

South Taranaki District Council

SOUTH TARANAKI DISTRICT PLAN

It is hereby certified that the South Taranaki District Plan was approved by resolution of the South Taranaki District Council on **14 December 2020**.

The Council further resolved that the District Plan shall become operative on **22 January 2021**.

The Common Seal of the South Taranaki District Council was affixed in the presence of:

Phil Nixon
Mayor

Waid Crockett
Chief Executive

VOLUME 1

SECTION 1: INTRODUCTION AND DEFINITIONS

- 1.1 PURPOSE OF THE DISTRICT PLAN
- 1.2 STATUTORY REQUIREMENTS OF THE PLAN
- 1.3 STRUCTURE OF DISTRICT PLAN
- 1.4 CATEGORIES OF ACTIVITIES
- 1.5 HOW TO USE THE DISTRICT PLAN
- 1.6 CROSS REFERENCING TABLE
- 1.7 MONITORING
- 1.8 DESIGNATIONS
- 1.9 PLAN INTERPRETATION AND DEFINITIONS
- 1.10 GENERAL RULES OF INTERPRETATION
- 1.11 DEFINITIONS

SECTION 2: OBJECTIVES AND POLICIES

- 2.1 RURAL ZONE
- 2.2 RESIDENTIAL ZONE
- 2.3 TOWNSHIP ZONE
- 2.4 COMMERCIAL ZONE
- 2.5 INDUSTRIAL ZONE
- 2.6 RURAL INDUSTRIAL ZONE
- 2.7 TANGATA WHENUA
- 2.8 TRANSPORTATION
- 2.9 HAZARDOUS SUBSTANCES AND CONTAMINATED LAND
- 2.10 ENERGY
- 2.11 NETWORK UTILITIES
- 2.12 HISTORIC HERITAGE
- 2.13 NOTABLE TREES
- 2.14 INTEGRATED LAND USE AND INFRASTRUCTURE PLANNING, URBAN GROWTH AND FINANCIAL CONTRIBUTIONS
- 2.15 COASTAL ENVIRONMENT
- 2.16 NATURAL FEATURES AND LANDSCAPES
- 2.17 INDIGENOUS BIODIVERSITY
- 2.18 WATERBODIES
- 2.19 NATURAL HAZARDS

2.20 TEMPORARY ACTIVITIES

2.21 RELOCATED BUILDINGS

2.22 SIGNS

SECTION 3: RURAL ZONE RULES

3.1 CATEGORIES OF ACTIVITIES

3.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

3.3 RURAL ZONE APPENDIX 1

SECTION 4: RESIDENTIAL ZONE RULES

4.1 CATEGORIES OF ACTIVITIES

4.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

4.3 PERFORMANCE STANDARDS – RESTRICTED DISCRETIONARY ACTIVITIES

4.4 RESIDENTIAL ZONE APPENDIX 1

SECTION 5: TOWNSHIP ZONE RULES

5.1 CATEGORIES OF ACTIVITIES

5.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

SECTION 6: COMMERCIAL ZONE RULES

6.1 CATEGORIES OF ACTIVITIES

6.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

SECTION 7: INDUSTRIAL ZONE RULES

7.1 CATEGORIES OF ACTIVITIES

7.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

7.3 PERFORMANCE STANDARDS – DISCRETIONARY ACTIVITIES

7.4 INDUSTRIAL ZONE APPENDIX 1

7.5 INDUSTRIAL ZONE APPENDIX 2

7.6 INDUSTRIAL ZONE APPENDIX 3

SECTION 8: RURAL INDUSTRIAL ZONE RULES

8.1 CATEGORIES OF ACTIVITIES

8.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

8.3 RURAL INDUSTRIAL ZONE APPENDIX 1

8.4 RURAL INDUSTRIAL ZONE APPENDIX 2

8.5 RURAL INDUSTRIAL ZONE APPENDIX 3

8.6 RURAL INDUSTRIAL ZONE APPENDIX 4

8.7 RURAL INDUSTRIAL ZONE APPENDIX 5

8.8 RURAL INDUSTRIAL ZONE APPENDIX 6

8.9 RURAL INDUSTRIAL ZONE APPENDIX 7

8.10 RURAL INDUSTRIAL ZONE APPENDIX 8

- 8.11 RURAL INDUSTRIAL ZONE APPENDIX 9
- 8.12 RURAL INDUSTRIAL ZONE APPENDIX 10

SECTION 9: SUBDIVISION AND DEVELOPMENT RULES

- 9.1 CATEGORIES OF ACTIVITIES
- 9.2 PERFORMANCE STANDARDS
- 9.3 SUBDIVISION AND DEVELOPMENT APPENDIX 1: STRUCTURE PLANS

SECTION 10: PARKING AND TRANSPORTATION RULES

- 10.1 CATEGORIES OF ACTIVITIES
- 10.2 PERFORMANCE STANDARDS – ROADS AND ACCESS WAYS
- 10.3 PERFORMANCE STANDARDS – VEHICLE CROSSINGS
- 10.4 PERFORMANCE STANDARDS – RAILWAY
- 10.5 PERFORMANCE STANDARDS – PARKING
- 10.6 PERFORMANCE STANDARDS – LOADING SPACES
- 10.7 PERFORMANCE STANDARDS - TREE PLANTING
- 10.8 PERFORMANCE STANDARDS – RESTRICTED DISCRETIONARY ACTIVITIES
- 10.9 PARKING AND TRANSPORTATION APPENDICES

SECTION 11: NOISE RULES

- 11.1 CATEGORIES OF ACTIVITIES
- 11.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES
- 11.3 NOISE APPENDIX 1

SECTION 12: HAZARDOUS SUBSTANCES RULES

- 12.1 CATEGORIES OF ACTIVITIES
- 12.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES
- 12.3 HAZARDOUS SUBSTANCES APPENDIX 1

SECTION 13: ENERGY RULES

- 13.1 CATEGORIES OF ACTIVITIES
- 13.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES
- 13.3 ENERGY APPENDIX 1

SECTION 14: NETWORK UTILITIES RULES

- 14.1 CATEGORIES OF ACTIVITIES
- 14.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES

SECTION 15: HERITAGE PROTECTION RULES

- 15.1 CATEGORIES OF ACTIVITIES

SECTION 16: FINANCIAL CONTRIBUTION RULES

- 16.1 GENERAL
- 16.2 RECREATION AND CIVIC DEVELOPMENT CONTRIBUTIONS

- 16.3 ROADS AND ACCESS CONTRIBUTIONS
- 16.4 WATER SUPPLY CONTRIBUTIONS
- 16.5 SANITARY DRAINAGE AND TRADE WASTE DISPOSAL CONTRIBUTIONS
- 16.6 STORMWATER DRAINAGE CONTRIBUTIONS
- 16.7 HEAVY VEHICLE TRAFFIC CONTRIBUTIONS
- 16.8 PARKING CONTRIBUTIONS

SECTION 17: NATURAL ENVIRONMENT RULES

- 17.1 CATEGORIES OF ACTIVITIES
- 17.2 NATURAL ENVIRONMENT APPENDIX 1
- 17.3 NATURAL ENVIRONMENT APPENDIX 2

SECTION 18: DISTRICT WIDE RULES

- 18.1 CATEGORIES OF ACTIVITIES
- 18.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES
- 18.3 DISTRICT WIDE RULES APPENDIX 1
- 18.4 DISTRICT WIDE RULES APPENDIX 2

SECTION 19: SIGN RULES

- 19.1 CATEGORIES OF ACTIVITIES
- 19.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES
- 19.3 PERFORMANCE STANDARDS – RESTRICTED DISCRETIONARY ACTIVITIES

SECTION 20: RESOURCE CONSENT INFORMATION REQUIREMENTS AND ASSESSMENT MATTERS

- 20.1 LAND USE CONSENTS
- 20.2 SUBDIVISION CONSENTS
- 20.3 ADMINISTRATION REQUIREMENTS
- 20.4 CROSS BOUNDARY MATTERS
- 20.5 ASSESSMENT MATTERS

SCHEDULE 1: HISTORIC HERITAGE & SITES OF SIGNIFICANCE TO TANGATA WHENUA

SCHEDULE 2: SIGNIFICANT NATURAL AREAS

SCHEDULE 3: DESIGNATIONS

SCHEDULE 4: NOTABLE TREES

SCHEDULE 5: SIGNIFICANT WATERBODIES

SCHEDULE 6: REGIONALLY SIGNIFICANT WETLANDS

SCHEDULE 7: MARAE

SCHEDULE 8: OUTSTANDING NATURAL FEATURES/LANDSCAPES AND AREAS OF OUTSTANDING NATURAL CHARACTER

APPENDIX 1: HAWERA AERODROME PROTECTION AREA

APPENDIX 2: NGĀTI RUANUI STATUTORY ACKNOWLEDGEMENT

APPENDIX 3: NGĀ RAURU STATUTORY ACKNOWLEDGEMENT

VOLUME 2

MAP SHEET INDEX

RURAL MAPS

URBAN MAPS

SPECIAL MAPS

SECTION 1: INTRODUCTION AND DEFINITIONS

1.1 PURPOSE OF THE DISTRICT PLAN

The South Taranaki District Plan (the District Plan) contains policies and rules about how the people of the South Taranaki can use and develop land and property within our district. It is a legal document that is purposely drafted to reflect the South Taranaki community and their environment. It seeks to manage natural and physical resources that are important in the district and to ensure that environmental qualities and values are safeguarded for future generations to enjoy.

The District Plan is prepared by the South Taranaki District Council in response to its obligations under the Resource Management Act 1991 (referred to in this document as “the RMA” or “the Act”). The RMA is the legislation that manages use, development and protection of land and other natural and physical resources in New Zealand. In line with this legislation, the District Plan contains a framework of Objectives, Policies and Methods of Implementation (for example rules) to manage the use and development of land and other physical or natural resources of the South Taranaki District. Given the important and wide-reaching role that the District Plan has in decision making, it is required to be reviewed every 10 years.

1.2 STATUTORY REQUIREMENTS OF THE PLAN

1.2.1 RESOURCE MANAGEMENT ACT

The Resource Management Act 1991 defines natural and physical resources to include 'land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures'.

The purpose, function and contents of the District Plan are directed towards achieving the purpose of the RMA (defined by Part 2), which is 'to promote the sustainable management of natural and physical resources' (under Section 5 of the RMA).

Section 6 of the RMA also places a duty on the Council to recognise and provide for a range of matters of National Importance, and Section 7 identifies other matters which the Council must have regard to in exercising its functions and powers under the RMA. Section 8 of the RMA requires the Council to take into account the principles of the Treaty of Waitangi.

Section 31 of the RMA sets out the functions that territorial authorities have in terms of how the RMA is put into effect. The Plan has been prepared in accordance with the process defined in Section 32 of the Act.

1.2.2 RELATIONSHIP WITH OTHER PLANS AND POLICIES

The RMA requires integrated management of the environment and as such, the District Plan is prepared within a hierarchy of policy statements and plans that, together with the RMA, form the statutory context for plan making. The intention of the RMA is that these plans and documents should work together to achieve integrated management of natural and physical resources. The hierarchy these of documents and the Council's obligations to them are discussed below:

National Level

National Policy Statements: These statements are the instruments issued under Section 52(2) of the RMA and state objectives and policies for matters of national significance.

National Environmental Standards and Regulations: These are regulations issued under Sections 43 of the RMA and set technical standards relating to the use, development and protection of natural and physical resources.

The RMA requires that District Plans must give effect to National Policy Statements and must not be inconsistent with Environmental Standards. Of particular importance to South Taranaki are the national directives on coastal management, operation of the National (electricity) Grid and renewable energy which have been incorporated into the District Plan.

Regional Level

Regional Policy Statements: These documents provide an overview of resource management issues facing the region and outline policies and methods to address integrated management of the natural and physical resources across the region.

Regional Plans: These provide further policy direction and set standards on matters that are a direct responsibility of the Regional Council.

Taranaki Regional Council has produced the following Policy and Plans:

- The Regional Policy Statement for Taranaki
- The Regional Air Quality Plan
- The Regional Coastal Plan
- The Regional Soil Plan
- The Regional Fresh Water Plan

Matters of regional significance identified in the above documents include: resource use and development in Taranaki; soil loss and health; waste management; waste discharges; hazardous substances; water quality of rivers, streams, lakes and wetlands; air pollution; coastal access and protection; biodiversity; landscape and heritage values; natural hazards; minerals and energy; and transportation.

The South Taranaki District Plan must be consistent with the intent of these regional documents and as a result has specific regard to the issues identified of regional significance.

Local Level

The District Plan also has a relationship with other strategies and plans prepared by the Council and other organisations. Section 74 of the RMA requires that they too are taken into account in the District Plan. These include:

Long Term (LTP) and Annual Plans: These Plans are prepared under the Local Government Act 2002 and establish community outcomes in terms of social, cultural, economic and environmental matters, and outline the Council's responses to those in terms of budget priorities and programmes. In particular, LTPs focus on socio-economic development and infrastructure planning, whereas Annual Plans identify the nature, scope and financing of activities which the Council will undertake in the next year.

Iwi Management Plans: These provide guidance to the Council when administering activities located within areas of iwi or hapū influence. They often reflect iwi or hapū aspirations or highlight important locational resources. At the time of preparing the District Plan, the following Iwi Management Plans had been prepared:

- Ngāti Ruanui Environmental Management Plan
- Ngā Rauru Kīitahi Puutaiao Management Plan

Statutory acknowledgements relating to treaty settlements: A treaty settlement is an agreement between the Crown and a Maori claimant group to settle all of that claimant group's historical claims against the Crown. Claimant groups are usually iwi or large hapū that have a longstanding historical and cultural association with a particular area. Historical claims usually relate to actions or omissions by the Crown in relation to the claimant group during the 19th and early 20th centuries, but they may include such actions or omissions up to 21 September 1992 (the date of the “Sealord” Fisheries Settlement). Claims based on Crown actions or omissions after this date are known as contemporary claims and dealt with through separate processes. The following Statutory Acknowledgements are relevant to South Taranaki:

- Ngāti Ruanui
- Ngā Rauru
- Ngāruahine
- Taranaki

Heritage New Zealand: The New Zealand Heritage List – Rārangī Kōrero, which is prepared under the Heritage New Zealand Pouhere Taonga Act 2014, lists places that are of historical or cultural significance or value. The items listed in the District Plan are derived from the New Zealand Heritage List plus additional items resulting from local research and evaluation.

Plans for Public Reserves: Within South Taranaki there are a number of Reserves administered under the Reserves Act 1977. Under this Act, the Department of Conservation and South Taranaki District Council prepare Reserve Management Plans which manage use, maintenance and access of the public land.

Conservation Management Strategy and Conservation Management Plans: These documents are prepared under the Conservation Act 1987 and cover all natural and historic resources managed by the Department of Conservation.

The purpose of these Management Plans is to manage land use activities on Public Conservation Land (PCL).

The Crown, being Department of Conservation and its agents (including contractors and volunteers) are exempted from complying with the land use rules of the District Plan when undertaking conservation activities by: Section 4(3) of the RMA. This is subject to those conservation activities being consistent with the Tongariro Whanganui Taranaki Conservation Management Strategy (or any: conservation management plan, or management plan under the Conservation Act 1987).

The exemption does not apply to activities that create significant adverse effects outside Public Conservation Land, to subdivision, or to the requirements of the Taranaki Regional Council.

Activities undertaken by a third party that require a concession from the Department Conservation to operate a commercial activity on Public Conservation Land are still required to comply with the rules of the Plan.

Cross boundary matters and other territorial authority plans: South Taranaki District Council shares its boundaries with New Plymouth District Council, Stratford District Council and Whanganui District Council.

There are some environmental issues that cross local authority boundaries and need to be managed in a coordinated and consistent manner between local authorities. The District Plan has been formulated to achieve consistency with provisions of other district plans where possible. This is particularly relevant for land uses like farming that extend across into adjoining districts. Ways in which the Council will resolve issues that cross local authority boundaries include: information sharing between Councils; notification of relevant resource consents and plan changes; coordination of submissions on regional plans and policy statements or national legislative changes; and shared resources and transfer of functions where appropriate.

Further discussion on resource consent information requirements and information sharing between local authorities is discussed below.

1.2.3 Council Waiata

Mai Taranaki, maunga ki te moana

From Taranaki, mountain to the sea

Tu mai nga moemoea o te rohe

Stand up for the dreams and visions of our district

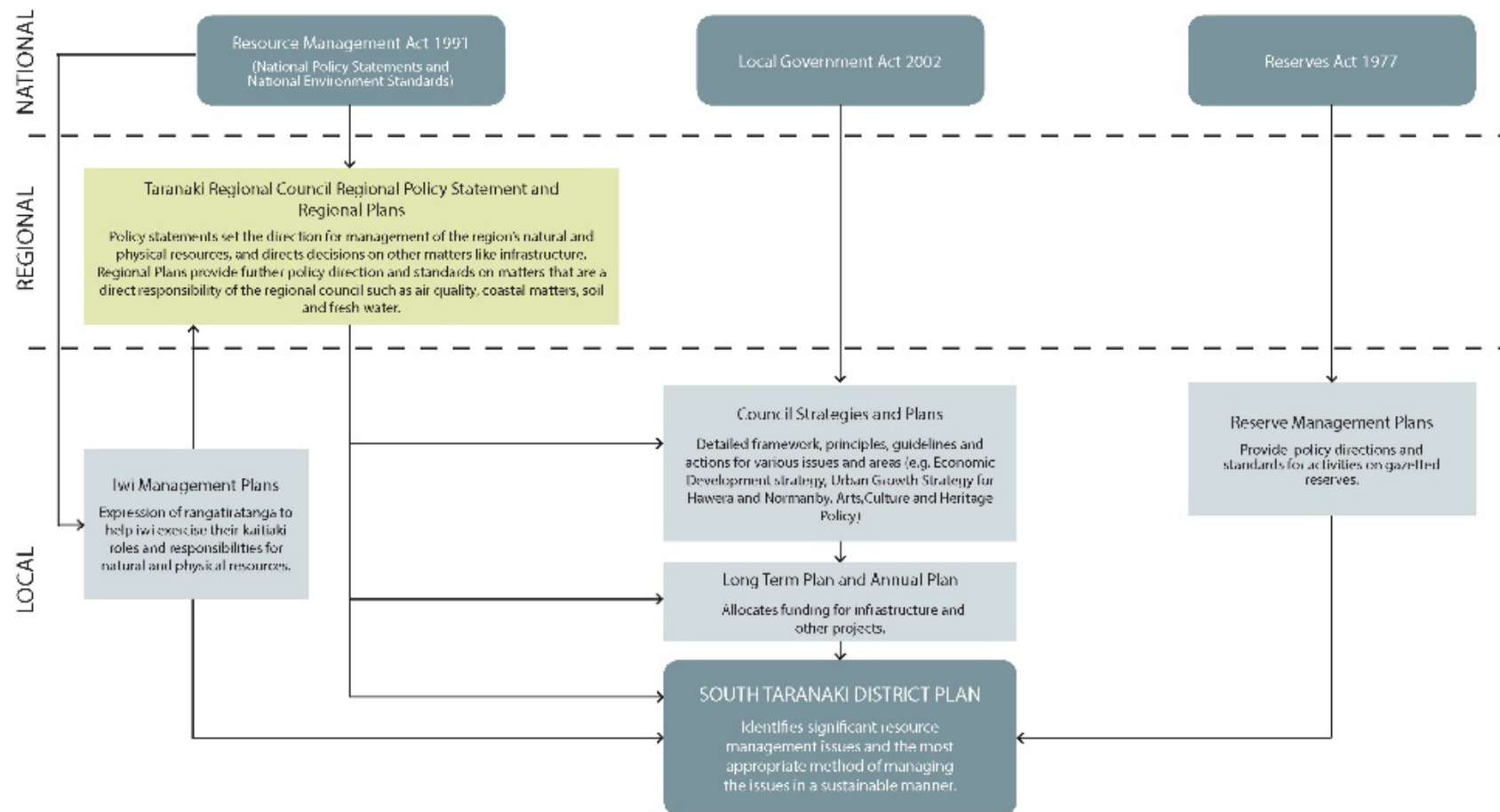
Tu mai tatou i a tatou

Stand up together

Tu mai Taranaki ki te tonga

Stand up South Taranaki

Linkages with Other Plans



1.3 STRUCTURE OF DISTRICT PLAN

The framework for the District Plan is built upon identifying Issues facing the district which then flow into Objectives and Policies and Methods of Implementation (e.g. Rules). This is shown below:

Issues highlight an existing or potential problem in the district that needs to be addressed, or a particular resource that needs to be protected or enhanced.



Objectives set the overarching goal of what is to be achieved through resolving the issue.



Policies set the course of action to achieve or implement an Objective.



Methods of Implementation are the tools used to meet the intent of the Policies. They can include regulatory measures such as rules, and non-regulatory methods such as monitoring, advocacy and education.

The above framework is used throughout the District Plan, which comprises the following interrelated parts:

- **Section 1 – Introduction and Definitions:** The introduction explains how the District Plan works and provides definitions that assist the interpretation of the District Plan.
- **Section 2 – Significant Resource Issues of the District and Objectives and Policies:** This part identifies high-level district-wide issues that are an existing problem or may be a potential problem in the future. Issues relevant to South Taranaki are centred around land, water, tangata whenua, natural character and landscape, environmental quality, infrastructure, natural hazards, heritage, and hazardous substances.
- **Sections 3-8 – Zone based Rules:** These sections recognise the spatial differences of land use in the district, for example rural land used for farming purposes and residential land used for housing. In order to identify the difference, the District Plan adopts a zone based approach where each area is identified on the planning maps and link to tailor-made rules which manage land use and development in that particular zone. By identifying and mapping these zones spatially the District Plan is acknowledging that the impact of certain types of development has different consequences in different areas and therefore different approaches in their management is required.
- **Sections 9-19 – District Wide Activities, Overlays and Special Notations Rules:** These are specified activities or special values that can occur across the district, irrespective of zones. These overlays also include matters of national importance under the RMA, with specific provisions provided.
- **Section 20: Information Requirements and Assessment Matters:** This section sets out the information requirements for resource consent applications and provides assessment matters for which are used for assessing resource consent applications.
- **Schedules:** These comprise inventories that list special resources and technical information such as heritage items, significant natural areas, marae and designations.

- **Appendices:** These contain technical information such as Flight Path Protection Diagrams and information on Iwi’s association with specified areas in their Statutory Acknowledgements.
- **Planning Maps (Volume 2):** The planning maps illustrate where particular rules apply. They identify the zoning for the area and any designations, scheduled sites, heritage items, natural or landscape areas, coastal protection area or other areas where particular rules apply.

1.4 CATEGORIES OF ACTIVITIES

In the District Plan an “activity” is the term that relates to use, development and subdivision of land and includes construction of new buildings or structures and use of existing buildings or structures. The District Plan also groups activities together according to common characteristics. For example, the Plan uses the term “residential activities” to group together a range of activities that are associated with residential living.

The District Plan classifies activities into six categories which determine whether a resource consent is required or not. A resource consent is the authorisation granted by the Council to carry out certain activity. The type of resource consent required is generally dependent upon the degree of change anticipated and the effects that the proposed change is likely to have on the surrounding environment.

The classification of activities and type of resource consent are:

1. **Permitted Activities** are allowed by the District Plan without the need for resource consent. These activities must still comply with relevant performance standards for a permitted activity. Plan users should note that other Council consents (not assessed by the District Plan) may be required. Examples include building consent, liquor licences and encroachment licences.
2. **Controlled Activities** require a resource consent, but consent must be granted. They also need to comply with any performance standards specified in the rule. They will be assessed and conditions imposed only according to the matters listed in the District Plan.
3. **Restricted Discretionary Activities** require resource consent which the Council may grant or decline. They need to comply with any performance standards in the rule. In assessing and imposing conditions if consent is granted, the Council will only consider matters listed in the District Plan. The Council will also use its discretion as to whether or not the resource consent application will be notified.
4. **Discretionary Activities** require resource consent, which the Council may grant or decline. They must meet the policy intent of the zone and also comply with the performance standards in the rule. Activities classified as discretionary are recognised as being capable of generating a wide range of effects and therefore the assessment of effects is not narrowed or limited in any way. The Council will also use its discretion as to whether or not the resource consent will be notified.
5. **Non-Complying Activities** require resource consent, which the Council may grant or refuse. Activities classified as non-complying are recognised as being capable of generating a wide range of effects and therefore the assessment of effects is not narrowed or limited in any way. It must be demonstrated that potential adverse effects on the environment are no more than minor or that the activity will not be contrary to the objectives and policies of the District Plan. The Council will also use its discretion as to whether or not the resource consent will be notified.

6. **Prohibited Activities** are activities which are expressly not allowed in the district. No application may be made for such activities and no resource consent can be granted.

1.4.1 NOTIFICATION

In determining how a resource consent application should proceed (i.e. publicly notified, limited notified, or non-notified), the Council first needs to assess whether the activity will have, or is likely to have, effects on the environment that are more than minor (Section 95D of the RMA).

If the adverse effects of the activity will be, or are likely to be, more than minor then the application will need to be publicly notified. However the effects on persons who own or occupy adjacent sites are disregarded in respect to public notification decisions (Section 95D(a) of the RMA).

If the adverse effects of the activity will be, or are likely to be, minor or more than minor, but the adverse effects only fall on a clearly identifiable set of land-owners or occupiers, normally those adjacent to the proposed activity, then the Council must decide that those persons are adversely affected by the activity. The Council will then need to assess whether or not the affected parties have given their written approval to the activity.

If all affected persons or groups have given their written approvals, the application can be dealt with on a non-notified basis. If some affected persons or groups have not given their written approval, the Council must limited notify the application by serving notice on all affected persons and groups who have not provided their written approval. Those who have given their written approval to the activity are not considered affected persons and need not be notified.

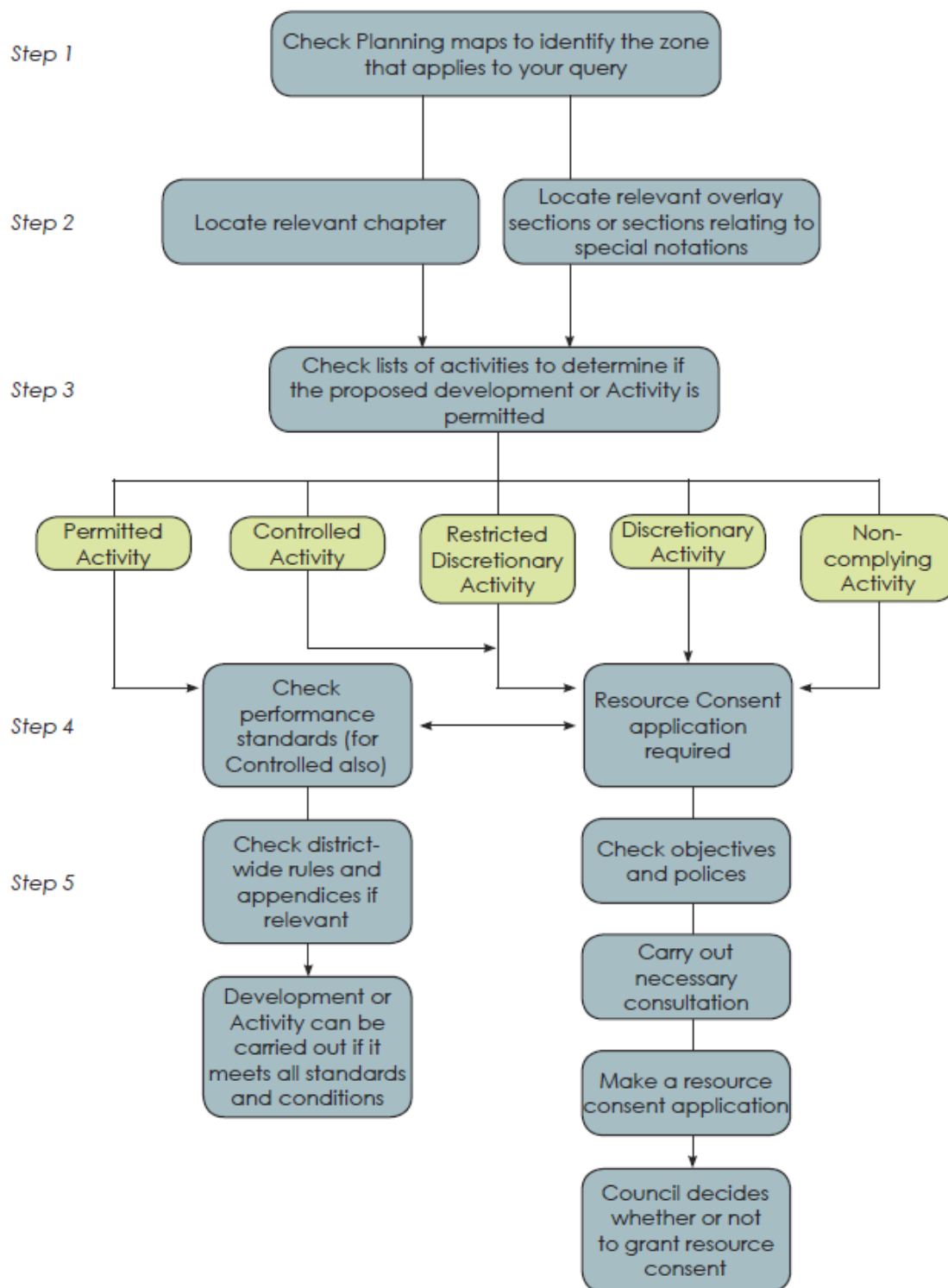
If the adverse effects of the activity are less than minor, the application can be processed on a non-notified basis.

In addition, the District Plan contains notification statements for specific rules. These statements provide direction or guidance on the notification process to be followed for these specific rules.

1.4.2 EXISTING USES

Section 10 of the RMA allows the continuation of existing activities that do not comply with the District Plan, as long as these activities were lawfully established before the rule became operative or the proposed plan was notified. To continue operating under existing use rights, the effects of the activity are to be the same or similar in character, intensity, and scale. Section 139A of the RMA enables a certificate of compliance or existing use to be requested from the Council. A certificate of existing use requires sufficient information and description of the existing activity to be provided to enable the Council to assess and make a judgement. When the character, intensity, and scale of the activity have altered, a resource consent must be obtained for the activity unless it is considered to be a Permitted Activity.

1.5 HOW TO USE THE DISTRICT PLAN



Step 1

Start with the planning maps (Volume 2) and find your property or enquiry site on the relevant map. You need to identify which zone applies by checking the map index. You also need to identify whether there are any special notations that apply to your site, for example a heritage item or the Coastal Protection Area.

It is important to make a note of the zone and any special notations that apply to the property. Depending on the type of activity being proposed, you may need to comply with rules covered in multiple sections of the plan.

Step 2

Locate the relevant zone section in Sections 3-8 of the plan. For example, if your site is located in the Residential Zone on the planning maps, you then need to refer to the Residential section (Section 4) for the relevant rules that apply.

If a special notation also applies to the site (e.g. Coastal Protection Area or Flood Hazard Area), you need to refer to the rules that apply to the area. In this case you may need to look at both the zone provisions and the relevant district wide provisions.

Step 3

Within the zone section these are lists of land use activities that are identified as being permitted activities (i.e. no resource consent required provided all performance standards are met). If your proposed activity is in the permitted activity list, you then need to check that it meets the performance standards.

Step 4

The zone section then contains a series of performance standards. For an activity that was identified in Step 3 as being a permitted activity, you need to ensure that also meets the performance standards for it to stay a permitted activity. If this is the case, no resource consent is needed. If this is not the case, a resource consent will be necessary.

You may need to refer to the definitions part of this section to help clarify the meaning of particular terms. It pays to also check in the Appendices section of the plan. These may be relevant depending on the particular enquiry.

Step 5

If your activity is not listed as permitted activity or fails to meet the performance standard, then a resource consent is necessary. In order to determine whether your proposed activity requires a Controlled, Restricted Discretionary, Discretionary or Non-Complying Activity resource consent, you need to check the rules and performance standards.

If it is determined that a resource consent is necessary, you will then need to make a resource consent application to the Council. The objectives and policies set out in the relevant sections will provide the policy framework that the resource application will be assessed against. In broad terms, the more an application can demonstrate that the objectives and policies of the plan overall are being met, the more likely it is that the consent will be granted.

Section 20 provides information relating to making a consent application and provides assessment criteria for certain activities, which you can use as guidance when preparing a resource consent application.

1.6 CROSS REFERENCING TABLE

To assist plan users to understand the relationship between provisions for each topic within the District Plan (objectives, policies, rules, assessment criteria, and other potentially relevant sections), the following table has been prepared. The Cross Referencing Table demonstrates the linkages between the policy framework and rules, and guides plan users to the different parts of the District Plan for preparing and assessing resource consent applications and notices of requirement. The Table is for guidance only. For full understanding and interpretation of the District Plan, the main body of this document should be referred to.

