- 3.2 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 Fig 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, earthworks, and when using machinery or equipment within close proximity to any electric lines.

CEL.1

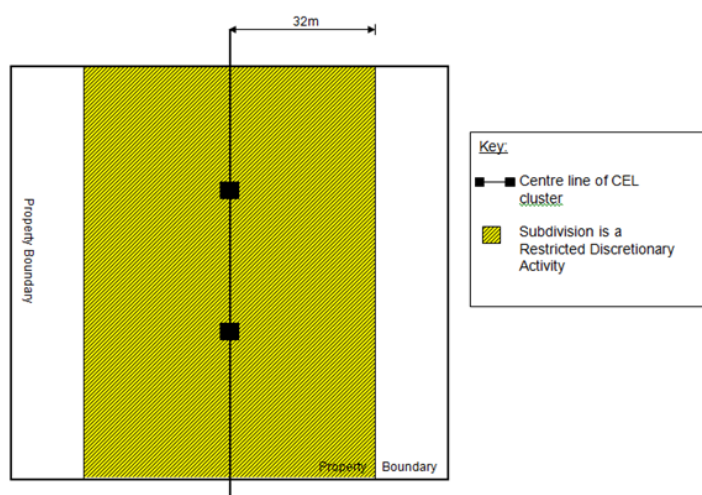
Critical Electricity Lines (CELs) and Substations

CEL.1.3 Restricted Discretionary Activities – Land Use

- Activities described in CEL.1.2 that do not meet the requirements for permitted activities are restricted discretionary activities.

CEL.1.4 Restricted Discretionary Activities - Subdivision

- Subdivision within 32m of the centre line of a CEL, or within 32m from the designation boundary of a substation shall be a restricted discretionary activity.



CEL.1.5 Assessment Criteria

- When considering any restricted discretionary activity under CEL.1.3 and CEL.1.4, discretion will be restricted to:
 - the safe and efficient operation and maintenance of the electricity supply network, including:
 - The use, design and location of buildings; and
 - The mature size, growth rate, location, and fall zone of any associated tree planting, including landscape planting and shelterbelts; and
 - Compliance with NZECP 34:2001; and
 - Effects on public health and safety; and
 - Effects on access to CEL's, designated substations and associated infrastructure for maintenance purposes.

CEL.1.6 Notification

For restricted discretionary activities under CEL.1.3 and CEL.1.4 the relevant network utility operator will be considered an affected party under s 95E of the Resource Management Act, 1991.

CEL.1

Critical Electricity Lines (CELs) and Substations

Revision and Sign-off Sheet

Date Approved	Editor	Paragraph	Change Reference	Decision Date	Approved By
12 June 2013	MD	New Chapter	Plan Change 117 – addition of new chapter to the District Plan.	Operative Date 25 June 2013 TRIM 13/44408	MM
10 May 2016	TB	Whole Chapter	Re-formatting of Chapter to ensure consistency.	Clause 20A Memo TRIM 16/55469	MM

Editor **Melanie Donaghy (MD)**
Taya Baxter (TB)

 Editor Position Team Administrator Policy Division

Approved By **Melissa McGrath (MM)**
 Approver Position District Plan Team Leader

2 Introduction to Procedures

The purpose of the Introduction to Procedures chapter is to facilitate the on-going development and use of the District Plan. This section contains information required to direct the use and implementation of the District Plan. Methods used in the District Plan will be located within the Procedure section.

District Plan Rolling Review

Introduction

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:

- (a) plan effectiveness monitoring identifies the need to enhance progress toward achieving anticipated environmental results
- (b) 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
- (c) 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

- ## New District Plan Structure

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graph TD
    A[Introduction] --> B[Procedure]
    B --> C1[Sense of Place]
    B --> C2[Connection]
    B --> C3[Wellbeing]
    B --> C4[Servicing]
    C1 --> D1[Coast]
    C1 --> D2[Rural]
    C1 --> D3[Urban]
    C2 --> D1
    C2 --> D2
    C2 --> D3
    C3 --> D1
    C3 --> D2
    C3 --> D3
    C4 --> D1
    C4 --> D2
    C4 --> D3
    D1 --> E[Policy Areas]
    D2 --> E
    D3 --> E
    E --> F[Environments]
    F --> G[Standards & Guidelines]
  
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The flowchart illustrates the Planning Framework for the District Plan, structured as follows:

- Introduction** (Sets the scene for District Plan, context, methods and use)
- Procedure** (Sets all technical procedures and methods tool box)
- Sense of Place**, **Connection**, **Wellbeing**, and **Servicing** (District wide context)
 - Coast**, **Rural**, and **Urban** (Geographical context)
- Policy Areas** (Locality priorities)
- Environments** (Neighbourhood priorities)
- Standards & Guidelines** (Management of site generated effects)

To accommodate the new District Plan structure, three separate documents that in total constitute the District Plan for Whangarei will be created throughout the rolling review.

- Volume 1: Objectives, Policies and Rules

- Volume 2: Maps
- Volume 3: Standards and Design Guides

Other documents, such as New Zealand standards, are incorporated by reference in the Plan.

Note: These documents do not form part of the District Plan and any consequential changes to a standard that have been through a public consultation process will be adopted.

2.2.2 National Environmental Standards

All plantation forestry activities regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 must comply with those regulations. However, some District Plan rules managing plantation forestry activities are more stringent than the regulations as provided for in Section 6 of the regulations.

2.3 Presumptions and Interpretation

At any point in time the Council's information bases and justification for its policies may be incomplete. Chapter structure and format may vary from section to section as and when a review takes place. For interpretation purposes (resource consent processing) no one procedure shall take precedence.

2.4 Introduction to Methods Tool Box

District Plan objectives and policies will be implemented through the exercising of Whangarei District Council's functions as a consent authority. A range of methods, both regulatory and non-regulatory, are available to implement the objectives and policies of the Plan. Acknowledging that the District Plan will be managed as a living and responsive document the methods tool box will contain interchangeable methods. This tool box will be added to as new methods are brought into the plan.

2.4.2 Methods of District Plan Implementation

Council is required to consider all methods of District Plan implementation when making changes to the District Plan. Examples of these are:

- regulatory methods, such as rules
- economic instruments, such as financial contributions, annual plan funds, and provision of rates relief
- consideration of other plans and such as status, by-laws, and management plans
- completion of Council implemented physical works and services
- information, education and advocacy such as guidelines, information brochures
- Monitoring, Council is required to monitor the effectiveness of the District Plan
- the Urban Growth Strategy
- structure plans
- current strategic planning documents including the Northland Regional Transport Strategy and the Whangarei Transportation Network Strategy.

Revision and Sign-off Sheet

Date Approved	Editor	Paragraph	Change Reference	Decision Date	Approved By
2 June 2010	FP	2.11 third paragraph	'These strategic... will be used to direct the Council's evaluation... <u>now reads</u> ... to guide the council's...	Clause 16 (2)	NW
9 June 2010	FP	Replacement of the whole chapter with some additions in 2.1 and 2.4.1	Plan Change 106 Introduction Section 'Sophisticated Yet Simple' 10/24764 and Clause 16(2) 10/37288	9 June 2010 10/40950 Operative 22 June 2010	NW
26 September 2011	FP		Various reformatting	23 September 2011	NW

Editor
Editor Position

France Prevost (FP)
Team Administrator Policy Division

Approved By
Approver Position

Nick Williamson (NW)
District Plan Team Leader (NW)



38 Countryside and Coastal Countryside Environment Rules

38.1 Introduction

This chapter contains rules governing land uses in the Countryside and Coastal Countryside Environments. The boundaries of these Environments are shown on the Planning Maps.

Some ninety percent of the District's land area is contained within the Countryside and Coastal Countryside Environments.

Within the Countryside Environment there is a wide range of traditional rural activities. Approximately two thirds of rural land is in some form of pastoral use, with beef farming being a predominant activity in much of the District. There is horticultural activity, particularly in areas such as Maungatapere, Tauraroa and Glenbervie, where there are highly versatile soils. There are also a number of quarries in the rural area, including a large aggregates quarry at Otaika and limestone quarries at Hikurangi and Portland. Special recognition has been given to the Portland Quarry and Portland Cement Works in that a special overlay map and rules are applicable to parts of their activities. Relevant provisions are contained in Chapter 49 Scheduled Activities, Schedule 14. Forestry is becoming increasingly more widespread. The rural area has a varied and interesting landscape, including bush clad hill country, volcanic cones, extensive farmed flats and pockets of indigenous vegetation.

The most distinctive feature of the District is, however, its long and varied coastline, which includes a wide range of landforms and landscapes. Most of the land within the Coastal Countryside Environment is uninhabited, but there are specific locations within the Environment, and especially in areas with access to beaches, where development and settlement has occurred in the past, or where new development is being promoted at present.

Road Transport rules and Resource Area rules also apply in these Environments. The Resource Area rules apply only to the areas indicated on the Planning Maps.

All rules apply in both the Countryside and Coastal Countryside Environments, unless otherwise stated.

The rules in this chapter prevail over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 in relation to plantation forestry activities.

Chapters 1 and 2 describe activities and rules and how to read the rule table. See Chapter 70.3 for a list of matters to which control is reserved. These apply to every controlled activity mentioned in the rule table, in addition to those matters given in the rule table.

38.2 Prohibited Activities

The following activity is a prohibited activity for which no resource consent shall be granted:

- Use, storage or disposal of radioactive material with an activity exceeding 1000 terabequerels.