Topic	Section 2		Sections 3 - 19		Section 20	Other Potentially Relevant Sections
	Objectives	Policy	Rules	Standards	Assessment Criteria	
Where to find in Plan						Depending on the location and circumstances of a proposal, the following Sections of the Plan may also be relevant.
Rural Zone	2.1.3, 2.1.4	2.1.5	9.1.2(a)	9.2.1	20.2	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.7 and Section 10: Parking and Transportation Section 11: Noise Section 2.8 and Section 12: Hazardous Substances Section 2.9 and Section 13: Energy Section 2.10 and Section 14: Network Utilities Section 2.11 and Section 15: Heritage Protection Section 16: Financial Contributions Section 2.12 Notable Trees, Section 2.13 Tangata Whenua, Section 2.15 Coastal Environment, Section 2.16 Natural Features and Landscapes, Section 2.17 Indigenous Biodiversity, Section 2.18 Waterbodies and Section 17: Natural Environment Section 2.19 Natural Hazards Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide Section 2.22 Signs and Section 19: Signs
		2.1.7	9.1.4(a)		20.5.4 & 20.5.5	
		2.1.8	3.1.1(a), 3.1.3(b)	3.2.4, 3.2.5, 3.2.6, 11.2.2, 19.2.5	20.5.1	
		2.1.9	3.1.3, 3.1.4, 3.1.5	3.2	20.5.1, 20.5.4 & 20.5.5	
		2.1.10	3.1.1(a)	3.2	20.1	
		2.1.11	3.1.1(b)-(s)	3.2	20.5.2	
		2.1.12	3.1.3(c), (g), 3.1.4(b)-(m) & 3.1.5(a), 9.1.4(a)	3.2, 9.2	20.1 & 20.2, 20.5	
		2.1.13	3.1.3, 3.1.4, 3.1.5	3.2.2	20.5.1	
		2.1.14	3.1.3, 3.1.4, 3.1.5	3.2.2	20.5.1	
		2.1.15	3.1.1(a), 3.1.3	3.2.2	20.5.1	
		2.1.16	3.1.1(n)	3.2.11	20.1	
		2.1.17	3.1.4	3.2.11	20.1	
		2.1.18	3.1.3(c) & 3.1.4 (b)		20.1	
2.1.19	9.1.2, 9.1.4	9.2.1	20.1 & 20.2			

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
		2.1.20		9.2.2	20.1 & 20.2	
		2.1.21	3.1.3(b)		20.1	
Residential Zone	2.2.3, 2.2.4, 2.2.5	2.2.6 – 2.2.11	4.1.1(a) - (b), (e) 4.1.3(b) – (c) 9.1.2(a)	4.2.1, 4.2.2, 4.2.3, 4.2.4, 4.3.1, 4.3.2, 9.2.1	20.1, 20.2, 20.5.4	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.7 and Section 10: Parking and Transportation Section 11: Noise Section 2.8 and Section 12: Hazardous Substances Section 2.9 and Section 13: Energy Section 2.10 and Section 14: Network Utilities Section 2.11 and Section 15: Heritage Protection Section 16: Financial Contributions Section 2.12 Notable Trees, Section 2.13 Tangata Whenua and Section 17: Natural Environment Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide Section 2.22 Signs and Section 19: Signs
		2.2.12 – 2.2.15	4.1.1(a), 4.1.3(a)	4.2.1, 4.2.2, 4.2.3, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.3.1, 4.3.2	20.5.1, 20.5.3, 20.5.4, 20.5.6, 20.5.7	
		2.2.16	4.1.3 (a) – (d), 4.1.4 (a) – (k), 4.1.5 (a) – (d)		20.1, 20.2	
		2.2.17	4.1.1(a)	4.2.2	20.1	
		2.2.18 – 2.2.20	4.1.1(c) – (l), 4.1.3(d) – (e), 4.1.4(a) – (k), 4.1.5 (a) – (d)	4.2.5, 4.2.6, 4.2.7, 4.2.8, 11.2.3, 19.2.5	20.1, 20.5.2, 20.5.8, 20.5.26	
		2.2.21 – 2.2.24	4.1.1(g) 9.1.2, 9.1.4	4.2.2 9.2.2	20.1 20.2	
		2.2.25 – 2.2.26	4.1.5(d), 4.1.6(a) – (b)		20.1	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
Township Zone	2.3.2	2.3.3 – 2.3.4	5.1.1(a) – (q) 9.1.2(a), 9.1.4(a)	5.2.1 – 5.2.10, 9.2.1	20.1, 20.2	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.7 and Section 10: Parking and Transportation Section 11: Noise Section 2.8 and Section 12: Hazardous Substances Section 2.9 and Section 13: Energy Section 2.10 and Section 14: Network Utilities Section 2.111 and Section 15: Heritage Protection Section 16: Financial Contributions Section 2.12 Notable Trees, Section 2.13 Tangata Whenua and Section 17: Natural Environment Section 2.19 Natural Hazards Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide Section 2.22 Signs and Section 19: Signs
		2.3.5 – 2.3.8	5.1.3(a) – (e) 5.1.4(a) – (n) 5.1.5(a) – (c) 9.1.2(a) 9.1.4(a)	9.2.1	20.1, 20.2	
Commercial Zone	2.4.4, 2.4.5, 2.4.6	2.4.7 – 2.4.9	6.1.1(a) – (d), 9.1.2(a), 9.1.4(a)	6.2, 9.2.1	20.1, 20.2	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.7 and Section 10: Parking and Transportation Section 11: Noise Section 2.8 and Section 12: Hazardous Substances Section 2.9 and Section 13: Energy Section 2.10 and Section 14: Network Utilities Section 2.111 and Section 15: Heritage Protection Section 16: Financial Contributions Section 2.12 Notable Trees, Section 2.13 Tangata Whenua and Section 17: Natural Environment
		2.4.10 – 2.4.11	6.1.4(a) – (c), 6.1.5(a) – (c)		20.1, 20.2	
		2.4.12	6.1.1 (a) – (d)	6.2.1, 6.2.3, 6.2.5, 6.2.6, 11.2.4, 19.2.4	20.5.1	
		2.4.13 – 2.4.14	6.1.1 (a) – (d)	6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.10	20.5.1	
		2.4.15	6.1.1 (a) – (d)	6.2.3	20.5.1	
		2.4.16 – 2.4.17	6.1.3(a)		20.1	
		2.4.18 – 2.4.22	6.1.1(a), 6.1.2(a), 6.1.5(a)	6.2.4	20.1	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
		2.4.23	6.1.1(a) – (d)	20.1	Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide Section 2.22 Signs and Section 19: Signs	
		2.4.24		6.2.7		20.1
		2.4.25	6.1.1(b)	6.2.7		20.1
		2.4.26 – 2.4.28	6.1.1(a) & (c), 6.1.3(a) – (b)			20.1
Industrial Zone	2.5.3, 2.5.4	2.5.5	7.1.1(a) – (k), 9.1.2(a), 9.1.4(a)	7.2, 9.2.1, 11.2.4, 19.2.4	20.1, 20.2	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.7 and Section 10: Parking and Transportation Section 11: Noise Section 2.8 and Section 12: Hazardous Substances Section 2.9 and Section 13: Energy Section 2.10 and Section 14: Network Utilities Section 2.111 and Section 15: Heritage Protection Section 16: Financial Contributions Section 2.12 Notable Trees, Section 2.13 Tangata Whenua and Section 17: Natural Environment Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide Section 2.22 Signs and Section 19: Signs
		2.5.6	7.1.1(l)	7.2.8	20.1	
		2.5.7	7.1.3(a)	7.2.2, 7.2.4, 7.2.5, 7.2.6, 11.2.4, 19.2.4	20.5.1	
		2.5.8 – 2.5.9	7.1.4(a) – (k), 7.1.5(a) – (c), 9.1.4(a)	7.3.1, 7.3.2	20.1, 20.2	
		2.5.10	7.1.1	7.2.1, 7.2.2	20.5.1	
Rural Industrial Zone	2.6.3, 2.6.4	2.6.5	8.1.1(a) – (j), 9.1.2(a)	8.2, 8.3, 9.2.1, 11.2.4, 19.2.4	20.1, 20.2	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.7 and Section 10: Parking and Transportation Section 11: Noise Section 2.8 and Section 12: Hazardous Substances
		2.6.6				
		2.6.7		8.2, 8.3	20.1	
		2.6.8	8.1.4	8.2, 8.3	20.1	
		2.6.9	8.1.4(a) – (c), 8.1.5(a)		20.1	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
		2.6.10	3.1.1(a), 9.1.2(a), 9.1.4	11.2.6 9.2	20.1, 20.2, 20.5.1	Section 2.9 and Section 13: Energy Section 2.10 and Section 14: Network Utilities Section 2.111 and Section 15: Heritage Protection Section 16: Financial Contributions Section 2.13 Tangata Whenua, Section 2.18 Waterbodies and Section 17: Natural Environment Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide Section 2.22 Signs and Section 19: Signs
Transportation	2.7.5, 2.7.6, 2.7.7, 2.7.8	2.7.9	10.1.1(c) 10.1.3(a) 10.1.4(a)	10.2.1 – 10.2.3 10.3.1 – 10.3.5 All Planning Maps	20.1, 20.2, 20.5.9	Section 3 – 8: All Zones Section 9: Subdivision and Development Section 11: Noise
		2.7.10 – 2.7.12	10.1.1(a) 10.1.3(a) 10.1.4(a)	10.2.1 – 10.2.3 10.3.1 – 10.3.5 10.7.1 All Planning Maps	20.1, 20.2, 20.5.9	Section 12: Hazardous Substances Section 13: Energy Section 16: Financial Contributions
		2.7.13	10.1.1(a) 10.1.3(a) 10.1.4(a)	10.2.1 – 10.2.3 10.5.1 – 10.5.5 10.7.1 All Planning Maps	20.1, 20.2, 20.5.9	
		2.7.14	10.1.1(a) 10.1.3(a) 10.1.4(a)	10.6.1 10.7.1 All Planning Maps	20.1, 20.2, 20.5.9	
		2.7.15	10.1.1(a) 10.1.3(a) 10.1.4(a)	6.2.7(1) All Planning Maps	20.1, 20.2, 20.5.9	
		2.7.16	10.1.1(a) 10.1.3(a)	10.2.1, 10.5.1 All Planning Maps	20.1, 20.2, 20.5.9	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
		10.1.4(a)				
		2.7.17	10.1.1(b) 10.1.3(a) 10.1.4(a)	10.4.1 All Planning Maps	20.1, 20.2, 20.5.9	
		2.7.18	3.1.1, 3.1.3(a)	11.2.2.3 All Planning Maps	20.1, 20.2, 20.5.9	
	2.7.8	2.7.19 – 2.7. 21	3.1.1, 3.1.3(a) 3.1.3(l), 3.1.5(b) 4.1.1, 4.1.3(a) 6.1.1, 6.1.3(a) 7.1.1, 7.1.3(a)	3.2.11 4.2.9 6.2.8 7.2.7 11.2.8, 11.2.9 Planning Maps (Special Map 1)	20.1, 20.2, 20.5.9	
Hazardous Substances and Contaminated Land	2.8.3	2.8.5	12.2.4		20.5.10	Section 2.1 – 2.6, and Section 3-8: All Zone Rules Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, Section 9: Subdivision and Development Rules Section 2.7: Transportation and Section 10: Parking and Transportation Rules Section 2.9 Energy, and Section 13: Energy Rules Section 2.10 and Section 14: Network Utilities Rules Section 2.20: Temporary Activities, Section 18: District Wide Rules
		2.8.7 2.8.8		12.2		
		2.8.9	9.2.1	8.2		
	2.8.4	2.8.10-2.8.14				Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES).
Energy	2.9.5, 2.9.6, 2.9.7	2.9.9	13.1.1	13.2.2		
		2.9.10	13.1.1	13.2.2	20.5.11	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
		2.9.11	13.1.5	20.5.11	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.7 and Section 10: Parking and Transportation Section 11: Noise Section 2.8 and Section 12: Hazardous Substances Section 2.9 and Section 13: Energy Section 2.10 and Section 14: Network Utilities Section 2.111 and Section 15: Heritage Protection Section 16: Financial Contributions Section 2.12 Notable Trees, Section 2.13 Tangata Whenua, Section 2.15 Coastal Environment, Section 2.16 Natural Features and Landscapes, Section 2.17 Indigenous Biodiversity, Section 2.18 Waterbodies and Section 17: Natural Environment Section 2.19 Natural Hazards Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide Section 2.22 Signs and Section 19: Signs	
		2.9.12	9.2.1	20.2, 20.5.11 & 20.2.12		
		2.9.13		20.5.11		
		2.9.14		20.5.11		
		2.9.15	13.1.4	20.5.12		
		2.9.16	13.1.3, 13.1.4	20.5.12 & 20.2.13		
		2.9.18	13.1.1	13.2.1		20.5.12
		2.9.19		13.2.3		20.5.12 & 20.2.13
		2.9.20				
		2.9.21				
		2.9.22	13.1.4, 13.1.5			20.5.12(s)
		2.9.23	13.1.4, 13.1.5			20.5.12 (t)
Network Utilities	2.10.2 2.10.3	2.10.4-2.10.9	14.1.1(a)-(h) 14.1.3(a)-(d) 14.1.4(a), (b)	14.2.1-14.2.11	20.5.14	Section 9: Subdivision and Development Section 2.13 Tangata Whenua Section 2.15 Coastal Environment Section 2.16 Natural Features and Landscapes Section 2.17 Indigenous Biodiversity Section 2.19 Natural Hazards Section 9: Subdivision and Development Schedule 5: Significant Waterbodies Schedule 8B: Areas of Outstanding Natural Character Schedule 2: Significant Natural Areas
		2.10.10-2.10.12	3.1.3(k)-(l) 3.1.5(c) 9.1.3(f) 9.1.5(c)	3.2.14-3.2.15	20.2 20.5.15	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections			
Historic Heritage	2.11.2-2.11.3	2.11.5-2.11.14	15.1.1 (a) 15.1.2 (a) 15.1.3 (a) 15.1.4 (a) 15.1.6 (a) 9.1.3 (a)	Scheduled 1A Buildings and Objects 6.2.10.2 7.3.1.2	20.5.16	Section 2.1 – 2.6, and Section 3-8: All Zone Rules Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, Section 9: Subdivision and Development Rules Section 2.7: Transportation and Section 10: Parking and Transportation Rules Section 2.9 Energy, and Section 13: Energy Rules Section 2.10 and Section 14: Network Utilities Rules Section 2.12: Notable Trees and 2.13: Tangata Whenua, Section 15 Heritage Protection Rules. Section 2.15: Coastal, 2.16: Natural Features and Landscapes, Section 2.17: Indigenous Biodiversity, Section 2.18 Waterbodies, and Section Natural Environment Rules. Section 2.20: Temporary Activities, Section 18: District Wide Rules	
		2.11.15	15.1.4 (c) 9.1.3 (a)				20.5.16
		2.11.16 2.11.17	15.1.1(b) 15.1.4(b)	Scheduled 1B Historic Sites and Sites of Significance to Tangata Whenua			20.5.17
		2.11.18 – 2.11.20	Any resource consent	All planning maps			
Notable Trees	2.12.2	2.12.3 – 2.12.8	15.1.1(c) 15.1.4(d)	Schedule 4: Notable Trees	20.5.18	Section 2.1 – 2.6: All Zones Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, Section 9: Subdivision and Development	
Tangata Whenua	2.13.6 – 2.13.10	2.13.15 – 2.13.16	15.1.1(b) 15.1.4(b) 9.1.3(a)	Schedule 1B: Historic Sites and Sites of Significance to Maori	20.5.16	Section 2.1 – 2.6: All Zones Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, Section 9: Subdivision and Development	
		2.13.17, - 2.13.21	3.1.1(e) & (f) 4.1.1(d) & (e), (l) 5.1.1(d) and (e) 6.1.1(a)(xiii) and (xiv)	3.2.1.1(v) & 3.2.2.3 Schedule 7: Marae	20.1 20.5.5		

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
		3.1.1(q)				
Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions	2.14.5, 2.14.6	2.14.7 – 2.14.8	Planning Maps All Section 4 All Section 6 All Section 7	Planning Maps All Section 4 All Section 6 All Section 7	20.1, 20.2	Section 2.2 and Section 4: Residential Zone Section 2.4 and Section 6: Commercial Zone Section 2.5 and Section 7: Industrial Zone Section 2.7 and Section 10: Parking and Transportation Section 2.10 and Section 14: Network Utilities Section 16: Financial Contributions Section 2.12 Notable Trees, Section 2.13 Tangata Whenua, Section 2.15 Coastal Environment, Section 2.16 Natural Features and Landscapes, Section 2.17 Indigenous Biodiversity, Section 2.18 Waterbodies and Section 17: Natural Environment
		2.14.9		9.2.4	20.1, 20.2	
		2.14.10	9.1.4(a)	9.2.1, 9.2.2	20.1, 20.2, 20.5.4	
		2.14.11 – 2.14.12	9.1.2(a), 9.1.4(a)	9.2.2, 9.2.3, 9.2.5, 9.2.6	20.1, 20.2, 20.5.19	
Natural Environment (Coastal Environment)	2.15.3, 2.15.4, 2.15.5, 2.15.6	2.15.7 – 2.15.12	17.1.1(a)-(c) 17.1.3(a) 17.1.4(a) 17.1.5(a) 9.1.4(b) 9.1.5(a)	All Planning Maps	20.5.21	Section 2.17 Indigenous Biodiversity Section 2.18 Waterbodies Section 2.9 and Section 13: Energy Section 2.16 Natural Features and Landscapes Section 2.19 Natural Hazards Section 9: Subdivision and Development Schedule 8B: Areas of Outstanding Natural Character
		2.15.13 - 2.15.17	9.1.4	9.2.6	20.2, 2.5.21	
		2.15.18	17.1.1(a)(xi)			
		2.15.19	17.1.4(a)(vi)		20.5.21	
Natural Environment (Indigenous Biodiversity)	2.17.3 2.17.4	2.17.5 – 2.17.11	17.1.1 (a)(viii), (d) 17.1.3(b)(i) 17.1.4(a)(i), (d)-(f) 9.1.3(b)	All Planning Maps 17.3: Natural Environment Appendix 2	20.5.20	Schedule 2: Significant Natural Areas Section 2.18 Waterbodies Section 9: Subdivision and Development Schedule 8B: Areas of Outstanding Natural Character
		2.17.12 – 2.17.13	17.1.1(e) & (f) 17.1.4(g)	All Planning Maps	20.5.20	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
Natural Environment (Waterbodies)	2.18.4	2.18.8		Schedule 5: Significant Waterbodies	Section 2.13 Tangata Whenua Section 2.15 Coastal Environment Section 2.16 Natural Features and Landscapes Section 2.17 Indigenous Biodiversity Section 2.19 Natural Hazards Section 9: Subdivision and Development Schedule 5: Significant Waterbodies Schedule 8B: Areas of Outstanding Natural Character Schedule 2: Significant Natural Areas	
	2.18.5					
	2.18.6	2.18.9 - 2.18.13	9.1.3(c) 3.1.1 3.1.3	3.2.2		
	2.18.7		2.18.14- 2.18.18, 2.18.23	9.1.2		9.2.6
		2.18.19 -2.18.20	3.1.1 (t) 3.1.3(f)	3.2.13		
Natural Environment (Natural Features and Landscapes)	2.16.3	2.16.5-2.16.11	17.1.1(b), (c) 17.1.3(b), (c) – (d) 17.1.4(b), (g), (h) 17.1.5(b) 9.1.5(b)	All planning maps	20.5.22	Section 2.13 Tangata Whenua Section 2.15 Coastal Environment Section 2.17 Indigenous Biodiversity Section 2.19 Natural Hazards Section 9: Subdivision and Development Schedule 8A: Outstanding Natural Features and Landscapes
	2.16.4					
		2.16.12 2.16.13	17.1.3(e)	17.2 Natural Environment Appendix 1		
		2.16.15	17.1.4(a)(vi)			
Natural Hazards	2.19.2	2.19.12-2.19.14	17.1.1(a) 17.1.3(a), 17.1.4(a) – (e), 17.1.5(a) 9.1.4(b)		20.2(d) 20.1	Section 2.15 Coastal Environment
	2.19.3					
		2.19.15-2.19.17 2.19.18 2.19.19	3.1.1 3.1.3(h) 5.1.1 9.1.3(e)	All Planning Maps 3.2.8 5.2.9	20.2 20.1	

Topic	Section 2		Sections 3 - 19		Section 20	Other Potentially Relevant Sections
Temporary activities	2.20.2	2.20.3	18.1.1(b)-(d) 18.1.3(b)	18.2.2 – 18.2.45	20.5.23 20.5.24	Section 12: Natural Environment Rules Section 15: Heritage Protection
Relocated buildings	2.21.2	2.21.3	18.1.1(a)	18.2.1 18.1.3(a) 18.3, 18.4	20.5.25	Sections 3-8: Zone Rules
Signs	2.22.2	2.22.3 2.22.4	19.1.1(a), (b) 19.1.3(a), (b) 19.1.4(a)-(c)	9.2.1-19.2.5 19.3.1(a), (b)	20.5.-26	Section 12: Natural Environment Rules Section 15: Heritage Protection
Noise	2.1.3, 2.1.4, 2.3.2	2.1.7, 2.3.4	11.1.1 3.1.1, 3.1.3 5.1.1, 5.1.3	11.2.2.1, 11.2.2, 11.2.7.1	20.1	Section 2.1 – 2.6, and Section 3-8: All Zone Rules Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, Section 9: Subdivision and Development Rules Section 2.7: Transportation and Section 10: Parking and Transportation Rules Section 2.9 Energy, and Section 13: Energy Rules Section 2.10 and Section 14: Network Utilities Rules Section 2.20: Temporary Activities, Section 18: District Wide Rules
	2.2.5, 2.4.4, 2.5.3,	2.2.18 - 2.2.21 2.4.7 – 2.4.10 2.5.5, 2.5.7 – 2.5.9	4.1.1, 4.1.3 6.1.1, 6.1.3 7.1.1, 7.1.3	11.2.3.1, 11.2.7.1 11.2.4.1 11.2.5.1		
	2.6.3	2.6.6 – 2.6.10	8.1.1, 8.1.3	8.2.1, 8.3 – 8.12, 11.2.6.1		
	2.7.8	2.7.20	11.1.1	11.2.8.1	20.1	
	2.20.2	2.20.3	11.1.1 18.1.1(d)	11.2.10	20.1	

1.7 MONITORING

The Council is required under the RMA to monitor the effectiveness of its policy statements and plans, the exercise of resource consents, the exercise of any transferred and delegated powers and the state of the environment in relation to the Council's duties and responsibilities under the RMA.

In order to carry out these obligations, the Council will:

- Monitor the key issues facing the District in a timely manner;
- Produce reports to document trends and issues;
- Use existing data where possible in order to be cost effective; and
- Continue to review and examine the effectiveness of the District Plan (or parts of it) to ensure all objectives, policies and rules will effectively achieve the desired environmental outcomes.

In order to achieve this, the Council will rely as much as possible on:

- Its own monitoring programme and its Annual Plan requirements;
- Data gathered for other purposes, but which have relevance for monitoring;

Monitoring programmes carried out by Taranaki Regional Council, and other agencies.

1.8 DESIGNATIONS

A designation is a provision in the District Plan which authorises the use of land for a particular work. The provisions for designations are set out in Part 8 of the RMA.

Under the RMA, a Minister of the Crown or local authority with financial responsibility for a public work, or a network utility operator approved under Section 167 of the RMA may designate land for public works. A public work or project could include a school, police station, state highway, local road, park, transmission lines, substation or other infrastructure.

A designation can:

- Enable the use of land for a public work or infrastructure;
- Restrict the use of land, water, subsoil, or airspace where this is necessary for the safe or efficient functioning or operation of a public work or infrastructure; and
- Require written approval of the requiring authority responsible for the designation before a third party can undertake an activity within the designation.

The following section provides an overview of the Notice of Requirement process, the effect of a designation, and Designations included in Schedule 3 of the District Plan.

1.8.1 NOTICES OF REQUIREMENT

A Notice of Requirement (NoR) is a proposal or application for a designation, which typically relates to enabling a public work or project or restricting activities for the safe or efficient function or operation of a public work or project. A Requiring Authority can serve a Notice of Requirement on the Council at any time to include a designation in the Plan. Such 'Notices of Requirement' are required to include certain

information as set out in section 168 or section 168A of the RMA, and to follow the procedures also set out in the RMA, including Schedule 1.

The procedures which need to be followed to include a Designation in the plan are comprehensive and ensure that a Requiring Authority undertakes a full assessment of the environmental effects of the activity prior to notifying a Notice of Requirement. All notices of requirement should convey in clear language the uses and activities to which 'designated' land may be put.

All Notices of Requirements for designations received by the Council will be assessed in accordance with the provisions of the RMA. Likewise, any request by a requiring authority to alter a designation in the plan will be assessed in accordance with the relevant provisions of the RMA.

1.8.2 EFFECT OF DESIGNATION

Section 176 of the Resource Management Act 1991 sets out the effect of a designation when a designation is included in a District Plan:

All work undertaken on a designated site shall be undertaken in accordance with the Notice of Requirement creating that designation, and any conditions attaching to the Requirement at the time the designation was confirmed. The District Plan rules do not apply to a public work, project or work undertaken by a requiring authority under the designation. However, if the designated land is used for a purpose other than the designated purpose (i.e. outside the 'scope' of the 'designation purpose' identified in Schedule 3), then the provisions of the District Plan or proposed District Plan would apply.

A designation does not exclude the requiring authority from other restrictions or duties under Part 3 of the Resource Management Act 1991, (i.e. national environmental standards and Regional Council rules) and the general duties under sections 16 and 17 (i.e. avoiding unreasonable noise and avoiding, remedying and mitigating adverse effects).

Other people may not, without the prior written consent of the requiring authority, do anything in relation to the designated land that would impede the public work, project or work.

1.8.3 SCHEDULE 3

All requirements for designations received by South Taranaki District Council, and existing designations rolled over from the previous District Plan are identified in Schedule 3 of the District Plan and shown on the planning maps. All existing legal roads, including state highways, are designated, shown on planning maps and included in Schedule 3. Any conditions of the designations are also included in Schedule 3.

1.9 PLAN INTERPRETATION AND DEFINITIONS

This Section defines the meaning of terms used in the District Plan. Words defined in the RMA have the same meaning in this Plan, unless otherwise stated. In the case of any inconsistency, the statutory definition prevails.

1.10 GENERAL RULES OF INTERPRETATION

- Any term which is not defined in this section, the Resource Management Act 1991 or relevant technical standard takes its common meaning from the Oxford Dictionary.
- Singular includes plural and vice versa.

- Cross references are for the assistance of the reader and are not necessarily exhaustive.
- References to New Zealand or overseas standards include amendments.
- Definitions of Maori terms are necessarily a brief approximation of meaning and have to be expanded and understood in the context of the specific usage and local language differences.
- Terms that are in capital letters indicate that the term is also defined in this section of the District Plan.

1.11 DEFINITIONS

ACCESS: means that area of land over which a site or allotment obtains legal vehicular and/or pedestrian access to a legal road. This land includes an ACCESS LEG, a private road/right of way/accessway, common land as defined on a cross-lease or company-lease; or common property as defined in Section 2 of the Unit Titles Act 2010.

ACCESS LEG: in relation to a rear allotment or rear site, means the strip of land, which is included in the ownership of that allotment or site, and which provides the legal, physical access from the frontage legal road to the net area of the allotment or site.

ACCESS WAY: means any passage way, laid out or constructed by the authority of the Council or the Minister of Works and Development or, on or after the 1st day of April 1988, the Minister of Lands for the purposes of providing the public with a convenient route for pedestrians from any road, service lane, or reserve to another, or to any public place or to any railway station, or from one public place to another public place, or from one part of any road, service lane, or reserve to another part of that same road, service lane, or reserve (Section 315 of the Local Government Act 1974).

ACCESSORY BUILDING: means any BUILDING that is secondary and incidental to an activity undertaken on a SITE, and includes a garage or carport, home workshop, garden shed, sleepout and private swimming pool.

The ACT: means the Resource Management Act 1991, and its amendments.

AERIAL, in relation to AMATEUR RADIO CONFIGURATION, means all supporting STRUCTURES for AMATEUR RADIO CONFIGURATION, including ANTENNA and MASTs.

AGGREGATE/SOIL EXTRACTION: means the permanent removal of any soil, rock or aggregate from any point of any site, including metal quarries and coal mines, including gravel crushing and processing of aggregate/soil, but does not include the removal of spoil for construction purposes or removal of soil, rock or aggregate for FORESTRY HARVESTING, PROSPECTING, PETROLEUM EXPLORATION, or PETROLEUM PRODUCTION.

AIRPORT APPROACH CONTROL SURFACE: means that land identified as “Airport Approach Control Surface” on Special Map 1 of the planning maps.

AIRPORT PROTECTION AREA: means that land identified as “Airport Protection Area” on Special Map 1 of the planning maps.

ALLOTMENT: has the same meaning as Lot, as defined in section 218 of the Resource Management Act 1991.

AMENITY VALUES: has the same meaning as defined in the Resource Management Act 1991.

AMATEUR RADIO CONFIGURATION: means the AERIALS, ANTENNAS and associated MASTS and supporting STRUCTURES which are owned and used by licensed Amateur Radio Operators.

ANTENNA: in relation to NETWORK UTILITIES, means a device that:

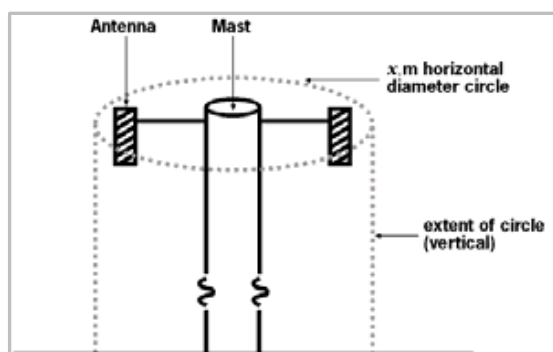
- (a) Receives or transmits radio-communication or telecommunication signals.
- (b) Is operated by a network operator.
- (c) Includes the mount, if there is one, for the device.
- (d) Includes the shroud, if there is one, for the device.
- (e) Includes all associated hardware for the functioning of the antenna.

The diameter or area of an antenna means:

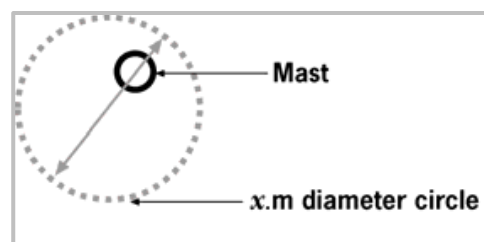
- In relation to any panel antenna or other type of antenna that has a length and a width, the area measured by calculating the largest surface area.
- In relation to any other antenna, the diameter measured by taking the cross-section of the widest part of the antenna.

The requirement that antenna and aerials attached to a mast are to be located within a x.m horizontal diameter circle of the centre of the mast, this means that all antennas, aerials and mountings must be located within the horizontal diameter circle stipulated.

For illustration purposes only:



Horizontal Diameter Circle (side Elevation centred on mast)



Horizontal Diameter Circle (Plan view – not centred on mast)

ANTENNA, in relation to AMATEUR RADIO CONFIGURATION, means a device, rods or wires that transmit or receive radio signals, and includes a mounting boom, if there is one.

ALTERATION: (only applicable to heritage provisions) means any change to the physical fabric of a historic heritage building or object that varies its size, style or composition. This includes the partial destruction of a historic heritage building or STRUCTURE required to realise any such change, and includes the removal and replacement of external walls, windows, roofs, verandas, parapets and balustrades. Alteration does not include MAINTENANCE, REDECORATION, REPAIR or restoration.

ARCHAEOLOGICAL SITE: has the same meaning as in the Heritage New Zealand Pouhere Taonga Act 2014.

BIODIVERSITY OFFSET: means measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development after

appropriate avoidance, minimisation, remediation and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferably a net gain of biodiversity on the ground.

BOUNDARY ADJUSTMENT: means the subdivision of land comprised in two or more contiguous sites (notwithstanding any separation by any road, railway line or waterbody) where the location of the legal boundaries are adjusted and there is no increase in the number of Certificates of Title.

BUILDING: means (in addition to its ordinary and usual meaning) any STRUCTURE or part of a STRUCTURE constructed or erected whether temporary or permanent, movable or immovable, but for the purposes of the PLAN does not include:

- (a) Any scaffolding or other temporary construction erected for maintenance work.
- (b) Support STRUCTURES for electricity lines, telecommunication or radiocommunication activities.
- (c) Any retaining wall retaining earth less than 1.2m in HEIGHT, or any wall or fence, other than a retaining wall, not exceeding 2m.
- (d) Any tank or pool including any structural support thereof, not exceeding 2000 litres capacity and not more than 2.0m in HEIGHT above NATURAL GROUND LEVEL.
- (e) Any deck, terrace platform or road surface less than 1m above NATURAL GROUND LEVEL.
- (f) Any tent, marquee or air STRUCTURE erected for less than one month.
- (g) Any vehicle and any chattel whether fixed or movable unless such vehicle or chattel is used as a place or as part of a place of residence, business or storage.
- (h) Stock loading or unloading facilities.
- (i) Any STRUCTURE less than 5m² in GROSS FLOOR AREA and 2m in HEIGHT.

BUILDING PLATFORM means land that is suitable and practical for accommodating a DWELLING UNIT or other intended BUILDING having regard to soil conditions, gradient, access, NATURAL HAZARDS, INDIGENOUS VEGETATION and habitat, amenity, health and safety, all in terms of the Building Act 2004 and the Council's Code of Practice for Subdivision and Development.

BUILDING RECESSION PLANE: means the three dimensional plane(s) used to manage the height and location of buildings and structures in relation to the NATURAL GROUND LEVEL of boundaries of the site on which they are located.

BUILDING SAFETY ALTERATIONS: (only applicable to heritage provisions) means any work that improves the safety of a heritage building, including fire and disability access.

CAMPING GROUNDS/MOTOR CAMPS: means land used for the accommodation of motor homes, caravans and tents, including providing cabins, ablution and amenity facilities, used for the temporary or semi-permanent accommodation of paying guests.

CHILDCARE FACILITY: means a facility for the care and/or education of children with five (5) or more children under the age of seven (7), including but not limited to crèche, day care centre, kindergarten, Kohanga Reo, playgroups and day nurseries; such facilities shall not provide for overnight stays, and does not include HOME BASED CHILDCARE SERVICES and EDUCATION FACILITIES.

COASTAL PROTECTION AREA: is the extent of the district's coastal environment and means land within the district seaward of the line as the inland boundary of the Coastal Protection Area on the District Plan Maps.

COMMERCIAL ACTIVITY: includes trade, commerce and professions such as post offices, shoe repairs, tourist agencies, hairdressers, dry cleaners and other similar uses with functions and characteristics that are similar to retail activities but does not include a HOME OCCUPATION, INDUSTRIAL ACTIVITY, RETAIL ACTIVITY, OFFICE, COMMERCIAL GARAGE/VEHICLE SALES YARD, TRADE AND SERVICE ACTIVITY or VEHICLE SERVICE STATION.

COMMERCIAL ACTIVITY: (only applicable to activities on the surface of waterbodies) includes business activities for commercial gain, including but not limited to the following: jet boating, fishing charters, and rafting.

COMMERCIAL GARAGE/VEHICLE SALES YARD means land or any premises where motor vehicles are sold, leased, hired, repaired, maintained, cleaned, re-fuelled, panel beaten, overhauled, painted, or housed; and includes the retail sale of motor vehicle accessories ancillary to that activity.

COMMUNITY ACTIVITY: means any BUILDING, grounds or place owned or used by sectors of the community for recreational, sporting, cultural, religious or similar community purposes, including churches, marae, parks, clubs and recreational facilities, but not including schools. COMMUNITY ACTIVITY also means the activity taking place inside or on the above BUILDINGS or grounds, but does not include PRIVATE FUNCTION CENTRES/FACILITIES.

CONCEPT PLAN: means a plan of a Rural Industrial Zone site showing the following:

- (a) Position of all SITE boundaries.
- (b) Location and extent of building envelopes, height limits (if necessary) general activity groupings, existing and proposed developments.
- (c) Location of car parking, site access, manoeuvring vehicle loading areas, solid waste storage and treatment areas, liquid treatment and disposal areas.
- (d) Location and extent of all existing and proposed landscaping, screening and buffering.

CONTIGUOUS INDIGENOUS VEGETATION means areas of indigenous vegetation having boundaries that make contact and effectively form a continuous area of indigenous vegetation that is not already bisected by roads, infrastructure, buildings, fences or drains.

CONTROLLED ACTIVITY: has the same meaning as defined in the Resource Management Act 1991.

DEFERRED ZONING: means zoning that is identified but is not available immediately. Availability of deferred zones occurs once at least 75% of allotments in the existing zones have been subdivided and approval has been granted under section 224 of the Resource Management Act 1991. The deferred status can be removed by way of a Council or private plan change, or by Council passing a resolution confirming that the 75% allotment thresholds has been exceeded. For areas identified as having Deferred Zoning, the Rural Zone provisions apply until such time as the Deferred zoning status is uplifted.

For example, the Deferred Residential Zone on the western side of Hawera is subject to Rural Zone rules and performance standards.

DEFINED PEDESTRIAN FRONTAGE: means the boundaries identified as “Defined Pedestrian Frontage” on the planning maps in the town centres of Hawera, Eltham and Opunake.

DESIGNATION: has the same meaning as defined in the Resource Management Act 1991.

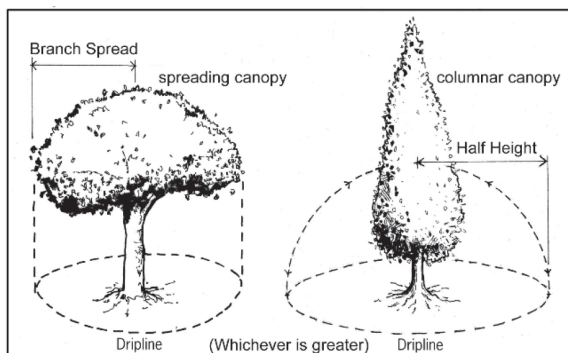
DIRECTIONAL SIGN: means any SIGN erected on the road reserve by or on behalf of the road controlling authority (New Zealand Transport Agency or South Taranaki District Council). These include all traffic

control SIGNS such as stop SIGNS, safety and hazard signs, posted speed limit SIGNS and hazard warning SIGNS, and also include SIGNS like "Road Open" and all regulatory traffic and official signs approved by the relevant road controlling authority or provided for under any legislation and which are erected on a road.

DISCRETIONARY ACTIVITY: has the same meaning as defined in the Resource Management Act 1991.

DRIPLINE (relevant to notable trees), means the area (whichever is greater) of:

- (a) The line formed when a vertical line from the outermost extent of the spread of a tree's branches or canopy meets to ground; or
- (b) The line formed at a radius of half the height of the tree measured from the base of the trunk (see below diagram).



DWELLING UNIT: means one or more interconnected rooms in all or part of a BUILDING which is designed, arranged, used or intended to be occupied as a complete, independent living facility as a RESIDENTIAL ACTIVITY.

EARTHQUAKE STRENGTHENING: (only applicable to heritage provisions) means any work that improves the structural performance of a HERITAGE BUILDING/OBJECT, particularly with respect to withstanding the effects of an earthquake.

EARTHWORKS: means the disturbance of land by contouring, moving, removing, placing or replacing soils or earth, or by excavation, cutting or filling operations. Excludes the cultivation of land, and holes for posts, piles, poles, trees or other plants.

EDUCATION FACILITIES: means land and/or buildings used to provide regular instruction or training and includes schools, tertiary education institutions, works skills training centres, outdoor education centres and sports training establishments. This does not include CHILD CARE FACILITIES.

EFFECT: has the same meaning as defined in the Resource Management Act 1991.

EMERGENCY FACILITIES: any service which provides critical services and includes fire, ambulance and police stations, and civil defence.

ENVIRONMENT: has the same meaning as defined in the Resource Management Act 1991.

ENTERTAINMENT ACTIVITY means any land or buildings used for the purpose of entertainment, or social or cultural enjoyment; and includes any licensed hotel/club, casino, cinema, theatre, electronic games facility and premises controlled by the Prostitution Reform Act 2003.

ESPLANADE RESERVE: has the same meaning as defined in the Resource Management Act 1991.

ESPLANADE STRIP: has the same meaning as defined in the Resource Management Act 1991.

EXPLORATORY WIND GENERATION ACTIVITIES: mast, pole or any other support STRUCTURE to which anemometers and other meteorological devices or sensors are attached for the purpose of wind resource measurement and monitoring.

FARMING: means rural land use activities where the primary purpose is to produce livestock, vegetative matter and/or agricultural produce that relies on the productive capacity of land, and includes agriculture, pastoral farming, dairying and horticulture. For the avoidance of doubt, this includes:

- (a) Ancillary activities including the storage of products and initial processing of horticultural and agricultural products produced on site.
- (b) The storage and disposal of solid and liquid animal waste.
- (c) Greenhouses/glass houses with a permeable floor and where the soil profile is maintained.
- (d) Woodlots up to 5 hectares in area.

FORESTRY HARVESTING: means the harvesting of trees for commercial forestry, including indigenous trees specifically planted for commercial forestry purposes, for timber or other wood products or wood derivatives, but does not include the processing of trees for such products, such as sawmilling, chipping, dressing or preserving. It does not include harvesting of INDIGENOUS VEGETATION.

FORESTRY MAINTENANCE means the maintenance of trees for commercial forestry, including indigenous trees specifically planted for commercial forestry purposes, and includes but not limited to the activities of pruning, thinning, weed control and fertiliser application.