38.3 Countryside and Coastal Countryside Environment - Activity Rule Table

38.3.1 Activities Generally

<p>Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> a) It is not a commercial activity involving intensive livestock farming, wool scouring, rendering, motor vehicle manufacturing or dismantling, rubbish disposal or landfills, sewage collection or disposal, or septic tank sludge disposal; and b) It does not involve food irradiation; and c) It is not an activity that is classified as an offensive trade in the Health Act 1956; and d) It does not involve commercial or industrial activities that occupy in excess of 500m² in gross floor area; and e) It does not involve commercial or industrial activities that are located within 100m of: <ul style="list-style-type: none"> i. Any existing residential unit on a separate site; or ii. The open space environment. f) It does not involve new plantation forestry within 30m of an existing residential building on a separate site. <p>For the purposes of this rule, 'commercial activity' does not include any activity that otherwise falls within the definition of "temporary activity" and is associated with a place of assembly.</p>	<p>Any activity that does not comply with Rules 38.3.1 (d) and/or 38.3.1 (e) but would otherwise comply with the provisions of the activity rule table for the Countryside and Coastal Countryside Environment is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i. Effects of dust, odour and other nuisances; ii. Hours of operations; iii. Effects on existing residences; iv. Effects on landscape, conservation, ecological and amenity values of the site and locality. <p>Any other activity does not comply with a condition for a permitted activity and is not a restricted discretionary activity is a discretionary activity if:</p> <ul style="list-style-type: none"> a) In the case of intensive livestock farming, wool scouring or rendering, the activity (including animal enclosures in the case of intensive livestock farming) is set back: <ul style="list-style-type: none"> i. 1000.0m from an existing church, marae, school, public hall, Living, or Open Space Environment boundary; or ii. 300.0m from any existing residential unit; and b) It is not an activity that is classified as an offensive trade in the Health Act 1956; and c) It is not an activity that involves food irradiation. <p>Any activity that does not comply with the standards for a discretionary activity is a non-complying activity.</p>
<p>Provided always and notwithstanding the requirements in this Rule, if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then that activity will be assessed in accordance with the rules in Chapter 64.</p>	

38.3.2 Hazardous Substances

<p>The use, storage or on-site movement of hazardous substances is a permitted activity if it complies with the conditions for permitted activities in Appendix 8; and</p> <p>The movement of hazardous substances between sites is a</p>	<p>The use, storage or on-site movement of hazardous substances is a discretionary activity if it does not comply with a condition for permitted activities in Appendix 8; and</p> <p>The movement of hazardous substances between sites is a</p>
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permitted activity if conducted by means of an underground pipeline.	discretionary activity if conducted by means of an aboveground pipeline.
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38.3.3 Mineral Extraction

<p>Mineral extraction is a permitted activity in the Countryside Environment if:</p> <ol style="list-style-type: none"> Less than 500.0m³ of material on the site is disturbed or removed in any 12 month period; and No blasting takes place; and Where excavations and processing are undertaken within 200.0m of a road boundary or an existing residential unit, amenity planting is undertaken along that boundary and thereafter maintained to a minimum width of 5.0m and minimum height of 3.0m. <p>Mineral Extraction in the Coastal Countryside Environment is a controlled activity if:</p> <ol style="list-style-type: none"> Less than 500.0m³ of material on the site is disturbed or removed in any 12 month period; and No blasting takes place; and Where excavations and processing are undertaken within 200.0m of a road boundary or an existing residential unit, amenity planting is undertaken along that boundary and thereafter maintained to a minimum width of 5.0m and minimum height of 3.0m; and The extent of any excavation on any one site does not exceed 500.0m² as measured on the horizontal plane.. <p>Control is reserved over:</p> <ol style="list-style-type: none"> Visual and landscape effects on the coastal environment; Effects on coastal land stability and natural coastal processes; Quality of storm water run off; The additional matters listed in Chapter 64.3. <p>Provided always and notwithstanding the requirements in this Rule, if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then the requirements for that activity will be determined in accordance with the rules in Chapter 64.</p>	<p>Mineral extraction that does not comply with a condition for a permitted or controlled activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Effects of noise, dust and other nuisances; Methods and duration of excavation or processing, and trucking activities; Hours of operation of the activity; Effects on existing residences and reserves; Effects of road traffic on the amenity, health and safety in the locality; Effects of increased traffic on road safety, maintenance and efficiency; Effects on landscape and conservation values of the site and locality; Restoration and rehabilitation of the site; Effects of disturbance and stockpiling of topsoil, and measures to conserve and preserve topsoil; Effects of excavation, mineral extraction, transport and processing (including the effects of dust) on any water body or indigenous vegetation; Effects on coastal land stability and natural coastal processes; Quality of storm runoff; Effects of land use on heritage sites, buildings and areas; Effects of land use on the relationship of tangata whenua with their ancestral lands, sites, water, waahi tapu and other taonga; Effects of mineral extraction, processing and transport on the natural character of the coastal environment, wetlands, lakes and rivers.
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38.3.4 Network Utility Services

<p>The following activities related to network utility services, excluding electricity Infrastructure are a permitted activity:</p> <ul style="list-style-type: none"> a) The establishment of junction boxes, substations and other equipment cabinets required as part of a utility network that have a height of no greater than 2.5m and a ground coverage not exceeding 4.5 m²; and b) The establishment of, or extension to, overhead telecommunication lines located on single poles with a maximum height of 12.5m in the Coastal Countryside Environment and a maximum height of 18.5m in the Countryside Environment; and c) The establishment of network utility operations for the purposes of wireless communication, or the measurement, collection and distribution of meteorological information, that comply with the rules for Aerials and Aerial Support Structures; and d) The minor upgrading, replacement, removal, and maintenance of existing network utility services facilities; and e) The establishment of, or extension to, underground network utility services, including gas lines with a maximum operating pressure not exceeding 2000 kilopascals. 	<p>Network utility services that do not comply with a condition for a permitted activity are a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i. Scale, bulk and form of the installation(s) above ground; ii. Cumulative effects of additional structures; iii. Shading effects; iv. Effects on amenity values; v. Effects on landscape/streetscape values; vi. Effects on ecological values; vii. Effects on heritage values; viii. Effects on cultural values; ix. Effects on public health and safety; x. Issues of reverse sensitivity.
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38.3.5 Provision of Parking Spaces

<p>Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> a) Parking spaces are provided in accordance with Chapter 47. 	<p>Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i. Those matters listed in Chapter 47. Road Transport Rules.
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38.3.6 Traffic Movements

<p>Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> a) It is a residential, temporary or seasonal activity; or b) It does not cause the total traffic generation from the site to be more than 30 traffic movements in any 24 hour period. 	<p>Any activity in the Coastal Countryside Environment that does not comply with a condition for a permitted activity is a discretionary activity.</p> <p>Any activity in the Countryside Environment that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p>
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<p>Provided always and notwithstanding the traffic movements requirements in this rule, if the activity under consideration is a mineral extraction activity and it is located within a mineral extraction area then the traffic movements requirements for that activity will be determined in accordance with the rules in Chapter 64 of the plan.</p> <p>Note: Where access is gained to a Limited Access Section of State Highway, it may be necessary to liaise with Transit New Zealand.</p> <p>Provided always and notwithstanding the traffic movement's requirements in this Rule if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then the traffic movement's requirements for that activity will be determined in accordance with the rules in Chapter 64.</p>	<p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Manoeuvring requirements; Need for acceleration and deceleration lanes; Type, frequency and timing of traffic; Design of the entrance onto the public road of the vehicle accesses associated with the activity; Safety of pedestrians; The availability of other roads for access for sites that lead onto arterial roads or State highways; Effects on the amenity of the locality; Effects on ecological values; Effects of dust; Need for forming or upgrading roads in the vicinity of the site; Need for traffic control, including signs, signals and traffic islands.
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38.3.7 Signs

<ol style="list-style-type: none"> The construction or placement of a sign which is not visible from a public place or neighbouring property(s) is a permitted activity. The construction or placement of a sign which is visible from a public place or neighbouring property(s) is a permitted activity if: <ol style="list-style-type: none"> The sign is required under health and safety legislation; or The sign is erected by a road control authority for the purposes of traffic control or public safety and it is located within the legal road reserve; or The sign relates to goods and services available on site, or is a property name sign, or is a community sign; and The sign does not obscure any official signs or traffic signals; and The sign is static, not flashing, and not illuminated, and No more than 1 sign is displayed per site; and 	<p>The construction or placement of a sign that does not comply with a condition for a permitted activity is a restricted discretionary activity if:</p> <ol style="list-style-type: none"> The sign is no larger than 3.0m²; and There are no more than 3 signs on the site; and The sign relates to goods and services available on site, or is a property name sign, or is a community sign; and The sign is static, not illuminated and not flashing. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> The visual amenity of the locality; The appropriateness of the sign compared to the nature of the area; Traffic safety effects; The number and location of other signs in the local vicinity; Effects on the preservation of natural character;
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<p>vii. The sign is no higher than 3.0m; and</p> <p>viii. The sign is no larger than 3.0m² in the Countryside Environment or 2.0m² in the Coastal Countryside Environment; and</p> <p>ix. Where the road has a speed limit of 70 kph or greater, the sign is located so as to provide an unrestricted view to the motorist for a minimum distance of 250.0m.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. Signs within the legal road boundary, or on road verges and road reserves are regulated by Council Bylaws. 2. Temporary signs and signs on vehicles are regulated by Council's Bylaws. 3. Signs located in public places are regulated by Council Bylaws. 	<p>vi. The cumulative effect of signs on natural character, visual amenity, and safety.</p> <p>Any activity that does not comply with a standard for a restricted discretionary activity is a non-complying activity.</p>
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38.3.8 **Stone Walls** *(Deleted – refer to Historic Heritage Chapter)*

38.3.9 **Artificial Lighting**

<p>Artificial lighting is a permitted activity if either:</p> <ol style="list-style-type: none"> a) The lighting is required under health and safety legislation; or b) The light is a street light, navigation light, or traffic signal c) The following standards are complied with: <ol style="list-style-type: none"> i. The added illuminance onto any other site measured at the boundary does not exceed 10 lux at any receiving property boundary, or 15 lux at any road reserve boundary; and ii. The artificial light is shielded in such a manner that light emitted by the fixture is projected below a horizontal plane running through the lowest point on the fixture; and iii. The lower edge of the shield, as required by ii) above, is to be at or below the centreline of the light source; and d) The light is static and is not moving; (except in the case of lighting on vehicles associated with mineral extraction and related activities, or flashing beacons in accordance with the Land Transport Road Use Rule 2004 (Plan change 42 Planners recommendation) e) The artificial lighting complies with AS/NZS 1158/1996. 	<p>Any activity that does not comply with a standard for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is limited to:</p> <ol style="list-style-type: none"> i. Orientation, strength, intensity, colour, frequency of flashing of the light; ii. Effects on traffic safety; iii. Positive effects on pedestrian safety; iv. Effect on amenity values.
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Notes:

1. If the object or device that contains Artificial Lighting is a sign, then Rule 37.3.7 Signs is solely applicable.
2. See Appendix 15 for illustration of c) (ii) and (iii) above.

38.3.10 **Noise** (Deleted – refer to Noise and Vibration Chapter)

38.3.11 **Construction Noise** (Deleted – refer to Noise and Vibration Chapter)

38.3.12 **Bird Scaring Devices** (Deleted – refer to Noise and Vibration Chapter)

38.3.13 **Vibration** (Deleted – refer to Noise and Vibration Chapter)

38.3.14 **Electromagnetic Radiation**

Any activity is a **permitted** activity if:

- a) Exposures comply with NZS 2772.1:1999, Radio Frequency Fields Part 1: Maximum Exposure Levels 3 kHz – 300 GHz.

Any activity that does not comply with a condition for a permitted activity is a **discretionary** activity.