FORESTRY PLANTING (including plantation forestry): means the planting or replanting of trees for commercial forestry, including indigenous trees specifically planted for commercial forestry purposes, for timber or other wood products or wood derivatives.

GROSS FLOOR AREA: means the sum of the area of all floors of all BUILDINGS on a SITE, measured from the exterior faces of the exterior walls or from the centre line of common boundary walls separating two (2) abutting BUILDINGS, or, in the absence of walls, from the exterior edge of the floor, but excluding vehicle MANOEUVRING and PARKING SPACES, uncovered stairways and external terraces, balconies or porches.

HAZARDOUS SUBSTANCE: means, unless expressly provided otherwise by regulations in force under the Hazardous Substances and New Organisms Act 1996, any substance:

- (a) With one or more of the following intrinsic properties: explosiveness, flammability, a capacity to oxidise, corrosiveness, toxicity (including chronic toxicity), ecotoxicity (with or without bioaccumulation); or
- (b) Which on contact with air or water (other than air or water there the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in (a) of this definition.

HEALTH CARE SERVICES: any activity which provides services relating to physical and mental health and welfare and includes hospitals, acupuncturists, chiropodists, chiropractors, dentists, dieticians, homeopathy practitioners, medical practitioners, medical radiographers, medical social workers and counsellors, naturopathy practitioners, nurses, occupational therapists, opticians, optometrists, osteopaths, paediatricians, pharmacists, physiotherapists, podiatrists, psychotherapists, and psychologists.

HEAVY VEHICLE: means a motor vehicle that has a gross vehicle mass (GVM) exceeding 3500 kilograms.

HEIGHT: unless stated elsewhere in this Plan, means the vertical distance between the highest point of a BUILDING or STRUCTURE and the NATURAL GROUND LEVEL directly below that highest point, excluding lightning rods, GPS antenna, stacks, chimneys, vents and lift shafts with an area of less than 2m².

HERITAGE SETTING: (only applicable to heritage provisions) means the area between the listed heritage building or object on Schedule 1A of this Plan and the legal boundary of the SITE, except where the description of the item contained in Schedule 1A specifically deems otherwise.

HISTORIC HERITAGE: has the same meaning as defined in the Resource Management Act 1991.

HOLIDAY HOMES: means the residential use of DWELLING UNITS rented out to fee paying guests for short stays.

HOME BASED CHILDCARE SERVICE means the provision of education and/or care for up to (and including) four (4) children under the age of seven (7), in addition to any child who resides at the property in which the activity occurs.

HOME BASED VISITOR ACCOMMODATION means temporary accommodation such as Bed and Breakfasts, lodges and boarding accommodation for up to (and including) four (4) persons in addition to any person who resides at the property in which the activity occurs.

HOME OCCUPATION: means a business, occupation, craft or profession, excluding HOME BASED CHILDCARE SERVICE; the primary purpose of which is to derive income and which:

- (a) Is incidental and secondary to the residential use of the property;
- (b) Is undertaken or operated by a member of the household residing on the property on or in which the home occupation occurs plus one (1) other person (full time equivalent) who reside off the property and employed in the activity; and
- (c) Involves no delivery or collection of goods, materials, or wastes or visits for the home occupation outside the hours of 8.00 am to 6.00 pm; and
- (d) Involves no exterior storage, display, or other indication of the home occupation (other than an advertising sign permitted by this Plan).

HOUSING FOR THE ELDERLY: means a BUILDING and/or SITE used as a home under the Health and Disability Services (Safety) Act 2001 or any Act. It includes old people's homes, rest homes, pensioner housing developments, retirement villages and associated ancillary facilities such as medical, recreational and other communal facilities which offer an exclusive service to residents occupying the HOUSING FOR THE ELDERLY.

INCIDENTAL EQUIPMENT: means equipment for facilitating utility transmission or distribution, including any fixture used or intended to be used for the transmission or distribution of electricity, telecommunications or any other utility forming part of, or used or intended to be used for the MAINTENANCE or functioning of telecommunications or electricity transmission, or distribution or transmission by pipeline of natural or manufactured gas, petroleum or geothermal energy. This includes, but is not limited to:

- (a) Household connections.
- (b) Amplifiers and power boxes for telecommunication and radiocommunication activities.
- (c) Compressor stations for gas distribution pipes.

INDIGENOUS VEGETATION: means any species or naturally occurring variants of plants found naturally in New Zealand, including indigenous forest, regenerating areas of shrubland, and vegetation in wetlands, cliffs and other herb fields, but does not include:

- (a) Indigenous understory beneath plantation forestry; or
- (b) Indigenous species used in domestic landscaping and gardens

INDUSTRIAL ACTIVITY: means the primary use of land or premises for the purpose of manufacturing, fabricating, processing, conversion, repair, packaging, recycling, storage, collection, or distribution of goods; and includes the ancillary wholesale or retail sale of goods manufactured on the SITE. For the purpose of this definition, the following activities are excluded:

- (a) PETROLEUM EXPLORATION
- (b) PETROLEUM PRODUCTION
- (c) SMALL SCALE RENEWABLE ELECTRICITY GENERATION ACTIVITIES
- (d) LARGE SCALE RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

INTENSIVE FARMING: means any pastoral, horticultural, aquacultural or similar agricultural activity which predominantly involves the housing or raising of animals, plants or other living organism within BUILDINGS or tightly confined enclosures where the stocking density precludes the maintenance of pasture or ground cover. It includes fish farms, pig, fish, rabbit, snail, poultry and mushroom farming, and animal feedlots, but does not include:

- (a) Horticulture undertaken in greenhouses,
- (b) Shearing sheds; and dairy milking sheds;
- (c) Keeping, rearing or breeding of poultry of 20 or fewer birds; and
- (d) The keeping, breeding or rearing of five (5) or fewer pigs that have been weaned, or more than two (2) sows (with progeny until weaned).

INTERNAL ALTERATION: (only applicable to heritage provisions) means any change to the physical fabric of the interior of a listed heritage building or object on Schedule 1A of this Plan. This includes the removal or replacement of internal walls, ceilings, floors and doors, internal plumbing and rewiring, and replacement of minor fittings and fixtures.

IWI AUTHORITY: has the same meaning as defined in the Resource Management Act 1991.

KAITIAKITANGA: has the same meaning as defined in the Resource Management Act 1991.

LANDFARMING: means the deposition of petroleum drilling wastes onto land and their subsequent spreading and incorporation into the soil, for the purpose of attenuation of hydrocarbon and/or other contaminants and includes any stripping and relaying of topsoil.

LARGE SCALE RENEWABLE ELECTRICITY GENERATION ACTIVITIES: means electricity generation activities utilising renewable energy sources with a capacity of 20kW or greater for the purpose of exporting electricity directly into the distribution network or National Grid. Includes all ancillary components and activities such as substations, climate/environmental monitoring equipment, earthworks, roading, maintenance buildings, temporary concrete batching plants, internal transmission and fibre networks, vegetation clearance, and site rehabilitation works.

LINE: means a wire or wires or a conductor of any kind (including fibre optic or other cable) used or intended to be used for telecommunication, or the conveyance of electricity and includes any pole, support STRUCTURE, pole mounted transformer, overhead substation, insulator, casing, minor fixture, tunnel or other equipment or material used or intended to be used for supporting, enclosing, surrounding or protecting any such wire or conductor, and also includes any part of a line. It includes transmission lines as defined in the Resource Management (National Environmental Standards for Electricity Transmission Activity) Regulations 2009. It does not include lines as part of an AMATEUR RADIO CONFIGURATION.

LOADING BAY: means that part of a SITE or BUILDING used for loading and unloading of vehicles exclusive of vehicle ACCESS, aisles and MANOEUVRING SPACE, and situated on the SITE it is intended to serve.

MAINTENANCE: In relation to a NETWORK UTILITY, means any replacement, repair or renewal work or activity necessary to continue the operation and/or functioning of an existing NETWORK UTILITY. It includes the replacement of an existing line, BUILDING, STRUCTURE or other facility with another of the same or similar height, size and scale, within the same or similar position and for the same or similar purpose. It also includes the addition of extra lines to existing or replacement poles or other support STRUCTURES.

MAINTENANCE: (only applicable to the historic sites or sites of significance to tangata whenua in Schedule 1B) means mowing grass and lawns, general gardening, tree trimming, but does not include new EARTHWORKS, landscaping or fencing. For existing BUILDINGS, STRUCTURES and SIGNS within a scheduled historic site, it means the continuous care, repair and/or reinstatement of the BUILDING, STRUCTURE or SIGN.

MANA WHENUA: has the same meaning as defined in the Resource Management Act 1991.

MANOEUVRING SPACE: means the area of land excluding required PARKING SPACE within a SITE required to enable a vehicle both to enter and to exit a SITE via the vehicle ACCESS in a forward motion.

MARAE: means the land and buildings for the use of a Māori community family, hapū or tribe, and includes wharenui (meeting house), wharekai (dining rooms), wharepaku (ablution blocks inclusive of toilets, showers and changing rooms), wharekarakia (church), and other marae-based facilities, such as papakainga development, community activities, kohanga, childcare activities, and health care facilities.

MAST: means any mast, pole, tower or similar STRUCTURE designed to carry antennas, or other apparatus to facilitate TELECOMMUNICATION AND RADIOCOMMUNICATION, or AMATEUR RADIO CONFIGURATION.

METEOROLOGICAL ACTIVITIES: means the establishment and operation of facilities and installations or equipment to measure, collect and distribute meteorological information. This includes telecommunication, radio and satellite links, anemometers and wind vanes.

MINOR DWELLING UNIT: means a smaller DWELLING UNIT, up to 60m² in gross floor area, for use as a complete independent living facility and may share services, access and parking with the main DWELLING UNIT on the same SITE.

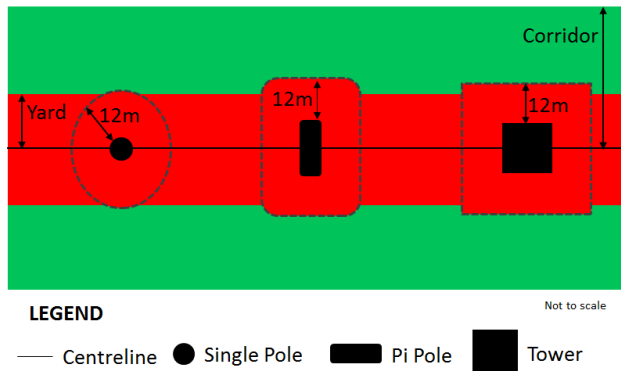
NATIONAL GRID: has the same meaning as in the National Policy Statement on Electricity Transmission (2008) and is identified as the “National Grid Line” on the Planning maps.

NATIONAL GRID SUBDIVISION CORRIDOR: means the area measured either side of the centreline of the aboveground National Grid line as follows:

- (a) 16m for the 110kV lines on pi poles.

- (b) 32m for the 110kV lines on towers.
- (c) 37m for the 220kV transmission lines.

NATIONAL GRID YARD: (shown in red in diagram below) means the area located 12 metres in any direction from the outer edge of a National Grid support STRUCTURE; and the area located 12 metres either side of the centreline of any overhead National Grid line on pi poles or towers.



Note: The NATIONAL GRID YARD does not apply to underground cables or any transmission lines (or sections of line) that are designated.

NATURAL GROUND LEVEL: means the level of the ground based on the natural contours of the land and shall not include EARTHWORKS which have resulted or will result from work undertaken as part of the construction of any BUILDING or development of the SITE.

NETWORK UTILITY: means any activity, BUILDING or STRUCTURE, including INCIDENTAL EQUIPMENT, relating to:

- (a) Distribution or transmission by pipeline of natural or manufactured gas, petroleum or geothermal energy.
- (b) Telecommunication or radio-communication.
- (c) Transformation, transmission or distribution of electricity.
- (d) The holding, transmission and distribution of water for supply.
- (e) Stormwater drainage or sewerage reticulation systems.
- (f) Beacons and natural hazard emergency warning devices.
- (g) Meteorological services.
- (h) A project work described as a “network utility operation” by regulations made under the Resource Management Act 1991.
- (i) Roads and STRUCTUREs associated with the operation of roads such as signs, traffic signals or streetlights.
- (j) Railways and STRUCTUREs associated with the operation of railways such as signs and traffic signals.

NETWORK UTILITY BUILDING: means STRUCTUREs containing NETWORK UTILITIES needing to be kept out of the weather, such as pump houses, weather stations and meteorological enclosures, but does not include cabinets or electricity substations.

NET SITE AREA: means the total area of a site for the exclusive use of a single DWELLING UNIT including but not limited to, any area provided for PARKING SPACE or MANOUVRING SPACE and BUILDINGS, but does not include land held in common ownership, communal open space, communal PARKING SPACES or ACCESS, or ACCESS LEGS to a rear site.

NO NET LOSS: means in relation to effects on indigenous biodiversity, no overall reduction in biodiversity, as measured by type, amount and condition.

NOISE SENSITIVE ACTIVITY: means RESIDENTIAL ACTIVITIES, VISITOR ACCOMMODATION, RESIDENTIAL CARE FACILITIES, MARAE, PAKAINGA DEVELOPMENT, HOUSING FOR THE ELDERLY, hospitals, HEALTHCARE FACILITIES, CHILDCARE FACILITIES, and EDUCATION FACILITIES.

NON COMPLYING ACTIVITY: has the same meaning as defined in the Resource Management Act 1991.

NOTIONAL BOUNDARY: means a line 20 metres from any part of a DWELLING UNIT, or the legal boundary of any site where this is closer to DWELLING UNIT.

OFFICE: means commercial, professional, or administrative office; and includes any bank and premises offering financial services.

OPEN SPACE: means any Council or Crown owned land which is used and developed for formal or informal recreation activities that do not take place in BUILDINGS.

PAPAKAINGA DEVELOPMENT: means the integrated development of multiple DWELLING UNITS, Marae, and other community building and recreation facilities on Maori freehold land, Maori customary land and Crown land reserved for Maori (as defined in Te Ture Whenua Maori Act 1993/Maori Land Act 1993).

PARKING SPACE: means an area provided on SITE for the parking of vehicles either within or outside a BUILDING, with a surface area of usable shape exclusive of vehicle ACCESS, aisles and MANOEUVRING SPACE.

PEAK PARTICLE VELOCITY (ppV) TESTING: means a test, or tests to ascertain the potential for vibration from a known seismic source output and the setting of appropriate offset distances for seismic surveys.

PETROLEUM ACTIVITY RISK AREA (for petroleum exploration and petroleum production provisions): means:

- the area defined as the 1×10^{-6} individual fatality risk contour contained in one or more allotments, sections or parcels in relation to which the operator of a petroleum exploration and petroleum production activity (currently established or proposed to be established) either owns or has an enforceable interest in (including lease, covenant, and legal contract); and
- precludes the establishment or operation of sensitive activities for the duration of the operation of the petroleum exploration and petroleum production activity within this area.

PETROLEUM ACTIVITY RISK CONTOUR (for petroleum exploration and petroleum production provisions): means the 1×10^{-6} individual fatality risk contour shown on the Planning Maps.

PETROLEUM EXPLORATION: any activity undertaken for the purpose of identifying petroleum deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of one or more petroleum substances; and includes any drilling, dredging, excavations (whether surface or sub-surface), hydrocarbon testing, initial production and associated site development activities that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and “to explore” has a corresponding meaning.

PETROLEUM PRODUCTION: any activity undertaken for the purpose of extracting and processing petroleum substances into a usable product.

PROSPECTING: any activity, and the use of associated equipment, undertaken for the purpose of identifying locations likely to contain useable mineral energy resources, and includes:

- (a) Geological, geochemical, and geophysical surveys (i.e. seismic surveys);
- (b) The taking of samples by hand or handheld methods; and
- (c) Aerial surveys.

PRINCIPAL BUILDING: means the main BUILDING associated with the primary use of a SITE, but does not include ACCESSORY BUILDINGS.

PRIVATE FUNCTION CENTRE/FACILITY: means any privately owned SITE, BUILDING, grounds or place leased to and/or used by members of the community for private events, concerts, meetings, functions, receptions, ceremonies, multi-use events or similar activities. This does not include COMMUNITY ACTIVITIES or TEMPORARY ACTIVITIES.

PROHIBITED ACTIVITY: has the same meaning as defined in the Resource Management Act 1991.

REAL ESTATE SIGN: means a SIGN (including banners and flags) advertising real estate (land, and buildings on land).

REDECORATION: (only applicable to the heritage provisions) means the renewal, restoration, or new applications of: surface finishes, coatings, painting, decorative elements, minor fittings and fixtures, and floor coverings, excluding paint on previously unpainted surfaces. Includes the application of finishes and coatings to repaired fabric and preparation of surfaces for redecoration (e.g. washing but excludes sandblasting).

REGIONALLY SIGNIFICANT WETLAND: means a wetland that is a habitat type identified and described in Schedule 6 of the District Plan as having significant indigenous biodiversity values.

RELOCATED BUILDING means any secondhand BUILDING which is transported in whole or in parts and relocated from its original location to a new location, including relocation within the same site. This includes relocation of ACCESSORY BUILDINGS and shipping containers where the latter are converted for habitable purposes.

REPAIR: (only applicable to the heritage provisions) means to improve the long-term condition of a BUILDING by using identical or closely similar materials to make good any damaged or decayed fabric. Repairs include re-pointing deteriorated brickwork, putting right damaged timberwork and replacing corroded or deteriorated roofing material.

RESIDENTIAL ACTIVITY: means any activity normally undertaken by people living in a DWELLING UNIT or ACCESSORY BUILDINGS such as sleep outs and includes activities ancillary to the primary residential use such as hobbies. This does not include HOME OCCUPATIONS, RESIDENTIAL CARE FACILITIES or HOUSING FOR THE ELDERLY.

RESIDENTIAL CARE FACILITY: means the use of a residential dwelling and site where up to five unrelated people live together and receive care on a 24 hour basis to assist with independent living.

RETAIL ACTIVITY: means any activity which involves the exchange of goods to the public through sale, rental, lease or other form of agreement and includes restaurants (including fast food outlets), but does not include a COMMERCIAL ACTIVITY, VEHICLE SERVICE STATION, COMMERCIAL GARAGE/VEHICLE

SALES YARD, TRADE AND SERVICE ACTIVITY, or the wholesale or retail sale of goods on the same site that they were manufactured, which is included as an INDUSTRIAL ACTIVITY.

RURAL SERVICE ACTIVITY: means service activities that are related to FARMING, FORESTRY HARVESTING and INTENSIVE FARMING including but not limited to seed cleaning, rural contractors, small-scale rural engineering or repair services, rural transport and machinery hire, stock transportation and grain drying, but does not include an INDUSTRIAL ACTIVITY.

SEISMIC SURVEY: means any survey undertaken for the purpose of petroleum exploration or production that uses explosives as the seismic energy source.

SENSITIVE ACTIVITY: means any of the following activities: RESIDENTIAL ACTIVITIES, VISITOR ACCOMMODATION, COMMUNITY ACTIVITIES (including Marae), OPEN SPACE, CAMPING GROUNDS/MOTOR CAMPS, EDUCATION FACILITIES, PAPAKAINGA DEVELOPMENT, HOUSING FOR THE ELDERLY, RESIDENTIAL CARE FACILITIES, CHILDCARE FACILITIES, cafés, restaurants, and hospitals. For activities in the NATIONAL GRID YARD, OPEN SPACE is excluded from the definition of SENSITIVE ACTIVITY.

SIGN: means any object or device including banners and flags or part thereof which is used to advertise, identify, display, direct or attract attention to an opinion, object, person, institution, organisation, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, emblems or trademarks, or motion, illumination or projected image and shall also include any of the foregoing things when displayed on a stationary vehicle, but shall exclude signs not visible from the road reserve or other public place.

SIGNIFICANT HAZARDOUS FACILITY: means any facility which involves one or more of the following activities.

- (a) Manufacturing and associated storage of hazardous substances (including manufacture of agrichemicals, fertilisers, acids/alkalis or paints).
- (b) Petroleum exploration and petroleum production
- (c) The storage/use of more than 100,000L of petrol.
- (d) The storage/use of more than 50,000L of diesel.

For (c) and (d), excludes the underground storage of petrol at retail service stations undertaken in accordance with HSNOCOP 44 Below Ground Stationary Container Systems for Petroleum – Design and Installation and HSNOCOP 45 Below Ground Stationary Containers Systems for Petroleum – Operation.

- (e) The storage/use of more than 6 tonnes of LPG.
- (f) Galvanising plants.
- (g) Electroplating and metal treatment.
- (h) Tanneries.
- (i) Timber treatment.
- (j) Freezing works and rendering plants.
- (k) Wastewater treatment plants.
- (l) Metal smelting and refining (including battery refining or re-cycling).

- (m) Milk processing plants (except where milk processing plant is specifically designed to contain and store milk so that any reasonably potential spillage of milk is contained within the site of the plant until it can be disposed of to an approved wastewater system).
- (n) Fibreglass manufacturing
- (o) Polymer foam manufacturing
- (p) Asphalt/bitumen manufacture or storage
- (q) Landfills
- (r) Refrigerated food processing sites/warehouses.

For the purpose of this definition, facility means the immediate part of a site where the listed activity takes place, rather than the entire site with which the activity is associated. Parts of a site that do not contain an activity listed above are not subject to this definition.

SITE: means all that land contained in one or more allotment, section or parcel upon which an activity is currently established or is proposed to be established.

SMALL SCALE RENEWABLE ELECTRICITY GENERATION: renewable electricity generation at a capacity of no greater than 20 kW for the purpose of using or generating electricity on a particular SITE, or supplying an immediate community, or connecting into the distribution network, and includes generation using solar, wind, hydro and biomass energy resources.

STRUCTURE: means any building, equipment, device or other facility made by people and which is fixed to the land.

TANGATA WHENUA: has the same meaning as defined in the Resource Management Act 1991.

TELECOMMUNICATION AND RADIOCOMMUNICATION ACTIVITIES: in relation to telecommunications, has the same meaning as telecommunication as that term is defined by Section 5 of the Telecommunications Act 2001 and in relation to radiocommunications has the same meaning as defined by Section 2(1) of the Radiocommunications Act 1989.

TEMPORARY ACTIVITY: means any short term activity and any buildings and structures associated with that activity and includes, but is not limited to:

- (a) Any event such as a gala, a sports event, a festival, a market or an outdoor music event; or;
- (b) Any short term filming activities.

It does not include TEMPORARY MILITARY TRAINING ACTIVITIES.

TEMPORARY MILITARY TRAINING ACTIVITY: means a temporary military activity undertaken for defence purposes. Defence purposes are those defined in Section 5 of the Defence Act 1990.

TIKANGA MAORI: has the same meaning as defined in the Resource Management Act 1991.

TRADE AND SERVICE ACTIVITY means business engaged in sales to businesses, and the general public, but wholly consists of sales in one (1) or more of the following categories:

- (a) Automotive and marine supplies.
- (b) Buildings supplies.
- (c) Garden and landscaping supplies.

- (d) Farming and agricultural supplies.
- (e) Hire services (excluding hire of books, DVD and video).
- (f) Office furniture, equipment and systems supplies.

TRIMMING and MAINTENANCE (relevant to notable trees), means the trimming and maintenance necessary to maintain the health of the tree, or the removal of branches interfering with or anticipated to interfere with buildings, structures, overhead wires or utility networks, or likely to compromise the effective operation of those overhead wires or utility networks and only where work is carried out by a Council approved arborist which has advised the Council in advance of the work to be carried out.

UNACCEPTABLE RISK (for significant hazardous facilities provisions): means exposure of sensitive activities (including residential dwelling) to an individual fatality risk level exceeding 1×10^{-6} per year.

UNUSUAL HEAVY VEHICLE TRAFFIC: means any new HEAVY VEHICLE traffic movements which significantly increase, (by more than 150%), the existing annual average daily number of HEAVY VEHICLE movements on any road.

Advice Note: AADT is to be calculated in accordance with best practice industry standards, (e.g. Austroads Guide to Traffic Management Part 3: Traffic Studies and Analysis, Second Edition April 2013). Where a broad counting program has been established and seasonal patterns identified, the AADT at a particular location may be estimated by multiplying a sample count (e.g. two seven days duration) by the seasonal adjustment factor derived from a Pattern Station representative of the required location:

i.e. $(AADT)_j = ADT_{ij} \times (Seasonal\ factor)_i, k$

where $(AADT)_j$ is the required location j .

$(ADT)_{ij}$ is the sample count in the season (month, week etc) i at the location j

$(Seasonal\ Factor)_{i,k}$ is the adjustment factor for season (month, week etc.) i at pattern station, k , representative of the required location j

The Council will generally have AADT volumes on record which are based on a seven day count, however if data is not available or is considered to be out of date, the Council may request that the applicant obtain sample traffic count data to calculate the AADT.

UPGRADING: As applied to electricity or telecommunications LINES means an increase in the carrying capacity of, or efficiency or security of, the LINE utilising the existing support STRUCTURES or STRUCTURES of a similar scale, size and character, and includes:

- (a) The addition of circuits and conductors;
- (b) The reconductoring of the line with higher capacity conductors;
- (c) The retagging of conductors;
- (d) The addition of longer and more efficient insulators;
- (e) The addition of earthwires, which may contain telecommunication lines, earthpeaks and lightning rods;
- (f) The bonding of conductors;
- (g) The addition of electrical or telecommunication fittings, excluding antenna;

- (h) The replacement of support structures in the same location or within the existing alignment of the electricity line;
- (i) The replacement of existing cross arms, including with cross arms of an alternative design;
- (j) An increase in support structure HEIGHT to achieve compliance with the clearance distances specified in NZECP34:2001;
- (k) An increase in support structure HEIGHT by not more than 15% of the base HEIGHT of the support structure, and where the base HEIGHT is defined as the HEIGHT of the structure at date of public notification of the Plan.

Upgrading shall not include an increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage.

OR

As applied to other NETWORK UTILITIES, means the replacement, repair or renewal of existing NETWORK UTILITIES but does not extend to any increase in height or size, or change in location whereby such work would not comply with a permitted activity standard.

USE: has the same meaning as defined in the Resource Management Act 1991.

VEHICLE CROSSING: means the section of any access from the front of the legal boundary to the formed road, and includes any culvert, bridge or kerbing.

VEHICLE SERVICE STATION means any land or premises used principally for the retail sale of motor vehicle fuels and for the re-fuelling and servicing of vehicles; incorporating activities which are incidental to the principal re-fuelling activity including the retail sale of motor vehicle accessories, oils, spare parts, and the retail sale of convenience goods; and ancillary services including mechanical repairs, warrant of fitness testing, tyre servicing, the mechanical washing of vehicles, and the hire of vehicles.

VISITOR ACCOMMODATION: any building or buildings offering temporary accommodation and includes (but is not limited to) hotels, motels, backpacker's accommodation, hostels and youth hostels. It does not include CAMPING GROUNDS/MOTOR CAMPS, HOLIDAY HOMES or HOME BASED VISITOR ACCOMMODATION.

WAHI TAPU has the same meaning as defined in the Heritage New Zealand Pouhere Taonga Act 2014.

WASTE DISPOSAL FACILITY: means any facility accepting, storing, processing and disposing of solid and/or hazardous waste onto or into land where the waste is not generated on-site.

WASTEWATER TREATMENT FACILITY: means any land and/or buildings used for the purpose of storage and/or treatment and/or disposal of wastewater. It does not include any on-site wastewater disposal system.

WATERBODY: has the same meaning as defined in the Resource Management Act 1991.

WETLAND: has the same meaning as defined in the Resource Management Act 1991.

SECTION 2: OBJECTIVES AND POLICIES

The District Plan sets out “objectives” being the end state or outcome that the District Plan aims to achieve or maintain for a particular zone, area or resource. The “policies” are the course of action being followed through the District Plan to achieve the objectives. Each set of policies has an “explanation” that offers further clarity and understanding to the policies framework. The “methods” show how the policies would be implemented.

The objectives and policies set out in Section 2 provide the policy framework that any resource consent application, notice of requirement or District Plan Change will be assessed against. It is likely that a number of objectives and policies will be applicable to any proposal, and therefore no single objective or policy should be considered in isolation. An overall broad judgement of the proposal should be made against all relevant objectives and policies

Section 2.1 Rural Zone

Issues

- 2.1.1** Need to provide for productive land use and other complementary rural based activities while ensuring the adverse effects on the rural environment are not excessive and do not result in incompatibility between different land uses.
- 2.1.2** Rural subdivision can provide for economic and lifestyle/living opportunities but can also negatively impact on the functioning of productive and other rural land use activities, rural character and amenity values, and create demand for services.

Land Use Activities

The Rural Zone covers the majority of the South Taranaki District, and is an important land resource resulting from the interaction of climate, topography and soil type. The characteristics of the rural environment are shaped by the interaction between natural and physical resources and human activities. Rural character, amenity values and productive use of rural land resources underpins the social, economic, and cultural wellbeing of the District.

The rural environment has been, and continues to be used in many different ways to support and provide for those living in South Taranaki. The predominant activity in the South Taranaki rural environment is dairy farming which extends across the fertile ring plain. Over time the nature of dairy farming has undergone changes, such as an increase in average farm area and stocking rate per hectare, coupled with an increase in the use of off-farm supplements. The changing nature of farming practice has resulted in changes to the scale and nature of actual and potential effects on the environment.

The present day rural environment supports a variety of other land based farming activities including dry stock farming, cropping, horticulture, exotic forestry, small niche farming land uses, and rural service activities. The nature and distribution of farming activities is largely determined by natural patterns of landform, climate and soil type. These farming activities typically have an assortment of buildings and equipment, such as packing and processing sheds, milking sheds, fertiliser depots and rural contractor’s yards. Infrastructural and other industrial-type activities also occur in the Rural Zone, such as network utility facilities (e.g. transmission lines), quarrying, aggregate processing and gravel extraction, all of which are critical to the functioning of the District.

The above activities play a large role in the formation of a common rural character and amenity. Rural amenity values include landscape and scenic values, individual privacy, open rural outlook and open space, vegetation prevailing over built elements, openness, and ease of access, clean air, unique odours, overall quietness, water availability and the wellbeing of the community. Productive working environments are common and may contain large utilitarian buildings associated with farming. In general, buildings or structures are typically relatively low, and non-urban in density, with generous setbacks from external property boundaries, and with the height, scale, density and number of buildings not dominating the landscape and open space qualities of the rural environment. Properties are self-serviced with respect to water supply, wastewater disposal, and stormwater management.

While most of these activities are generally considered acceptable, they have the potential to generate adverse effects on the rural environment, depending on their size and location, and the proximity and sensitivity of adjacent land uses. Effects that can be experienced beyond the boundaries of the site (which sometimes cannot be avoided) include dust, odour, vibration, noise, traffic, visual dominance and location effects of buildings, and intrusion on privacy. Machinery noise, stock movements, burning and spraying are necessary and usual aspects of life in a rural area.

Some types of activities that are generally not considered appropriate in the rural environment are commercial, retail and industrial activities. These may be incompatible with rural character and amenity values, or create conflict with other existing lawfully established activities. Furthermore, these other activities may introduce urban characteristics or features, and they lend themselves to be more appropriately located in an urban location, where the servicing, infrastructure and facilities are more suitable to assist in avoiding, remedying or mitigating their potential adverse effects.

Avoidance of inappropriate and incompatible land uses that are contradictory to the rural environment's location-specific values is important to maintain environmental quality and ensure that the productive use of land resources (for a resilient and diverse economy) is not compromised. There is a need to strike a balance between providing for a range of uses and development of natural and physical resources, and the preservation of that character, and those amenity values (such as vegetation prevailing over built elements, open space, privacy, ease of access and landscape and scenic values).

Rural Subdivision

Subdivision and subsequent use of rural land in particular can impact on the quality and functioning of the rural environment by affecting amenity values and rural character. It can also impact on the efficient and successful functioning of farming activities.

Cumulative pressures and demands for rural subdivision can generate tensions between those who opt for a rural lifestyle for open space, privacy, peace and quiet, and scenic values and those who rely on the productive capability of the rural land resource. Rural living can result in reverse sensitivity conflicts, as residents with higher expectations of amenity move into a rural environment, where previously, noise, dust and stock movements were generally considered a usual aspect of the rural environment. If increasing density of rural subdivision is allowed in close proximity to existing intensive farming activities, it can undermine the viability of farming activities should complaints about heavy traffic or objectionable noise, dust or odour arise. Increasing density of subdivision can also intensify pressure on the range of infrastructure servicing (roads and reticulated services), which also conflicts with infrastructure services for intensive farming activities (e.g. if rural roads are expected to be of a higher quality).

A key challenge in the management of the rural environment is the desire to provide for such rural lifestyle opportunities and other sensitive activities in a manner that protects existing rural activities from reverse sensitivity effects. The rural environment is valued for a variety of uses and purposes, therefore the Council has a responsibility to maintain this environment, and allow people to appreciate

and enjoy rural lifestyles, while also enabling farming activities to operate without unreasonable restriction.

In response to this issue, and the reverse sensitivity issues of rural subdivision on farming activities, rural-residential living opportunities should be of a size, intensity and scale that is consistent with productive land uses so that the wider rural environment and associated land use activities are not compromised.

Objectives

- 2.1.3** To ensure that subdivision, land use and development in the rural environment is of a nature, scale, intensity and location that maintains and, where appropriate, enhances rural character and amenity values.
- 2.1.4** To enable the efficient and effective functioning of farming and rural based activities, and ensure that activities are not inhibited by adverse effects of new incompatible land uses.

Policies

Rural Subdivision

- 2.1.5** Provide for rural subdivision at a scale, design and intensity where it is compatible with the character and qualities of the surrounding environment, and limit more intensive or poorly designed subdivision where the character and qualities would be degraded or compromised.
- 2.1.6** Manage larger-scale and more intensive subdivision, land use and development to maintain and, where appropriate, enhance the attributes that contribute to rural character and amenity values, including:
- (a) Productive working landscape.
 - (b) Predominance of vegetation of varying types (pasture, crops, forestry, amenity plantings) over buildings.
 - (c) Varying forms, scales and separation of buildings and structures associated with the use of the land.
 - (d) Low population density relative to urban areas.
 - (e) On-site servicing and a general lack of urban infrastructure such as street lighting and footpaths.
- 2.1.7** Residential subdivision and use at the periphery of the Township Zones is appropriate, if on-site servicing is achievable, reverse sensitive effects are avoided, and where adverse effects on the established character and amenity of the township are avoided, mitigated or remedied.

Rural Amenity and Character

- 2.1.8** Manage the adverse effects of noise, vibration, odour, dust, traffic, glare and other nuisances from land use activities and development through relevant performance standards and appropriate spatial buffers and setback requirements for specific activities.

- 2.1.9** Ensure that new land use activities are of a nature, scale, intensity and location consistent with maintaining the character and amenity of the rural environment, and avoids or mitigates potential reverse sensitivity effects.

Land Use Activities

- 2.1.10** Provide for the establishment and operation of farming activities which rely on a location in the rural environment, provided they avoid, remedy or mitigate adverse effects without unduly affecting landowner's ability to use their land productively.
- 2.1.11** Provide for the establishment and operation of new non-farming activities and the ongoing operation of existing lawfully established activities which are compatible and / or associated with farming activities in the rural environment, provided they avoid, remedy or mitigate adverse effects.
- 2.1.12** Minimise, and where possible, avoid subdivision, land use and development that has the potential to inhibit the efficient use and development of versatile land for farming purposes or other lawfully established rural activities or rural industrial activities in an adjoining Rural Industrial Zone.

Buildings (Location, Design and Setbacks)

- 2.1.13** Reduce obtrusive built elements in the rural environment by integrating building location and design with the surrounding landform and landscape qualities, while recognising that the location and design of some buildings, and infrastructure is influenced by their function and/or resource constraints.
- 2.1.14** Avoid, remedy or mitigate adverse effects on rural privacy and rural character in the Rural Zone by maintaining road and site boundary setbacks for all buildings, while recognising that the degree of privacy and rural spaciousness is different in areas comprising existing smaller rural-residential lots.
- 2.1.15** Manage potential reverse sensitivity conflict between farming, other rural activities and sensitive activities through appropriate separation distances or other measures, while giving priority to existing lawfully established activities.

Industrial, Forestry and Aggregate/Soil Extraction

- 2.1.16** Provide for small scale soil and aggregate extraction activities by controlling the scale and location of extraction and the need to internalise environmental effects within the site.
- 2.1.17** Ensure that activities based on the extraction or processing of rural products, as well as large scale soil and aggregate extraction activities, avoid, remedy or mitigate potential adverse effects on the surrounding environment and that the environmental effects are internalised on site as much as possible.
- 2.1.18** Encourage industrial activities not based on rural servicing or the processing of rural products to establish in the Industrial Zone in an urban centre where this is an appropriate location for such an activity.

Health, Safety and Traffic

- 2.1.19** Control the scale, intensity, size and design of rural subdivision and land development so that on-site wastewater treatment and disposal systems do not result in contamination of soil, groundwater or other natural resources.

- 2.1.20** Ensure that rural residences can access on-site sufficient quantities of potable water to avoid risks to human health and amenity.
- 2.1.21** Manage the effects of heavy vehicle movements from rural activities on the environment, including cumulative effects on the safety and efficiency of the District's roading network.