38.3.15 **Electricity Transmission Lines** – (Deleted 13/01/2014 - refer to Network Utilities Chapter)

38.3.16 **Outdoor Storage**

Any activity is a permitted activity if:

- a) Outdoor areas of storage or stockpiles of materials and equipment comply with building height, and setbacks rules; and
- b) Outdoor areas of storage or stockpiles of materials or equipment are contained or maintained to prevent the dispersal of dust or airborne contaminants beyond the site; and
- c) Open areas of storage or stockpiles of materials or equipment are screened from view from public places and surrounding sites except where such materials or equipment:
 - i. are accessory to agricultural, horticultural or forestry activities; or
 - ii. Include functioning machinery, stockpiles of mineral resources or construction materials; and
- d) Materials are stored in a way that does not provide a food source for vermin; and
- e) The best practicable option is adopted to prevent or minimise contaminants from stockpiles entering watercourses or water bodies.

Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.

Discretion is restricted to:

- i. Dust effects;
- ii. Smell effects;
- iii. Visual effects;
- iv. Amenity effects;
- v. Effects on amenity values;
- vi. Effects on health and safety;
- vii. Effects on land stability in the Coastal Countryside Environment;
- viii. Quality of stormwater runoff.

Provided always and notwithstanding the requirements in this Rule, if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then the outdoor storage requirements for that activity will be determined in accordance with the rules in Chapter 64.

38.3.17 Aerials and Aerial Support Structures

<p>Aerials and/or aerial support structures are a permitted activity if:</p> <p>a)</p> <ol style="list-style-type: none"> In the Countryside Environment there are no more than 5 aerials and/or aerial support structures per site, or per independent residential unit where more than one independent residential unit exists on-site ; In the Coastal Countryside Environment there are no more than 2 aerial support structures and 5 aerials per site, or per independent residential unit where more than one independent residential unit exist on one site; and <p>b)</p> <ol style="list-style-type: none"> Aerials and/or aerial support structures in the Countryside environment have a maximum height of 14.0m, except for dish aerials which shall not exceed a height of 10.0m; and Aerials and/or aerial support structures in the Coastal Countryside Environment have a maximum height of 12.5m except for a dish aerial which is not to exceed a height of 8.5m; and <p>c)</p> <ol style="list-style-type: none"> In the Countryside Environment there are no more than 2 dish aerials per site, or per independent residential unit where more than one independent residential unit exists on one site. However, if the dish aerial is for a use other than already specified, there shall be no more than 5 dish aerials per site; and In the Coastal Countryside Environment there are no more than 2 dish aerials per site; and <p>d)</p> <ol style="list-style-type: none"> In the Countryside Environment no dish aerial exceeds a diameter of 2.4m; and In the Coastal Countryside Environment no dish aerial associated with the residential unit or residential activity exceeds 1.1m in diameter, or 2.4m in diameter if for any other purpose; and <p>e)</p> <ol style="list-style-type: none"> All aerials and/or aerial support structures comply with the relevant building setback and daylight angle requirements for the Environment within which they are located; and <p>f)</p>	<p>Aerials and/or aerial support structures that do not comply with permitted activity condition (b) (i), but are less than 20.0m in height are a restricted discretionary activity.</p> <ol style="list-style-type: none"> The matters are over which the Council restricts its discretion are as follows: The design and external appearance of buildings; Landscape treatment and screening; Site location and layout; Visual and amenity effects; Construction materials; The effects on any heritage values. <p>Aerials and aerial support structures that do not comply with a permitted activity or a restricted discretionary condition are a discretionary activity.</p>
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<ul style="list-style-type: none"> i. In the Countryside Environment, between a height of 10.0m and 11.5m any aerial or aerial support structure shall not exceed a width of 1.1m with the exception set out in v. hereunder; and ii. In the Countryside Environment, between a height of 11.5m, and 14.0m, the components that make up an aerial and/or aerial support structure are to be no greater than 80.0mm in diameter, or have a rectangular section with sides no greater than 80.0mm, with the exception set out in v) hereunder; and iii. In the Coastal Countryside Environment between a height of 8.0 and 9.5m, any aerial or aerial support structure shall not exceed a width of 1.1m, with the exception set out in v) hereunder; and iv. In the Coastal Countryside Environment, between a height of 9.5m and 12.0m, the components that make up an aerial and/or aerial support structure are to be no greater than 80.0mm in diameter, or have a rectangular section with sides no greater than 80.0mm, with the exception set out in v. hereunder; and v. Except for anemometer or similar weather measuring device (excluding a weather balloon), where such device has a cross arm dimension not exceeding 1.1m. 	
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38.3.18 Indigenous Vegetation Clearance and Indigenous Wetland Disturbance

<p>Destruction or clearance of indigenous vegetation within this Environment in:</p> <ul style="list-style-type: none"> a) A contiguous area of 5.0ha or more of predominantly indigenous vegetation; or b) In any area of 1.0ha or more of predominantly indigenous vegetation over 6.0m in height; or c) In an indigenous wetland; <p>is a permitted activity if it complies with the following:</p> <ul style="list-style-type: none"> i. The removal is in accordance with an existing use right; or ii. The total clearance of indigenous vegetation within a site is no more than 500.0m² where the clearance is for the express purpose of providing a house site and/or access to a house site; or is to provide access to existing farming or forestry activities; or iii. The removal is of trees that are a danger to human life or existing 	<p>Destruction or clearance of indigenous vegetation that does not comply with a condition for a permitted activity is a discretionary activity.</p> <p>Any activity that will result in the destruction or clearance of indigenous vegetation within an indigenous wetland, and which may result in changes to the seasonal or annual range in water level of indigenous wetland to an extent that may adversely affect the wetland's natural ecosystem and is not required as part of normal maintenance of drains and flood ways, is a discretionary activity.</p>
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<p>structures (including network utilities); or</p> <p>iv. The removal is necessary for the maintenance of any building, structure, road or track including any telecommunication work or utility service; or</p> <p>v. The removal is for a new fence where the purpose of the fence is to exclude stock and/or pests from the area; or</p> <p>vi. The removal is beneath a canopy of a production forest; or</p> <p>vii. The removal is for the formation and maintenance of walking tracks less than 1.2 metres wide using manual methods that do not require the removal of any indigenous tree over 300mm girth; or</p> <p>viii. The removal is for the construction of a fire break by a rural fire authority; or</p> <p>ix. The removal of a tree or trees, or the gathering of plant matter is in accordance with Maori custom or values; or</p> <p>x. The removal is harvesting of indigenous timber under a Sustainable management Plan or permit under the Forests Act 1949.</p>	
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38.4 Countryside and Coastal Countryside Environment - Building Rule Table

38.4.1 Residential Units

<p>Construction of a residential unit in the Countryside Environment is a permitted activity if:</p> <p>a) The residential unit, after completion, will be the only residential unit on the site; or</p> <p>b) The residential unit will be an additional residential unit on the site; and there is at least 20.0ha of net site area associated with each residential unit; and</p> <p>c) It is not within a Mineral Extraction Area as shown on the Planning Maps.</p> <p>d) It is not within 500m of a Mineral Extraction Area.</p> <p>Construction of a residential unit within 500m of Mineral Extraction Area is a controlled activity.</p> <p>Control is reserved over:</p> <p>i. The impact of mineral extraction on residential safety and amenity</p>	<p>Construction of a residential unit in the Coastal Countryside Environment is a restricted discretionary activity if:</p> <p>a) The residential unit, after completion, will be the only residential unit on the site; or</p> <p>b) The residential unit will be an additional residential unit on the site; and there is at least 20.0ha of net site area associated with each residential unit.</p> <p>c) It is not within a Mineral Extraction Area as shown on the Planning Maps.</p> <p>d) It is not within 500m of a Mineral Extraction Area.</p> <p>Discretion is restricted to:</p> <p>i. Extent of visual intrusion from the building;</p> <p>ii. Colour and design;</p> <p>iii. Landscaping;</p> <p>iv. Effects on landscape values;</p>
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<p>including noise, traffic, dust, vibration and visual effects.</p> <p>Construction of residential units, not otherwise provided for as a permitted or controlled activity is a discretionary activity.</p>	<ul style="list-style-type: none"> v. Size and shape of the site; vi. Alternative building locations; vii. Effects on the character of the coastal environment; viii. Location; ix. Visibility from road and public places; x. The effect on the appearance of skylines and ridgelines; xi. The impact of mineral extraction on residential safety and amenity including noise, traffic, dust, vibration and visual effects. <p>Construction of a residential unit, not otherwise provided for a restricted discretionary activity is a discretionary activity.</p> <p>Discretion includes, but is not limited to, the above assessment criteria for a restricted discretionary activity.</p>
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38.4.2 Minor Residential Units

<p>Construction of a minor residential unit is a permitted activity if:</p> <ul style="list-style-type: none"> a) In the Countryside Environment the minor residential unit, after completion, will be the only minor residential unit on the site and the minimum net site area of the allotment is 8000.0m²; or b) In the Coastal Countryside Environment, the minor residential unit, after completion, will be the only minor residential unit on the site and the minimum net site area of the allotment is 1.2 hectares; and c) It is not within a Mineral Extraction Area as shown on the Planning Maps. d) It is not within 500m of a Mineral Extraction Area. 	<p>Construction of a residential unit within 500m of Mineral Extraction Area is a controlled activity.</p> <p>Control is reserved over:</p> <ul style="list-style-type: none"> i. The impact of mineral extraction on residential safety and amenity including noise, traffic, dust, vibration and visual effects. <p>Construction of additional residential units, not otherwise provided for as a permitted or controlled activity, is a discretionary activity.</p>
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38.4.3 Building Height

<p>Construction or alteration of a building is a permitted activity if the building does not exceed:</p> <ul style="list-style-type: none"> a) 10.0m in height in the Countryside Environment; or b) 8.5m in height in the Coastal Countryside Environment; <p>Note: The rules in Chapter 57 also control the height of buildings within Notable and Outstanding Landscape Areas.</p>	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i. The scale and bulk of the building in relation to the site; ii. The built characteristic of the locality; iii. The extent to which the effects of the height can be mitigated by setbacks, planting, design or the topography of the site; iv. Effects on landscape values; v. Effects on availability of daylight; vi. Effects on amenity values.
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Provided always and notwithstanding the height requirements in this Rule, if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then the building height requirements for that activity will be determined in accordance with the rules in Chapter 64.