Explanation of Policies

The policies seek to provide for a range of farming and rural-industrial type activities in the rural environment, while maintaining rural amenity, open space, privacy, ease of access and landscape and scenic values associated with the rural environment that are enjoyed by the community. It is recognised that farming is the principal land use in the Rural Zone and the District Plan enables these activities (and commonly associated and ancillary activities) to occur. Rural land use activities which have the potential to generate adverse effects on the environment (e.g. rural subdivision, forestry, aggregate or soil extraction and processing, other rural industrial-type activities, and associated large utilitarian buildings) must be compatible with the character and qualities of the surrounding environment, and shall not generate adverse effects on surrounding properties (noise, dust, odour, or nuisance) or on the efficient and effective operation of existing farming activities, versatile land or transport networks. Notwithstanding this, residents living in the rural environment need to recognise that farming activities can generate some external effects which are accepted (e.g. temporary noise associated with the use of farm machinery).

Parts of the rural environment may also be suitable locations for infrastructure, including renewable electricity generation activities, due to the location of natural or physical resources and due to the low population density compared to other parts of the district. The District Plan establishes a framework for the management of the actual or potential effects of the activities and it recognises that these activities may be appropriate in the rural environment.

The policies above support rural subdivision that would maximise the likelihood of the continued use of versatile land for productive rural land use and provide flexibility for the configuration and ownership of rural properties. Introducing a minimum site size for rural-residential subdivision is anticipated to relieve the pressures for small lot subdivision, while avoiding intensified rural subdivision which fragments versatile land in the wider rural environment. The overall objective is to safeguard the life-supporting capacity of versatile land, and the continued operation of farming activities.

The relationship between rural subdivision and the Township Zones is recognised in the policies. The Township Zones enables the use, development and protection of existing development (Commercial, Industrial and Residential) at each of the small South Taranaki settlements. The zone boundaries do not provide outward growth or development. However, provide some growth to these existing communities, rural subdivisions at the interface with the Township Zones would be appropriate. Any application for a rural subdivision at a Township would be required to demonstrate that the site layout and lot design responds positively to the character and amenity of the existing township and rural environments. The provision of on-site servicing for each new lot must be demonstrated, and any potential reverse sensitivity effects on existing rural, industrial or commercial activities are to be avoided, remedied or mitigated.

It is also important to minimise the occurrence of reverse sensitivity, which is a term used to explain the effect that new development of one kind may have on activities already occurring in an area. Typically, this situation arises where new residential activities (dwellings) locate in close proximity to farming activities or existing large-scale processing activities and infrastructure facilities, and the new occupants have unreasonable expectations about the level of amenity values which they wish to enjoy. In turn, this can affect established land uses and result in conflict and ongoing difficulties in environmental

management. The District Plan seeks to control the siting of such sensitive activities to avoid or mitigate the potential for such adverse effects to occur.

Conversely, it is important that new farming and other rural based activities with potential to create significant adverse external effects are controlled to avoid future conflicts. This policy may require controls on siting of some activities or appropriate setback requirements.

With the absence of reticulated services in rural areas, on-site water supply is required as well as the management and disposal of all wastes. The individual water supplies and on-site management of waste can have adverse effects in addition to the activity itself. Where water is taken from surface or ground water sources, or waste discharged, these are managed by the Regional Council. The District Council is responsible for managing the use of land, including where waste causes a nuisance or adversely effects amenity values.

Methods of Implementation

The methods of implementation include:

- District Plan rules and performance standards to control activities and subdivision that have the potential to adversely affect the character and amenity of the rural environment, including small-lot subdivision, forestry, soil or aggregate extraction, and commercial and industrial activities.
- Performance standards, spatial buffers and setback requirements for activities so that rural land use activities do not generate adverse effects of reduction in privacy and openness, noise, vibration, odour, dust, glare and other nuisances.
- Assessment of environmental effects through the resource consent process for proposals involving incompatible land use or activities in the Rural Zone or those not meeting performance standards. This includes assessment of cumulative effects on the long term sustainability of versatile land and productive land use.
- Conditions on resource consent applications to avoid, remedy or mitigate adverse effects on the rural character, amenity and quality of the environment, for example a road maintenance agreement to repair roads from heavy vehicle traffic damage, restrictions on hours of operation and noise levels, or landscaping, fencing and site restoration.
- Advocate alternative locations to allow for more efficient servicing or management of potential adverse effects, particularly in respect of industrial activities.
- Promote the use of management plans and industry codes of practice as a means of self-regulation.
- A bylaw under the Local Government Act to manage the effects of heavy vehicle traffic on the safety and efficiency of the road network.

Section 2.2 Residential Zone

Issues

- 2.2.1 Variable rates of development and the mixed condition of towns and neighbourhoods can both improve or detract from residential character and amenity.**

2.2.2 Whilst there are some similarities in the character and amenity values of each South Taranaki town, there are also differences in identity and context relating to each town's historical and current development.

Amenity and character values contribute to the look and feel of a place. Residential streets and neighbourhoods have established character and amenity values which can be both positive and negative. Places change through small increments or large redevelopments, and therefore the established residential character and amenity may also change for the better or for the worse, depending on what is valued.

The elements and features that contribute to the amenity and character values of a residential area can include the level of residential and non-residential activity, the density of dwellings and the scale, bulk and position of buildings in relation to property boundaries, including the street. The extent of open space and the level of greening that is present also add to character and amenity. The width of streets, the use of kerb and channel or mown berms, and the presence of street furniture and street trees are important too. The overall ambient noise levels, the level of privacy enjoyed, minimal visual and nuisance effects (odour, dust and glare), and the proximity or connection to open spaces (parks, public gardens, walkways, cycle routes) all contribute to residential amenity.

South Taranaki's towns and settlements have their own distinctive identity, geography and history, yet there are similar residential elements and features which can be managed in the same way in the District Plan.

Some towns have been in gradual decline due to an overall economic downturn after key employment generating industries closed or amalgamated. Consequently, in some towns there have been low levels of reinvestment in properties and an overall sense of low activity and high vacancy rates. Reinvestment and development has occurred within some towns, in the form of 'infill' residential development within established residential areas and greenfield residential development on the urban periphery.

South Taranaki District Council has 167 areas managed as parks and reserves varying in size from Lake Rotokare Reserve (220 hectares) to small gardens and lawn reserves of only a few square metres. Residential areas typically support neighbourhood parks, domains, recreation grounds and facilities, gardens, nature and coastal reserves. All these Council open spaces contribute to the character and amenity of residential environments and provide access and opportunities for formal and informal recreational activities.

Many smaller towns have parks and domains on the urban/rural boundary, for example Dallison Park in Waverley, Manaia Domain and Patea Domain, and Opunake's beach front. These larger parks and domains contribute to the visual outlook experienced from residential properties. Hicks Park and King Edward Park in Hawera, and the Opunake Domain support larger multipurpose community and recreation facilities and currently operate under resource consent conditions so that effects on the environment are adequately avoided or mitigated.

Objectives

2.2.3 The Residential Zone is predominately a living environment with a range of housing to accommodate different lifestyles and residential needs.

2.2.4 To allow complementary and compatible non-residential activities to support the functioning of the local community, provided that the adverse effects are avoided, remedied or mitigated.

- 2.2.5** To maintain and enhance the character and amenity values of residential neighbourhoods ensuring:
- (a) Residential density is generally low, except where quality medium and high density developments are appropriately located and designed.
 - (b) Activities do not detract from amenity values.
 - (c) The appropriate use, development and protection of Council’s open spaces within residential areas shall contribute to character and amenity of places, and provide access to formal and informal recreation activities.
 - (d) Access to privacy, open space around buildings, and quality outdoor living space.
 - (e) Open street frontages.
 - (f) Protection from noise, vibration, odour, dust and glare.
 - (g) Separation of dwellings from industry.
 - (h) Front yards and public places are landscaped.
 - (i) Adequate footpaths and cycleways.
 - (j) Off-street parking.

Policies

- 2.2.6** Provide for a range of housing opportunities by enabling standard residential development and as well as a greater intensity of residential development where it can be designed to minimise adverse effects on residential character and amenity.
- 2.2.7** Provide for standard residential development at a density and nature which is consistent with the character of the existing residential areas, including the provision of a minor dwelling which is secondary to the main dwelling on a site, to enable flexible living arrangements for family and non-family members.
- 2.2.8** Provide for denser housing throughout the Residential Zone which enables more intensive housing (compared to a standard residential development) where the effects on the surrounding residential character and amenity can be avoided, remedied or mitigated by achieving an appropriate site layout, scale, and design of housing.
- 2.2.9** Provide for higher density housing close to the Hawera Town Centre where compact living opportunities are well designed and are at a walkable distance to local amenities, public open spaces and community facilities.
- 2.2.10** Provide for housing for the elderly where the site layout and design of the complex including dwelling units, medical and staff facilities, access and parking minimises the adverse effects on the surrounding residential area.
- 2.2.11** Ensure denser housing developments are designed to maximise on-site amenity and to manage adverse effects on the surrounding residential character and amenity.
- 2.2.12** Maintain access to sunlight and protect the level of privacy for residential properties by managing the bulk and location of buildings in relation to residential site boundaries.

- 2.2.13** Maintain an open and spacious residential character on standard and larger lot residential properties by ensuring building size and footprint is proportional to the size of the lot and ensuring the provision of private outdoor living areas for each dwelling unit.
- 2.2.14** Ensure the provision of quality private outdoor spaces within more intensive residential developments to ensure a high quality living environment and enhanced amenity values.
- 2.2.15** Protect visual amenity by maintaining a relatively low building height and open space between buildings, and requiring outdoor storage to be appropriately screened or kept tidy.
- 2.2.16** Encourage the retention of established trees where they can contribute to the character and amenity of the site and the surrounding residential neighbourhood.
- 2.2.17** Recognise the importance of accessory buildings as they support a wide range of secondary uses which can be integral to the overall functioning of the main residential activity (garaging, storage, hobbies and home occupations), while managing their size and location to maintain the streetscape and residential character.
- 2.2.18** Recognise and provide for non-residential activities within the Residential Zone which are complementary in scale, nature and intensity to residential activities, in a way that avoids, remedies or mitigates adverse effects on adjoining residential properties and the wider neighbourhood.
- 2.2.19** Recognise and provide for small-scale home based child care facilities and home based visitor accommodation where they exhibit similar characteristics to a home occupation.
- 2.2.20** Manage larger scale child-care facilities that operate independently from a residential activity to ensure the adverse effects on residential character and amenity (including but not limited to noise, traffic, carparking and drop off zones, buildings, structures and signs) are avoided, remedied or mitigated.
- 2.2.21** Recognise the role of Council open spaces, including gardens, parks, reserves, domains, recreation grounds and scenic and coastal reserves, in maintaining and enhancing the character and amenity values of the residential environment.
- 2.2.22** Review and revise existing reserve management plans to provide strategic direction for the use, development and management of Council's open spaces.
- 2.2.23** Provide integrated and safe connections between Council open spaces and residential developments, by providing opportunities for walking and cycling.
- 2.2.24** Provide for buildings, structures and car parking associated with formal and informal recreation activities on Council open spaces.
- 2.2.25** Restrict industrial activities to avoid incompatibility issues and significant adverse effects on residential character and amenity.
- 2.2.26** Avoid the establishment of panel beating and spray painting businesses as they are incompatible with the character and amenity values in the Residential Zone.

Explanation of Policies

The community places a considerable value on the existing character and amenity values associated with the Residential Zone. The performance standards reflect the community's preference for a more flexible approach to housing development, where different types of housing can be provided, including the use of minor dwelling units and/or accessory buildings to provide for family or non-family members.

Denser residential development which results in multiple dwelling units on standard sized residential properties (400m² – 1000m²) provides opportunities for compact living and suits a range of lifestyles. In addition, this more intensive development supports the consolidation of development within existing settlements. This is particularly relevant to coastal settlements to promote the protection of the natural character values of the coastal environment. This more intensive type of residential development has the potential to generate adverse effects on established residential environments, particularly where the existing character is dominated by low density suburban housing. However, intensive residential development can be designed so the layout and scale of housing complements established neighbourhoods. Change can still be expected, but adverse effects such as loss of or reduced privacy, access to sunlight and overall amenity can be minimised through good site planning and design of the dwelling units.

Overall, denser residential development is to be anticipated in the Residential Zone, but managed so that each development ensures a high level of on-site amenity, minimises adverse effects on neighbouring residential properties, and contributes to the overall residential character and amenity value of the different areas.

A higher concentration of residential development near the town centre of Hawera is also encouraged where there is close proximity (e.g. walking distance) to shops, amenities, community activities and public open space. Distances that encourage people to walk to Hawera's town centre may vary. However, a distance of 500 - 750 metres would provide for a range of different walking abilities and tolerances. From the centre of Hawera's retail area (High Street/Union Street) a catchment of residential properties can be identified for greater levels of development. It is noted that immediately outside Hawera's immediate town centre there are key amenities such as King Edward Park, Bayly Park and large format businesses (e.g. The Warehouse). Therefore opportunities for more intensive housing in close proximity to these types of facilities would be appropriate, particularly given infill housing development has occurred already on Grant VC Street, Laurent VC Street, and Dixon Avenue. Good outcomes are expected for housing close to the town centre, although greater density can be expected as the character transitions from suburban residential to larger scale commercial buildings and different levels of amenity.

Developments that provide housing for the elderly can range from a number of smaller compact residential units through to comprehensive developments that include units, serviced apartments, on-site medical care and recreation facilities. The Residential Zone anticipates the small to medium sized developments, where the density and effects from the non-residential components can be adequately managed. The larger, more comprehensive development would be better located in a Commercial Zone where the effects on residential amenity are not as significant.

Front yard setbacks maintain a continuous and relatively uniform streetscape with open space between the residential dwelling and the public street, and can provide opportunities for landscaping should the landowner seek to do so. The front yard setback also provides sufficient length for a vehicle to park in front of a building to avoid the parked vehicle encroaching on or blocking the footpath. Site coverage and building setbacks from all other boundaries enable space between dwellings to be maintained for privacy and visual relief. Sunlight recession planes ensure adequate sunlight penetration to adjacent sites. Private outdoor space is expected to be provided on residential sites for dwellings units and minor dwelling units, to achieve a baseline level of on-site amenity.

Established trees contribute to residential character and amenity values. Development can often result in the removal of established trees. Proposed landscaping can mitigate adverse visual effects, but it often takes a long period of time before tree species can, if at all, replace older more established trees. The ideal situation is where a proposed development integrates existing healthy mature trees into the new development, rather than removing them.

Non-residential activities such as churches, recreation facilities, childcare facilities, retail and commercial activities can range in size and scale. These activities contribute to residential environments, yet can also generate adverse effects if not managed appropriately, or if the scale is too large and dominant for a residential site. While there is flexibility in the range of activities that can locate in Residential Zones, beyond a certain scale non-residential activities require a case by case assessment of effects on neighbours and the surrounding residential area to determine whether they are appropriate or not.

The Council is also a substantial provider of public open space through its parks, reserves, domains, recreation grounds and facilities. These open spaces are distributed throughout the residential areas of South Taranaki's towns and settlements and contribute to the overall character and amenity. Rather than include a specific open space and recreation zone, the use, development and protection of open spaces are managed by performance standards and rules of each relevant zone, including the Residential Zone. The eventual use of Reserve Management Plans to provide the strategic direction for individual reserves, will require the review and update of the Council's existing documents.

Methods of Implementation

The principal methods of implementation are:

- Performance standards and rules in respect of the number of dwelling units and density, bulk and location, private outdoor living areas, lighting, outdoor storage and odour;
- Performance standards and rules in respect of non-residential activities, including home occupations, home child care services, childcare facilities, community activities, and temporary activities.
- Identification of areas within the Residential Zone, close to the Hawera town centre to provide for more intensive residential development.
- Residential Design Guide to provide practical ideas and assessment for residential developments that provide for greater levels of residential density.
- Assessment of environmental effects through the resource consent process for proposals involving more intensive residential developments, using performance standards to assess the different components of the development.
- Use of conditions on resource consents to control the effects of activities to acceptable levels for the Residential Zone.
- Use of Reserve Management Plans for the strategic direction and planning of the Council's individual parks and reserves.

Section 2.3 Township Zone

Issue

2.3.1 The mix of land use activities and development within small townships results in distinct character and amenity values that provide for their ongoing viability and role in the local community.

The Taranaki ring-plain is a highly productive area where a number of small settlements have established throughout the rural area. These small settlements historically or currently provide goods and services to support the effective functioning and processing of farming and community activities. These townships are: Warea, Pungarehu, Rahotu, Pihama, Okaiawa, Alton, Kakaramea and Waitotara.

These townships are effectively mixed use areas where community, industrial, retail, commercial and residential activities have developed side by side with historic industry rather than in defined areas. This nature of land use has given these townships a distinct character, with the pattern of development often linear, having developed along state highways and local roads. There may be a concentration of businesses in the core of the township, and/or individual businesses may be scattered around the township. None of the townships have reticulated wastewater systems and rely on individual on-site treatment and disposal. Only two townships (Rahotu and Okaiawa) are connected to a Council reticulated water supply, with other townships relying on individual on-site water supplies (e.g. septic tanks and wells, bores and rainwater collection tanks).

The majority of the townships have not grown significantly in recent years or been subject to major developments; in fact most are declining in population. The historical pattern of subdivision often suggests that these townships were anticipated to grow much larger than they have. Alternatively, the townships established and grew relatively large based on a single business (e.g. dairy processing factory), and due to economic, political or other changes (e.g. amalgamation of the dairy processing industry and the closure of many independent dairy factories, due to increased mobility), the size and intensity of these townships is in decline. Notwithstanding this, these townships still service the local community and provide important community and business activities, as well as living opportunities.

The residents of these townships may anticipate a different type and level of amenity than those in defined residential zones, as a result of residing adjacent to facilities such as fertiliser depots, garages and contractors yards. They may be less sensitive to noise and odour, although conversely they may be desensitised to existing effects, yet may still be adversely affected by a new proposal.

The size and scale of land use activities is generally small and domestic. Commercial and industrial activities and buildings are typically a similar size to dwellings and employ a small number of people. Buildings are typically 1-2 storeys. Streetscapes have variable characteristics, with some buildings sited on or near the street frontage, particularly commercial buildings (e.g. general store, garage or pub), while most residential buildings are setback with landscaping in front similar to most residential areas.

Typically, these settlements are traversed by or situated adjacent to the state highway, and are often not subject to speed restrictions. Development and use of land will typically require traffic to be managed in such a way that there is safe passage to and from the road, and provide for off-road parking and manoeuvring.

Objective

- 2.3.2 To provide for a mix of activities that support the needs of the local community while maintaining and enhancing the distinct character and amenity values of the small rural settlements.**

Policies

- 2.3.3** Recognise and provide for the existing small rural settlements that serve an important local role and have a distinct character through a Township Zone.
- 2.3.4** Provide for a mix of land use activities and development which are complementary and compatible while ensuring an acceptable level of amenity for residents through the application of rules and standards.
- 2.3.5** Ensure new land use activities, development and subdivision maintains and enhances the established character and amenity values of the individual township with an overall low

building form and density, and exceptions for existing commercial, industrial and community activities and facilities.

- 2.3.6** Provide for existing commercial, industrial and community activities and facilities, while ensuring any changes or expansion of these activities do not adversely affect the qualities of the township.
- 2.3.7** Ensure all land use activities, development and subdivision provides a suitable on-site wastewater treatment and disposal system, stormwater systems, and water supply (except in Rahotu and Okaiawa where Council reticulated systems are available).
- 2.3.8** Manage the overall size of the Township Zones to maintain their character, amenity values and servicing constraints while allowing for potential viable expansion to accommodate any potential future demand.

Explanation of Policies

The small rural settlements meet the needs of the local community through the provision of commercial, industrial and community activities and facilities, as well as a range of residential living opportunities. This mix of land use activities have developed over time and are generally compatible. The adverse effects from these different activities are generally acceptable for most residents, as the activities are relatively small-scale and operate limited hours (e.g. during the day). To recognise the role, nature and qualities of these small rural settlements, they are managed using a single Township Zone.

The District Plan provides for the ongoing use and development of activities to give certainty on the nature of land uses that can occur within this mixed use environment. In addition, these activities will need to maintain an acceptable or increased level of amenity, particularly for residents. This outcome is achieved through the use of minimum environmental standards specifying requirements for site development and land use. Such standards should not prevent ongoing land use and development within the Township Zone, provided the environmental effects are acceptable within the mixed use environment.

Given the small overall size of each settlement, their dispersed location, and small size of individual activities, it is required that each site is self-sufficient in terms of their servicing requirements (where a community supply is not available). An on-site potable water supply is to be provided (e.g. rainwater tank) where otherwise not available, all waste water is to be treated on-site, and stormwater managed on-site.

Methods of Implementation

The principal methods of implementation are:

- A Township Zone will be identified on the Planning Maps
- Rules will specify permitted land use activities which currently exist in the small rural settlements. Performance standards will be used to ensure these activities are generally compatible and complementary, and maintain and enhance the character and amenity values.
- Performance standards in respect of the number of dwelling units and density, bulk and location, lighting, outdoor storage, odour, noise, and vehicular access, manoeuvring and parking areas will be used to maintain and enhance the character and amenity values.
- Assessment of environmental effects will be assessed through the resource consent process for proposals that are not permitted, either because of non-compliance with environmental standards or because of the nature of the land use activity.

- Conditions on resource consents will be used to control the effects of activities to acceptable levels for the Township Zone.

Section 2.4 Commercial Zone

Issues

- 2.4.1** Changes in commercial trends (such as larger format stores, fewer local owner/operator stores and more national chain stores) along with increased mobility (resulting in less demand for local retail stores) has the potential to affect the vitality and vibrancy of each town’s commercial area, and its role and identity for the local community it serves.
- 2.4.2** Need to enable a diverse range of commercial activities that provide economic growth and employment opportunities for residents, while also accommodating changes within a dynamic commercial environment, and different functional and operational needs of commercial activities, in a manner that does not result in incompatibility issues.
- 2.4.3** New building development and alterations to existing buildings have potential effects on the streetscape character, amenity and heritage values of commercial areas, and on the efficient use of existing infrastructure and development.

The commercial areas in South Taranaki act as a ‘focal point’ for the community, and perform a key role in the functioning of the District as they are primarily places of employment, exchange of goods and services, and social interaction. Most of the district’s community facilities such as libraries, museums, medical facilities, supermarkets and shops are located in the commercial areas, with the potential to bring together a range of activities and people. These facilities and services support the economic and social wellbeing of the residents of the town and the surrounding rural area.

The commercial areas in each of the towns have their own distinctive features that need to be recognised and provided for. The District Plan needs to provide for commercial and retail development to enhance vibrancy, functionality, economic growth and community wellbeing in these rural towns, and contribute to the success of the towns by making them more attractive places to live, work and play.

Over the past decade there has been a national shift in retail format towards larger scale, vehicle oriented and more autonomous formats. The Hawera town centre is the largest town in the District (with a commercial area servicing a population of 9,000 residents) but has limited suitable sites for large format retail, which has led to significant ad-hoc retail dispersal to the fringes of the town, particularly ribbon development of trade and service activities along Glover Road (e.g. Super Cheap Auto, Farmlands, Bunnings etc.). These trends are evident throughout many New Zealand towns, and have the potential to lead to the inefficient use of existing physical resources, and result in a decline in the pedestrian amenity, viability and vitality of the Hawera town centre. Furthermore, there is the potential for adverse amenity effects caused by large buildings that are not appropriately designed and can have a lasting and dominant presence, to potentially have a greater influence on urban design outcomes in commercial areas than smaller developments.

Although South Taranaki’s other commercial areas in Eltham, Normanby, Patea, Manaia, Opunake, Kaponga and Waverley are not experiencing ad-hoc large format retail expansion, they face issues of high vacancy rates of buildings, and poor maintenance of vacant buildings. When buildings are left vacant, economic loss to the landowner occurs, and the building can be detrimental to the streetscape

and the town's overall sense of vibrancy if it is poorly maintained as a consequence. Furthermore, the streetscape, amenity values and character of these commercial areas can be affected if existing buildings are demolished and sites left vacant, or replaced with poor quality development. In addition, the heritage buildings within the commercial areas make a significant contribution to the identity, character and streetscape. Listed heritage buildings are protected via the historic heritage provisions of the District Plan.

Given the above, it is important that the District Plan provides flexible provisions that recognise the functional and operational needs of commercial activities to encourage new forms of development and revitalisation within commercial areas, especially in smaller towns, with a focus on economic growth and good design outcomes based on the key characteristics of each town. Well-designed retail and other commercial developments, together with public spaces, have an important role in maintaining and improving the environmental quality, attractiveness and vitality of the District's commercial areas.

Objectives

- 2.4.4** Maintain and enhance the character and amenity values of commercial areas in a manner that enables commercial and other activities to support the local community, while avoiding or mitigating adverse effects within and adjoining the commercial areas.
- 2.4.5** Complementary and compatible non-commercial activities within the commercial areas that support the functioning of commercial areas and recognise the sensitivities and amenity levels within and adjoining commercial areas.
- 2.4.6** Maintain and enhance the attractiveness and vibrancy of the town centres across the District.

Policies

- 2.4.7** Recognise and provide for the commercial functioning, character and amenity values of the District's commercial areas through a single Commercial Zone.
- 2.4.8** Recognise the variability of the commercial areas across the District through the use of areas ('overlays') that manage and reinforce the role, function, characteristics and qualities of these areas as follows:
 - (a) Hawera Town Centre Area, applied to High Street and surrounding sites, being the principal retail and servicing focus of South Taranaki with a concentration of mainly specialty retail activities, supermarkets and a pedestrian orientated area.
 - (b) Large Format Trade and Service Area, applied to the Glover Road Commercial area in Hawera, and the Commercial area adjacent to State Highway 3 between Hawera and Normanby, being the area for larger-scale trade and services, and vehicle oriented activities.
 - (c) Mixed Use Area, applied to the commercial area surrounding the Hawera Town Centre Area, and to commercial areas in Eltham, Normanby, Patea, Manaia, Opunake, Kaponga and Waverley, which recognises the smaller scale and diverse mix of activities and characteristics.

- 2.4.9** Provide for a wide range of activities within the Commercial Zone which meet the needs of the local community with convenient access to goods and services, and opportunities for economic growth and social interaction.
- 2.4.10** Restrict certain activities which may be incompatible with other activities and/or degrade the character and amenity values of the Commercial Zone.
- 2.4.11** Prevent commercial activities from establishing or extending outside of the Commercial Zone to encourage the concentration of commercial centres, and to maintain the viability and vitality of existing commercial areas.
- 2.4.12** Manage adverse effects from activities and development within the Commercial Zone to maintain and enhance the amenity values within the Commercial Zone, as well as the adjoining Residential and Rural Zones. Adverse effects from activities and development in the Commercial Zone may include building dominance, shading, noise, vibration, odour, dust, glare, and also reverse sensitive effects from sensitive activities.
- 2.4.13** Ensure that the design, scale, location and layout of development and buildings in the Commercial Zone recognises the local context and character, and maintains or enhances the safety, convenience, accessibility and amenity of commercial areas, while also recognising the functional and operational needs of commercial activities.
- 2.4.14** Maintain and enhance the historic heritage character of town centres by controlling new development relating to identified heritage buildings and sites, and additions and alterations to identified heritage buildings and sites to ensure development is in keeping with the existing heritage and streetscape character.
- 2.4.15** Maintain access to sunlight, protect amenity values, and protect the level of privacy for properties in the Residential Zone adjacent to the Commercial Zone by managing the bulk and location of commercial buildings and requiring landscaping.
- 2.4.16** Provide for anchor activities such as large retail or community activities at the interface with the Hawera Town Centre overlay and the Commercial Zone Mixed Use or Large Format Trade and Service overlays.
- 2.4.17** Ensure the site layout, design and functioning of new or redeveloped anchor activities deliver the Hawera Town Centre Strategy, enhance the vibrancy and vitality of the town centre, and manage adverse effects on streetscape amenity from building bulk, parking, traffic, and signage.

Hawera Town Centre Area

- 2.4.18** Provide for commercial development which enhances the vibrancy and functionality of the Hawera Town Centre, while ensuring that development protects and enhances existing amenity and character, and does not generate adverse effects on the environment.
- 2.4.19** Promote consolidation, reuse and redevelopment to achieve an efficient use of existing infrastructure and enhance the vibrancy of the Hawera Town Centre.
- 2.4.20** Provide for residential activities and visitor accommodation above ground floor level in the Hawera Town Centre Area to retain retail and commercial activities at street level and to support other activities in the area, provided that new residential and visitor accommodation developments are well designed and create quality living environments.

- 2.4.21** Maintain and enhance amenity values in the Hawera Town Centre by encouraging the provision of open public space, landscaping, artwork, seating, and public amenities and services that are easily accessible, walkable, safe, attractive and enjoyable.
- 2.4.22** Maintain an attractive streetscape and safe pedestrian environment within the Hawera Town Centre by identifying a Defined Pedestrian Frontage and managing development along these frontages to ensure:
- (a) Continuous verandahs and building frontages
 - (b) Prominent corner site buildings
 - (c) Active and transparent building frontages; and
 - (d) Limited on-site vehicle access and parking.
- 2.4.23** Ensure adequate provision and maintenance of community activities and buildings to meet the cultural, administrative and social needs of the community.
- 2.4.24** Allow for flexibility when addressing parking provision within the Hawera Town Centre, such as alternative sites, multi-use vehicle parking areas, while recognising the need for parking for specific activities and ensuring that any on-site parking areas do not significantly detract from pedestrian amenity or streetscape character.

Large Format Trade and Service Area

- 2.4.25** Recognise that Large Format Trade and Service activities function as an integral part of Hawera's commercial activity and provide important services to the local community, but are most appropriately located in the Large Format Trade and Service Area due to their size, scale and form, locational and operational requirements, and reliance on the transport network.

Mixed Use Area

- 2.4.26** Provide for a mixed range of compatible activities within the Mixed Use Area to support existing commercial activities and reinforce the variability of current land uses.
- 2.4.27** Promote consolidation, reuse and redevelopment and an efficient use of existing infrastructure, to enhance the vibrancy of commercial areas.
- 2.4.28** Provide for residential activities in the Mixed Use Area to support other activities in commercial areas and make efficient use of existing buildings and facilities, provided they are well designed and quality living environments.

Explanation of Policies

The District Plan aims to facilitate the ongoing use and development of existing properties to promote positive change for the identity and functioning of commercial areas. To achieve this outcome, all commercial areas are zoned Commercial, with this zoning providing for a mix of activities and development. However, it is recognised that the nature, role, character and amenity values of the commercial areas differ amongst the towns in the District, with the Hawera commercial areas being distinctly different from the commercial areas in the smaller towns. Therefore, different 'areas' are applied to recognise and reinforce these differences. The different areas are based on existing and anticipated future land uses and developments in different areas. This approach is to ensure commercial activities and developments establish within specific areas, to ensure that new activities and developments are of a size, scale, design and form that is appropriate and compatible with the surrounding environment, while continuing to provide for the functional and operational needs of

commercial activities. This approach achieves an efficient use of existing services and infrastructure, and allows the greatest diversity, scale and intensity of activities to occur within the Hawera Town Centre and Mixed Use Areas. In addition, it supports the effective functioning of the different areas by minimising the potential for incompatibility issues, as well as encouraging the vitality and vibrancy of the commercial areas.

The Hawera Town Centre Strategy provides direction on how the revitalisation can occur, through a range of mechanisms. The revitalisation of the Hawera Town Centre can be achieved by incentivising appropriate pedestrian orientated retail activities and development, supermarkets and other compatible land uses to establish within the Hawera Town Centre Area. The Hawera Town Centre Strategy recognises the role of ‘anchor’ activities; activities which generate people to travel into town and from there continue to walk through the town centre. Anchor activities can be civic buildings, libraries, Council buildings, supermarkets, or other large retailers. The ideal location for anchor activities is at the interface between the Hawera Town Centre Area the adjoining Mixed Use or Large Format Trade and Service Area. To ensure anchor activities do not have a detrimental impact on the Town Centre, any new anchor activity will need to be assessed for the actual and potential effects on the vitality and vibrancy on the Town Centre, street amenity, parking and traffic movements.

The Hawera Town Centre Area and Mixed Use Areas should have the greatest concentration of buildings and mixture of activities, and promote a pedestrian oriented environment which maintains the compact, convenient and vibrant character of the area. The District Plan provides permissive and flexible parking and loading area requirements to enhance this pedestrian oriented environment and maintain streetscape and heritage character along Defined Pedestrian Frontages. In addition, the maintenance of the historical character and streetscape values of the existing town centres is important for community identity.

Hawera Town Centre Area

The Hawera Town Centre Area is focused on and surrounds High Street, which is the principal retail and servicing focus of South Taranaki. This area is characterised by a concentration of diverse retail and business activities, including specialty retail and restaurants. The main retail core of the town centre is focused on meeting the convenience and comfort of pedestrians, with public spaces, pedestrian oriented areas, continuous and glazed shop frontages, and continuous verandas which contribute to the overall streetscape. The District Plan supports the continued commercial and retail activity in this area by encouraging the concentration of commercial and retail activities of a similar character, nature and scale. The concentration of these shops and public spaces is expected to enhance the functionality, vibrancy and vitality of the town centre, and the overall social and economic wellbeing of the District.

Providing for residential and visitor accommodation activities in the town centre can positively contribute to the vitality and vibrancy of the area. Residents would have convenient access to retail, commercial, community and civic amenities, resulting in a more lively and active area and contributing to the economic and social well-being of the residents. However, residential and visitor accommodation activities are restricted on the ground floor to ensure activities on the ground floor have a positive relationship to the street where they provide interest, visual connection and an active edge.

To protect the ongoing viability of the Hawera Town Centre, some control on the scale of new retail activity outside the town centre is required in order to manage the potential adverse distributional effects of large-scale retailing activities on the vitality of the town centre. Within the pedestrian core of the Hawera town centre itself, the multiple ownership and small size of properties and buildings means that new large-scale vehicle oriented retailing activities generally need to be located in the Large Format Trade and Service Area.

Large Format Trade and Service Area

The Large Format Trade and Service Area is located along the west side of Glover Road in Hawera, and the commercial area (which is yet to be developed) adjacent to the railway line between Hawera and Normanby. Existing commercial development in these areas is generally characterised by large format trade and service activities, which are more directly vehicle oriented than the activities within the Hawera Town Centre Area. In the past decade, the Glover Road area has transitioned from traditional commercial service area, with a mix of residential activities, light industrial, vehicle sales and service activities to a predominance of vehicle orientated, space extensive retail/trade/wholesale activities (e.g. Bunnings, Placemakers). The Large Format Trade and Service Area functions as an integral part of Hawera's commercial activity, but provides for a larger scale and form of activities that cannot be accommodated in the Hawera Town Centre. In addition, Hawera contains an area of traditional industrial development east of the railway line near Glover Road, where effects are generally incompatible with small scale retail, or food and service activities such as those provided for in the Hawera Town Centre Area.

Mixed Use Area

The Mixed Use Area recognises the mixed use of activities that make up the commercial zones in the smaller town centres, and the periphery of the Hawera Town Centre Area. The commercial areas in the smaller towns generally include a range of small shops or a small supermarket of a local nature to provide for the day to day shopping and service needs of surrounding residential, industrial and rural areas. Due to current economic conditions, many buildings in the commercial areas in the smaller towns are vacant or used for residential activities. Consequently, some buildings are in poor condition. The District Plan seeks to encourage the adaptive re-use and proper maintenance of existing buildings to increase the vitality and quality of the environment in these town centres, by allowing a range of different land uses and activities.

The Mixed Use Area on the periphery of the Hawera Town Centre Area includes a mixture of residential activities, housing for the elderly, food and service activities, small-scale retail and commercial activities, light industry and some large-scale retail (e.g. the Warehouse). To reinforce the existing range of land uses, cater for various community needs, and to encourage the development, vibrancy and efficient use of the Hawera Town Centre, the District Plan provides for higher density residential development close to the Hawera Town Centre. This approach is consistent with the Hawera Intensification Area in the adjacent Residential Zone.

The framework of policies and rules relating to the District's commercial areas remains flexible and responsive to the ongoing change in methods for delivery of goods and services by businesses. However, the rules manage this dynamic in a way that does not undermine existing physical resources and amenity values, or disadvantage the community or businesses.

Methods of Implementation

The principal methods of implementation are:

- Identification of three separate commercial areas to recognise and reinforce the form, function, scale and intensity of development appropriate to the existing commercial environments.
- Performance standards and rules in respect of the size, scale, and location of buildings in the different areas, and minimum/maximum standards for parking and vehicle access, lighting and odour, to ensure that amenity values are not compromised.
- Performance standards and rules in respect of non-commercial activities, including residential and industrial activities.

- Assessment of environmental effects through the resource consent process for proposals involving large scale development, or non-commercial activities, using performance standards.
- Use of conditions on resource consents to control the effects of activities to acceptable levels for the Commercial Zones.
- Implementation of the Hawera Town Centre Strategy – To sustain and encourage the growth of services and amenities in Hawera Town Centre, through the partnership of the local authority and various organisations and people.
- Use of non-notification clauses for activities that require resource consent within the Hawera Town Centre Area, to incentivise development.
- Works and services such as parking areas, service lanes and public landscaping.
- The exercise of discretion in relation to particular performance standards and rules where development will result in the provision of public facilities and amenities.
- Provision of incentives to encourage building owners and occupiers to improve the visual amenity of commercial areas (e.g. painting subsidy scheme).

Section 2.5 Industrial Zone

Issues

2.5.1 Need to provide for and enable the efficient and effective functioning of industrial activities as they contribute to the economic and social wellbeing of the District. However, due to the nature, scale and intensity of industrial land use activities, they can generate significant adverse effects on the environment, particularly on adjacent residential and commercial areas, and the transport network resulting in reduced quality of the environment and incompatibility between different land uses.

2.5.2 New sensitive activities close to existing industrial activities or within industrial zones can create actual or potential reverse sensitivity effects.

Manufacturing and processing industries are a significant employer in South Taranaki, accounting for 42% of the workforce, mainly in the processing of dairy or meat products. Heavy and light engineering industries have also developed in South Taranaki to service the needs of the dairy and petrochemical sectors and the meat, energy, industrial, chemical and timber processing industries.

Industrial Zones apply to the Yarrows Bakery in Manaia, Fonterra's two dairy manufacturing sites in Eltham, and various other factories and sites of industrial nature within the urban areas of Hawera, Eltham, Kaponga, Patea, Waverley, Normanby, Opunake, and Manaia. Most sites zoned Industrial are already developed with industrial activities, with the exception of the Hawera-Normanby Industrial zone (re-zoned as part of the Urban Growth Strategy 2008).

The efficient and effective functioning of industrial activities is crucial for the economic and social wellbeing of the District. Given the nature and scale of these processing and manufacturing activities they have the potential to generate a wide range of adverse effects on the environment, including noise, dust, vibration, odour, lighting, glare, traffic, shading and visual impacts of structures and industrial activities, and other effects which may cause a nuisance to surrounding land users. Pressure on urban land supply, the urban transport network or demand for utilities can also occur from increased industrial development. These effects need to be managed because of the effect they could have on other

activities in the area, including adjacent residential, commercial or rural zones where a higher level of amenity is generally expected.

As the Industrial Zones are within urban areas, and adjoin Residential, Commercial or Rural Zones, there is potential for reverse sensitivity effects to arise. New residents, or retail or commercial activities that establish within an Industrial Zone or in close proximity to an industrial site, can be sensitive to effects of odour, air quality, noise, lighting and building scale, which are otherwise generally accepted as part of an industrial environment. The incompatibility of these activities can result in complaints about effects, and can inhibit the efficient and effective functioning of industrial activities (e.g. limiting the hours of operation, noise levels, or traffic movements), which could impact on their economic and social contribution to the District.

Objectives

- 2.5.3** To provide for the efficient and effective operation and development of industrial activities in the Industrial Zone while ensuring their adverse effects on the urban environment are avoided or mitigated, recognising the sensitivities and amenity levels of adjoining commercial and residential areas and the safety and efficiency of the transport network.
- 2.5.4** To protect existing industrial activities in urban areas from incompatible subdivision, land use and development which could adversely affect the efficient and continued operation of existing activities.

Policies

- 2.5.5** Recognise and provide for industrial activities in urban areas through a specific zone designed to recognise the individual operating requirements and future development of these activities while ensuring an acceptable level of environmental quality and amenity within the zone.
- 2.5.6** Recognise and provide for the existing activities and facilities associated with the bakery and manufacture of yeast products in Manaia and ensure that future development is in accordance with the Concept Plan.
- 2.5.7** Protect the amenity values of the commercial, residential and rural areas surrounding the Industrial Zones by managing the nature, scale and level of environmental effects originating from the Industrial Zone.
- 2.5.8** Restrict activities that may be incompatible with other industrial activities from establishing in the Industrial zone, to ensure the safe and efficient operation of industrial activities, and to protect the vitality and vibrancy of the Commercial and Residential Zones of urban areas where these activities may be more appropriately located.
- 2.5.9** Manage potential reverse sensitivity conflicts between the existing industrial activities and new sensitive activities through appropriate separation distances, landscaping, noise insulation or other measures, giving priority to existing lawfully established activities.
- 2.5.10** Ensure that all buildings are located to minimise shading and disruption to privacy enjoyed on nearby residential, open space and rural properties.

Explanation of Policies

The manufacturing and processing industries are of significant importance to the local economy and provide goods and services for the local, regional, national and international markets. It is therefore crucial that industrial activities within or in close proximity to existing urban areas are appropriately recognised and provided for.

A single Industrial Zone is applied to all industrial areas across the District, as all industrial activities generally have similar character and amenity values. The character and amenity values of industrial areas reflect their role, location, functioning attributes and general working environment conditions. Within the Industrial Zone, character and amenity values are generally mixed, with various different building scale and forms, site layouts and visual appearance. The Industrial Zone comprises mainly small-scale service providers, with some larger scale manufacturing and processing plants (e.g. Fonterra's two dairy manufacturing sites at Eltham, and Manaia Yarrows Bakery production factory). The Industrial Zone recognises the character of these existing land uses and also provides sufficient space within or in close proximity to urban areas to encourage the development of new industrial activities on appropriate land, close to existing services (such as roads and network utilities). The Industrial Zone accommodates the operational requirements of industrial land uses by allowing more flexible standards to recognise the existing character and amenity values of industrial land uses. Performance standards are primarily focused on avoiding, remedying or mitigating actual and potential adverse effects on surrounding areas. The zoning also gives the community certainty on the location of this type of industrial development, where the amenity and character is anticipated to be different to that in the commercial and residential areas generally.

More sensitive, incompatible activities (e.g. residential, visitor accommodation, commercial and retail) are restricted from establishing within the Industrial Zone as they generally have different character and amenity expectations, or their location in the Industrial Zone would detract from the vitality and vibrancy of commercial or residential areas. Commercial, retail and residential activities are more appropriately located in areas that specifically provide for this use, as there is already a high level of investment in maintaining and enhancing commercial/retail focused areas. Where activities or development do not comply with the rules or performance standards, the resource consent process enables the effects of the proposal to be assessed. If the application is granted, conditions of consent would manage those effects.

There is potential for conflict between incompatible activities with different character and amenity expectations at zone boundaries. Each Industrial Zone is surrounded by commercial, residential or rural land, where the adverse effects of industrial activities may impact on the character and amenity values of these areas. These effects include noise, excessive light, heavy vehicle movements and the visual appearance of buildings. Therefore, at the interface between the Industrial Zone and other Zones, effects will be managed to minimise the potential for conflict. These interface tools include building setback requirements, screening, and lower maximum noise requirements at the zone boundary.

In addition, given the importance of industrial activities and sites to the District, priority is given to protecting the industrial activities from new sensitive activities using setbacks, screening and separation distances, to ensure the industrial activities can continue to operate in an effective and efficient manner.

Methods of Implementation

The principal methods of implementation are:

- District Plan rules and performance standards to provide for the functioning of industrial activities.

- Performance standards and setback requirements for activities so that industrial activities do not generate significant adverse effects on visual amenity, noise, vibration, odour, dust, glare and other nuisances.
- Setback requirements for new sensitive activities in relation to the Industrial zone.
- Assessment of environmental effects through the resource consent process for proposals involving incompatible land use or activities in the Industrial Zone or those not meeting performance standards.
- Conditions on resource consent applications to avoid, remedy or mitigate adverse effects on urban character, amenity, and quality of the environment (e.g. fencing, screening, noise monitoring, and traffic management).
- Education to raise awareness about the economic benefits, nature, and operations of industrial activities, and potential adverse effects associated with these activities in urban areas.
- Financial contributions to mitigate the effects of industrial activities on the transport network and infrastructure.

Section 2.6 Rural Industrial Zone

Issues

- 2.6.1 Need to recognise the presence of existing large-scale operations in the rural environment and provide for their ongoing efficient and effective functioning, while recognising they can have adverse effects on the rural environment.**
- 2.6.2 New sensitive activities close to existing large-scale operations in the rural environment can create reverse sensitivity effects.**

The Rural Industrial Zone applies to well-established and large-scale industrial activities and sites located within the rural environment. This zoning recognises the established nature of these activities and their contribution to the economic and social wellbeing of the immediate area as well as the District and Taranaki Region as a whole.

The Rural Industrial Zone applies to ten sites, being:

- Shell Todd Oil Services Maui Production Station
- Fonterra Kapuni Dairy Manufacturing Site
- Ballance Agri-nutrients Ammonia Urea Plant
- Shell Todd Oil Services Kapuni Production Station
- Vector Gas Treatment Plant
- Silver Fern Farms Hawera Meat Processing Plant
- Graeme Lowe Protein Rendering and By-Product Processing Plant
- Fonterra Whareroa Dairy Manufacturing Site
- Smith Bros Trading (Taranaki By-Products) Processing Plant
- Silver Fern Farms Ltd, Waiinu Beach Road, Waitotara

The sites and operations process, manufacture and/or treat natural resources and/or primary products produced in the rural environment. In addition to the processing, manufacturing and/or treatment

activities, the sites can include other ancillary activities such as transport depots, rail facilities, energy generation, effluent/waste treatment and disposal, and administration facilities.

Most sites zoned Rural Industrial are fully developed with limited plans for future expansion outside their existing footprints. However, Fonterra's Whareroa and Kapuni dairy manufacturing sites, Ballance-Agri-nutrients Kapuni plant and Smith Bros Trading (Taranaki By-Products) plant may be expanded in the future with additional processing and storage facilities.

Given the nature and scale of these activities they have the potential to generate a wide range of adverse effects on the environment. These effects can include noise, dust, vibration, odour, lighting, glare, shading, visual impacts of structures and industrial activities, and other effects which may cause a nuisance to surrounding land users. These effects need to be managed because of the effect they could have on other activities in the area.

In managing odour and dust, this falls under the jurisdiction of both the Regional Council and District Council. The Regional Council is responsible for all discharges to air, including any associated odour or dust. The District Council is responsible for control of use of land, including where some land use activities generate odour and dust which is not a discharge to air. The odour and dust from these land use activities would be managed by the District Council under the policies and rules of the District Plan.

As the Rural Industrial Zone applies to sites scattered throughout the rural environment there is potential for reverse sensitivity conflicts to arise between activities in the rural area and rural-industrial sites. Reverse sensitivity can occur when new residents or other sensitive activities establishing in rural areas are sensitive to the effects originating from the existing industrial activities, such as odour, air quality, noise, lighting and building scale. Such activities could give rise to complaints about these effects and seek to impose constraints or limitations on the operation of the industrial activities. These limitations could impact on the functioning and efficiency of the industrial activities, which in turn, could unduly impact on their economic and social contribution to the District.

Objectives

- 2.6.3** To provide for the efficient and effective operation and development of existing large-scale manufacturing and processing activities and sites in rural areas while ensuring their adverse effects on the environment are avoided, remedied or mitigated recognising their rural location.
- 2.6.4** To enable the efficient and effective functioning of existing large-scale manufacturing and processing activities and ensure that these activities are not constrained by adverse effects of new incompatible subdivision, land use and development in the Rural Zone.

Policies

- 2.6.5** Provide for existing large-scale manufacturing and processing activities and sites in rural areas through a specific zone designed to recognise the individual operating requirements and future development of these activities.
- 2.6.6** Manage the adverse effects of land use activities and development on each site in the Rural Industrial Zone using Concept Plans which indicate the overall development envelope for that site.

- 2.6.7** Maintain the amenity values of the rural areas around the existing large-scale manufacturing and processing activities and sites by managing the nature, scale and level of environmental effects originating from the Rural Industrial Zone.
- 2.6.8** Allow flexibility to enable the existing large-scale manufacturing and processing activities and sites to implement improved operational methods and plant efficiency whilst ensuring the adverse effects on the environment are avoided, remedied or mitigated.
- 2.6.9** Restrict non-industrial activities which may be incompatible with industrial activities in the Zone and encourage alternative locations for them in urban areas to protect the vitality and vibrancy of urban areas where these activities may be more appropriately located.
- 2.6.10** Manage potential reverse sensitivity conflict between the existing large-scale manufacturing and processing activities and sites, and sensitive activities through noise insulation requirements on new dwellings and noise sensitive activities.

Explanation of Policies

A range of industrial activities are undertaken within the Rural Industrial Zone which provide goods and services for the local, regional, national and international markets. These activities are mostly large-scale manufacturing and processing plants. The importance of these activities to the wellbeing of the South Taranaki District makes it critical to ensure that they are appropriately recognised and provided for.

The Rural Industrial Zone is designed to provide some certainty to these industries to accommodate their operational requirements and to allow flexibility that enables changes to achieve efficient use and development of resources. The zoning also gives the community certainty on the location of this type of industrial development and where the character of a particular location is anticipated to be different to that in the rural area generally.

Activities and development in the Rural-Industrial Zone are defined by the Concept Plans for each site. Concept Plans are used as an effective tool to recognise the current and future plans at each site and to manage the overall location, scale and environmental effects.

In addition, performance standards are designed to avoid, remedy or mitigate adverse effects impacting on surrounding areas, to protect amenity values and the quality of the environment. Where activities or development do not comply with the rules or performance standards, the resource consent process enables the effects of the proposal to be assessed.

Provided that the industrial activity can meet the performance standards, there is considerable flexibility of use within the Zone. Some activities may be unsuitable in the rural-industrial areas, as they may have different character and amenity expectations or detract from the vitality and vibrancy of urban areas where these activities should be located. For that reason there are constraints on the establishment of other activities in the Zone.

There is potential for conflict between incompatible activities and between different character and amenity values at zone boundaries. Each Rural Industrial Zone is surrounded by rural land, where the adverse effects of industrial activities may impact on the character and amenity values of these areas. These effects include noise, excessive light, heavy vehicle movements, rail movements and the visual appearance of buildings. Therefore, at the interface between the Rural-Industrial Zone and other zones, effects will be managed to minimise the potential for conflict. These interface tools include building requirements, screening, and lower noise requirements at the zone boundary or at a noise area boundary.

In addition, given the importance and existence of these large-scale industrial activities and sites to the district, priority is given to protecting the industrial activities from new sensitive activities to ensure the

industrial activities can continue to operate in an effective and efficient manner. This approach is implemented through the use of noise area boundaries and acoustic insulation requirements.

Methods of Implementation

The principal methods of implementation are:

- District Plan rules and performance standards permitted activities to provide for the functioning of industrial activities.
- Performance standards and setback requirements for activities so that industrial activities do not generate significant adverse effects of visual amenity, noise, vibration, odour, dust, glare and other nuisances.
- Use of concept plans in conjunction with performance standards and rules to establish the parameters for development for each site.
- Noise area boundaries and associated acoustic insulation standards for new sensitive activities in relation to the Rural Industrial Zone.
- Assessment of environmental effects through the resource consent process for proposals involving incompatible land use or activities in the Rural Zone or those not meeting performance standards. This includes assessment of cumulative effects on the long term sustainability of versatile land and productive land use.
- Conditions on resource consent applications to avoid, remedy or mitigate adverse effects on the rural character, amenity and quality of the environment, for example a road maintenance agreement to repair roads from heavy vehicle traffic damage, restrictions on hours of operation and noise levels, or landscaping, fencing and site restoration.
- Education to raise awareness about the nature, operations and potential adverse effects associated with large-scale industrial activities in rural areas.

Section 2.7 Tāngata Whenua

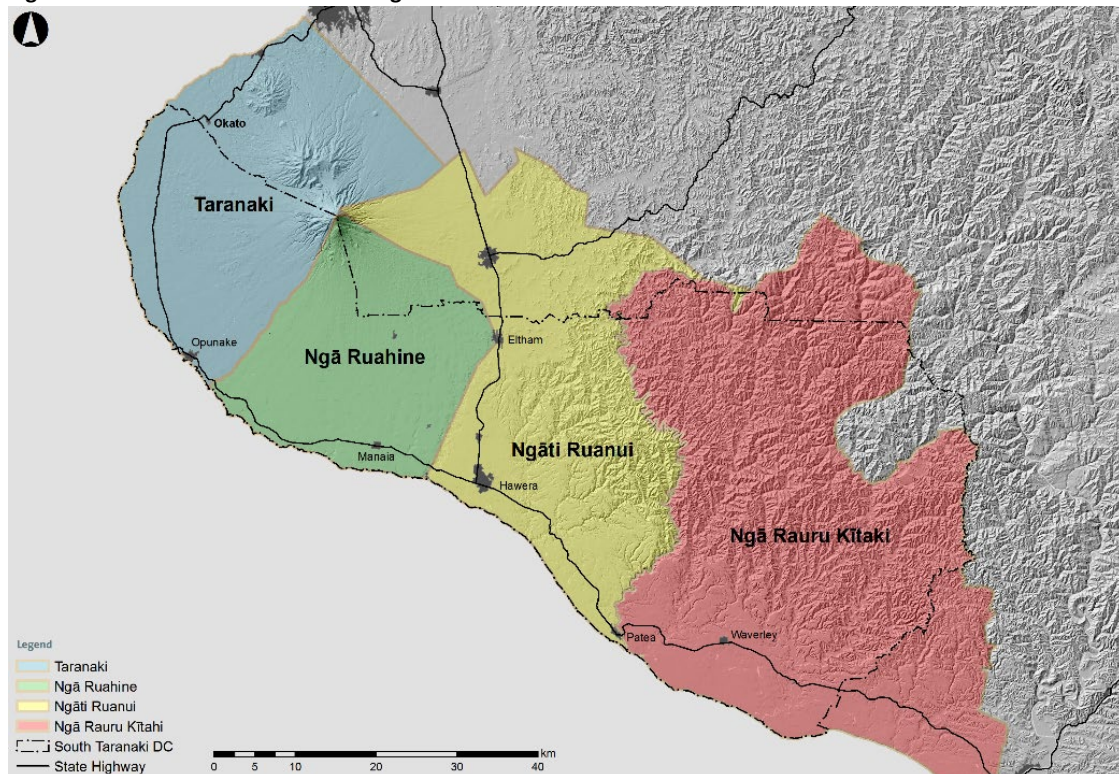
Issues

- 2.7.1** Appropriate ways need to be adopted to take account of Tāngata Whenua values and to involve Tāngata Whenua more actively in resource management processes and decision-making.
- 2.7.2** Appropriate ways to recognise the principles of the Treaty of Waitangi in the management of the District's natural and physical resources.
- 2.7.3** The lack of recognition of and provision for the relationship of Tāngata Whenua and their culture and traditions (including mauri) with their ancestral lands, waters, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga.
- 2.7.4** Loss, damage and degradation to sites and areas of cultural and spiritual significance resulting from inappropriate subdivision, use and development of land resources.

2.7.5 Providing for development by Iwi and hapū (e.g. Marae, papakainga housing) that enhances their social, cultural and economic well-being while sustainably managing the environment.

The South Taranaki District Council exercises its functions within the rohe of four iwi: [Taranaki](#), [Ngāruahine](#), [Ngāti Ruanui](#), and [Ngā Rauru](#). Each Iwi has its own identity, values and associations with South Taranaki. In some instances these values and associations may be the same or similar between Iwi. In other instances these values and associations may be different and unique to a particular Iwi. All four Iwi have signed a Treaty of Waitangi deed of settlement (Ngāti Ruanui (2001), Ngā Rauru (2003), Ngāruahine (2014), and Taranaki (2015)).

Figure 1: Iwi boundaries in Taranaki region



The Resource Management Act 1991 sets out particular obligations on the Council, including Section 6 requiring the relationship of Maori, their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga, be recognised and provided for as a matter of national importance. The Act also requires the protection of recognised customary activities as a matter of national importance. In addition, Section 7 states, when managing the use, development, and protection of natural and physical resources, particular regard needs to be given to Kaitiakitanga (guardianship).

In carrying out functions and powers in relation to the use, development and protection of natural and physical resources the Councils must take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) under Section 8 of the Act. Three principles particularly relevant to the District Plan are partnership, participation and protection.

The principle of partnership at a local level is based on an effective working relationship between Tāngata Whenua and the Council. Like any partnership or relationship, it will develop and evolve over time. The success of this partnership will require all parties to contribute the necessary resources to enable it to develop and grow. At an applied level, this partnership includes Tāngata Whenua and the Council working together such as through sharing of information and knowledge (e.g. sites and areas of

cultural and spiritual significance to Tāngata whenua, proposals which may be of interest to Tāngata whenua) and respecting the views and obligations of each other.

For participation, this means involving Tāngata Whenua in resource management processes, such as District Plan Reviews/Changes, and resource consent applications. For example, the current practice of supplying mandated Iwi organisations with a list of recent resource consent applications enables Tāngata Whenua to be aware and respond to proposals which may be of interest and/or impact on resources of value to them.

The protection principle relates to the relationship of Maori, their culture and traditions with land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga, as well as recognising customary activities. In addition, it is about applying kaitiakitanga (guardianship) managing the use, development, and protection of natural and physical resources. One particular issue in achieving this protection principle in South Taranaki is to protect values of sites and areas of cultural and spiritual significance to Tāngata Whenua. To do this requires both the identification and an understanding of the sites and areas. This process is anticipated to be led by Tāngata Whenua as the holder of this information and knowledge. One associated issue is the sensitivity of information regarding areas and sites and areas of cultural and spiritual significance.

Tāngata Whenua have a special relationship to the land and environment. The District Plan needs to address this relationship by managing the effects of land uses on land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga. In addition, it is important for Iwi and hapū to be able to maintain their traditional association with the land, whilst enabling the efficient use and appropriate development of their land to provide for their economic, social and cultural wellbeing. Certain land uses may be appropriate on Maori Land, such as Papakainga housing and Marae, given the different title structure of Maori Land.

Furthermore, sites and areas of cultural and spiritual significance (e.g. wāhi tapu, tauranga waka (canoe landing sites), urupa (cemetery) and pa sites) are at risk from damage and destruction from inappropriate activities and development. Particular types of works that pose a threat to these sites and areas are those that involve excavation or construction. However, there is currently limited understanding and awareness of these sites and areas which may contribute to the risks of this damage and destruction. A better understanding and awareness of these sites and areas would result in their protection.

Objectives

- 2.7.6 To recognise and provide for the relationship of Tāngata Whenua and their culture and traditions (including mauri) with land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga.**
- 2.7.7 To protect sites and areas of cultural and spiritual significance to Tāngata Whenua from the adverse effects of inappropriate subdivision, use, and development of resources.**
- 2.7.8 To recognise and provide for development by Iwi and hapū that enhances their social, cultural and economic well-being in a way that achieves sustainable management of the environment.**
- 2.7.9 To provide Tāngata Whenua with opportunities to participate in resource management processes and decision-making.**

- 2.7.10** To have particular regard to the concept of Kaitiakitanga as defined by Tāngata Whenua of the District in respect of the management of natural and physical resources.

Policies

- 2.7.11** Establish formal and informal working relationships with Tāngata Whenua within which a partnership regarding resource management matters may be defined, addressed and decided.
- 2.7.12** To actively engage with Tāngata Whenua when addressing matters of concern to Iwi and hapū, including recognition of the relationship of Tāngata Whenua and their culture and traditions with land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga.
- 2.7.13** To encourage, where appropriate, as part of the determination of resource consent applications, consultation with Tāngata Whenua be undertaken and reported to the decision-making authority.
- 2.7.14** Identify sites and areas of cultural and spiritual significance to Tāngata Whenua for protection from inappropriate subdivision, use and development based on criteria developed with Tāngata Whenua.
- 2.7.15** Avoid effects in the first instance, and if they cannot be avoided, then remedy or mitigate any adverse effects of activities that could destroy, degrade or damage the cultural values associated with a site or area of cultural or spiritual significance when assessing proposals for subdivision, use and development.
- 2.7.16** Enable the development of papakainga housing whilst managing potential adverse effects on amenity values.
- 2.7.17** Enable the development and maintenance of Marae whilst managing effects on the character and amenity of the Residential, Commercial and Rural Zones.
- 2.7.18** Identify the Parihaka Cultural Area and recognise its historical and cultural significance to Tāngata Whenua and the community, by providing for development and a range of activities based on the needs and values of Tāngata Whenua.
- 2.7.19** Recognise and provide for development and a range of activities by Iwi and hapū on key sites to meet the needs and values of Tāngata Whenua.

Explanation of Policies

An effective working relationship between the Council and Tāngata Whenua in respect of resource management will continue to grow and develop with ongoing communication and commitment.

One key principle of the Treaty of Waitangi is the concept of partnership. The creation of the framework within which this can be achieved at a local level is dependent on the development of an effective working relationship between the Council and Tāngata Whenua. It is also reliant on the 'partnership' being able to develop, and the necessary resources, being made available to allow participation by Tāngata Whenua. These matters will continue to be addressed through the resource management framework. It is important that the community continues to be part of this process.

It is recognised that the relationship of Tāngata Whenua with their lands is typically a historic relationship. There is a desire by Tāngata Whenua to maintain and enhance this traditional relationship,

both in terms of the current economic and social context and traditional setting. The Council will be largely dependent on Tāngata Whenua in identifying opportunities for how their traditional relationship can be maintained or enhanced.

Some proposals may be of interest or concern to Tāngata Whenua where their relationship with, and culture and traditions relating to land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga, may be adversely affected. Actively engaging with Tāngata Whenua can assist with understanding the history of a site and, the effects of the proposal, and if effects are identified, how these effects can be avoided, remedied or mitigated. Specific sites or types of activities that may be of interest or concern to Tāngata Whenua include:

- Proposals that affect statutory areas identified in Statutory Acknowledgements.
- Land development, subdivision, earthworks or other disturbance activities on sites that contain or are close to wāhi tapu, waka landing sites, locations for gathering kaimoana or other cultural sites or taonga.
- Disposal of waste in sites and areas of cultural and spiritual significance, such as the Coastal Protection Area and Outstanding Natural Features and Landscapes.
- Modification of wetlands.

The protection of the values of sites and areas of cultural and spiritual significance to Tāngata Whenua requires both identification and an understanding of the sites and areas. As the information regarding these sites and areas is held by Iwi there needs to be appropriate processes in place to ensure that this information is made available in a timely fashion where a development has potential to adversely impact on these sites and areas. If the Council is not aware of the sites or values of these sites and areas then it becomes very difficult to assess the impact that any development may have. Policies 2.13.12-2.13.15 therefore also applies to the identification of sites or areas of cultural or spiritual significance by Tāngata Whenua during the resource consent process.

Identification of sites or areas of cultural or spiritual significance in a Schedule and shown on the Planning Maps is seen as an important step in moving towards a proactive approach. However, it is recognised that information about some sites and areas will be sensitive and Iwi may choose to limit the amount of information made publicly available. Compiling this Schedule will require on-going consultation with Tāngata Whenua and the development of criteria to determine if sites or areas should be listed in the Plan depending on their cultural and spiritual significance. It is anticipated this process for identifying sites or areas will be initiated and led by Iwi. A plan change or variation may be required in future to include these sites and areas to the District Plan.

Where sites or areas are not formally included in the District Plan it is recognised that the role that Tāngata Whenua can play within the planning process is more limited and is likely to be as an affected party for certain activities or activities in the coastal environment, near waterbodies or ground disturbance, or as a submitter when a resource consent application is notified. It is also noted that sites where archaeological evidence is uncovered will be protected by the Heritage New Zealand Pouhere Taonga Act 2014 which makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without prior authority of Heritage New Zealand.

Furthermore, the Council is obliged to include Statutory Acknowledgements arising from Treaty of Waitangi settlements in its District Plan. A Statutory Acknowledgement is a formal recognition by the Crown of the mana of Tāngata Whenua over a specified area. It recognises the particular cultural, spiritual, historical and traditional association of an Iwi with the site, which is identified as a Statutory Area. In South Taranaki, these sites and areas include rivers (e.g. Patea River, Waitotara River), recreation and conservation areas (e.g. Nukumarū Recreation Reserve). These statutory areas are used

to inform provisions in the District Plan (e.g. schedules), decisions on who have affected person status for notification decisions for resource consent applications, and decision-making on proposals requiring resource consent.

Iwi and hapū seek to provide for and maintain their traditional institutions, such as Marae and papakainga housing, which foster retention of the customs and traditions of Maori. The District Plan provides for these institutions while ensuring the effects arising from this type of development do not adversely impact on the surrounding environment.

Specific provision is made in the District Plan for the settlement of Parihaka due to its historical significance and future aspirations. The District Plan provides for papakainga housing, visitor and recreational centres, commercial development and servicing to be established in the settlement. Site-specific provisions are applied to the Parihaka site to provide for the anticipated future development, while also ensuring the adverse effects are avoided, remedied or mitigated. Furthermore, recognition is also made for Iwi or hapū that may wish to develop local community facilities and papakainga housing on other sites in the district.

Methods of Implementation

The principal methods of implementation are:

- Individual relationship agreements are seen as an important tool to facilitate on-going dialogue and engagement between mandated iwi organisations and the Council as a basis to foster the partnership for dealing with resource management matters.
- Develop operational procedures between the Council and mandated Iwi organisations for resource consent applications for proposals that may adversely affect identified areas and sites and areas of cultural and spiritual significance, including when Iwi are identified as an affected party under the RMA. These procedures describe how the Council and Iwi can effectively interact, and would recognise that knowledge of these sites and areas is held by Iwi, sharing of information can assist in better decision-making, and that some information is culturally sensitive.
- Develop criteria to assess sites and areas of cultural and spiritual significance to Tāngata Whenua, including in the coastal environment, and identification on Planning Maps and listing in a District Plan schedule. The process for identifying sites and areas is to be initiated and led by Iwi.
- Adopt targeted District Plan rules and performance standards relating to the protection of sites and areas of cultural and spiritual significance, and the provision of papakainga housing and Marae.
- Identification of the Parihaka Cultural Area for the Parihaka site and apply site-specific District Plan rules and performance standards to manage the nature and scale of development and activities.
- Conditions on resource consents to ensure the adverse effects of land use, subdivision or development are avoided, mitigated or remedied on sites and areas of cultural and spiritual significance, as well as in recognising and providing for the relationship the Tāngata Whenua and their culture and traditions (including mauri) with land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga.
- Statutory acknowledgements that arise from Treaty of Waitangi settlements will be attached to the District Plan. The Council will have regard to these acknowledgements in its decision-making, such as when determining who may be adversely affected by a resource consent for activities within, adjacent to, or impacting directly on a statutory area identified in a statutory acknowledgement.

- The Council will encourage the preparation and lodgement of Iwi Management Plans by Iwi. Where the Plans have been lodged with the Council, Council will be guided by their contents to the extent that they are relevant to the resource management issues of the District.
- Develop operational procedures to outline how and when landowners would be included in any identification of sites and areas of interest to Tāngata Whenua, if Tāngata Whenua interests extend over land held in private ownership. This includes the identification of sites and areas of interest to Tāngata Whenua in resource consent applications, notices of requirement and/or future plan change processes.
- Actively encourage applicants to engage in discussions with Tāngata Whenua before lodging an application, and preferably prior to preparing any application.

Section 2.8 Transportation

Issues

- 2.8.1** The safe and efficient operation of the road and rail networks can be adversely affected by subdivision, land use and development, such as through additional traffic volumes, unsafe access and intersection arrangements, and over use of roads for parking.
- 2.8.2** Sensitive activities (e.g. residential dwellings) located in close proximity to major transport infrastructure can result in reverse sensitivity effects.
- 2.8.3** A disconnect between land use planning and transport planning can result in inefficient use of land, provision of excessive transport infrastructure, and higher costs for moving people and goods.
- 2.8.4** The safe and efficient functioning of the Hawera Aerodrome and its future development could potentially be jeopardised by development in close proximity.

Safe and Efficient Operation of Road and Rail Networks

Transportation infrastructure provides for the movement of goods and people throughout the District and adjoining areas. The main transport infrastructure components are the State Highways, local roads and rail network. This infrastructure is a physical resource and requires protection from activities that may adversely affect its efficient and safe operation. Effects on the safe and efficient operation of the road and rail networks can arise from:

- Generation of traffic / increased volumes
- Parking, loading and turning impacts
- Lack of vehicle visibility and safe sightlines
- Access ways and vehicle crossings (side friction), and
- Traffic safety interventions, including from signage and distractions at intersections

In addition, the transportation infrastructure is critical to the growth and development of the District, so its capacity may need to be more fully utilised as well as continue to be extended.

The demand for parking is a generated effect of most activities. Poor parking behaviour on streets and footpaths creates a traffic hazard, visual detraction and an adverse impact on the amenity values of the

area. Attention needs to be given to the manner in which car parking is provided on site to minimise these effects. However, in the centre of towns (commercial areas), and for smaller sites and activities, it can be difficult and sometimes inappropriate to provide on-site parking as it is more desirable to maintain a continuous pedestrian frontage for shoppers.

Reverse Sensitivity Effects

Another issue arises when sensitive activities (e.g. residential buildings, schools, childcare centres) establish near an existing transport network and these sensitive activities subsequently complain about the effects from the existing transport network and seek these effects be addressed. This issue is defined as reverse sensitivity and is a particular issue for the main transport infrastructure of the State Highways and rail networks due to the noise they can generate.

Integrated Land Use and Transport Planning

Urban form and rural land use patterns and transport are inextricably linked. Development of transport infrastructure is a considerable investment and is costly to maintain. Planning the integration of land use and transport can make efficient use of existing transportation investment, and open opportunities to improve transport choice that enable the community to improve their wellbeing and reduce overall costs.

The South Taranaki District has a dispersed land use pattern reflecting its predominantly rural land use and relatively large distances between urban areas. Therefore, moving around and out of the District relies on high rates of private vehicle travel. However, due to the small size of the urban areas, there are opportunities for residents to use more sustainable (non-motorised) modes of transport.

Land use activities including subdivision and development can significantly influence travel behaviour. For example, residential development near services (such as health services, schools, local shops and public transport routes or stops) can reduce the need for private vehicle travel and increase walking and cycling. Conversely, dispersed forms of development, cul-de-sacs and poorly connected communities can increase the reliance on private vehicles.

Hawera Aerodrome

Hawera Aerodrome is a significant physical resource in the district located on the outskirts of Hawera. The aerodrome is used for recreational, agricultural and training activities. The aerodrome is located in the Rural Zone and is surrounded by a mix of rural, commercial and industrial zoned land. The safe and efficient operation and management of this resource, and adequate recognition of the health and safety of people residing in close proximity is an issue for the aerodrome.

Objectives

- 2.8.5 Safe and efficient road and rail networks to ensure the reliable movement of people and goods.**
- 2.8.6 Well-designed and located vehicle access and parking to ensure the safety of people, pedestrians, cyclists and vehicles and the efficient operation of the adjoining road network.**
- 2.8.7 Protect the current and future efficiency, operation, safety and development of the State Highways and railway infrastructure.**

- 2.8.8** To maintain the safe and efficient functioning and development of Hawera Aerodrome, while avoiding or mitigating adverse effects from the airfield operation.

Policies

- 2.8.9** Recognise and provide for the State Highway network, and its primary function of providing for the safe and efficient movement of through traffic by managing direct access onto State Highways.
- 2.8.10** Develop and maintain a roading hierarchy of local (access), collector, and arterial roads, recognising their different functions in terms of access to adjacent properties, and the management of through traffic.
- 2.8.11** Establish a consistent approach to roading, access and subdivision design, in accordance with NZS 4404:2010 Land Development and Subdivision Infrastructure (including local amendments adopted by NPDC and STDC) and accepted national standards or guidelines, and require all works to be designed and constructed to meet these standards.
- 2.8.12** Avoid, remedy or mitigate the adverse effects that may arise from increased traffic or changed traffic type, and new or changed access and intersections, through the use of standards and controls.
- 2.8.13** Require activities to provide off-street parking that:
- (a) Is in proportion to the demand generated by all activities on the site. Parking areas may be shared by more than one activity where it can be demonstrated that the parking demand for each activity occurs at a different time or on a different day.
 - (b) Has both parking and loading spaces of such size, shape and layout to allow ingress and egress of vehicles without adversely affecting the safe and efficient function and operation of the adjoining road network.
 - (c) Is landscaped along road boundaries and adjacent to residential areas to maintain and protect amenity values.
- 2.8.14** Require every development adjacent to a proposed service lane to provide a loading bay that will be useable from the service lane once constructed.
- 2.8.15** In the Hawera Town Centre, financial contributions may be taken in lieu of a parking requirement, and put towards the cost of providing public car parks, or the Council may waive or reduce the parking requirement in the town centre where development or redevelopment of sites involves proposals which will result in the preservation of historic buildings, historic character, or the provision of public amenity.
- 2.8.16** Provide and maintain bicycle routes and facilities which are designed and located to encourage cycling as a safe, pleasant and efficient form of transportation, and to take into account the existing or potential use of any urban arterial street by cyclists when constructing or upgrading such streets.
- 2.8.17** Promote the efficiency of the railway and the primary role of the rail network by managing existing and new railway level crossings and vehicle crossings, and maintaining sight lines, to ensure the safe and efficient operation of both the road and the railway line.

- 2.8.18** Ensure that subdivision, land use and development adjoining State Highways and the rail network avoid, remedy or mitigate reverse sensitivity effects by protecting themselves from noise, particularly in habitable rooms.
- 2.8.19** Provide for the continued functioning and future development of Hawera Aerodrome and manage the adverse effects caused by the operation of Hawera Aerodrome on adjoining activities.
- 2.8.20** Protect the operation of Hawera Aerodrome from the potential adverse effects created by nearby activities.
- 2.8.21** Improve the health and safety of individuals and community by locating buildings and structures away from the rail corridor, so that these items can be accessed and maintained entirely within the property, not the rail corridor.