38.4.4 Building Coverage

<p>Construction or alteration of a building is a permitted activity if total building coverage on the site does not exceed:</p> <ul style="list-style-type: none"> a) 500.0m²; or b) 5% of the net site area, whichever is the greater. 	<p>Construction or alteration of a building in the Countryside Environment that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i. The scale and bulk of the building in relation to the site; ii. The existing built density of the locality; iii. Effects on amenity values; iv. Effects on natural character, landscape and heritage values; <p>Construction or alteration of a building in the Coastal Countryside Environment that does not comply with a condition for a permitted activity is a discretionary activity.</p>
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38.4.5 Building Setbacks

<p>Construction or alteration of a building is a permitted activity if the building is set back at least:</p> <ul style="list-style-type: none"> a) 8.0m from road boundaries, or any building line restriction shown on the Planning Maps; and b) 3.0m from other boundaries; and c) 30m from the legal boundary of existing plantation forestry in the case of a new residential building on a separate site. 	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i. Protection of the Countryside Environments from road frontage domination; ii. The outlook and privacy of adjoining and adjacent neighbours;
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<p>Note: The provisions of Rules 58.2.6 and 59.2.3 also apply to building setbacks.</p> <p>Provided always and notwithstanding the setback requirements in this Rule, if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then the building setback requirements for that activity will be determined in accordance with the rules in Chapter 64.</p>	<ul style="list-style-type: none"> iii. Effects on land stability in the Coastal Countryside Environment; iv. Effects on motor vehicle driver sight-lines and traffic safety; v. Effects on the natural functioning of ecosystems; vi. Effects on landscape and heritage values.
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38.4.6 Building Setbacks from Water Bodies

<p>Construction or alteration of a building is a permitted activity if the building is set back at least:</p> <ul style="list-style-type: none"> a) 27.0m from Mean High Water Springs; or b) From the top of the bank of any river that has a width of less than 3.0m, or a lake under 8ha in area: <ul style="list-style-type: none"> i. 5.0m where the dominant slope is less than 8 degrees; ii. 10.0m where the dominant slope is greater than 8 degrees but less than 15 degrees; iii. 20.0m where the dominant slope is more than 15 degrees; or c) 27.0m from the top of the bank of a river equal to 3.0m or more in width, any lake over 8ha in area or any river identified in Appendix 5 as an Esplanade Priority Area; or d) 5.0m from the top of the bank of all other water bodies unless an esplanade reserve already exists, in which case a 5.0m setback from the edge of the landward side of the esplanade reserve shall apply. <p>Note: The provisions of Rules 58.2.6 and 59.2.3 also apply to building setbacks.</p>	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i. The continued availability of land in Esplanade Priority Areas; ii. Effects on natural character; iii. Effects on natural functioning of an ecosystems; iv. Effects on landscape values; v. Effects on heritage values; vi. Effect on public access; vii. Effect on river maintenance and hazards; viii. The protection of the conservation, ecological, recreation, access and hazard mitigation values of land in Esplanade Priority Areas and existing esplanade reserves or strips; ix. The suitability of the proposed location of the building on the site.
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38.4.7 Building to Access Setbacks

<p>Construction or alteration of a building is a permitted activity if:</p> <ul style="list-style-type: none"> a) There is a minimum separation distance of 2.0m between the building and any right of way or common access. 	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i. Noise and vibration on occupants of buildings erected within 2.0m of accesses; ii. The use of accesses if obstructed by building overhangs or opening windows.
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38.4.8 Landscaping

<p>Construction of a building, or site redevelopment for commercial activities, is a permitted activity if:</p> <ol style="list-style-type: none"> All land within 6.0m of the road boundary, other than existing car parking and accesses, is planted in pasture, trees or shrubs; and The planting is completed within 18 months of occupation of the building and is maintained continuously thereafter. 	<p>Construction of a building, or site redevelopment that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Effects on neighbours; Effects on the amenity of the locality; Alternative means of landscaping or screening.
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38.4.9 Coastal Minimum Floor Level

<p>Construction or alteration of a building or structure is a permitted activity if:</p> <p>The building or structure has a minimum floor level of 2.5m above One Tree Point Datum Mean Sea Level 1964.</p>	<p>The construction or alteration of a building or structure that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Construction or alteration of a building or structure in relation to its location; The avoidance, remediation or mitigation of coastal hazards; Floor level in relation to One Tree Point Datum Mean Sea Level 1964.
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38.4.10 Building Daylight Angles

<p>Construction or alteration of a building is a permitted activity if:</p> <ol style="list-style-type: none"> It does not penetrate the building daylight angles defined in Appendix 11. 	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> The availability of daylight to adjoining properties; The privacy of the adjoining properties; Effects on shading; Effects on amenity values.
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38.5 Principal Reasons for Rules / Explanations

Prohibited Activities

The level of radioactivity stated as a prohibited activity allows for use of household smoke detectors and use of radioactive materials in medical laboratories and hospitals, but does not allow large installations such as food irradiation plants or nuclear power stations.

Activities Generally

This rule states activities that require a resource consent. The listed activities are all associated with effects that are unacceptable in these Environments, including adverse visual effects. Commercial activities sensitive to agrichemicals are

required to obtain a resource consent, to allow potential conflicts between land uses to be avoided, remedied or mitigated from the outset.

Hazardous Substances

See Appendix 8.

Network Utilities

The visual effects of network utilities are sought to be mitigated by this rule.

Provision of Parking Spaces

See Chapter 47.

Traffic Movements

Traffic can result in adverse effects due to loss of amenity, noise, pedestrian safety, road safety and efficiency, dust, odour and parking. This is particularly the case in Countryside Environments due to high speed limits, and the traffic volumes and standard of many roads. The rule seeks to control activities that will result in significant increases in traffic to any area (including traffic that parks on or off the site or drives through the site), while allowing those that are at a similar scale to the typical use of a rural property.

Signs

Signs have the potential to severely affect the visual amenity of a Countryside Environment. They are therefore controlled, with limited provision made for signs associated with activities occurring on-site. Due to the open nature and greater vehicular speeds of the Countryside Environments, there is allowance for larger signs than in the Living Environments.

Artificial Lighting

This rule is intended to ensure that, where artificial lighting is established, this does not result in unacceptable light spill onto neighbouring properties.

Electromagnetic Radiation

Certain utilities and other activities emit electromagnetic radiation or create electric fields, which are a health concern to some people living near them. Radio Frequency Fields (RF) are produced by broadcasting and microwave transmission activity. It is the antennae used for sending the signal which produce the Electromagnetic Radiation (EMR), which is within the 3 kHz to 300 GHz range of non-ionising radiation. This Plan is taking a cautious approach to the location of such activities within the Countryside and Coastal Countryside Environments. An acceptable public level of exposure for EMR has been adopted from the New Zealand Standard, which has been thoroughly researched and based upon scientific evidence.

The second part of the rule recognises the visual effect that telecommunications masts and lines can have upon the amenity of the Countryside and Coastal Countryside Environments, and requires a minimum distance between the centre of any telecommunications mast, and any residential activity, or childcare, healthcare or education facility.

Outdoor Storage

The storage of materials outside can have an adverse visual effect, as well as contributing to air emissions. The rule aims to lessen the effects of this and thus reduce the effect on the amenity of the Countryside Environments. Storage of houses for relocation will require a resource consent under this rule. Storage of large hay bales will not.

Aerials and Aerial Support Structures

The number of aerials and aerial support structures in the Countryside and Coastal Countryside Environments is limited to prevent a proliferation of aerials and aerial support structures upon any one site, while allowing for the needs of the community to receive television and radio signals. The size of dish aerials is

limited, as these tend to be more visually intrusive than other aerals. Due to the visual intrusion or dominance that aerals and aerial support structures can have, their location is also controlled. The Plan recognises that many parts of the District have poor television and radio reception and therefore makes allowance for aerals and aerial support structures, other than dish aerals, to be higher than the maximum height of buildings in the Countryside and Coastal Countryside Environments. Chapter HH of the Plan also seeks to control the visual impact that aerals and aerial support structures have on Built Heritage.

Residential Units

The number of residential units permitted on allotments is limited, to assist in maintaining the open character and low density of development. The location of residential units within Mineral Extraction Areas is restricted in order to avoid potential conflicts.

Building Height

The height of buildings is an important factor in maintaining the countryside amenity. As such, height is limited to a scale generally considered acceptable in a countryside area. Higher buildings require more assessment as to their suitability, and a resource consent application is required.

Building Coverage

The amount of building coverage permitted can dramatically affect the open character of the Countryside Environment. Building coverage has an important input into the overall amenity of an area.

Building Setbacks

Front yards play an important role in maintaining an open landscape character not dominated by buildings. For this reason front yard setbacks are greater than in Living Environments. Due to larger allotment sizes than in Living Environments, there is also a greater rear and side yard requirement, which serves to add to the open character and to provide better privacy between properties. Setbacks from water bodies and the coast will preserve future availability of esplanade reserves, providing access space for water body maintenance, and maintain stream efficiency.

Building to Access Setbacks

The required setback serves to protect occupants of buildings from unnecessary noise and vibration. The rule also ensures that the access does not become less usable due to opening windows or other obstructions.

Landscaping

This rule is to ensure activities maintain a high standard of amenity, and to mitigate the adverse visual effects of expanses of tarmac, parking spaces, yards and storage areas.

Coastal Minimum Floor Level

Coastal flooding is a hazard that needs to be addressed and this hazard is not restricted to those areas covered by the Coastal Hazard Areas. By ensuring that the floor level of structures and buildings is at least 2.5m above One Tree Point Datum Mean Sea Level 1964 this risk will be significantly reduced. The 2.5m will take into account a rise in sea level of 0.5m, plus the instances of a spring tide and the surges associated with coastal storms.

Building Daylight Angles

The daylight angles are set to provide reasonable daylight to a site, unobstructed by buildings on an adjacent site.