Explanation of Policies

The road network provides for access into and across the District in a safe, convenient and efficient manner. A roading hierarchy is used to identify the function of each road with three main types: local (access), collector and arterial. The predominant function of arterial and collector road types is to provide for through traffic movements, while local roads predominant function is to provide access to properties and facilities. The highest level of the roading hierarchy is formed by the State Highway network. The primary function of the State Highway network is to provide for through traffic across the District, between others districts within the Region, and to the rest of New Zealand. In South Taranaki, the State Highway network consists of State Highways 3 and 45. The safety and efficiency of each road is maintained by applying different controls to each road type (e.g. property access, on-street parking) recognising their functions.

It is important both for the safety and convenience of road users and for the efficiency of ongoing maintenance of roads that they are designed and constructed using consistent standards. Local standards have been developed in conjunction with New Plymouth District Council which complement the New Zealand standards for road design and construction.

The use of land can create a number of adverse effects on the safety and efficiency of roads, for example, through excessive use of streets for parking, or through poorly sited access points. Most of the effects can be avoided or mitigated through compliance with standards imposed through the District Plan, such as through parking requirements and access standards.

The provision of adequate on-site parking and loading areas is an integral part of the safe and efficient operation of the roading system. Demand for parking and loading is generated by most activities, with provision of sufficient on-site parking and loading necessary to avoid overspill of parking onto the adjoining road and neighbouring properties. This overspill creates a traffic hazard, visual detracting and an impact on the amenity values of the area. However, it is recognised in the town centres that the provision of on-site parking and loading is not always possible or appropriate.

Each activity is required to provide sufficient parking spaces depending on its trip generation capacity and turnover characteristics. The provision of numerous car parking spaces can have adverse effects on the amenity values of the area. Parking areas can create dust or mud if unsealed, and they can detract from the visual quality of the area. Attention to sealing, landscaping and screening will be required to reduce these adverse impacts.

The Council will consider reductions in parking provision where it can be demonstrated that the demand for parking generated by each activity does not occur simultaneously and that the operational hours or arrangements of those activities means that sharing of parking spaces will occur.

The development of a network of pedestrian paths and cycleways in the District would support the opportunity for residents and visitors to move between areas and around the District. The provision of cycle parking in convenient and accessible locations, such as near or at schools, retail areas, recreation reserves, public transport locations and other community facilities would support cycling. An efficient approach in providing this land transport infrastructure is for the Council to work in partnership with or support other agencies.

The railway is an important physical resource in the District, particularly for the movement of goods. Inappropriate development at the intersection of the road and railway networks can compromise the safety of both road and rail users. In addition, new access or changes to existing access across the railway can affect the safety and efficiency of the rail network. Therefore, standards are applied in the District Plan to manage access over the railway and sightlines at nearby intersections.

Some development in close proximity to the state highways and railway may adversely affect the safe and efficient functioning of this major land transport infrastructure. Due to their historic location and development, landowners need to accept a certain level of effects emanating from this infrastructure. Measures to mitigate adverse effects, such as building setbacks from the infrastructure and acoustic insulation of buildings by using barriers and acoustical treatment of buildings, are required for residential units and other sensitive activities in the vicinity of these major road and rail corridors.

KiwiRail manages trespass into the rail corridor. To maintain existing buildings that are close to, or on, the boundary of the rail corridor, individuals will often go beyond their property boundary and into the rail corridor; a high risk environment. The risk has a relatively low probability, but has high and potential fatal consequences. The risk of harm varies due to the width of the rail corridor and proximity to an actual live railway track. The use of rail corridor setbacks to position buildings a sufficient distance back from the rail corridor and enable individuals to access and maintain these buildings without entering the rail corridor itself will, over time, remove some reasons to illegally access the rail corridor.

Hawera Aerodrome is used by aircraft for recreational, agricultural and training activities. The existing aerodrome consists of three grass runways and an assortment of buildings (hangars, maintenance buildings and clubrooms). Providing for ongoing development at the aerodrome enables it to change and adapt over time to meet the needs of the local community. During busy periods, some moderate aircraft noise beyond its boundary can be expected, potentially at levels that could adversely impact on people living nearby. The District Plan includes specific noise and building provisions to allow the airfield to operate in an effective manner subject to the necessary constraints to protect the health and amenity of adjacent residents.

Development in the vicinity of the aerodrome could potentially affect the operation of the aerodrome, such as obstructions into flight paths. Civil Aviation Authority of New Zealand has adopted specifications defining the obstacle-free air space around the airfield. These surfaces are known as obstacle limitation surfaces and are defined in terms of distances from the runway and heights relative to the runways.

Furthermore, problems can occur when new development of a type likely to be sensitive to aircraft noise (particularly residential use) occurs within close proximity to one of the Aerodrome's runways and associated flight paths (a phenomenon called 'reverse sensitivity'). Over time, complaints can create problems for the continued effective and efficient operation of the airport. For this reason, it is important to limit potential future problems preventing the intensification of residential activities within close proximity of the Aerodrome.

Methods of Implementation

The methods of implementation include:

- Identification of a road hierarchy to assist in assessing the potential effects of an activity on the functioning of the network.
- Identification of Inner and Outer Control Boundaries for Hawera Aerodrome for managing the noise issues.
- Identification of Control Surfaces for Hawera Aerodrome to manage the height of buildings, structures and other items that could create an obstacle for flying aircraft.
- District Plan rules and performance standards relating to road widths, design speeds, design of vehicular access, dimensional standards, parking space requirements, landscaping and sightlines at railway level and vehicle crossings.
- District Plan rules and performance standards for setback requirements and acoustic insulation for activities close to State Highways and the railway.
- District Plan rules and performance standards relating to the noise from aircraft movements at Hawera Aerodrome and acoustic insulation for activities near the aerodrome.
- Assessment of environmental effects through the resource consent process for proposals not meeting performance standards. This includes assessment of effects on the safety and efficiency of the road and rail networks.
- Conditions on resource consent applications to avoid, remedy or mitigate adverse effects on the safety and efficiency of the transport networks.
- Works and services including road construction, shape correction and enhancement of existing streets, roads, cycle routes, pedestrian access ways, public carparking and service lanes.
- Coordination with other agencies (e.g. NZTA, KiwiRail, Taranaki Regional Council) with responsibilities for the transportation networks and services to identify and address issues like the implementation of associated policy documents such as the Regional Land Transport Programme.
- Compliance and implementation of:
 - NZS 4404:2010 Land Development and Subdivision Infrastructure (including local amendments adopted by NPDC and STDC).
 - NZS 4121:2001 Design for access and mobility: Buildings and associated facilities, and
 - AS/NZS 2890:2004 Parking Facilities (in 6 parts).

Section 2.9 Hazardous Substances and Contaminated Land

Issues

- 2.9.1** The risks of adverse effects on the environment and human health associated with the use, disposal, storage and transportation of hazardous substances.
- 2.9.2** The risks to human health and property from incompatible land use when new sensitive activities locate in proximity to existing significant hazardous facilities.
- 2.9.3** The use and development of potentially contaminated land can lead to adverse effects on the environment and human health, when the necessary remediation or management measures have not been undertaken prior to use.

Hazardous substances are used throughout the District for many purposes, with their use, storage, transport and disposal being an integral and essential part of many activities, particularly in the Rural

and Rural-Industrial Zones. Common hazardous substances used by activities include fuels such as petrol, diesel and LPG, fertiliser, some pesticides, gases, solvents, cleaners, oils and various corrosive substances. Such activities include oil and gas, forestry, agriculture, industrial and commercial operations. It is important to recognise that while the substances used by these activities may be hazardous, they also have a number of benefits. Beneficial ways in which hazardous substances are used include the use of chemicals to treat water or clean factory plant and equipment; or the storage of diesel so that goods and products can be transported from the factory site. Although generally stored in small quantities, the positive benefits of hazardous substances is also experienced at a domestic scale, for example the storage of solvents such as mineral turpentine or garden chemicals such as insecticides. Although beneficial, hazardous substances also have the potential to adversely affect the health and safety of communities and the health and sustainability of the natural and physical environment and for this reason, the District Plan must respond accordingly.

There are several ways in which hazardous substances are managed. In the first instance, the Hazardous Substances and New Organisms (HSNO) Act 1996 and its specific regulations provide a comprehensive framework for controlling hazardous substances during their whole life cycle, from manufacturing and importing a substance, its transportation and storage, through to its use and disposal. Under HSNO, the Environmental Protection Authority is the regulatory agency who assess and decide on applications which seek to introduce hazardous substances or new organisms into New Zealand. Under the Health and Safety at Work (HSW) Act, WorkSafe New Zealand is responsible for the use of hazardous substances in workplaces, such as factories, farms and drilling sites.

Complementary to the HSNO Act, the RMA enables Councils through their District Plans to include additional land use controls for the prevention or mitigation of any adverse effects of the storage, use, disposal and transport of hazardous substances. Significant hazardous facilities can pose a risk to surrounding land uses from emergency events, such as explosions or large fires. Such emergency events have a very low probability of occurring, though if they occur, they can pose high potential harm to nearby people and damage to property. Land use controls may relate to matters such as the location of hazardous facilities, their potential impacts on other land uses and the natural environment, and the transport of hazardous substances that are undertaken as part of the hazardous facility's operation.

Past activities, such as heavy industry and disposal of waste material, has resulted in some land being contaminated. The subdivision, use or development of contaminated land can increase the risk of exposing the environment to contaminants. Adverse effects can occur particularly if contaminated land is disturbed. Both remediation and development of land can disturb previously contained contaminants. This can lead to the discharge of contaminants to onsite or offsite areas that are sensitive.

Both District and Regional Councils have roles in managing contaminated land. Under the RMA, Regional Councils are responsible for the investigation of land to identify and monitor contaminated sites, while District Councils control land use to prevent or mitigate the adverse effects of the development, subdivision or use of land on contaminated or potentially contaminated sites. The District Council's response to issues of soil contamination are largely governed by the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES).

The NES contains planning controls and references the Hazardous Activities and Industries List (HAIL) - a list of activities and industries that are considered likely to cause land contamination. These regulations ensure that land affected by contaminants is identified and assessed before it is developed and if necessary, the land is remediated or the contaminants contained to make the land safe for human use. In most cases the responsibility for the management of the environmental effects of development on contaminated land will sit with the Taranaki Regional Council (e.g. the leaching of contaminants to waterbodies or groundwater from land development or disturbance activities), however the District Plan must recognise the NES and give effect to it through its objectives, policies and rules.

Objectives

- 2.9.4 Recognise the important benefits associated with the use, storage, disposal and transportation of hazardous substances whilst also ensuring that risks to the environment and human health are minimised to acceptable levels.
- 2.9.5 Avoid or mitigate the risk of adverse effects on human health from the subdivision, land use changes or remediation of contaminated or potentially contaminated land.

Petroleum Exploration and Petroleum Production

- 2.9.6 Recognise the important benefits associated with the use, storage, disposal and transportation of hazardous substances associated with petroleum exploration and petroleum production activities whilst also ensuring that risks to the environment and human health are:
 - (a) Avoided where the risks are unacceptable; and
 - (b) Minimised for lesser risks as low as reasonably practicable (ALARP).
- 2.9.7 Sensitive activities are located where they:
 - (a) Avoid areas exposed to an unacceptable level of risk from existing petroleum exploration and petroleum production activities; and
 - (b) Do not compromise existing petroleum exploration and petroleum production activities due to reverse sensitivity effects and /or incompatibility.

Policies

Significant Hazardous Facilities

- 2.9.8 Ensure significant hazardous facilities are located, designed, constructed and managed to minimise risk to the extent practicable and avoid Unacceptable Risk to the environment and human health.
- 2.9.9 Ensure appropriate facilities and systems are provided to avoid accidental or unintentional release, or loss of control (such as spills and gas escapes) of hazardous substances.
- 2.9.10 To avoid duplication of the regulation of activities controlled by the Hazardous Substances and New Organisms Act 1996 (HSNO) and other workplace safety law by:
 - (a) Generally providing for activities that meet the relevant requirements of the HSNO Act and other workplace safety law as permitted activities; and
 - (b) Only requiring resource consents for activities that may have actual and potential effects that are cumulative, or where there is significant potential risk of adverse effects on the environment or human health not otherwise addressed by HSNO Act and Health and Safety at Work Act and associated regulations.
- 2.9.11 Manage the location of significant hazardous facilities by:
 - (a) Locating significant hazardous facilities to avoid or adequately mitigate adverse effects, including risks, to people, property and the environment in the following situations:

- (i) In close proximity to sensitive activities;
 - (ii) Within and adjacent to significant areas of indigenous vegetation and habitats of indigenous fauna;
 - (iii) Adjacent to significant waterbodies;
 - (iv) Within and adjacent to Sites of Significance to Tāngata Whenua or sites of historical or archaeological significance;
 - (v) Within the Coastal Protection Area and Flood Hazard Area, and areas at risk of ground rupture from known active faults.
- (b) Ensuring adequate separation distances or other measures between significant hazardous facilities and activities sensitive to significant hazardous facilities to avoid or adequately mitigate risk to people and property; and
- (c) Identifying, assessing and managing adverse effects (including cumulative) of significant hazardous facilities to mitigate risk to people, property and the environment.

2.9.12 Manage potential reverse sensitivity conflicts between existing lawfully established significant hazardous facilities and new sensitive activities through subdivision and land use activity controls and other appropriate measures.

2.9.13 Disposal of hazardous wastes is to be undertaken in an environmentally safe manner at authorised facilities to avoid the risk of hazardous substances creating adverse effects on the environment and human health.

2.9.14 Transportation of hazardous substances, including wastes, as part of a land use activity should be undertaken in a safe manner, by modes and transport routes which prevent or minimise the risk of adverse effects on other land use activities, the environment, and other transport users.

Petroleum Exploration and Petroleum Production

2.9.15 Ensure petroleum exploration and petroleum production activities are located, designed, constructed and managed to avoid Unacceptable Risk and minimise lesser risks as low as reasonably practicable (ALARP) to the environment and human health.

2.9.16 Ensure new petroleum exploration and petroleum production activities are located where they do not expose existing sensitive activities to Unacceptable Risk.

2.9.17 Require new petroleum exploration and petroleum production activities to internalise the Unacceptable Risk within the site of the activity unless, where the Unacceptable Risk extends outside the site of the activity, a mechanism avoids the Unacceptable Risk to sensitive activities.

2.9.18 Ensure additions and alterations to existing petroleum exploration and petroleum production activities do not expose existing sensitive activities to Unacceptable Risk.

2.9.19 Encourage additions and alterations to existing petroleum exploration and petroleum production activities to internalise the Unacceptable Risk within:

- (a) the site of the existing petroleum activity; or
- (b) land owned by the operator; or
- (c) land where the operator has an enforceable interest (including lease, covenant or legal contract).

- 2.9.20** Manage additions and alterations to existing petroleum exploration and petroleum production activities where:
- (a) the Unacceptable Risk extends outside the existing Petroleum Activity Risk Contour, or
 - (b) there is no Petroleum Activity Risk Contour;
- to avoid Unacceptable Risk to sensitive activities and minimise the lesser risks as low as reasonably practicable (ALARP).
- 2.9.21** Manage additions and alterations to existing petroleum exploration and petroleum production activities where there are existing sensitive activities within the existing Petroleum Activity Risk Contour to ensure:
- (a) the Unacceptable Risk to the existing sensitive activity is avoided; or
 - (b) where the Unacceptable Risk cannot be avoided, risk to the existing sensitive activity is not increased and is minimised to as low as reasonably practicable (ALARP).
- 2.9.22** Avoid the establishment of petroleum exploration and petroleum production activities which use, store or handle hazardous substances in the Residential Zone and Township Zone due to risk to the environment and human health.
- 2.9.23** Identify and keep up-to-date on the Planning Maps the Petroleum Activity Risk Contours related to existing petroleum exploration and petroleum production activities using a level of risk threshold of 1×10^{-6} (risk contour).
- 2.9.24** That Petroleum Activity Risk Contours will be uplifted from the Planning Maps in whole or in part and for separation distances to no longer apply where:
- (a) there are no risk generating activities being undertaken; or
 - (b) the level of risk reduces significantly and extant consents or rules do not enable risk generating activities to establish or intensify in the future.
- 2.9.25** Avoid new sensitive activities locating in areas which are exposed to Unacceptable Risks from existing petroleum exploration and petroleum production activities.
- 2.9.26** Where there is no Petroleum Activity Risk Contour, manage the location of new sensitive activities near existing petroleum exploration and petroleum production activities by applying separation distances based on generic fatality consequence distances for petroleum exploration and petroleum production activities.

Contaminated Land

- 2.9.27** Identification of sites that may be subject to potential contamination as a result of historical land uses and activities.
- 2.9.28** Require that subdivision and land use changes on pieces of land that have a history of activities that could have resulted in contamination of the soil to undertake a preliminary site investigation to confirm whether there will be a risk to human health and whether further investigation, remediation or management is required, to ensure that the land is suitable for the intended exposure to humans.
- 2.9.29** Ensure that all remediation, land use, subdivision and redevelopment of land affected by soil contamination prevents or mitigates adverse effects on and risk to human health and ensures that any residual levels of contamination is appropriate for the proposed future use of the

land via management measures which may include remediation, containment or disposal of contaminated soil.

Explanation of Policies

Hazardous Substances

These objectives and associated policies have been specifically drafted to avoid duplication between the District Plan and the HSNO Act and other regulations managing hazardous substances. The Council recognises that the HSNO Act is the primary legislation that controls the manufacture, import, transportation, storage, use and disposal of hazardous substances, and that it manages hazardous facilities. Under the HSNO Act, the Environmental Protection Authority is the regulatory agency who assess and decide on applications which seek to introduce hazardous substances or new organisms into New Zealand. Under the Health and Safety at Work (HSW) Act, WorkSafe New Zealand is responsible for the use of hazardous substances in workplaces, such as factories, farms and drilling sites.

Whilst compliance with the HSNO Act, HSW Act and other regulations will generally ensure that any adverse effects arising from the use, storage, disposal and transportation of hazardous substances are effectively managed, the District Plan applies additional controls on significant hazardous facilities and for sensitive environments. Significant hazardous facilities can adversely affect the environment and community if they are not appropriately sited and/or managed. Particular regard would be had to risks to neighbouring property (including dwellings) and the community from fire, explosion or natural hazard events affecting the significant hazardous facility. For these reasons, Rural Industrial zoned land has been identified as the most appropriate location for significant hazardous facilities to locate, , acknowledging that the Rural Zone can also accommodate significant hazardous facilities if effects can be appropriately managed. However, in identifying this, it is recognised that these zones often contain sensitive natural environments or have unusual characteristics (i.e., waterbodies, natural hazards etc) that also need to be taken into account and carefully managed. The District Plan therefore applies controls where particular locations have been identified where the environment may be more sensitive to adverse effects from significant hazardous facilities. In addition, a risk assessment for each new significant hazardous facility would determine the appropriate distance for locating this facility in relation to existing sensitive activities.

The Plan manages the risks to human health and the environment from additions and alterations to existing petroleum exploration and petroleum production activities as well as risks from new sensitive activities locating close to existing petroleum exploration and petroleum production activities.

The risks from petroleum exploration and petroleum production activities cannot be fully eliminated, only reduced. There is a level of risk of human fatality that is considered unacceptable. The Plan defines this as the “Unacceptable Risk”. Where risks are not unacceptable, the Plan adopts the principle of minimising risks to As Low As Reasonable Practicable (ALARP) which is concept used in health and safety context.

In relation to new petroleum exploration and petroleum production activities, the Unacceptable Risk is to be internalised within the site of the activity unless, and where the Unacceptable Risk extends outside the site of the activity, an enforceable mechanism(s) is in place to avoid the Unacceptable Risk to sensitive activities. For example, such mechanisms may comprise covenants or legal agreement between the operators and neighbouring landowner.

In addition to the above, it is equally important that more sensitive activities such as residential subdivision and development are managed so that reverse sensitivity matters can be averted. The risk posed by significant hazardous facilities is often directly related to the nature and proximity (particularly in terms of population density) of the more sensitive receiving environment. The establishment of new

sensitive activities close to an existing significant hazardous facility may result in unacceptable risks to the new activity and/or reverse sensitivity effects on the existing facility. Accordingly, site-specific (e.g. 1×10^{-6} individual fatality risk contour) and the zone-based (e.g. setbacks and list of activities) sections of the District Plan contain provisions to manage incompatible land uses and reverse sensitivity matters. Where petroleum exploration or petroleum production activities are decommissioned and/or wells capped, and the ability to establish or intensify in the future is not enabled by the rules or consents, there is no longer a risk to sensitive activities. In these circumstances, the provisions to manage incompatibility and reverse sensitivity for new sensitive activities no longer apply.

In terms of the potential risks to the environment and human health, the inappropriate disposal of hazardous waste can result in contamination of soil, air, groundwater or surface water, both at the source and at locations remote from the source through migration. The improper release of hazardous substances into the environment presents a major threat to the life supporting capacity of the environment and community health. Hazardous waste must be disposed of at a licensed hazardous waste facility that can accept such waste, or alternatively be treated to reduce the level or mobility of the contaminants to acceptable levels.

The transport of hazardous substances on land (including State Highways and local roads) is controlled by the Land Transport Rule: Dangerous Goods 2005 (created under the Land Transport Act 1998), and New Zealand Standard 5433:2007 which is a means of compliance. Accordingly it is not considered necessary for the transport of hazardous substances in the District to be the subject of resource consent.

Contaminated Land

There are a number of potential sites in South Taranaki that may have been contaminated from previous activities. However, not all the contaminated land has been identified, or limited or no information exists about the nature and extent of contamination. For the identification of potentially contaminated land, the Council uses the Regional Council's Register of Selected Land Uses and the [Ministry for the Environment's Hazardous Activities and Industries List \(HAIL\)](#). HAIL is a list of activities that are considered likely to cause land contamination and therefore provides guidance for identifying potentially contaminated land.

The policies are based on implementing the [Resource Management \(National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health\) Regulations 2011](#). These controls are mandatory and apply to specific activities which heighten risks to human health on sites which are identified as potentially contaminated (e.g. earthworks or a change from industrial or horticultural to residential use).

Site investigations are required when a piece of land has been used for an activity which could result in contamination. The investigations are to determine whether the land is contaminated and what level of contamination is present.

Any activity that seeks to remediate, use, redevelop or subdivide contaminated, or potentially contaminated land, will be assessed. This assessment will ensure that proper and safe measures are undertaken and that management practices will not lead to further degradation of the site or surrounding environment or present a risk to human health.

The subdivision, use, and development of potentially contaminated land is restricted until the presence or absence of contamination is confirmed and any risks to human health and the environment is remediated to a level that is appropriate for the proposed activity and likely future uses.

Methods of Implementation

The methods of implementation include:

District Plan

- District Plan rules and performance standards to manage significant hazardous facilities.
- Assessment of environmental effects through the resource consent process for significant hazardous facilities, including where they do not meet performance standards. If written approval (or agreement by any other instrument) is provided with a resource consent application, this approval does not prevent consideration of the effects on the wider environment (including Part 2 matters of health and safety), including on persons who may visit or on persons residing at the property and whose written approval has not been obtained.
- Conditions on resource consents to avoid or reduce the potential risks from significant hazardous facilities.
- Reliance on the [National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health](#) for assessing and managing the adverse effects of contaminated and potentially contaminated land with regard to the protection of human health.

Other Regulations

- Reliance on the [National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health](#) for assessing and managing the adverse effects of contaminated and potentially contaminated land with regard to the protection of human health.
- [HSNO Act](#) sets out technical standards for the use, storage, inspection, identification and regulation of hazardous substances, including Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001 and Hazardous Substances (Emergency Management) Regulations 2001.
- Other regulations apply to specific circumstances or activities, such as Health and Safety at Work (Major Hazard Facilities) Regulations 2016, Health and Safety at Work (Petroleum Exploration and Extraction) Regulations 2016, and Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016.
- Other legislation, such as the [Building Act 2004](#), [Health and Safety in Employment Act 1992](#), and the [Transport Act 1992](#), include provisions relating to the use, storage, disposal or transportation of hazardous substances.
- Implementation of relevant bylaws, such as the Trade Waste Bylaw.

Collection and Provision of Information

- Promote the use of good practice guidelines, industry standards, codes of practice, and cleaner production methods in the use, storage and transportation of hazardous substances.
- The Council will cooperate with the Taranaki Regional Council and landowners to identify potentially contaminated sites, share information and assist in compiling a register of managed, confirmed and remediated sites in the District.
- Make available to the public, through Project Information Memoranda (PIMs) and Land Information Memoranda (LIMs), information about contaminated land held by the Council.
- Collect and maintain publicly available information about the level of risk from petroleum exploration and petroleum production activities. This information would be supplied by operators of petroleum exploration and petroleum production activities via resource consent applications or in meeting their obligations under other legislation or regulations.

- Maintain outside of the District Plan a publicly available schedule of:
 - (a) Production stations/gas treatment plants that do not have a Petroleum Activity Risk Contour; and
 - (b) Existing well-sites, consented well-sites, and decommissioned well-sites where:
 - Unacceptable Risk extends outside the property boundary; or
 - Where Unacceptable Risk has not been determined, a 250m setback from the source of risk extends outside the property boundary.
- Regularly share changes to risk assessment information and risk contours between operators and the Council, and undertake plan changes to keep the Petroleum Activity Risk Contour shown on the Planning Maps up to date.
- Identify on the Planning Maps an alert layer that is subject to the potential presence of contaminants from abnormal flare operation at a petroleum facility, which has the potential to cause acute health effects. As the probability of an acute health effect occurring is low, this alert layer (the Petroleum Flare Alert Area) is non-regulatory and no District Plan rules are triggered by it. This alert layer is measured 70m from flares at well-sites and 300m from flares at production stations.

Section 2.10 Energy

Issues

- 2.10.1** Recognition of the oil and gas resources in the District, and the existing and future exploration, development, production and distribution activities using and developing these energy resources.
- 2.10.2** Recognition of the renewable energy resources in the District and the benefits that can derive from the use and development of these resources from renewable electricity generation activities.
- 2.10.3** The investigation, exploration, prospecting, development, production, transmission and distribution of oil and gas activities and renewable electricity generation activities can cause adverse effects, particularly with regard to amenity, landscape, ecological, historic heritage, Tāngata whenua values, cultural and traffic.
- 2.10.4** Poorly designed and located subdivision, land use and development can result in inefficient use of energy, such as inefficient travel patterns and dwellings with limited solar access.

Energy

Energy resources refers to the use of natural and physical resources which are used to produce or generate fuel and electricity. The use of these resources involves the exploration, development and production of non-renewable energy (also referred to as petroleum energy) resources such as oil, gas and coal, as well as renewable energy resources such as wind, hydro and geothermal. In New Zealand, the above examples are the main sources of energy.

Local Resources

The Taranaki region has had a long association with the oil and gas industry and contains two of New Zealand's oldest and most productive gas fields – Kapuni and Maui. Of particular importance to the South Taranaki District are the on-shore production stations located at Kapuni and Oaonui.

The Kapuni field is the oldest producing gas and condensate field in New Zealand with production beginning in 1969. This production station is the origin of a reticulated gas network around the North Island. The Maui production station at Oaonui marks the start of the Maui transmission pipeline that runs 307km northwards, linking into other gas production stations, (including the pipeline's namesake, the off-shore Maui site) through to the Huntly Power Station. Also of significance to the District are gas and oil fields that supply the production stations of Kupe and Rimu.

A significant issue for the district is a need to recognise the presence of existing oil and gas operations and provide for their ongoing efficient and effective functioning, as well as to provide opportunities for further exploration and development. The oil and gas industry make a significant contribution to the energy resource supply at a national level, particularly for the supply of gas. Economically the industry is very important to South Taranaki District and accordingly the District Plan contains provisions to support the on-going operation of this sector.

While the energy sector in South Taranaki is dominated by oil and gas, the District also has renewable energy resources, particularly wind and water (hydro). Existing renewable electricity generation includes the 32 MW Patea Hydroelectric Power Scheme on the Patea River (forming Lake Rotorangi), and the smaller Opunake and Normanby Hydro power schemes.

At a large-scale, the key potential source of renewable energy development in South Taranaki is wind. Investigations show that there is a good wind resource along the south coast of the District, as well as land capacity for wind generation facilities and infrastructure. This potential is particularly important in the Council's role in helping to achieve energy policy objectives and/or renewable electricity targets set out at Central Government level.

Renewable energy

While potential renewable electricity generation in South Taranaki is likely to be from hydro and wind resources, it is important to note that renewable energy is also produced from solar, geothermal, biomass, tidal, ocean current and wave energy sources. Exploring new ways to harness renewable energy is of particular significance, as it not only brings economic benefits, but does so in a way which is sustainable and efficient. Renewable resources are not depleted meaning resource supply is ongoing. When compared with the burning of fossil fuels, renewable energies typically involve less carbon or methane emissions which can contribute to climate change.

At a domestic scale, there are various ways to use natural sources of energy, including solar water heating or solar panels, and small wind turbines. Options for large-scale solar generation, biomass or wave energy may become more technically and economically viable in the future. Specifically, biomass development continues to gain momentum, especially the use of organic wastes (e.g. manure, other farm waste, waste wood, landfill waste and methane) for fuel, heat and electricity generation.

Energy efficiency and the use and development of renewable energy are matters the Council must have particular regard to under Section 7 of the RMA. There is also national policy direction (National Policy Statement for Renewable Electricity Generation 2011 (NPSREG)) which requires that all district plans provide for, and recognise the benefits of, renewable electricity generation. In addition, the Taranaki Regional Policy Statement 2010 (RPS) contains specific objectives and policies on renewable energy that seek to promote the use and development of renewable sources of energy and increase efficiency in this area.

In light of the Council’s obligations to these higher order documents, the District Plan promotes the use and development of renewable energy resources and accordingly contains provisions to provide for their establishment and land use management.

Adverse Effects

While, the energy sector can positively contribute to the social, economic, and cultural well-being of the District, energy developments also have the potential to generate a range of adverse effects. Particular issues include landscape and amenity effects as energy resource infrastructure is often visible and/or located in elevated positions. Other adverse effects can include issues associated with glare, noise, traffic, hazardous substances, ecological values, archaeological values and the values of Tāngata whenua. It is therefore important that the District Plan gives appropriate consideration to such effects and accordingly it seeks to manage potential impacts.

Energy Efficiency

As well as having regard to the benefits of renewable energy, Section 7 of the RMA requires Councils to have particular regard to “the efficiency of the end use of energy”. Energy efficiency should be an important consideration in the design and construction of buildings, subdivisions and transportation networks, and in the ongoing use of those resources.

Transmission

Large-scale electricity generation, and potentially small-scale electricity generation, requires connection to the National Grid network or the distribution network. The issue of electricity transmission is addressed in the section on Network Utilities.

Objectives

- 2.10.5** To recognise the significant local, regional and national benefits from the use and development of non-renewable energy resources by providing for the prospecting exploration, development and production of oil and gas energy activities.
- 2.10.6** To recognise the significant local, regional and national benefits from the use and development of renewable energy resources by providing for the investigation, development, operation, maintenance and upgrading of renewable energy activities, including electricity generation.
- 2.10.7** To ensure the adverse effects of oil and gas and renewable energy activities are avoided, remedied or mitigated, particularly adverse amenity, landscape and traffic effects on the District’s infrastructure, sensitive environments, wāhi tapu sites/areas, sites of importance to Tāngata whenua, and nearby land uses and infrastructure, while recognising their technical, locational and operational constraints.
- 2.10.8** To promote energy efficient development and travel patterns.

Policies

General

- 2.10.9** Provide for the identification, investigation, prospecting and exploration of new potential sites and energy sources for energy resource activities.
- 2.10.10** Ensure that the investigation, prospecting, exploration, development, use, production, and generation of energy resource activities, is managed in a way that recognises the national, regional and local benefits of the use and development of energy, while avoiding, remedying and mitigating adverse effects on the environment, including cumulative effects.
- 2.10.11** Ensure that investigation, prospecting, exploration, development, use, production, and generation of energy resource activities are appropriately located to:
- (a) avoid adverse effects of activities on the characteristics and qualities that contribute to:
 - (i) natural character in areas of the coastal environment identified as having outstanding natural character; and
 - (ii) the values of outstanding natural features and landscapes;
 - (b) avoid significant adverse effects and avoid, remedy or mitigate adverse effects of activities on the characteristics and qualities that contribute to natural character, or other natural features and landscapes, in all other areas of the coastal environment;
 - (c) avoid, remedy or mitigate adverse effects of activities on:
 - (i) the other special values and qualities of the coastal environment; and
 - (ii) the character and amenity values of the urban environment.
- 2.10.12** Ensure that the adverse effects, including reverse sensitivity effects, of incompatible subdivision, land use or development on the safety, efficiency, operation and maintenance of existing lawfully established energy resource activities are avoided or mitigated.
- 2.10.13** Where the adverse effects of oil and gas energy activities and renewable electricity generation activities cannot be avoided, remedied or mitigated, have regard to any offset measures and/or environmental compensation that is of benefit to the environment and, where appropriate, the affected community proposed or agreed to by the applicant.
- 2.10.14** In determining an application for resource consent for the use and development of renewable energy resources where any potential adverse effects are not fully understood or are uncertain and associated risks are considered to be acceptable, have regard to the merits of adopting adaptive management measures to avoid, remedy or mitigate any adverse effects on the environment.

Oil and Gas Energy Activities

- 2.10.15** Recognise the locational, operational and technical constraints on the use and development of oil and gas energy resources, including the particular constraints affecting exploration, prospecting, development, production and distribution.

Renewable Electricity Generation Activities

- 2.10.16** Recognise the potential of the available wind resource along the coast in South Taranaki to provide for renewable electricity generation activities.

- 2.10.17** Recognise and provide for the potential for biofuels, biogas and biomass energy and electricity generation associated with forestry harvesting, and agricultural and horticultural practices.
- 2.10.18** Recognise and provide for the benefits of small or community-scale renewable electricity generation activities, while avoiding, remedying and mitigating their adverse effects on the environment.
- 2.10.19** Recognise the locational, operational and technical constraints associated with developing, operating and maintaining large-scale renewable electricity generation activities and their requirements to connect to distribution networks and the National Grid.
- 2.10.20** Provide for the ongoing operation, maintenance and upgrading of existing renewable electricity generation activities where the effects of these works are avoided, remedied or mitigated.

Energy Efficiency in Transport and Development

- 2.10.21** Ensure that land use planning and infrastructure design is carried out in a manner that seeks to provide for optimum energy efficiency.
- 2.10.22** To assist in reducing energy consumption, ensure that transport networks are designed so that they are safe and that the number, length and need for vehicle trips is minimised, and reliance on private motor vehicles is reduced.
- 2.10.23** Encourage optimum energy efficient development, subdivision patterns, site orientation and building design.

Explanation of Policies

General

Energy developments offer significant benefits to communities by producing goods that are essential to our daily needs. Large-scale energy developments extract and on-sell large volumes of product to local and national markets via major national infrastructure such as electricity transmission lines and natural gas pipelines. Small and domestic-scale developments are increasingly popular for residential and commercial use – whether complementing a commercial supply, or exclusively supplying.

The challenge of managing energy development under the RMA is to have an appropriately balanced consideration of the potential benefits of these activities along with their potential adverse effects.

Policy Context

The objectives and associated policies of this chapter seek to balance the wider benefits of energy resource activities against potential adverse effects, which are felt at the local level. The term ‘energy resource activities’ is used in this policy context to describe all activities which use natural and physical (renewable and non-renewable) resources to produce or generate energy, including fuel and electricity. This descriptor includes oil and gas energy activities and renewable electricity generation activities.

In terms of the management of the use and development of oil and gas energy resources, the District Plan takes account of the RPS which acknowledges the importance of this sector at a regional and national level and promotes its use and development.

Specifically concerning renewable energy generation activities, the objectives and policies of the District Plan reflect the requirement to have regard to the benefits of renewable energy in Section 7 of the RMA

and give effect to the National Policy Statements on Electricity Transmission and Renewable Electricity Generation (NPSREG), as well as the Regional Policy Statement for Taranaki.

In particular, the NPSREG requires that the District Plan's objectives, policies and methods recognise the nature, extent and location of relevant developed and undeveloped renewable energy resources in a district. For existing renewable electricity generation activities this means providing for their maintenance and upgrade, and protecting facilities from reverse sensitivity effects that might result from new subdivision, land use, or development in their vicinity. Facilities of local, national and regional significance associated with oil and gas energy resources are also afforded similar provision in this section.

Practical Constraints

The District Plan acknowledges there may be practical constraints associated with the investigation or exploration of new energy resources. Such constraints include the confined location of the energy resource, and the associated, technical and operational practicalities of developing that resource, including the infrastructure required for its extraction or transmission. On-going development, operation, maintenance and upgrading of new and existing energy resource activities is also a practical requirement that needs to be provided for in the District Plan.

Accordingly the District Plan contains tailor-made provisions that recognise the importance of energy resource activities, make provision for maintenance, and seek to protect this sector from potential conflicts that may arise through reverse sensitivity effects.

Managing Adverse Effects

The potential impact of energy resource activities on the environment and surrounding land uses can vary in type and magnitude. Such adverse effects can include visual, amenity, noise and traffic effects, and effects on historic heritage, cultural and ecological values, and on the values of tāngata whenua including identified wāhi tapu. The coastal environment, outstanding natural features and landscapes, and urban areas, are particularly sensitive to the adverse effects from energy activities. The District Plan seeks to manage development of energy resource activities and associated infrastructure in these areas and seeks to ensure the special values and qualities associated with these environments are preserved and protected. Notwithstanding this, it is recognised that some energy resource activities or components of these activities have locational requirements, such as pipelines needing to cross the Coastal Protection Area from offshore facilities to onshore production stations, or wind generation activities locating where the wind resource is. Given these locational requirements, these activities and components may be appropriate in these environments subject to consideration of the effects on the special values and qualities of these environments in accordance with the objectives and policies of the district plan. In particular, underground pipelines have no surface appearance and may not need to disturb the ground surface, especially where installed using trenchless techniques. Care is required when locating energy resource activities near to sensitive activities which are susceptible to a wide range of adverse effects.

It is also important to consider the cumulative effects of activities. Oil and gas energy exploration and production, for example, can often involve numerous points of contact with the resource, as can large-scale renewable electricity generation activities such as wind farms. The adverse effects from a single activity may be acceptable. However, a concentration of a number of activities in a particular location may result in cumulative effects which may be unacceptable in some locations. For these reasons, the District Plan seeks to manage adverse effects and, depending on the nature and scale of potential effects, will require assessment through the resource consent process.

Offsets/Environmental Compensation and Adaptive Management – Renewable Energy Resources.

In some circumstances, it is recognised that it may not be practical to avoid adverse effects on the environment and surrounding land uses from the development, operation, maintenance and upgrading of energy generation activities. In such cases, the NPSREG directs Councils to have regard to off-setting measures and environmental compensation.

The NPSREG also directs Councils to consider adaptive management measures.

Energy Efficiency

The efficiency of energy use can be optimised and/or promoted in a number of ways. The design of buildings, subdivisions and transportation networks can have a significant bearing on the ability of those developments to facilitate energy efficiency. Passive solar heating, for example, where dwellings are constructed to maximise the harnessing of sunlight, will reduce the need for other forms of heating. The energy efficiency of transport and infrastructure networks is an important matter to consider when making decisions on zoning and/or subdividing new areas for residential or commercial development. Energy efficiency should also be considered when designing or redesigning transport and infrastructure networks, and should be encouraged in the design of new subdivisions and building developments.

Methods of Implementation

The methods of implementation include:

- District Plan rules and performance standards for new and existing energy activities, both small and large scale activities.
- Inclusion of assessment matters in the District Plan to guide evaluation of applications for resource consent for the exploration, development and production of energy resources.
- Conditions on resource consent for energy activities to avoid, remedy or mitigate adverse effects on the environment – for example a construction management plan to manage temporary works, restrictions on hours of operation and noise levels, screening/landscaping and site restoration.
- District Plan rules and performance standards to control proposed subdivision and land use activities that are incompatible with, or which have the potential to constrain the operation of, existing energy activities so as to avoid the creation of reverse sensitivity effects.
- The use of consent conditions to ensure that the adverse cumulative effects resulting from energy activities are effectively and sustainably addressed.
- Dissemination of relevant information regarding the development and operation of small and community-scale renewable electricity generation activities.
- Where appropriate, adoption of relevant standards and codes of practice that are applicable to energy activities in New Zealand, to address the actual and potential adverse effects of energy activities.
- Consideration of the use of energy efficient design for subdivision and transportation networks in determining a resource consent application and imposing any resource consent conditions.
- Advocate and encourage the use of energy efficient design for built development. This advocacy and encouragement may include supporting national or regional education programmes.
- Consideration of the use of joint processing where applications for resource consents are lodged concurrently with Regional Council and District Council.

Section 2.11 Network Utilities

Issue

2.11.1 Network utilities have important functions and enable people and communities to provide for their economic, social and cultural wellbeing, but can have adverse effects on the environment, often due to technical, operational and location specific requirements. In addition, new subdivision, land use and development may impact on the safe and efficient functioning of network utilities.

Network utilities are physical resources which provide water and electricity, telecommunications, radio communications, roads, railway lines, sewage reticulation, waste disposal, and other similar services. These utilities enable communities to undertake everyday activities and functions, and allow people to provide for their social, cultural and economic wellbeing, health and safety. They are critical to the efficient and ongoing functioning of the District and therefore have wide ranging benefits.

Network utilities are nationally, regionally and/or locally significant, as they provide an important everyday and emergency facility to the nation, region and/or local community. Network utilities by their nature are of varying scale and significance, and are dispersed throughout the District. There is a need to recognise the positive social, economic, and environmental benefits that accrue nationally and regionally from the establishment and continued operation of all network utilities.

Some of South Taranaki's network utilities are particularly important, due to the predominance of the local energy sector. These network utilities include, but are not limited to, the National Grid (electricity transmission), high pressure gas network and major land transport infrastructure (state highways and railway lines). The national importance of the National Grid is recognised in the National Policy Statement on Electricity Transmission (NPSET) 2008. The NPSET recognises the national significance of the National Grid electricity transmission network by facilitating the operation, maintenance and upgrade of the existing network and the establishment of new facilities to meet the needs of present and future generations, while managing the adverse effects of the network and managing the adverse effects of other activities on the network. Major land transport infrastructure including the railway line and state highway network are also nationally significant network utilities as they provide for the movement of goods and people throughout the nation and region, which is critical to growth and development (see Section 2.7 Transportation).

The nature and scale of different network utilities mean some have little environmental effects, such as the underground reticulated water supply network, while others have the potential to have significant adverse environmental effects. These effects may be associated with the development, operation and/or maintenance of the network utility. In addition, some environments may be more sensitive to the effects of network utilities (e.g. residential areas and outstanding natural features and landscapes). It is recognised that the locational, technical and operational requirements of some network utilities may influence the siting, design and appearance of the network utility. In some cases, as a result of these constraints, it will not be possible to avoid, remedy or mitigate all adverse effects associated with network utilities. In such circumstances, there is a need to carefully consider the benefits the utility will provide and the significance of the adverse effects on the surrounding environment.

Subdivision, land use and development in the vicinity of network utilities can lead to adverse effects, including reverse sensitivity effects that have the potential to affect the efficient and effective operation of the utilities. This issue particularly arises for larger-scale and nationally/regionally significant infrastructure, such as the National Grid and high pressure gas network. An example of reverse sensitivity could be where the continued use or expansion of a transmission line in the rural area is

threatened when rural residential development is allowed too close to the transmission lines. The presence of that rural residential development can constrain the continuation or upgrading of transmission lines or electricity substations to meet future demand, because of the actual or perceived health, safety and operation risks to the rural residential development.

Objectives

- 2.11.2** To provide for the safe, efficient and sustainable development, operation, maintenance and upgrading of network utilities, in a manner which avoids, remedies or mitigates adverse effects on the environment, while recognising their technical, locational and operational constraints.
- 2.11.3** Protection of network utilities from the actual or potential adverse effects of incompatible subdivision, land use or development.

Policies

- 2.11.4** Provide for the development, operation, maintenance and upgrading of network utilities in a manner which avoids, remedies, or mitigates adverse effects on the environment, while recognising their operational, technical and locational requirements.
- 2.11.5** Manage the location, scale and design of the development or upgrading of network utilities (including in relation to the National Grid), and consider the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection process.
- 2.11.6** Consider the locational, technical and operational requirements of network utilities and the contribution they make to the functioning and wellbeing of the community in assessing their location, design and appearance.
- 2.11.7** Require new utility networks to be sited underground (where practical in terms of cost and operation) in Residential, Commercial, and Industrial areas. Where not practical, the utility will need to be carefully sited and designed to avoid, remedy or mitigate the adverse effects.
- 2.11.8** Encourage, to the extent practicable, the more efficient use of existing network utilities, and co-siting and sharing of masts, facilities and utility corridors to reduce the need for new utilities elsewhere in the District.
- 2.11.9** Recognise the positive social, economic and environmental benefits that accrue nationally and regionally from the development, continued operation and upgrading of network utilities.
- 2.11.10** Ensure that the adverse effects, including reverse sensitivity effects of incompatible subdivision, land use or development on the safety, efficiency, operation, maintenance and upgrading of existing network utilities are avoided or mitigated.
- 2.11.11** Manage any adverse effects of subdivision, land use and development on the National Grid including substations by ensuring that:
- (a) Areas are identified in the Plan to establish buffer distances for managing subdivision, development and land use near the National Grid;
 - (b) Sensitive activities and large-scale structures are restricted from establishing within the National Grid Yards and are appropriately managed around substations;

- (c) Subdivision is managed within the National Grid Subdivision Corridor to avoid subsequent land use activities from restricting the operation, maintenance, upgrading and development of the National Grid; and
- (d) Changes to existing activities within a National Grid Yard and around National Grid substations do not further restrict the operation, maintenance, upgrading and development of the National Grid.

2.11.12 Promote the design of subdivisions and land use development or redevelopment in a manner that enables the efficient use of land within the identified National Grid Yard, National Grid Subdivision Corridor and around substations without introducing sensitive activities or structures that would inhibit the operation, access, maintenance or upgrade of the National Grid infrastructure.

2.11.13 Recognise existing network utilities within the coastal environment, Outstanding Natural Features / Landscapes, and Significant Natural Areas, and provide for their ongoing operation, maintenance and upgrading requirements.

Note: Reference should also be made to other policy sections of the District Plan which may be relevant to network utilities. These relevant sections could include tāngata whenua, historic heritage, coastal environment, natural features and landscapes, indigenous biodiversity and natural hazards.

Explanation of Policies

The District's network utilities include the urban water, wastewater, stormwater and sewerage systems, electricity lines (including the National Grid), telecommunication and radiocommunication facilities, the roading network, railways, navigational aids and meteorological operations and associated support structures. These utilities contribute to the overall social wellbeing and economic vitality of the South Taranaki District and beyond. It is therefore important that the safe and efficient development, operation, maintenance and upgrading of these services be effectively provided for, and that the local, regional and national benefits that derive from them are adequately recognised.

The development, operation, maintenance and upgrading of network utilities can adversely affect the environmental quality of the District, such as from noise and visual effects on amenity values. For example, some network utilities are relatively large, visually prominent and capable of generating significant adverse effects on the environment. They may also have potential impacts on public health and safety. Adverse effects may only occur at the time of construction, but in some cases may continue throughout its operation or during maintenance and upgrading works. In addition, some locations can be more sensitive to these effects, such as residential or open space areas, or sites or areas with heritage or cultural value.

In some cases, given the underlying locational, technical and operational constraints and requirements associated with some network utilities, it might not be entirely possible to avoid, remedy or mitigate all adverse effects associated with the development, operation, maintenance or upgrading of infrastructure. For example, the location of the resource, network connectivity or proximity to support infrastructure may constrain the utility location. In these circumstances, it needs to be recognised that there may be some level of adverse effect on the surrounding environment in order to achieve the benefits that network utilities provide.

Given the above, the District Plan makes provision for network utilities while managing their potential adverse effects through performance standards recognising the local environmental characteristics in the District. Certain types of network utilities and larger-scale utilities can create a broad range of potential adverse effects, and thus it is more appropriate that these proposals are assessed through either the resource consent or designation processes.

Many network utilities are now able to be placed underground meaning any potential effects on the environment will typically be minimal. However, it is recognised historically some utilities (e.g. telecommunications and electricity) were provided by way of overhead servicing. Overhead lines and structures can detract from visual amenity. To maintain and enhance the amenity values in the District, the Council will require new reticulation (e.g. pipelines and cables) to be placed underground in residential and commercial areas (unless not practical to do so). Underground reticulation is not required in rural areas where environmental and economic considerations may be differently balanced. Some exceptions to undergrounding of services will exist, such as high voltage transmission lines, as it is not practical to underground these in terms of cost and operation.

The Council encourages the co-siting, or sharing facilities or sites, as this supports efficiencies and reduces the need for infrastructure to be located elsewhere in the District, in turn, mitigating or avoiding adverse effects. The District Plan encourages the co-location of equipment through the provision of more lenient standards where two or more utilities are installed together.

There is a need to recognise the positive social, economic and environmental benefits that accrue nationally and regionally from the establishment and continued operation of network utilities and other regionally significant infrastructure, including maintaining people's health, wellbeing and general safety.

In South Taranaki, the principal elements of various reticulation and distribution networks of most utilities are already in place, including an extensive network of oil and gas and associated product pipelines, and a network of electricity transmission lines forming part of the National Grid. Where significant new reticulation or distribution lines are required by network utility operators, they should be located as far as is possible within existing corridors, while also considering locational, technical and operational constraints.

Where incompatible activities have been allowed to establish too close to certain nationally or regionally significant network utilities (e.g. a dwelling allowed close to high voltage electricity transmission lines or an electricity substation), there is increased exposure to adverse effects such as the accumulation of dust on conductors, risk to structural integrity of pylons, restricted access for maintenance, and reduction in safety distances or public safety generally. Another example is locating a dwelling close to a wastewater treatment pond, which increases the potential for objectionable odour effects on the dwelling. To protect the adjoining activities and the ongoing operation of the utilities, various degrees of control will be implemented in the District Plan to avoid or mitigate this incompatibility.

Methods of Implementation

The methods of implementation include:

- District Plan rules and performance standards to meet minimum/maximum standards.
- Assessment of environmental effects through the resource consent or designation processes for proposals involving larger-scale utilities or those not meeting the performance standards.
- Application of the rules and standards (including cross-referencing within the District Plan itself) of the National Environmental Standards which relate to network utilities (e.g. electricity transmission activities and telecommunication facilities).
- Promotion of the use of relevant Codes of Practice and industry guidelines.
- Designated network utilities and sites, and the National Grid (Transmission lines) and high pressure gas network will be identified on the Planning Maps.
- District Plan rules and performance standards for new buildings, development and subdivision within the National Grid Yard, National Grid Subdivision Corridor, or in close proximity to National Grid substations, land transport networks and wastewater treatment facilities.

- Consultation and negotiation with organisations responsible for the provision of utilities and services.
- Application of the National Code of Practice for Utility Operators' Access to Transport Corridors for working in the road and the Corridor Access Request (CAR) processes.

Section 2.12 Historic Heritage

Issue

2.12.1 Damage, modification or destruction of historic heritage in the District resulting from inappropriate use, development or subdivision, such as earthworks, demolition and unsympathetic works.

Historic heritage is a finite resource that provides recognition of the history of the area and contributes to a sense of place for the South Taranaki community. South Taranaki has a rich and diverse legacy of widely appreciated heritage elements. Key elements of this historic heritage include buildings and structures (e.g. Waverley Railway Station, St George's Church in Patea and Memorial Obelisk in Manaia), wāhi tapu and sites of significance to Tāngata whenua (e.g. Turuturu Mokai Pa), archaeological sites (e.g. moa-hunter camps around Hawera and Manaia) and sites of historic significance (e.g. battlefields during the Taranaki Wars). The inappropriate subdivision, use, or development of important buildings, items and sites can directly result in loss or degradation of historic heritage. Examples include full or partial demolition, decay, infill development or subdivision, redevelopment, and unsympathetic and/or inappropriate alterations to buildings or site surrounds. Archaeological sites, which are predominantly in rural areas are also susceptible to damage from earthworks, clearance, subdivision and intensive farming activities.

As the founding Maori and European families of the South Taranaki District dissipate, so too does much of the acquired knowledge relating to places associated with its history of occupation and settlement. Effective historic heritage protection and management relies on understanding the historic heritage values that apply to remaining buildings and sites, and identifying those places of significance to the community. Some aspects of South Taranaki historic heritage are identified, well-recognised and protected, (particularly commercial areas), yet there is comparatively limited knowledge or information on historic heritage related to the history of rural areas and Maori heritage. It is recognised that many wāhi tapu and sites of cultural or spiritual significance to Tāngata whenua are not identified in the District Plan, however this does not reduce their importance and/or the need for protection from inappropriate subdivision, use or development. In addition, Maori face challenges with respect to the identification, protection and care of sites of significance, as discussed in Section 2.13.

Historic heritage in South Taranaki provides important connections to the past, conveying themes of Maori settlement, European settlement, New Zealand Wars, dairy and agriculture, industry, transport and infrastructure (e.g. railways), commercial development (town centres), war memorials and related sites (e.g. soldier's settlements). Historic heritage, and the sense of identity and connections to the past it provides to communities, cannot be replaced once lost. It is important that the historic heritage identified is appropriately representative of the District's occupation and settlement. The Council has a particular responsibility to preserve the intrinsic values and finite characteristics of important historic heritage, and to secure the protection and maintenance of these resources for the enjoyment and experience of present and future generations. The retention of historic heritage adds to community identity as it provides connections to past and future generations. Historic heritage also enhances the amenity of the District for residents and visitors, and can promote economic revitalisation, for example, through the protection, maintenance and enhancement of traditional town centres.

Integral to the issue of the protection of the District's heritage resources is the recognition of the rights of the private owners of the heritage resources. When a resource is identified as being of historic heritage value to the community is in private ownership, current owners are responsible for the cost associated with the management and protection of the heritage resource. The high cost of repair and maintenance, and the difficulty in finding economic uses for buildings can also lead to neglect of heritage buildings. Poor maintenance and deteriorating condition can reduce the viability of adaptive re-use of heritage buildings, and result in the loss or diminishing of heritage value through demolition or deferred maintenance and repair. There is a need to balance individual rights against the Council's responsibilities and community aspirations to protect the tangible elements of the District's history for present and future generations.

Objectives

- 2.12.2** To protect significant historic heritage that reflects the culture and history of the South Taranaki District from inappropriate subdivision, use and development.
- 2.12.3** To protect known archaeological sites identified on the Planning maps, and their historic values, from being destroyed or modified due to inappropriate subdivision, use and development.
- 2.12.4** To promote and enhance greater public awareness of, and support for, historic heritage within the South Taranaki District.

Policies

- 2.12.5** Identify historic heritage that contributes to an understanding and appreciation of the culture and history of the District, the region and/or New Zealand that is of significance or value for one or more of the following matters; aesthetic, archaeological, architectural, cultural, historic, social, spiritual, scientific, technological, industrial or traditional significance or value.
- 2.12.6** Record significant historic heritage buildings and sites identified in accordance with Policy 2.11.5, and group these buildings and sites according to their relative significance into one of the following categories:
 - (a) Historic Heritage Category 1 Buildings and Structures: Buildings that have outstanding national and/or regional significance due to their "rarity" and/or level of "integrity".
 - (b) Historic Heritage Category 2 Buildings and Structures: Buildings that have regional and/or local significance.
 - (c) Historic Heritage Sites and Sites of Significance to Tāngata Whenua: Places and areas that are of national, regional and/or local significance.
- 2.12.7** Avoid or appropriately mitigate any adverse effects of activities that could destroy, compromise or detract from the heritage values associated with items listed in the Historic Heritage Schedule.
- 2.12.8** Provide opportunities for greater development flexibility, where development facilitates the retention, conservation and/or protection of buildings and sites identified in the Historic Heritage Schedule.
- 2.12.9** Encourage compatible and/or adaptive re-use of buildings and sites included in the Historic Heritage Schedule.

- 2.12.10** Enable the maintenance, redecoration, repair and adaptive re-use of buildings and sites included in the Historic Heritage Schedule.
- 2.12.11** Encourage and facilitate the strengthening of buildings included in the Historic Heritage Schedule to increase their ability to withstand future earthquakes or other safety risks, while ensuring that their values and features are not impaired or destroyed.
- 2.12.12** Avoid the demolition or destruction of Category 1 buildings, objects or sites included in the Historic Heritage Schedule.
- 2.12.13** Restrict the full or partial demolition of Category 2 buildings, objects or sites included in the Historic Heritage Schedule, having regard to the following matters:
 - (a) Effects on historic heritage values.
 - (b) The importance attributed to the heritage item by the wider community.
 - (c) Consideration of reasonable alternatives.
 - (d) Feasibility of adaptive re-use.
 - (e) Building safety.
 - (f) Economic implications and/or limitations.
 - (g) Appropriateness, compatibility and appearance of any replacement building in relation to streetscape character and heritage values.
- 2.12.14** Discourage subdivision that could destroy or diminish the heritage values associated with buildings, objects and sites identified in the Historic Heritage Schedule.
- 2.12.15** Consider the value of the heritage setting in circumstances where it contributes to and complements the heritage value of an item, and ensure that its values are not unduly compromised by inappropriate on-site development, earthworks, or incompatible subdivision.
- 2.12.16** Identify and list known archaeological sites of significance in the Historic Heritage Schedule 1B to ensure that the value of these sites continues to be retained.
- 2.12.17** Manage the effects of new buildings, or extensions to existing buildings, earthworks and forestry activities on known archaeological sites of significance listed in the Historic Heritage Schedule 1B.
- 2.12.18** Identify the location of known archaeological sites on the Planning Maps to raise awareness of these sites and assist in their protection.
- 2.12.19** Manage the design and layout of subdivisions where a property includes known archaeological site(s) and the use of legal instruments to protect the values of the archaeological site shall be considered.
- 2.12.20** Consider adverse effects on historic heritage values through the consent process for larger scale land use activities, where located in close proximity to known archaeological sites. Determine the significance of the heritage values of the sites and demonstrate how potential and actual adverse effects will be avoided, remedied or mitigated.
- 2.12.21** Increase public recognition and understanding of the District's historic heritage and associated values, and the respective responsibility that the public and private landowners adopt in the ongoing management and protection of historic heritage.

- 2.12.22** Encourage the use of non-regulatory incentives and assistance to facilitate the restoration and conservation of recognised heritage items.

Explanation of Policies

For protection to occur, historic heritage in the District needs to be identified and accurately researched, documented and mapped. The objective and associated policies seek to ensure that the important buildings and sites that represent the culture and history of the District, the Region and the nation, are identified for inclusion in the District Plan. To achieve this, the range of values that the Council will use to assess places for inclusion in the Historic Heritage Schedule are set out in the District Plan.

Historic heritage buildings and sites have also been differentiated, recorded and presented in the District Plan on the basis of their relative significance. Some historic buildings in the District have 'outstanding' national or regional significance due to their rarity and/or integrity, while others have been assessed as significant at a regional or local level. Historic heritage sites are identified separately from buildings due to their differing management needs and requirements. The objectives and policies seek to prevent the loss of heritage value associated with buildings and sites included in the historic heritage schedule due to neglect or under-use, or from changes arising from such activities as alterations, additions and subdivision.

Historic heritage buildings and sites need to remain functional to be successfully and sustainably managed. In response, the District Plan encourages their continued compatible use and enables regular maintenance, repair and building safety alterations, which are sympathetic to the heritage value of the item, to occur without the need for a resource consent. The Zone provisions provide for a range of activities in each Zone, enabling a number of opportunities for the adaptive re-use of heritage buildings. The District Plan also recognises that it is necessary for heritage buildings to be upgraded to meet relevant code standards (including earthquake strengthening) in order to provide for their continued, functional, safe and economic use.

Historic heritage buildings and sites are also subject to activities which can lead to their associated heritage values being destroyed or severely diminished. For example, insensitive alterations and additions, can detract from the architectural qualities of a scheduled building, while demolition in response to development pressure or neglect results in permanent loss.

To address this situation the District Plan seeks to ensure that such effects are avoided or appropriately mitigated by requiring resource consent to be sought. In the case of demolition of Category 1 buildings or the destruction of sites, the intent is that these activities are avoided altogether. Category 2 buildings can only be demolished if the demolition is considered appropriate having regard to the matters set out in Policy 2.11.13. An applicant would need to have a strong case demonstrating an assessment of feasible alternatives and the reasons that demolition is the only feasible option for the heritage building or object. In other cases, it might be acceptable to demolish a building in exceptional circumstances, for example if it is considered necessary due to significant and irreversible damage from fire or natural hazard events.

The context or setting associated with historic heritage buildings and sites can also make an important contribution to its heritage value. For example, the curtilage of a heritage item may be a part of the original design which has developed in a manner that complements the place, the removal of which would detract from the inherent significance and value of the item. The relationship between a building and its site can be lost or eroded through the reduction of its original surrounds. In response, the District Plan seeks to ensure that the setting of a historic building or site is not unduly compromised or its value diminished by inappropriate on-site development or incompatible subdivision activity and associated development, in circumstances where the site surrounds complement the heritage item.

Known archaeological sites have been identified on the Planning Maps to raise awareness and act as an alert for proposals in these locations. Activities and subdivision which trigger resource consent would be assessed in terms of their effects on the archaeological sites. The archaeological authority process applies to any destruction or modification of archaeological sites.

It is recognised that the protection of sites and areas of cultural and spiritual significance to Tāngata whenua requires the identification and understanding of sites and areas. As discussed in Section 2.13, many of these sites are not yet identified in the District Plan, and are now in private ownership, so there is a need to recognise and protect these sites from irreversible damage through effective engagement with Tāngata Whenua and other interested parties.

These provisions also recognise that effective protection of the District's historic heritage cannot be achieved through sole reliance on regulations; community and private landowners jointly have the responsibility to ensure that historic heritage is appropriately managed and protected. In some cases, it may be unreasonable for private landowners to bear all of the costs for ongoing maintenance of heritage, when the public also benefits from its retention and careful stewardship. In response, the Council seeks to increase public awareness through non-regulatory methods such as education, preparation of promotional material and guidance, and availability of heritage inventories so that members of the public can understand the history of scheduled heritage items, as well as offer support to private landowners, as far as the Council's resources and funding allows. It is recognised some towns in South Taranaki (e.g. Eltham) are recognised and promoted for their heritage values, therefore, the Plan provisions seek to maintain the viability and enhance the vibrancy of these towns. Ongoing liaison and collaboration with landowners, iwi and other groups and agencies with interests in the management and protection of historic heritage, including listed and non-listed heritage items, is very important.

Methods of Implementation

The methods of implementation include:

- Schedule and categorise recognised historic heritage buildings, objects and sites (including archaeological sites and sites of cultural or spiritual significance to Tāngata Whenua) according to the relative significance of their associated values in the District Plan, and identify these on relevant Planning Maps. Incorporate future changes to the Historic Heritage Schedules by way of a plan change or plan variation.
- Identify known archaeological sites on the Planning Maps, in addition to those recognised in the Historic Heritage Schedule 1B.
- Adopt targeted rules relating to the management and protection of scheduled historic heritage buildings and sites, and align levels of protection with levels of classification so that important items are preserved.
- Include rules in Section 9 of the Proposed Plan to provide a restricted discretionary activity status for subdivision of land for sites which includes a known archaeological site as shown on the Planning Maps.
- Rely on the archaeological authority process administered by Heritage New Zealand to assess whether the destruction and modification of known archaeological sites is appropriate or not, and to not duplicate this process in the rules of the district plan.
- Use the known archaeological sites as shown on the planning maps as an information layer, to assist resource consents applicants and decision makers determine whether the effects on historic heritage are to be reflected in a supporting Assessment of Environmental Effects.
- Conditions on resource consents to ensure the adverse effects of subdivision, use or development are avoided, mitigated or remedied.

- Inform prospective purchasers of scheduled historic heritage through Land Information Memoranda (LIM) and landowners undertaking building work through Project Information Memoranda (PIM) and Planning checks.
- Advice Notes in the District Plan and resource consents relating to consultation with Heritage New Zealand and/or the archaeological authority process under the Heritage New Zealand – Pouhere Taonga Act 2014.
- An Accidental Discovery Protocol Process to be developed between Council, Heritage New Zealand, mandated Iwi organisations, Federated Farmers, Network Utility Providers, and other interested stakeholders regarding the procedure to be undertaken in the event of a potential discovery under the Heritage New Zealand Pouhere Taonga Act 2014.
- Through the Long Term Plan and Annual Plan processes, the Council may commit resources such as rates relief, grants, or waiving of consent fees, or offer access to professional technical advice to encourage the management and protection of scheduled historic heritage buildings, sites and areas of significance.
- Provide guidance and advice to assist landowners to sensitively manage scheduled historic heritage buildings, sites and areas of interrelated significance.
- Develop information and promotional material relating to scheduled historic heritage buildings and sites, including their associated value and the community benefit that is derived from their ongoing protection.
- Liaise and collaborate with landowners, Iwi and other groups and agencies with interests in the management and protection of scheduled historic heritage buildings, sites and areas of interrelated significance.

Section 2.13 Notable Trees

Issue

- 2.13.1 The natural, amenity, heritage and cultural values of an area can be adversely affected by the loss or damage of Notable Trees from inappropriate subdivision, use and development.**

Notable trees have aesthetic, botanical, heritage, cultural, and ecological values that form an important part of the community. Other notable trees are rare species or spectacular specimens or are associated with special sites or events. They are prominent natural features and landmarks which make a valuable contribution to local amenity and add a sense of character and identity to places and areas of the District. The continued existence of notable trees represents continuity between generations, and is important to the legacy that is left for future generations. Significant trees of the District are to be evaluated and identified as Notable Trees for protection, to ensure that they are not damaged or lost (e.g. through improper maintenance or root disturbance), and to improve people's awareness of their value to the community.

Objective

- 2.13.2 Notable Trees which are of aesthetic, botanical, heritage, cultural or ecological significance within the District are recognised and protected from inappropriate subdivision, use and development.**

Policies

- 2.13.3** Identify and protect Notable Trees that contribute to amenity, quality of the environment and community identity that are of significance or value for one or more of the following reasons: aesthetic, botanical, heritage, cultural or ecological significance or value.
- 2.13.4** Avoid or appropriately mitigate any adverse effects of activities on Notable Trees that would detract from or compromise their contribution to the natural, amenity, heritage and cultural values of an area.
- 2.13.5** Discourage activities which could result in damage or loss of Notable Trees, such as:
- (a) Detrimental trimming of the trees;
 - (b) Removal of trees;
 - (c) Location of buildings and works in close proximity to the trees; and
 - (d) Root disturbance due to earthworks within the dripline of trees.
- 2.13.6** Encourage arboricultural best practice for works on Notable Trees in accordance with appropriate specific tree management plans to conserve tree health and safeguard its long-term wellbeing as much as practicable.
- 2.13.7** Support the trimming, maintenance and enhancement of Notable Trees for their ongoing viability and contribution to amenity and the quality of the environment.
- 2.13.8** Recognise that in exceptional circumstances the full or partial removal of Notable Trees may be necessary and considered to be the only practicable option, if the Notable Tree/s:
- (a) Has considerably reduced in value/significance due to irreversible damage (e.g. storm) or deteriorating condition (dead wood or diseased vegetation); or
 - (b) Causes unreasonable hazard to life, habitable buildings or network utilities.
 - (c) Interferes with existing buildings, structures, aboveground lines or other network utilities.
- 2.13.9** Support community initiatives for the protection and conservation of Notable Trees.
- 2.13.10** Encourage the use of non-regulatory incentives and assistance to support the protection and appropriate maintenance of Notable Trees.

Explanation of Policies

Notable Trees within the District are significant for aesthetic, botanical, heritage, cultural and ecological reasons. The Standard Tree Evaluation Method (STEM) criteria is used to assess and determine the Notable Trees contained in Schedule 4 – Notable Trees. The STEM criteria is widely accepted as the preferred tree assessment method, and has been adopted by the New Zealand Arboricultural Association.

The inclusion of a Schedule of Notable Trees results in greater public awareness and increased opportunities for the protection of such trees. The schedule includes trees on both public and private land. Before trees on private land are added to the Schedule of Notable Trees, the property owners consent will be required. By providing the criteria used for the assessment of Notable Trees, the community is better informed about which trees require protection and are valued by the wider community.

It is important to retain and protect those trees of importance in the District through identifying and scheduling Notable Trees. The District Plan encourages the maintenance and trimming of Notable Trees to support their ongoing viability. It is important that subdivision, use and development do not adversely affect Notable Trees. The removal of Notable Trees is not considered to be desirable for the amenity and quality of the environment. However, in exceptional circumstances, it is practicable to allow emergency work, or removal of dead wood or diseased vegetation, or partial removal that is necessary to avoid interference with existing buildings, structures or network utilities. In these circumstances, arboricultural advice will need to be sought and the Council advised of the proposed works.

The maintenance and protection of Notable Trees has associated costs (e.g. arboricultural advice, or potentially unreasonable restrictions on landowners to develop land). Support for landowners of Notable Trees in the form of arboricultural advice and financial assistance (where practicable) is anticipated to encourage landowners to maintain the health of the trees and provide support for their long term protection and survival.

Methods of Implementation

The principal methods of implementation are:

- Schedule of Notable Trees according to their relative significance in terms of aesthetic, botanical, and heritage, cultural and ecological values (based on STEM criteria) in the District Plan, and identification of these on relevant Planning Maps.
- Rules relating to the management and protection of scheduled Notable Trees.
- Use of conditions on resource consents to ensure that the adverse effects of subdivision, use and development on Notable Trees are avoided, mitigated or remedied.
- Through the Long Term Plan and Annual Plan processes, the Council may commit resources such as rates relief, grants, waiving of consent fees, or access to professional arboricultural advice to encourage the maintenance and protection of scheduled Notable Trees.
- Provide guidance and advice to assist landowners to sensitively maintain Notable Trees.
- Develop information and promotional material relating to scheduled Notable Trees, including their associated value and the community benefit that is derived from their ongoing protection.
- Liaise and collaborate with landowners and other groups and agencies with interests in the management and protection of scheduled Notable Trees.

Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions

Issues

- 2.14.1** Subdivision and development creates the need for the provision of new, extended or upgraded infrastructure, which can be particularly significant when cumulative adverse effects are created over time.
- 2.14.2** The potential exists for the costs of providing new, extended or upgraded infrastructure to be allocated in a manner disproportionate to the benefits received by the existing community and new end users. In addition, the full cost recovery of

this infrastructure may act as a disincentive to subdivision and development, or be unduly borne by existing communities.

- 2.14.3** There may be pressure for subdivision and development to occur ahead of the Council’s ability to provide infrastructure, which can result in the inefficient and ineffective operation and development of infrastructure.
- 2.14.4** Insufficient supply of land can constrain subdivision and development which could result in development occurring in locations and forms which adversely affect the environment and efficient use and development of infrastructure.

In the past, development, subdivision and land use change have tended to occur in an ad hoc manner without any real consideration being given to the effective and efficient integration of new developments into existing infrastructure. This issue is especially the case in areas on the periphery of the Hawera urban area where new development often requires the extension of existing infrastructure. Fragmented development can affect or pre-empt the effective and efficient location and design of infrastructure. Furthermore, the infrastructure is generally provided to meet the immediate needs of the development or subdivision without any meaningful planning for the integration of future development in surrounding areas. Integrated land use and infrastructure planning is vital in ensuring that land uses are connected to an effective and efficient network of infrastructure and the needs of both new development and existing communities are provided for.

In addition, when new activities, subdivision and development connect to existing infrastructure, demand increases, gradually reducing the infrastructures’ surplus capacity, until the maximum capacity is reached, at which time upgrades or extension of infrastructure is needed. While this process generally applies in urban areas, particularly for reticulated services, it also occurs in rural areas, such as the demand on roads that may not have the capacity to accommodate increased traffic.

Furthermore, a constraint on subdivision and development occurring is the availability (the lack) of infrastructure, or the ability to provide new infrastructure due to excessive costs. The Council recognises that while subdivision and development in the District has positive effects, it also has the potential to adversely affect the environment (including people and communities) in a number of ways. Some of these effects cannot be adequately avoided or mitigated on a site by site basis. Rather, they need to be addressed through the provision of new or improved infrastructure on an overall and integrated basis.

The 2009 Urban Growth Strategy for Hawera and Normanby has provided the overall strategic framework for addressing these issues by identifying the location and extent of new urban areas, as well as the need to ensure new development occurs in a way where it integrates with existing infrastructure. In addition, the subdivision and development process needs to ensure that the effects on infrastructure are addressed through contributions towards the costs of upgrading, connecting and providing new infrastructure.

Objectives

- 2.14.5** To provide for urban growth that adjoins existing urban areas and manage that growth to avoid, remedy or mitigate adverse effects through the design of safe, integrated infrastructure networks and the efficient use and development of land.
- 2.14.6** To ensure that subdivision and development is appropriately serviced by infrastructure to provide for the likely or anticipated use of the land and that the costs of this infrastructure is fairly and equitably funded.

Policies

- 2.14.7** Identify land suitable for new urban development to ensure that there is sufficient serviceable land available to meet anticipated future urban growth demands.
- 2.14.8** Apply the appropriate land zoning to urban growth areas, and where existing infrastructure requires upgrading to provide for new urban development, defer and stage this development until the required upgrading of infrastructure has occurred.
- 2.14.9** Manage subdivision and development in the urban growth areas through the use of Structure Plans where they:
- (a) Ensure development is integrated and coordinated;
 - (b) Recognise and respond to the topographical and physical features of the land;
 - (c) Meet short and anticipated long term growth demands;
 - (d) Connect with existing infrastructure and transportation networks, taking account of the capacity limitations of those networks and any potential requirements for upgrading capacity to meet future demands; and
 - (e) Provide certainty on the location and pattern of development, including key roading linkages and infrastructure to meet future requirements.
- 2.14.10** Avoid the cumulative effects on infrastructure from development and subdivision in the rural environment outside of the identified urban growth areas.
- 2.14.11** Ensure new activities and development provide adequate infrastructure to meet the needs of future occupants.
- 2.14.12** Ensure new activities and development adequately compensate for their impact on existing infrastructure (water, wastewater, stormwater, roading, reserves) through a contribution to ensure the level of service meets the needs of future occupants and does not adversely affect the level of service for existing users.

Explanation of Policies

The extent of urban zoning reflects the current size of the settlements in the District. As the rate and nature of development and subdivision in the District is not large, there is capacity within most settlements to meet the demand for new residential, commercial and industrial development. However, for Hawera and Normanby, where the majority of new residential, commercial and industrial development is anticipated to occur, urban growth areas have been identified to provide for this development.