Revision and Sign-off Sheet

Date Approved	Editor	Paragraph	Change Reference	Decision Date	Approved By
27 June 2007	FP	38.3.5 i	Deletion of unnecessary reference to sections of chapters		PW
13 July 2007	FP	38.3.3	Typo relating to : 500.0m ² The extent of any excavation on any one site does not exceed 500.0m ² as measured on the horizontal plane.	CO 20 August 2004	PW
2 October 2007	FP	38.4.10; and 38.5	Plan Change 47: Addition of daylight Angles Rules and explanation of Building daylight Angles.	Council decision ES 20 September 2007	PW
1 November 2007	FP	various	Additions of hyperlinks to Plan change 41, 42, 47.		PW
1 November 2007	FP	38.4.10	Relocation of Daylight Angles Rules to 38.4.10 where it belongs.		PW
19 February 2008	FP	38.1/38.3.6 a	Plan Changes 47 After council decision	13 February 2008	PW
11 July 2008	JL	38.3.7	Plan Change 41 Signs, after Council decision	9 July 2008	PW
11 July 2008	JL	38.3.9	Plan Change 42 Artificial Lighting, after Council decision	9 July 2008	NW
16 March 2009	FP	38.3.7 b vi	Type from PC47 above amendments - should read 'site' not 'side'	9 July 2008	NW
11 December 2009	FP	38.4.6	Plan change 98 Setbacks from Water Bodies	Operative 12 January 2010	NW
17 December 2009	FP	38.4.3	Cross reference to Chapter 56 now reads <u>Chapter 57</u> Notable and Outstanding..		NW
14 June 2010	FP	38.3.1	Plan change 97 Consequential changes from PC45 Intensive Livestock Farming	ES 9 June 2010 Operative 22 June 2010	NW
9 September 2010	FP	Reference to Chapter 2.3.3	Plan Change 106 consequential changes, this provision no longer exist.	Record 10/96471	NW
11 December 2013	MD	38.3.4 38.3.15 38.5	Plan Change 123A consequential changes 'Electricity Infrastructure'	Operative 13 January 2014 TRIM 14/4071	NW
11 May 2016	TB	38.3.10 38.3.11 38.3.12 38.3.13	Deletion of Rules as a result of Plan Change 110 becoming operative.	Operative Date 24 May 2016 TRIM 16/52692	MM
14 September 2016	JM	38.3.8 38.3.17 38.5	Plan Change 124 becoming operative	Operative date 28 September 2016 TRIM 16/106480	MM

Date Approved	Editor	Paragraph	Change Reference	Decision Date	Approved By
27 April 2017	AM	38.3	Plan Change 97 becoming operative consequential changes Activity Rule Table 38.3.1	Clause 20A Minor Amendment - Scheduled Activities. DSTPLN-659943184-68	MM

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Last Updated

18 January 2018

57 Landscape Area Rules

57.1 Introduction

This Chapter contains rules relating to land uses in areas containing Outstanding and Notable Landscape Areas, and Outstanding Natural Features, including Geological Sites. These areas are shown on the Resources Area Planning Maps. These rules apply in addition to any other rules in this Plan applicable to the same areas or sites. Individual Outstanding Features are mapped in the same way as Outstanding Landscapes, and therefore no distinction is made in the rules.

The rules in this chapter prevail over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 in relation to plantation forestry activities.

57.2 Outstanding Landscape Areas and Outstanding Natural Features Rule Table

57.2.1 Building and Structures

	<p>Construction or alteration of a building or structure in an Outstanding Landscape Area is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>Extent of visual intrusion from the building;</p> <p>Colour and design;</p> <p>Landscaping;</p> <p>Effects on landscape values;</p> <p>Size and shape of the site;</p> <p>Alternative building locations;</p> <p>Effects on the character of the coastal environment;</p> <p>Location;</p> <p>Rehabilitation;</p> <p>Visibility from roads and public places;</p> <p>The effect on the appearance of skylines and ridgelines;</p> <p>Where the building or structure is a network utility, the need for the selected site to provide the intended service;</p> <p>The operational or technical constraints of Electricity Infrastructure.</p>
--	---

57.2.2 Earthworks

<p>Any earthworks within an Outstanding Landscape Area are permitted if:</p> <p>The maximum volume of material disturbed or removed does not exceed 500.0m³; and</p> <p>The maximum face height of any cut and/or batter face does not exceed 2.0m; and</p> <p>The maximum area of earthworks does not exceed 250.0m² on any one site; and</p> <p>Bare earth areas, including cut and batter faces, are re-vegetated to achieve 80% ground cover within 12 months of the earthworks being commenced.</p>	<p>Earthworks that do not comply with a condition for a permitted activity are a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>Location;</p> <p>Visibility;</p> <p>Landscaping;</p> <p>Rehabilitation;</p> <p>Effects on landscape values.</p>
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57.2.3 Forestry

	<p>The establishment of forestry areas is a restricted discretionary activity within an Outstanding Landscape Area.</p> <p>Discretion is restricted to:</p> <p>Scale and shape of the forest;</p> <p>Planting pattern and tree species;</p> <p>The effect on the appearance of skylines and ridgelines;</p> <p>Potential loss of significant views;</p> <p>Planting to mitigate future harvesting effects;</p> <p>Effects on landscape values;.</p>
--	--

57.2.4 Indigenous Vegetation Clearance

<p>Any damage, destruction or clearance of indigenous vegetation is a permitted activity if it complies with the following:</p> <p>It is the removal of trees that are a danger to human life or existing structures (including network utilities); or</p> <p>Clearance is for a new fence where the purpose of the fence is to exclude stock and/or pests from the area; or</p> <p>It is beneath a canopy of a production forest; or</p> <p>The removal of a tree or trees, or the gathering of plant matter is in accordance with Maori custom and values.</p>	<p>Any damage, destruction or clearance of indigenous vegetation that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>The potential effects on amenity, landscape and ecological values and the natural character of the area;</p> <p>The extent of re-vegetation and rehabilitation proposed;</p> <p>The operational or technical constraints of Electricity Infrastructure.</p>
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57.2.5 Goat Control Rules

<p>The keeping of goats on a property within a goat control area, as shown on the Resource Area Maps, is a permitted activity provided that all goats are contained on site at all times by either a goat resistant fence or tethered (which may include a running wire).</p>	<p>Any activity that does not constitute a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>The type of containment used, and the ability of that containment to properly constrain the goats;</p> <p>The number of goats being kept on the property;</p> <p>The intended use of the goats;</p> <p>The breed of goat being kept on the property;</p> <p>The potential effects on the ecological values in the area.</p>
--	---

57.3 Notable Landscape Areas Rule Table

57.3.1 Building Height

<p>Construction or alteration of a building or structure in a Notable Landscape Area is permitted if:</p> <p>The height does not exceed 8.5m.</p>	<p>Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>Extent of visual intrusion from the building;</p> <p>Colour and design.</p>
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57.3.2 Indigenous Vegetation Clearance

<p>Any destruction or clearance of indigenous vegetation within a Notable Landscape Area in :</p> <p>A contiguous area of 1.0ha or more of predominantly indigenous vegetation; or</p> <p>An indigenous wetland.</p> <p>is a permitted activity if it complies with the following:</p> <p>The total clearance of indigenous vegetation within a site is no more than 500.0m², where the clearance is for the express purpose of providing a house site and/or access to a house site, or to provide access for existing forestry or farming activity;</p> <p>It is the removal of trees, as a result of old age or a natural event such as a storm or erosion, that are a danger to human life or existing structures (including network</p>	<p>Any damage, destruction or clearance of indigenous vegetation that does not comply with a condition for a permitted activity is a controlled activity.</p> <p>Control is reserved over:</p> <p>The potential effects on amenity, landscape, and ecological values and the natural character of the area;</p> <p>The extent of re-vegetation and rehabilitation proposed.</p>
--	--

<p>utilities); or</p> <p>Clearance is for a new fence where the purpose of the fence is to exclude stock and/or pests from the area; or</p> <p>It is beneath a canopy of a production forest; or</p> <p>The removal of a tree or trees or the gathering of plant matter is in accordance with Maori custom and values; or</p> <p>Clearance is for the maintenance of existing roads, accesses or walkways; or</p> <p>Clearance, if for the formation or maintenance of walkways less than 1.2m wide using manual methods, which do not require the removal of any tree over 300mm in girth; or</p> <p>It is the removal of dead trees or limbs, so long as no more vegetation is cleared or trimmed, that is necessary for safe removal.</p>	
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57.3.3 Earthworks

<p>Any earthworks within a Notable Landscape Area are permitted if:</p> <p>The maximum volume of material disturbed or removed does not exceed 500.0m³; and</p> <p>The maximum face height of any cut and/or batter faces does not exceed 2.0m.</p>	<p>Earthworks that do not comply with a condition for a permitted activity are a controlled activity.</p> <p>Control is reserved over:</p> <p>Location;</p> <p>Visibility;</p> <p>Landscaping;</p> <p>Rehabilitation;</p> <p>Effects on landscape values.</p>
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57.3.4 Network Utility Operations

<p>The minor upgrading, replacement, removal and maintenance of existing network utility operations is a permitted activity.</p>	<p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>
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57.4 Principal Reasons for Rules / Explanations

Buildings and Structures

Buildings and structures in Outstanding Landscape Areas have the potential to be visually dominant and adversely affect the amenity, landscape and natural character values. A range of site layout, building design and planting techniques can be used to avoid or mitigate adverse visual effects. These cannot be effectively prescribed in rule form (e.g. on building height) and a restricted discretionary activity consent process is appropriate in such highly valued areas. The matters to which discretion is restricted, give direction on the components of buildings and structures that have the potential to cause adverse effects.

The height of buildings is an important component in amenity considerations, and within a landscape context, buildings can be visually dominant. Restrictions are therefore applied to Notable Landscape Areas to maintain the open character of the countryside and coastal areas.

Earthworks

Earthworks can have significant adverse effects on landscape areas. It is essential that earthworks and rehabilitation be planned before work commences. Earthworks on steeper slopes usually require obtrusive cut and fill batter faces, and the effects of these will be assessed through the resource consent process.

Forestry

Forestry plantations can affect the amenity and natural character of Outstanding Landscape Areas. Control of these visual effects can be achieved by regulating the placement, size, planting pattern (including a mixture of indigenous and exotic tree species) and the level of mitigation undertaken to ameliorate these visual effects.

Indigenous Vegetation Clearance

Indigenous vegetation cover is an important component of many outstanding landscapes. Within the Outstanding and Notable Landscape Areas, removal of indigenous vegetation is not desirable. If clearance is necessary, then effective mitigation or remedial measures should be carried out.

Revision and Sign-off Sheet

Date Approved	Editor	Paragraph	Change Reference	Decision Date	Approved By
21 September 2010	FP	Reference to Chapter 2.3.3	Plan Change 106 consequential changes, this provision no longer exists	Record 10/96471	PW
13 December 2011	LB	57.2.5	Capilisation of Resource		PW
11 December 2013	MD	57.2.1 & 57.2.4	Plan Change 123A consequential changes 'Electricity Infrastructure'	Operative 13 January 2014 TRIM 14/4071	PW

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 Editor Position Team Administrator Policy Division
 Approved By **Paul Waanders (PW)**
 Approver Position Policy and Monitoring Manager (PW)

5.1 Planning and Development and Strategy and Democracy Operational Report

Meeting: Planning and Development Committee

Date of meeting: 17 May 2018

Reporting officer: Alison Geddes (General Manager - Planning and Development)
Jill McPherson (Acting General Manager - Strategy and Democracy)

1 Purpose

To provide a brief overview of work occurring, in the current financial year, across functions that the Planning and Development Committee has responsibility for.

2 Recommendation

That the Planning and Development Committee notes the operational report for May 2018.

3 Discussion

Planning and Development

The Building and Health and Bylaws teams have responded rapidly to the swimming pool re-inspection programme and the re-inspection and business improvement activities have commenced. The response to the reports in the media have been generally positive and I have received calls from other Councils to commend our approach and ask our advice. The website has been updated and flyer has been produced to demonstrate to people what complies and what does not comply. This will be sent to all pool owners and pool retailers.

The harvesting is now complete at the Whau Valley dam and demolition is well advanced at the Balance site in Port Road.

Parking is under pressure at the Airport and a proposal will be put to Council to consider introducing parking charges as part of exploring alternate revenue streams and alleviating congestion to airport users.

Building Consents is maintaining a high level of throughput in statutory timeframes, however the year's average has been dragged down by the poor performance earlier in the year.

Strategy

The Strategy team are making good progress on a number of fronts. The Recreation Strategy, City Core Plan, Corporate Sustainability and Alcohol Control bylaw work are all tracking well.

4 Significance and engagement

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via report publication.

5 Attachments

Planning and Development Operational Report – May 2018.

May Operational Report

Planning and Development and Strategy (April 2018 activities)

District Development

The District Development Team saw a positive response from the organisers of Rev Up Whangarei. The event was well attended with the business community engaging with the event through the dressing of their windows with bunting and themed memorabilia.

A Northland Business Improvement District (BID) meeting was held looking at the possibilities of standardising approaches to BIDs across Northland, opportunities for Whangarei CBD as well as outlying towns within the district. Business representatives from Kamo attended and are keen to investigate mechanisms to support their active engagement and delivery locally.

Economic Development

We continue to provide a Business-Friendly Council service to investors and developers, both current and potential at a Council level and also in conjunction with Northland Inc via the Landing Pad.

Input and support is also being provided to the Tai Tokerau Northland Economic Plan, the Tourism Infrastructure Fund as well as the Provincial Growth Fund.

Commercial Property

Town Basin

The change in season has seen a lull in the activities of the Town Basin. Garden makeovers and the washing of buildings are underway.

Forestry – Whau Valley Dam

Harvesting is now complete. The post-harvest clean-up is underway with chipping of excess debris and the re-instatement of the carpark. Native planting is scheduled to be completed before the end of June.

Property and Water staff met on site with contractors and members of the Pukenui Trust. Opportunities are being explored to help promote the Kiwi release programme and establish a community planting day including education of the public and users of the dam area and tracks.

201-209 Port Road (ex-Balance/ Fertilizer Stores)

Demolition is approaching completion with the southernmost structure now removed and the central structure just a skeleton of wood and steel. Completion is still expected mid May.

Central Building



Southern building removed

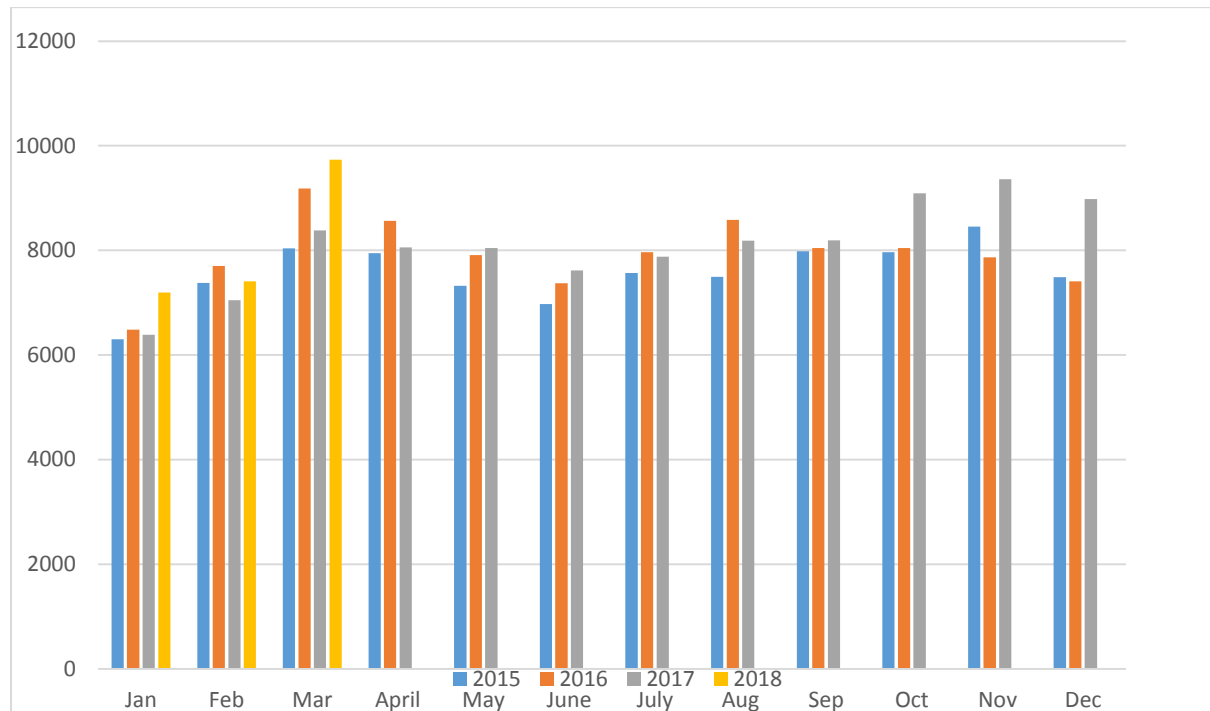


Airport

Passenger numbers

- Passenger numbers for March continue the upwards trend with numbers gain well up on previous years. Flight cancellations are slightly higher than the national average.
- The monthly passenger figures reflect only scheduled passengers that fly. Diversions from Kerikeri or passengers transported vi a bus/shuttle are not included.

Monthly Passenger numbers



Airport Operations

- CAA has confirmed recertification of the airport for a further five years in accordance with section 139 of the Civil Aviation Act 1990. Congratulations to Bernard Luiten who has been certified as a 'Senior Person' and is now included in the certificate's approval specification.
- The airport management team continue to work with CAA regarding the implementation of a Safety Management System. A Q+A type meeting is scheduled for 8 May to ensure we are on track.
- The carpark is persistently overflowing. Spaces are difficult to find for airport users at the time of arrival or departure.
- Staff will be asking Council, as the Airport Authority, to consider introducing parking charges as part of exploring alternate revenue streams and alleviating congestion to airport users.
- Sunair Aviation is now certificated again and has begun operations.

- We have a tentative approach from another potential airline operator who wants to explore service options from Whangarei.
- Two emergency exercises are scheduled for 24 May and 17 June 2018. The aim is to assist the Fire and Emergency Services including a fire camp for some of the younger service members. A major exercise will be staged including 50 participants in 10 trucks attending a mock exercise. This will be a simulated air crash. There is further possibility of a mid-Air collision simulation, with two aircraft at different locations. It is expected that airport staff and tenants will play their part.

Runway

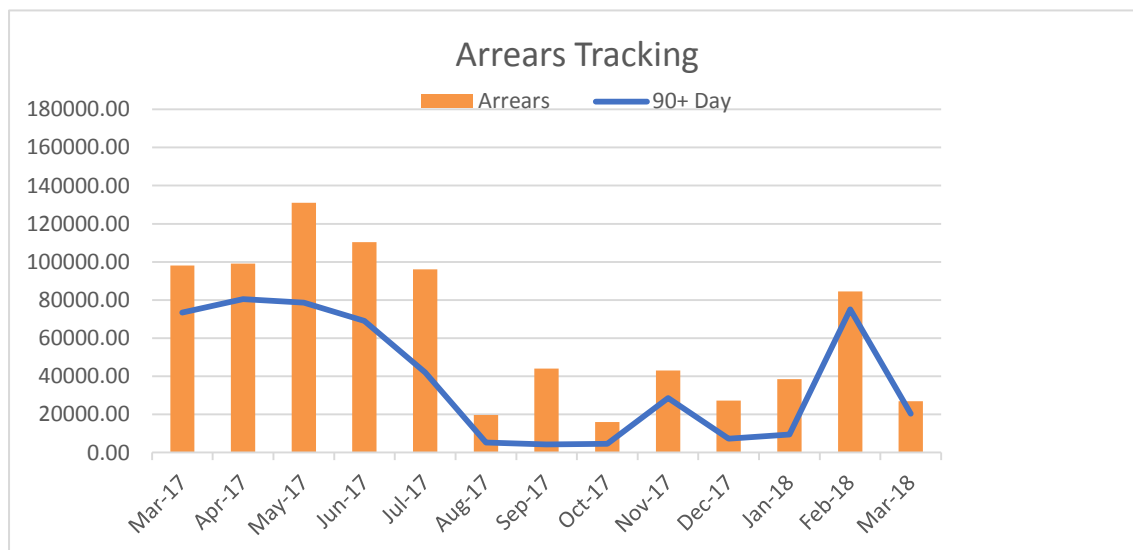
- The airport runway was closed briefly due to a small pot hole on the main runway. The repair was completed within two hours and scheduled flights were not affected.
- A more thorough inspection of the remaining surface has been completed identifying very tiny cracks in high traffic areas. The oxidation of the surface has resulted in a reduced flex allowing water to penetrate the surface. Contractors are working on a spray solution to seal the areas.

Rent Reviews/Renewals

Rental reviews and renewals continue in accordance with both ground and commercial freehold leases.

Rental Arrears

Staff continue to work with tenants regarding the recovery of arrears.



*The data is reflective of the entire March invoicing cycle.

Strategy

Alcohol Control Bylaw

The Alcohol Control Bylaw working group held its first meeting on 27 April. Cr Cocurullo was appointed as Chair, with Crs Benney, Glen, Hermon and Morgan comprising the rest of the group. The purpose of the group was confirmed and the legislative framework that informs the review, and the associated engagement approach, were the main items of discussion.

Long Term Plan

The Strategy Department have continued to assist in the LTP through project management of the programme including co-ordinating the analysis of submissions to support deliberations on the issues raised.

Hearings were held on 20, 23 and 24 April. A Council briefing will be held on the 3 May with the formal Deliberations Meeting taking place on the 16 May.

Climate Change Strategy

The proposed climate change strategy consists of two parts. Part one is our organisations approach to climate change through the way we work. This will be presented in draft at the scoping meeting in May. Part two will consist of a District Wide adaptation strategy which will begin in the next financial year.

Recreation Strategy

Staff will be presenting a progress report at the Infrastructure Update meeting on 8 May 2018. This is to confirm the detailed scope and procurement process.

City Centre Plan

Staff continuing to work on the City Core Precinct Plan through workshops on key issues and projects. An update will given to Councillors in the May scoping meeting with a more indepth workshop planned for June 2018.

Kaipara Moana Treaty Settlement

Following the Council Workshop on 4 April, staff have been continuing work with colleagues in Auckland Council, Northland Regional Council and Kaipara District Council on the key issues. The next working party meeting is proposed for the 9 May 2018.

District Plan

PC85 A – D, PC86 A&B Rural, PC87 Coastal Area, PC102 Minerals and PC114 Landscapes

The Environment Court held a meeting in Whangarei on 24 April 2018 to issue instruction for mediation of the 20 appeals against these plan changes. Mediation commences with the first three days on 28 – 30 May 2018, with 9 days following in the month of June. Pre-mediation discussion has been initiated with appellants.

Urban Plan Changes

The working draft plan change concept and provisions were presented to the Planning and Development Committee in April. A consultation document and website is currently being drafted.

PC131 GMO

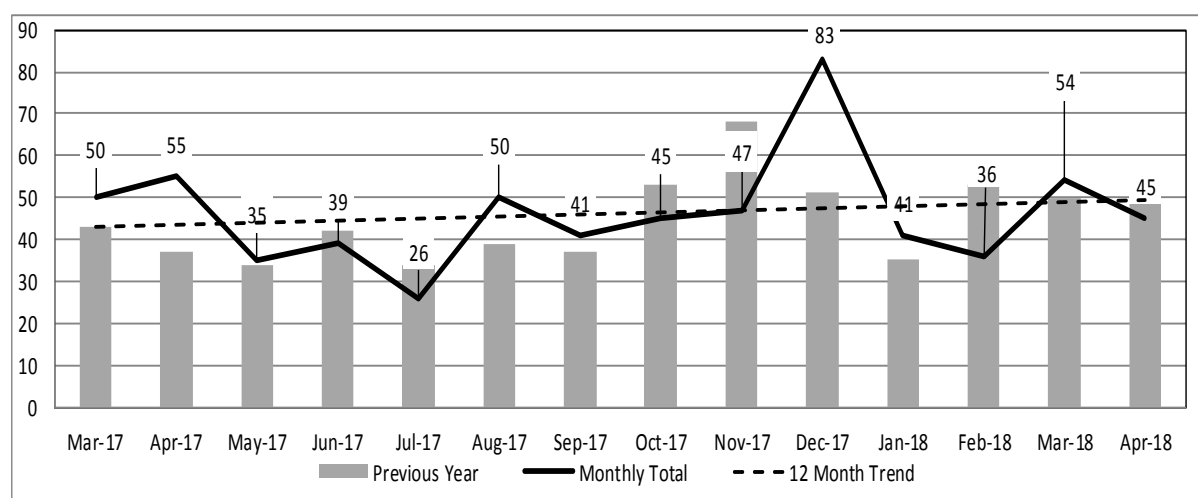
On 12 April 2018, the Environment Court issued a decision regarding the WDC appeal against the Northland Regional Policy Statement (RPS). The decision rejected the position of Federated Farmers of New Zealand in favour of the WDC position and agreed (via mediation) amendments to the RPS.

Legal counsel is now working towards resolution of the Federated Farmers of New Zealand appeal against PC131 GMO.

Resource Consents

Resource Consent Processing

April saw a similar number of applications numbers from last year with 45 applications received. This is a slight drop from March (54 received) but the number of applications has remained strong despite the new district plan rules which restrict subdivision opportunities in general rural locations.



Subdivision

Subdivision applications equated to 40% of the total number of applications. The number of subdivision applications being lodged has dropped as we enter a period of uncertainty as appeals to the plan changes are dealt with.

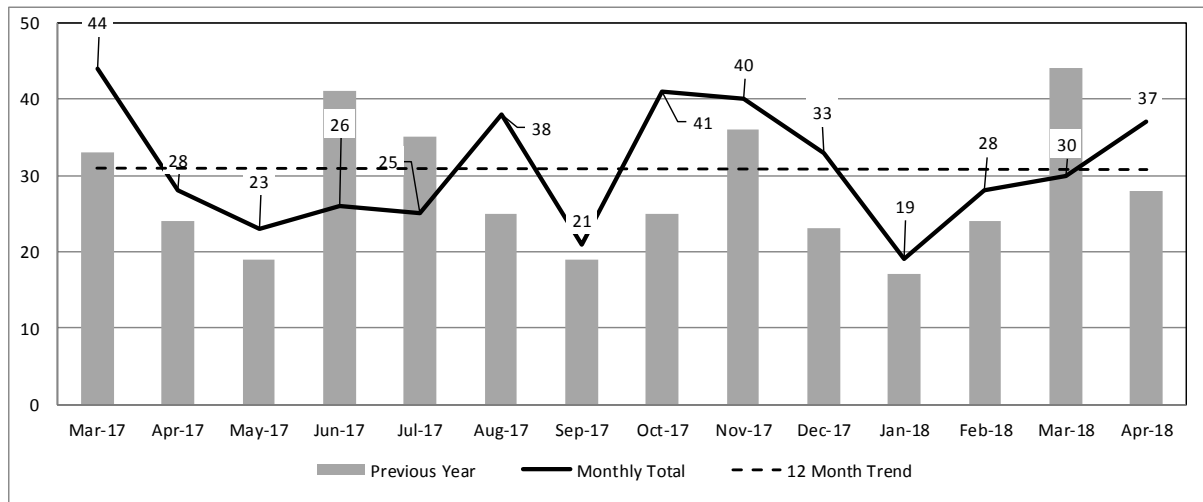
Landuse

Landuse applications made up 41% of the total number of resource consents for the period. The GBC Winstone Otaika Quarry application was heard by independent Commissioners during April.

Other permissions making up 19% of the total number of applications. This includes variations and extensions to consents as well as right of way applications and liquor licencing certificates.

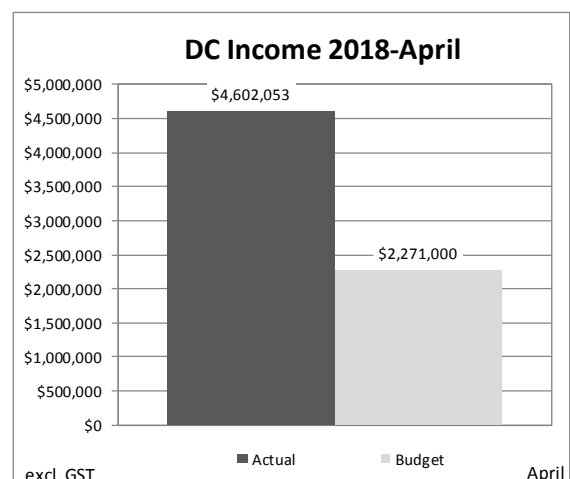
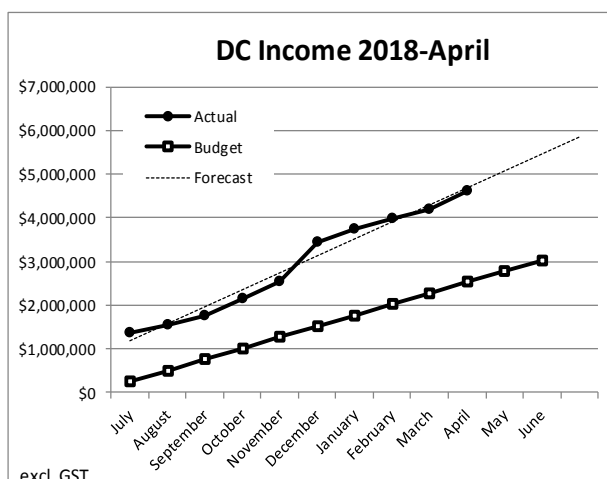
Post-Approval

Application numbers rose during April with application numbers (37) being the highest since the November peak. This reflects a desire from developers to get titles issued and get sites on the market to meet current demand.



Development Contributions

Currently DC income to the end of April is \$4.6M, well above the budgeted DC revenue. This reflects the expected continuation development activity. As DCs recover part of the cost of past and future projects, which have or will be been undertaken in anticipation of growth, this money is already allocated to those projects.



Appeals

There are no current appeals in relation to resource consents.

Building Department

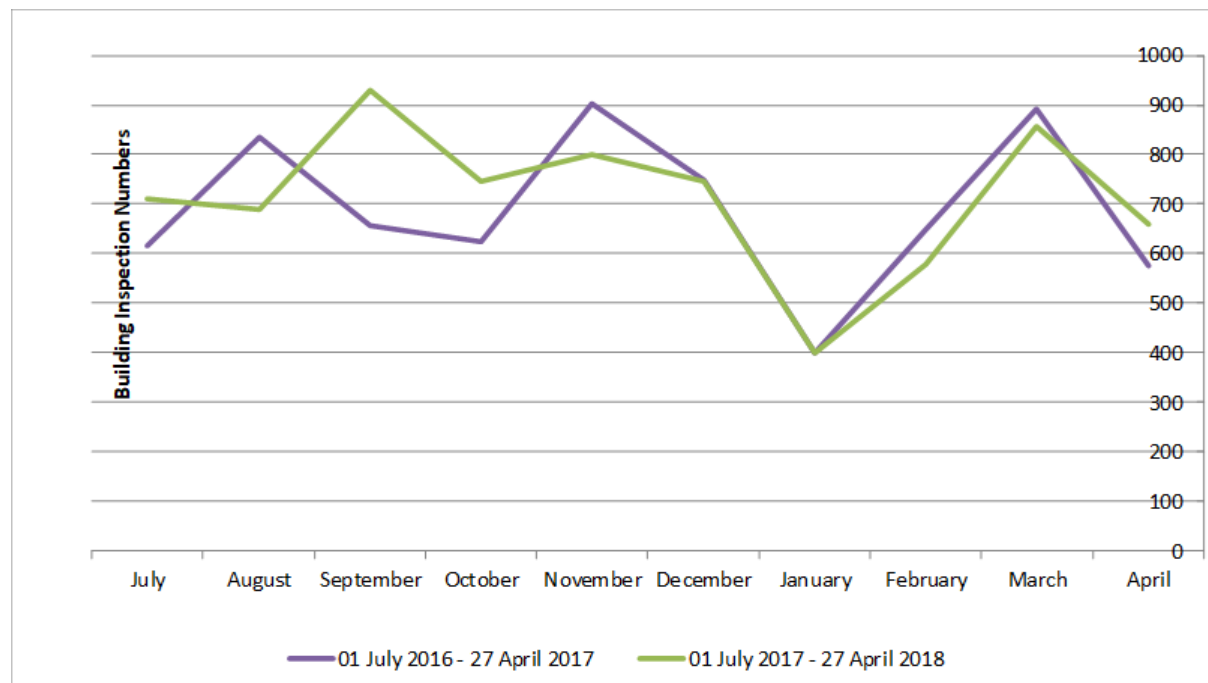
Building Consent Processing

Building consent applications have continued to show a steadiness in activity. The number of consents issued within timeframe has improved again from last month's figures 94% to 96%. LIM's timeframes are substantially compliant whilst the PIM's are under pressure. Inspection delivery is meeting the Annual Plan requirement of 98%.

Performance Indicators			
		Apr-18	Year's Average To Date
Building Consents	Issued In 20 Days	96%	64%
LIMs	% Within 7 Days	61%	90%
LIMs (Statutory Requirement)	% Within 10 Days	99%	100%
PIMs	% Within 5 Days	64%	90%
Inspections (Completed within 48 Hrs)	% Complete Within 2 Working Days	98%	96%

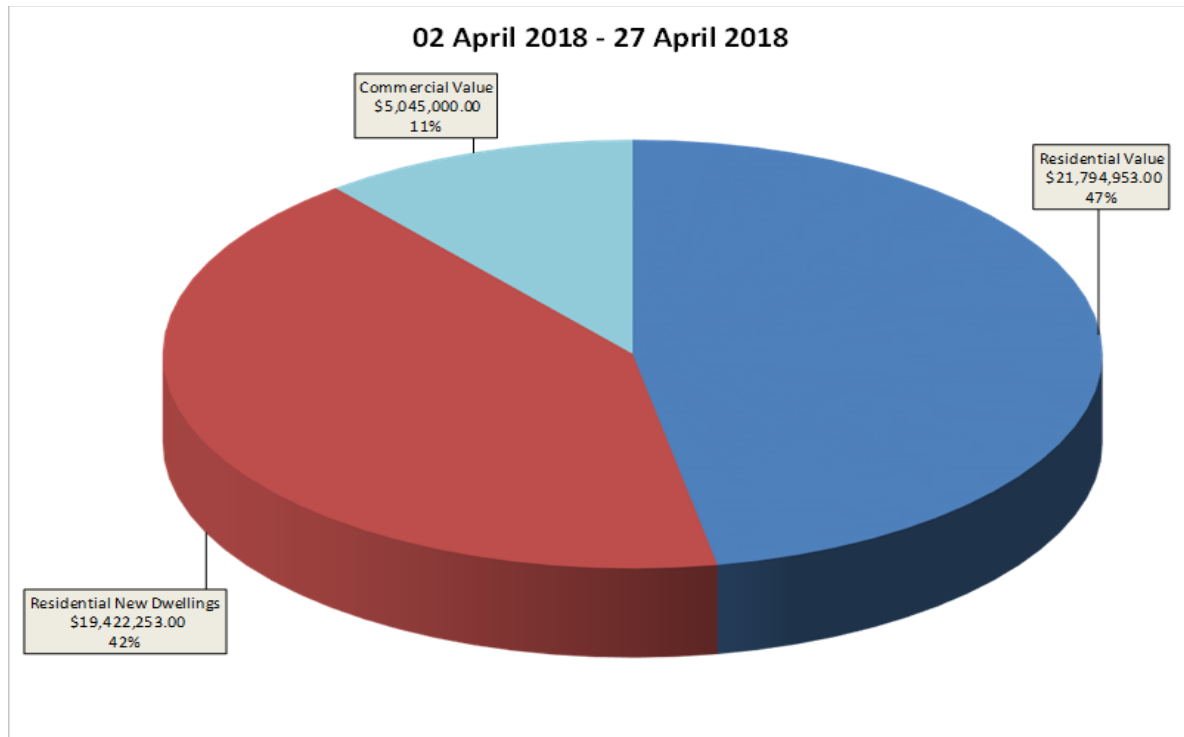
Inspections

Inspection numbers have reduced due to the time of year, however are at higher levels than last year the prediction of a 7% increase is on track in this area. Recruitment for experienced staff is ongoing.



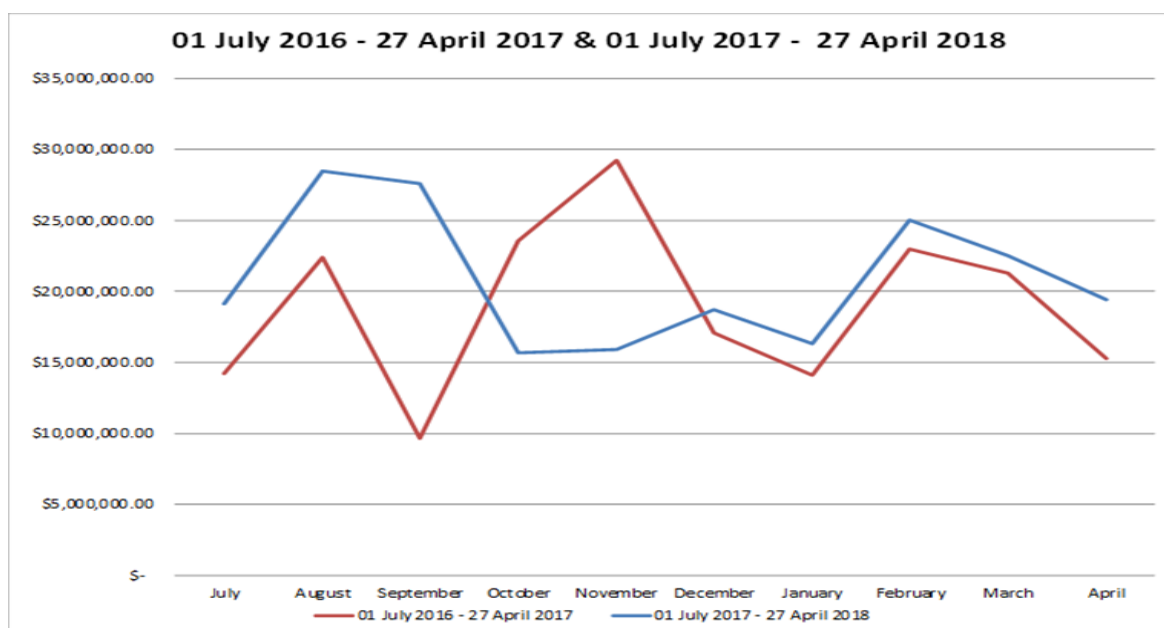
Residential and Commercial trends

The residential sector continues to show strength with new dwellings being 42% of building work. This continues to be a strong trend of residential strength. This trend is a consistent pattern over the last 2-3 years.



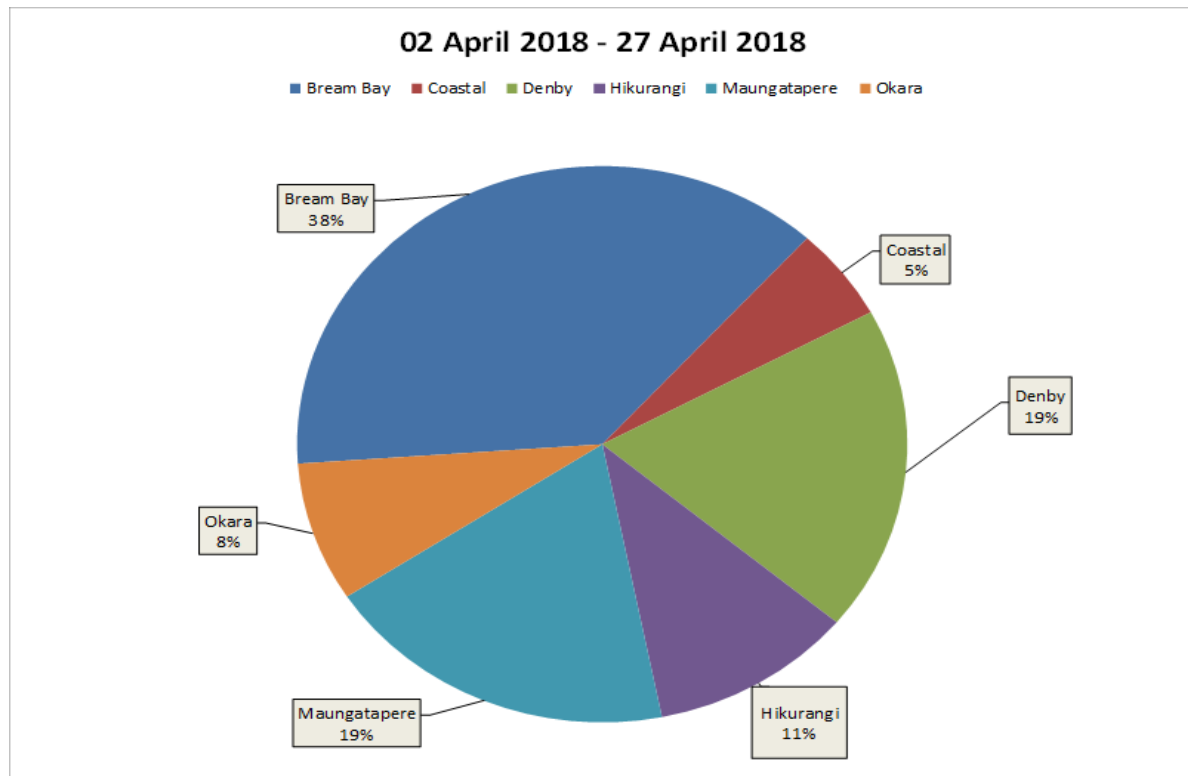
New Dwelling Financial Trend

New dwellings continue to show an increase in growth from December last year and are exceeding the forecasted growth.



New Dwelling Ward Trend

The typical ward pattern has changed. From the month of March to April the percentage shift in the wards has been noticeable. Bream Bay has increased from 30% to 38%, Coastal has shifted from 20% to 5%, Denby has shifted from 38% to 19%, Hikurangi has increased from 2% to 11%, Maungatapere has increased 5% to 19% and Okara has increased from 5% to 8%. The major changes are due to larger volume housing projects coming online.



Health and Bylaws

The Environmental Health team continues to process large number of applications, both in the Food and Alcohol field and is on track to ensure that all food premises that require to transition under the Food Act 2014 will have done so by the transition deadlines as set under the Act.

RESOLUTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following parts of proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

1.	The making available of information would be likely to unreasonably prejudice the commercial position of persons who are the subject of the information. {Section 7(2)(c)}
2.	To enable the council (the committee) to carry on without prejudice or disadvantage commercial negotiations. {(Section 7(2)(i))}.
3.	To protect the privacy of natural persons. {Section 7(2)(a)}.
4.	Publicity prior to successful prosecution of the individuals named would be contrary to the laws of natural justice and may constitute contempt of court. {Section 48(1)(b)}.
5.	To protect information which is the subject to an obligation of confidence, the publication of such information would be likely to prejudice the supply of information from the same source and it is in the public interest that such information should continue to be supplied. {Section 7(2)(c)(i)}.
6.	In order to maintain legal professional privilege. {Section 2(g)}.
7.	To enable the council to carry on without prejudice or disadvantage, negotiations {Section 7(2)(i)}.

Resolution to allow members of the public to remain

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

Move/Second

"That _____ be permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of Item _____.

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because _____.

Note:

Every resolution to exclude the public shall be put at a time when the meeting is open to the public.