Development within the identified urban growth areas should occur in a planned and structured manner to ensure efficient and integrated connections with the existing urban areas. This approach requires a Structure Plan to be prepared for each urban growth area setting out the overall framework and pattern of development in the identified growth area. Subdivision and development are then required to be undertaken in accordance with the Structure Plan to ensure efficient use of land and physical resources. Subdivision and development that is inconsistent with the Structure Plan or outside of the identified growth areas should be prevented to avoid the long term future of the growth areas being compromised.

New activities and development, whether or not as a consequence of subdivision, intensify demand on existing public infrastructure, including water, wastewater, stormwater, roads and reserves. Existing

infrastructure, particularly the reticulated water and wastewater systems are designed for a maximum (optimal) capacity. As new development connects into the existing infrastructure, the extra demand cumulatively reduces any surplus capacity. Where a system has reached its capacity, or where new infrastructure is required to service the growth areas, it is reasonable for developers to contribute towards the costs of this infrastructure, either directly or indirectly through contributions. This approach means that those benefitting from the development equitably pay the costs of the new infrastructure, rather than the general community paying. When the developer directly funds new or upgraded infrastructure, it is also reasonable that such costs are taken into account when assessing the overall financial contribution.

In some instances, where significant upgrading or extension of infrastructure is required to facilitate development, development will be deferred (through applying a deferred zoning) to ensure development only occurs when the necessary infrastructure is available.

Methods of Implementation

The methods of implementation include:

- District Plan Zoning of land residential, commercial and industrial to provide for future land requirements
- In the District Plan, identify future growth areas and use Structure Plans for these growth areas to provide a framework for managing subdivision and development.
- District Plan rules and performance standards requiring new subdivision and development to provide new, upgraded or extended infrastructure.
- Assessment of environmental effects through the resource consent process within the urban growth areas to ensure an integrated and efficient development and use of land and physical resources.
- Compliance with codes of practice and engineering standards.
- Financial contributions to ensure land use activities, development and subdivision meet a reasonable proportion of the costs for the provision of infrastructure.
- Assessment and identification of long-term servicing and funding requirements through Asset Management Plans.

Section 2.15 Coastal Environment

Issues

2.15.1 Inappropriate subdivision, use and development can adversely affect the natural character and landscapes, open space, public access, and historical or cultural values of the coastal environment, particularly the areas of outstanding natural character.

2.15.2 Demand for public access to and along the coast has the potential to adversely impact on natural character and landscape, open space, recreation, heritage, and cultural and Tāngata whenua values associated with the coastal environment.

The South Taranaki Coastline extends for approximately 145 kilometres between the mouth of Hangatahua (Stony) River to the north and Waiinu to the south. While most of the South Taranaki coastal edge comprises coastal cliffs, there are a number of notable geomorphological landforms and

features that make this coast special. To the north, protective laharic platforms and reefs form the edge of the volcanic ring plain and have subsequently become strewn with volcanic boulders of lahar origin. To the south, the coastal margin follows the edge of an eroding uplifted marine terrace with coastal dunes becoming increasingly prevalent near the mouths of major rivers which have cut through the marine terrace plains. Areas of cliff top dunes occur along several parts of the coastal edge, a landform unique to South Taranaki. Recreationally, the coast is highly valued and is home to a number of recognised surf breaks (e.g. Stent Road Beach), as well as opportunities for fishing, walking and beach combing.

Preserving the natural character of the coastal environment and its protection from inappropriate subdivision, use and development is recognised as a matter of national importance in section 6(a) of the RMA. The South Taranaki District has a high level of natural character within its coastal environment. Whilst almost the entirety of the land inland from the coastal edge has been modified for agricultural or urban development, typically limited development extends along the coastal edge. In some areas, strong natural elements, patterns and processes occur along the coastal edge creating steep exposed and eroding coastal cliffs, active sand dunes, dynamic river mouths and related biotic and experiential associations. The coastal environment also contains a significant number of archaeological sites and sites of particular cultural value to iwi, resulting from the historical pattern of settlement in South Taranaki. Sand dunes and river mouths contain many pa sites, middens and urupa (burial grounds), which are of spiritual significance to Tāngata whenua.

Inappropriate subdivision, use and development within the coastal environment has the potential to adversely affect the natural character of the coastal environment. For example, subdivision or development near the coastal edge, indigenous vegetation removal, excessive grazing of stock, or earthworks or mineral extraction, can modify coastal landforms, impact on wild and scenic coastal associations, and adversely affect natural coastal processes, indigenous habitats and plant communities.

There are a few established settlements in or adjacent to the coastal environment. These settlements are of varying scale and include Waverley Beach, Patea, Ohawe, Opunake, Waipipi Beach and Waiinu Beach. Ad hoc subdivision and development in areas outside these existing coastal settlements can lead to the loss of the natural character and other valued qualities of the coastal environment. In particular, the cumulative effects of subdivision and development can diminish the natural character over time through a gradual process of change.

The maintenance and enhancement of public access to and along the coastal marine area is also a matter of national importance in the RMA. The recreational values of the coastal environment are constrained by limited access (often because the land is in private ownership), therefore it is important to provide public access. However, in providing public access it is important it does not adversely affect other values associated with the coastal environment such as natural character and landscape, open space, recreation, heritage and cultural values, or increase the risk to natural hazards.

Objectives

- 2.15.3 To preserve the characteristics and qualities that contribute to natural character, and protect natural features and landscapes and historic heritage, in the coastal environment from inappropriate subdivision, use and development.**
- 2.15.4 To protect cultural and spiritual values to Tāngata whenua in the coastal environment.**

- 2.15.5** To avoid adverse effects on the characteristics and qualities of areas within the coastal environment recognised as having outstanding natural character from inappropriate subdivision, use and development.
- 2.15.6** To maintain and, and where appropriate, enhance public open space, landscape and amenity values, and recreation opportunities of the coastal environment.
- 2.15.7** To maintain and enhance public access to and along the coast with a focus on providing a continuous coastal walkway/cycleway.

Policies

- 2.15.8** Identify a Coastal Protection Area to recognise the extent and characteristics of the coastal environment, including:
 - (a) Areas where coastal processes, influences or qualities are significant.
 - (b) Areas at risk from coastal hazards.
 - (c) Coastal vegetation and the habitat of indigenous coastal species.
 - (d) Elements and features that contribute to the natural character, landscape, visual qualities or amenity values.
 - (e) Items of cultural and historic heritage; and
 - (f) Physical resources and built facilities, including infrastructure, that have modified the coastal environment.
- 2.15.9** Preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development by:
 - (a) Avoiding adverse effects of activities on the characteristics and qualities that contribute to natural character in areas of the coastal environment identified as having outstanding natural character; and
 - (b) Avoiding significant adverse effects and avoiding, remedying or mitigating adverse effects of activities on the characteristics and qualities that contribute to natural character in all other areas of the coastal environment.
- 2.15.10** Manage the scale, location and design of subdivision, use and development in the coastal environment and determine its appropriateness based on:
 - (a) Recognising the characteristics and qualities that contribute to natural character, natural features and landscape values of the coastal environment, and their location and distribution.
 - (b) Recognising the extent of existing modification of natural character and likely potential modification of natural character as a result of the proposed activity.
 - (c) Whether or not the activity protects areas of significant indigenous vegetation or significant habitats of indigenous fauna.
 - (d) Whether or not the activity avoids adverse effects on the characteristics and qualities of identified areas of outstanding natural character or outstanding natural landscapes/features.

- (e) Whether or not the activity protects of historic heritage or cultural values including those of significance to Tāngata whenua.
 - (f) Whether or not the activity maintains or enhances public access and recreational opportunities.
 - (g) Whether or not the activity has a functional need to be located in the coastal environment.
 - (h) Whether or not the activity avoids, remedies or mitigates the actual or potential adverse effects on open space, visual amenity and landscape values, recreation opportunities, or other qualities and values of the coastal environment.
 - (i) Whether or not guidance is provided about the management of adverse effects for the activity in a National Policy Statement or Regional Policy Statement.
- 2.15.11** Encourage the consolidation of existing coastal settlements and urban areas (Waverley Beach, Patea, Ohawe, Opunake, Waipipi Beach and Waiinu Beach) and restrict sprawling or sporadic patterns of settlement and urban growth to avoid further urban modification of natural character, open space and other values of the coastal environment.
- 2.15.12** Encourage the restoration and rehabilitation of the natural character of the coastal environment where this is appropriate.
- 2.15.13** Protect the Stent Road surf breaks of National Significance from adverse effects of other activities on access to, and use and enjoyment of the surfbreaks.
- 2.15.14** Enhance and provide opportunities for public access to the coastal marine area, while considering potential natural hazards and sea level rise matters.
- 2.15.15** Provide for vehicular access to beaches or adjacent public land where it is required for boat launching, or where it is the only practicable means of access to public facilities, or for the operation of existing commercial activities.
- 2.15.16** Control the use of vehicles, apart from emergency vehicles on beaches, foreshore and adjacent public land where the following might result:
- (a) Damage to dunes or other geological systems and processes; or
 - (b) Harm to ecological systems or indigenous flora and fauna; or
 - (c) Disturbance to the peaceful enjoyment of the beach environment; or
 - (d) Damage to historic heritage or sites of significant to Tāngata whenua.
- 2.15.17** Provide for esplanade reserves or strips at the time of subdivision or development adjacent to the coastal marine area except where the restriction of public access is necessary to:
- (a) Preserve natural character of the coastal environment and ecological values.
 - (b) Protect private property rights
 - (c) Avoid conflict between competing land uses.
 - (d) Protect cultural and spiritual values of Tāngata whenua.
 - (e) Protect archaeological and historic heritage values.
 - (f) Protect the health and safety of the public.

- (g) Provide for other circumstances that are sufficient to justify the restriction of public access, notwithstanding the national importance of maintaining access.
- 2.15.18** Promote the development of a continuous coastal walkway/cycleway that provides ongoing public access to the South Taranaki coast and protects the natural character, landscape, historical and Tāngata whenua values of the coastal environment.
- 2.15.19** Provide for the establishment and maintenance of pipelines and pipeline marker beacons installed in the coastal environment, where:
- (a) There is no practicable alternative location for that infrastructure; and
 - (b) Pipelines are located underground and installed by directional drilling or where affected areas are reinstated and landscaped in a manner comparable with the landform and vegetative cover present prior to the construction works occurring.
- 2.15.20** Manage the disposal of waste in the coastal environment to avoid, remedy or mitigate adverse effects on the historical and cultural values of the coastal environment.

Explanation of Policies

The Coastal Protection Area is an area of land that essentially covers the length of the South Taranaki coastline that is identified on the planning maps and is considered to represent the characteristics and extent of the coastal environment in accordance with the New Zealand Coastal Policy Statement (NZCPS). A natural character assessment of the coastal environment was prepared during the development of the District Plan (2014), which established the existing level of natural character for different parts of the coastal environment. This assessment has been used to help identify the extent of the Coastal Protection Area, and in turn, to understand the impact that a proposed activity may have on the natural character of a particular site or section of the coast, including attributes which may have high levels of natural character. The inland extent of the Coastal Protection Area was mapped at a broad scale of 1:50,000, acknowledging that the information provided for the natural character assessment ranged in detail and mapping scale. In some areas along the coast, the inland boundary of the Coastal Protection Area represents the interface between land where coastal processes, influences or qualities are significant and land more heavily modified by human processes, principally farming. In other areas where there is no clear demarcation of the inland extent of the significant coastal processes, a distance of 100 metres from cliff top edge for sections of the coast with a cliff or Mean High Water Springs has been used, as the limit to which the significance of the coast is no longer so apparent due to the scale and nature of the underlying landform. Consequently, the boundary line has only been adjusted where there is an obvious logic to do so, but in all other locations reflects a boundary line drawn 100 metres from cliff tops following the coastal edge. A finer scale assessment of the characteristics and extent of the coastal environment as part of assessing a particular site or section of the coast for any resource consent application/notice or requirement/plan change will determine whether such areas are within or outside the coastal environment. This assessment will determine whether or not the site or section exhibits one or more of the characteristics in Policy 2.15.8 and whether the residual policies in this section will apply.

Within the Coastal Protection Area, three areas have been identified as having ‘outstanding natural character’ (Whenuakura Estuary, Waipipi Dunes and Waitotara).

These areas contain ‘very high’ natural character values based on two criteria: biophysical attributes, and sensory attributes. Biophysical attributes are abiotic (including geological, hydrological or topographical) and biotic (including native vegetation communities, wildlife or ecosystems). Sensory attributes are experiential only, and includes naturalness (wild and scenic) and transient values. Further information on the values and attributes of these areas is contained in the Landscape Assessment. Areas

of outstanding natural character are identified on planning maps, and are afforded special protection (over and above the preservation of the natural character of the coastal environment). The NZCPS has a clear directive to avoid adverse effects of inappropriate subdivision, use and development on areas of outstanding natural character which is expressed in Policy 2.15.9. However, it is recognised in current case law (*Environmental Defence Society Inc v New Zealand King Salmon Company Limited* (“*King Salmon*”) [2014] NZSC 38) that it may be acceptable to allow subdivision, use and development that have minor or transitory adverse effects in areas of outstanding natural character where their avoidance is not necessary (or relevant) to preserve the natural character of the coastal environment, or protect natural features and natural landscapes.

The protection of the natural character and other values of the coastal environment need not impact on already established activities such as farming or energy generation, nor does it preclude new types of land use, subdivision and development that may be appropriate in certain places or where adverse effects can be avoided, remedied or mitigated. Examples where change may be acceptable include development within coastal settlements (some of which have been in existence since early 1900s). Furthermore, many activities associated with recreation such as camping grounds, ablution facilities, surf lifesaving buildings and storage sheds have been established, the majority of which have a functional need to be located within the coastal environment. The District Plan recognises that these facilities provide wider benefits to the community and can increase recreational values of coastal areas and therefore does anticipate that changes may be required from time to time. Further to this, it is recognised that the coast provides physical resources that are of value (for example energy resources, including wind and other energy resources) and because of the location of these resources and functional requirements of infrastructure, there may be instances where, new land use activities and development may wish to locate within the coastal environment. For large scale development, the District Plan requires resource consent as a non-complying activity to provide for a rigorous assessment of the proposal.

In considering how the coastal environment should be used, protected and developed in the future, it is considered appropriate for new buildings, subdivision and development to be located within or in close proximity to existing coastal settlements, to preserve currently remote areas of the coastline and avoid development that would adversely affect the natural character of these areas. It is appropriate to consolidate development in a way which ensures that potential adverse effects are avoided, remedied or mitigated, such as ensuring the provision of adequate wastewater systems. Appropriate use and development may be acceptable in some parts of the coastal environment or where there is a functional need to locate there. However adverse impacts which may include the degradation of natural character, open space, landscape and amenity values, or historical, cultural, and recreational values will need to be taken into account when considering a development proposal. In these situations it is important that the developer understands the values and attributes of the coastal environment, and responds by ensuring that the adverse effects of such development are avoided, remedied or mitigated. Specifically concerning historical or cultural matters, Sections 2.5 (Historic Heritage) and 2.7 (Tāngata Whenua) contain objectives and policies that need to be considered in conjunction with this section. In addition, Schedule 1 identifies known historic heritage and sites of significance to Tāngata Whenua. Furthermore, the disposal of waste in the coastal environment can adversely affect the relationship of Maori with their spiritual, cultural, historical and social association with the coast. Therefore, this type of activity is managed to ensure it avoids, remedies and mitigates the adverse effects on the special values of the coastal environment.

Parts of the coastal environment in the District are particularly difficult to access and in some ways this has protected them from inappropriate use. At the same time access along the coast has been disjointed due to the variety of land ownership, landforms, the steepness of the topography and the presence of major river estuaries and river mouths. It is recognised that there is other legislation (e.g. [Reserves Act 1977](#)) which is relevant to public access to certain areas, and this may include the coast.

The policies seek to encourage provision for a continuous coastal walkway/cycleway to enhance public access to the coast, primarily through community initiatives, as well as the creation of esplanade reserves or strips. The policies also consider the adverse effects that vehicle access can have on natural character and ecological processes, and seek to avoid adverse effects where possible.

Methods of Implementation

The principal methods of implementation are:

- Identify a Coastal Protection Area and areas of Outstanding Natural Character in the District Plan.
- Rules relating to subdivision, buildings, structures, earthworks, waste disposal and indigenous vegetation clearance in the Coastal Protection Area.
- Use of conditions on resource consents to ensure the adverse effects of subdivision, land use and development on the natural character of the coastal environment are avoided, remedied or mitigated, and public access is maintained and enhanced by way of esplanade reserves and strips.
- Encourage the use of protection mechanisms under other legislation such as Reserve Management Plans under the [Reserves Act 1977](#).
- Implementation of a South Taranaki Coastal Walkway Strategy in consultation with the local community.
- Education and information sharing to raise community awareness of the natural character of the coastal environment and the importance of preserving the coastal environment from inappropriate subdivision, use and development.
- Provide guidance and advice to assist landowners and government agencies to protect the natural character of the coastal environment, including advice on restoration and rehabilitation of indigenous vegetation.
- Liaise and collaborate with landowners, interest groups and agencies with interests in the protection of the natural character of the coastal environment.

Section 2.16 Natural Features and Landscapes

Issues

2.16.1 Inappropriate subdivision, use and development may adversely impact on people’s use, enjoyment and appreciation of outstanding natural features and landscapes, and/or result in the degradation of their values.

2.16.2 That the special characteristics and values of other natural areas, features and landscapes which are important to the South Taranaki community are managed appropriately, whilst having regard to private property rights.

The South Taranaki District has a number of outstanding and important natural features and landscapes, which contribute to community identity and shape the growth and development of South Taranaki. These natural features and landscapes contribute to the high quality of the environment in the South Taranaki District and feature prominently in what residents like most about living in South Taranaki.

It is a matter of national importance under the RMA to protect Outstanding Natural Features and Landscapes from inappropriate subdivision, use and development. Specific to the South Taranaki District, examples of inappropriate subdivision, use and development include the increasing level of

subdivision along the coast, and site-specific developments that can affect archaeological and heritage sites, indigenous vegetation or amenity. Activities such as building, subdivisions, quarrying or mining, forestry harvesting, land farming, land clearance, grazing, and road and infrastructure development, can have varying levels of effects depending upon the scale, visual dominance, design, and location of the activity. Intensification of recreational activities and associated auxiliary development, network utility structures in prominent locations, and damage to natural habitats and indigenous vegetation from pests and grazing animals are also key threats to Outstanding Natural Features/Landscapes in South Taranaki.

In line with the RMA, the Taranaki Regional Policy Statement (2010) (RPS) refers to identifying 'outstanding' natural features and landscapes as those features or landscapes of "exceptional value or eminence or distinction at a national, regional or district level". The RPS refers to the outstanding natural features and landscapes within South Taranaki as including Mt Taranaki as a dominant volcanic form, visible throughout most of South Taranaki, and parts of the extended lahar deposits throughout the ring plain. In addition, Hangatahua (Stony) River and Lake Rotokare are also discussed as being outstanding in terms of their natural values, features and landscapes.

In response to these higher order planning documents, a Landscape Assessment of the South Taranaki District was undertaken in 2014 which identified the following Outstanding Natural Features/Landscapes for the purposes of the District Plan:

Within the coastal environment:

- Oaonui (Sandy Bay)
- Kaupokonui
- Kapuni
- Waverley Beach
- Waitotara River Mouth

Outside the coastal environment:

- Mount Taranaki
- Hangatahua (Stony) River
- Lake Rotokare
- Whanganui National Park

The criteria used to assess natural features and landscapes focuses on an understanding of landscape values into biophysical or natural science aspects, sensory and aesthetic aspects, and other associative aspects. Natural features and landscapes were only identified as 'outstanding' in relation to exceptional natural features or areas of landscape which scored at least "very high" sensory values and at least "high" biophysical and associative values. The RPS states that recognition shall be given to other natural features and landscapes which are not outstanding but still important for natural character, amenity, heritage, cultural, spiritual or scientific or educational values. The lahar mounds and Lake Rotorangi are not considered to be outstanding, but are still important for their geological and associated natural character, amenity and cultural values. These are referred to as 'other important natural features and landscapes'.

Objectives

2.16.3 To protect Outstanding Natural Features/Landscapes from inappropriate subdivision, use and development.

2.16.4 To recognise the qualities and values of other important natural features and landscapes and have regard to their values when undertaking new subdivision, use and development.

Policies

- 2.16.5** Protect natural features and landscapes of the coastal environment from inappropriate subdivision, use and development by:
- (a) Avoiding adverse effects of activities on the qualities and characteristics that contribute to the values Outstanding Natural Features/Landscapes in the coastal environment; and
 - (b) Avoid significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on the qualities and characteristics that contribute to the values of other natural features and natural landscapes in the coastal environment.
- 2.16.6** Manage the scale, location and design of subdivision, use and development within Outstanding Natural Features/Landscapes and determine its appropriateness based on the following:
- (a) The value, importance or significance of the natural feature or landscape at the local, regional or national level.
 - (b) The degree and significance of actual or potential adverse effects (including cumulative effects) on Outstanding Natural Features/Landscapes and the efficacy of measures to avoid, remedy or mitigate such effects.
 - (c) The benefits derived from the proposed activity at the local, regional and national level.
 - (d) The extent to which the proposed activity recognises and provides for the relationship of Tāngata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.
 - (e) The purpose of the proposed activity, its need to occur in the particular location, and whether it is an anticipated feature of the environment.
 - (f) The degree of modification of the existing Outstanding Natural Feature/Landscape, its sensitivity or vulnerability to change, or capacity to accommodate change without compromising the values of the feature or landscape.
- 2.16.7** Manage the scale, volume, depth, and location (visibility) of earthworks within Outstanding Natural Features/Landscapes to ensure they do not adversely affect the qualities and characteristics that contribute to the values of Outstanding Natural Features/Landscapes.
- 2.16.8** Protect the natural landforms of Kaupokonui and Kapuni Stream Mouth from adverse visual dominance effects of subdivision, use and development establishing on the coastal cliff edge surrounding the Outstanding Natural Landscapes/Features.
- 2.16.9** Recognise and provide for the ongoing use of the Kaupokonui Beach Motor Camp within the area identified as the Kaupokonui Outstanding Natural Feature/Landscape.
- 2.16.10** Recognise that existing infrastructure for the transmission of hydrocarbons from off-shore at Oaonui (Sandy Bay) is located within an Outstanding Natural Feature/Landscape.

- 2.16.11** Consider potential adverse effects of subdivision, use and development on the qualities and characteristics that contribute to the values of the following important natural features and landscapes:
- (a) The collective contribution and geological significance of lahar mounds to South Taranaki's rural landscape.
 - (b) The amenity, recreation, cultural, conservation and natural character values of Lake Rotorangi, recognising the ongoing operational requirements of the Patea Hydro Scheme.
- 2.16.12** Ensure that development within the visual catchment of Lake Rotorangi avoids, remedies or mitigates adverse effects on the amenity, recreation, cultural, conservation and natural character values associated with the lake.
- 2.16.13** Recognise and provide for the positive effects associated with landscape and biodiversity restoration.
- 2.16.14** Manage the disposal of waste in Outstanding Natural Features/Landscapes to avoid, remedy or mitigate adverse effects on these features and landscapes.

Explanation of Policies

The above policies seek to ensure the protection of the identified Outstanding Natural Features/Landscapes, and the maintenance of other important natural features and landscapes by managing the scale, location and extent of activities in relation to the qualities and characteristics that contribute to the values of these features and landscapes. Similar to activities in the coastal environment, the above policies do not preclude appropriate development, particularly high quality development that is sensitive to the qualities and characteristics that contribute to the values of an Outstanding Natural Feature/Landscape or other important natural features or landscapes.

District Plan rules have been applied to protect Outstanding Natural Features/Landscapes within the coastal environment, and Lake Rotokare. Mount Taranaki and Whanganui National Park are managed using protection mechanisms under other legislation such as Reserve Management Plans under the Reserves Act 1977. Hangatahua (Stony) River is also identified as a significant waterbody on Planning Maps and listed in Schedule 5 for protection. Building setbacks and requirements for esplanade strips or reserves at the time of subdivision or development would assist in the protection of its important values. Specific recognition and provisions are included for Lake Rotorangi carrying over methods from previous District Plans/Schemes.

Through the resource consent process, the intensity, scale, location and design of a proposed activity or development will be assessed to determine the potential effects on the qualities and characteristics that contribute to the values of the identified area. Policy guidance and assessment criteria will assist decision-making to ensure development within these areas is compatible with the surrounding environment.

Methods of Implementation

The principal methods of implementation are:

- Identify Outstanding Natural Features/Landscapes and other important natural features and landscapes on Planning Maps.
- Rules relating to subdivision, buildings, structures, earthworks, waste disposal and indigenous vegetation clearance in the Outstanding Natural Features/Landscapes provisions.

- Rules relating to buildings near Lake Rotorangi to maintain the values of the lake.
- Use of conditions on resource consents to ensure the adverse effects of subdivision, use and development on Outstanding Natural Features/Landscapes and other important natural features and landscapes are avoided, remedied or mitigated.
- Use of protection mechanisms under other legislation such as Reserve Management Plans under the [Reserves Act 1977](#), particularly for Mount Taranaki, Whanganui National Park and Lake Rotokare.
- Education, advocacy and information sharing to raise community awareness of the attributes and values of Outstanding Natural Features/Landscapes, their contribution to community identity, and the need to protect these from inappropriate subdivision, use and development.
- Provide guidance and advice to assist in the protection of landscape character, including advice on restoration and rehabilitation of indigenous vegetation.
- Liaise and collaborate with landowners, interest groups and agencies with interests in the protection of Outstanding Natural Features/Landscapes and other important natural areas, features and landscapes.

Section 2.17 Indigenous Biodiversity

Issue

- 2.17.1 Inappropriate subdivision, use and development can result in the modification, damage or destruction of significant indigenous vegetation and significant habitats of indigenous fauna.**
- 2.17.2 Loss and reduction in the District’s indigenous biodiversity resulting from clearance, stock damage, plant and animals pests, and the overall fragmentation and isolation of habitats.**

Water quality, soil stability, vegetation cover and ecological diversity are key components of a healthy natural environment. Taranaki’s native bush areas, rivers and streams, wetlands and coastal areas provide significant habitats for indigenous flora and fauna species, including threatened species. There are an estimated 108 threatened species in the Taranaki region which are considered to be nationally threatened or at risk of extinction. Within South Taranaki, less than 29.8% of indigenous forest remains, with the majority in the Mt Egmont National Park and eastern hill country (including within the Whanganui National Park). There are acutely or chronically threatened land environments in the District and only 16% of the District’s land area is under formal protection through Department of Conservation administered land or Queen Elizabeth II National Trust Covenant.

Subdivision, use and development can result in the damage and destruction of areas of significant indigenous vegetation and significant habitats of indigenous fauna, and the intrinsic values of ecosystems, including loss of indigenous biological diversity. Each component of the natural environment can only accept a limited amount of change from human activities (e.g. loss of flora and fauna, reduction in overall area of natural environment, or breaks in the ecological relationship between different parts of the natural environment system). When these limits are exceeded there is a decline in the health and wellbeing of the natural environment, affecting its ability to reproduce at a sufficient rate to replenish. The majority of remaining significant indigenous vegetation and significant habitats of indigenous fauna in South Taranaki are small, fragmented and faced with a number of pressures (e.g. pests such as feral animals and invasive weeds).

Historically, the greatest threat to the sustainability and protection of natural areas has come from modification of land for farming purposes (clearance, drainage and re-vegetation), together with large-scale logging of native timber and clearance for exotic forestry plantations. The limited amount of remnant significant indigenous vegetation and significant habitats of indigenous fauna are valued by landowners for their ecological or aesthetic values or remain to be unmodified because there is generally no alternative economic use for them.

As every natural area is different, there is difficulty in defining the limits of the various resources that make up a healthy natural environment and also in understanding the human activity that adversely affects these limits. Because knowledge and understanding of biodiversity limits is rudimentary, a precautionary approach is appropriate to manage adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna.

Objectives

- 2.17.3** Protect areas of significant indigenous vegetation and significant habitats of indigenous fauna from inappropriate subdivision, use and development.
- 2.17.4** The maintenance and enhancement of indigenous biodiversity through the protection, enhancement and restoration of indigenous habitats and indigenous vegetation.

Policies

- 2.17.5** Identify and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna as ‘Significant Natural Areas’, which are of significance for one or more of the following reasons:
 - (a) The presence of rare or distinctive indigenous flora and fauna species.
 - (b) The representativeness of an area.
 - (c) The ecological context of an area.
- 2.17.6** Consider the future sustainability of areas of significant indigenous vegetation and significant habitats of indigenous fauna when deciding on what action should be reasonably and practicably taken to protect the values of the area.
- 2.17.7** Avoid, remedy or mitigate any significant adverse effects of subdivision, use and development that would result in a loss of indigenous biodiversity values such as:
 - (a) Clearance, modification, damage or destruction of large areas of intact indigenous vegetation.
 - (b) Clearance of indigenous vegetation in regionally significant wetlands.
 - (c) Subdivision of land and location of buildings and works in close proximity to areas of significant indigenous vegetation and significant habitats of indigenous fauna.
 - (d) Uncontrolled stock grazing that can damage indigenous vegetation and regeneration.
 - (e) Increased exposure to invasive introduced plant and animal species that pose a threat to indigenous biodiversity.

- 2.17.8** Avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects of subdivision, use and development in the Coastal Protection Area on:
- (a) Areas of predominantly indigenous vegetation, or
 - (b) Indigenous habitats and ecosystems, important for indigenous species, which are particularly vulnerable to modification, particularly coastal herbfields, wetlands and coastal dunes.
- 2.17.9** Protect Significant Natural Areas, and maintain and enhance indigenous biodiversity values, having regard to the following matters:
- (a) Actual or potential impacts on the significance of the affected area and on ecological values (including habitat, vegetation and fauna), and cultural, intrinsic and/or amenity values.
 - (b) The sustainability of the habitat or area of vegetation proposed to be modified or damaged or any adjoining habitat or area of vegetation to an area proposed to be affected.
 - (c) The representativeness of the affected vegetation or habitat and impact on its inter-relationship or continuity with other habitats or areas of indigenous vegetation.
 - (d) Whether the affected area retains the presence of rare or distinctive, threatened or at risk, indigenous flora or fauna species.
 - (e) The extent to which the proposal is the minimum necessary to protect significant indigenous vegetation and significant habitats of indigenous fauna.
 - (f) Significant residual effects should be offset, or where 'no net loss' cannot reasonably be achieved, addressed by environmental compensation measures, proposed or agreed to by the applicant.
- 2.17.10** Support community and landowner initiatives for the maintenance, protection, enhancement and restoration of significant natural areas and encourage the use of other non-regulatory incentives and assistance to protect indigenous biodiversity.
- 2.17.11** Recognise and provide for the role of Tāngata whenua as kaitiaki, including meaningful consultation on the management of indigenous biodiversity in areas of particular cultural significance to Tāngata whenua, and providing for customary use of indigenous biodiversity according to tikanga.
- 2.17.12** Recognise existing network utilities within the coastal environment, outstanding natural features and landscapes and significant natural areas and provide for their ongoing operation, maintenance and upgrading requirements.
- 2.17.13** New network utilities shall not be located in Significant Natural Areas unless:
- (a) The infrastructure is subject to a significant functional constraint and the adverse effects:
 - (i) are outweighed by the overall economic, social and/or environmental benefits; and
 - (ii) can be addressed through biodiversity off-setting, or, where 'no net loss' cannot reasonably be achieved, addressed through environmental compensation measures, proposed or agreed to by the applicant; and
 - (b) The route/site selection process has identified no feasible alternative.

Explanation of Policies

The continued existence of significant indigenous vegetation and significant habitats of indigenous fauna that are representative of native ecosystems, or rare or distinctive indigenous flora and fauna species is important for ecological, biodiversity and intrinsic purposes, but also for the legacy that is left for future generations. The preservation of the natural character of wetlands from inappropriate subdivision, land use and development, and the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna is a matter of national importance in the RMA. Significant indigenous vegetation and significant habitats of indigenous fauna are also valued for their amenity, aesthetic, natural character, cultural and heritage values.

Policy direction in the Taranaki Regional Policy Statement sets out District Council responsibilities for controlling land use activities for the purpose of managing indigenous biological diversity. The identification of Significant Natural Areas for scheduling in the District Plan is based on the criteria set out in the Regional Policy Statement.

To qualify as a Significant Natural Area, the site must have values that meet at least one of the 'representativeness', 'rarity/distinctiveness' or 'ecological context' criteria. The significance criteria are outlined below.

Representativeness

Indigenous vegetation or habitat of indigenous fauna that is representative, typical or characteristic of the natural diversity of the relevant ecological district. This includes an area being significant because it supports ecosystems that:

- Are now much reduced in relation to their former extent (i.e. nationally rare or uncommon, rare within the ecological region, or uncommon elsewhere in that ecological district or region but contain all or almost all species typical of that habitat type); or
- Represent all that remains of indigenous biodiversity in some areas and are not well represented in protected areas. In some cases, a significant area can include degraded examples where they are some of the best remaining examples of their type.
- Indigenous vegetation or habitat of indigenous fauna that is a relatively large example of its type within the relevant ecological district.

Rarity/Distinctiveness

- Indigenous vegetation or habitat of indigenous fauna that has been reduced to less than 20% of its former extent in the Taranaki Region, relevant land environment, or ecological district.
- Indigenous vegetation or habitat of indigenous fauna that supports an indigenous species that is exceptional in terms of abundance or habitat, endangered or vulnerable, regionally threatened or at risk, or rare or uncommon as they only occur in Taranaki, or, although common elsewhere, are particularly uncommon in Taranaki or within the relevant ecological district.
- The site contains indigenous vegetation or an indigenous species at its distribution limit within the Taranaki Region or nationally.
- Indigenous vegetation or an association of indigenous species that is distinctive, of restricted occurrence, occurs within an originally rare ecosystem, or has developed as a result of an unusual environmental factor or combinations of factors.

Ecological Context

- Vegetation or habitat of indigenous fauna that provides or contributes to an important ecological linkage or network, which is significant because it enhances connectivity between

fragmented indigenous habitats; or buffers or similarly enhances the ecological values of a specific site of value.

- Indigenous vegetation or habitat of indigenous fauna that provides important seasonal or core habitat for specific indigenous species (including refuges from predation, or key habitat for feeding, breeding, or resting).

The management response for individual Significant Natural Areas will need to consider the sustainability criteria:

Sustainability

- Extent of management input required to ensure sustainability.
- Future sustainability of the area's significance.

As habitats for indigenous species are often on private land, the main challenge in South Taranaki is to strike an appropriate balance between the protection of significant indigenous vegetation and significant habitats of indigenous fauna within the context of a productive landscape.

Sustaining biodiversity on private land requires the good will, co-operation and individual commitment of landowners. However, there are often tensions between landowner's aspirations for land use and development and the preservation of indigenous habitats. Costs to the individual to protect significant indigenous vegetation or significant habitats of indigenous fauna for region-wide or nation-wide benefits, and the reality that ecosystems are not confined to specific sites creates a challenge for South Taranaki District Council. The Council will consider recognising the public-good benefits and private ownership costs of conservation, by encouraging the use of non-regulatory incentives and assistance (such as assistance with fencing, rates relief, management advice or education) to landowners of significant indigenous vegetation or significant habitats of indigenous fauna.

In circumstances where adverse effects on significant indigenous vegetation and significant habitats of indigenous fauna cannot be adequately mitigated, it is recognised that there are limits to what can be offset because some vegetation or habitat and associated ecosystems are vulnerable or irreplaceable. In such circumstances, biodiversity offsetting will not be possible and local authorities will need to take full account of residual adverse effects in decision-making processes.

Objective 2.17.4 recognises South Taranaki District Council's obligation to "maintain and enhance" indigenous biodiversity in a general sense under Section 31 of the Resource Management Act. 'No net loss' of indigenous biodiversity is achieved by the protection of existing areas and habitats and/or the restoration and enhancement of areas and habitats through biodiversity offsets or other initiatives.

Methods of Implementation

The principal methods of implementation are:

- Schedule of Significant Natural Areas in the District Plan according to their relative significance values based on criteria of representativeness, rarity/distinctiveness, or ecological context, and identify these on relevant Planning Maps.
- Rules relating to the modification, damage or destruction of Significant Natural Areas, and general clearance of other areas of significant indigenous vegetation and habitats of indigenous fauna.
- Use of conditions on resource consents to ensure that the adverse effects of subdivision, use and development on significant indigenous vegetation and significant habitats of indigenous fauna are avoided, remedied or mitigated.

- Application of nationally accepted best practice principles for biodiversity offsetting to achieve ‘no net loss’ or a ‘net gain’ of indigenous biodiversity where adverse effects cannot be avoided, remedied or mitigated.
- Through the Long Term Plan and Annual Plan processes, the Council may commit resources such as rates relief, grants for fencing, waiving of consent fees or access to professional ecological advice to encourage the maintenance, protection and restoration of significant natural areas.
- Encourage the use of voluntary covenants and protection mechanisms under other legislation by rates relief and possible contributions towards survey and legal costs for Significant Natural Areas.
- Education and information sharing to raise community awareness of biological diversity issues and the importance of protecting remnant areas of significant indigenous vegetation and significant habitats of indigenous flora and fauna.
- Provide guidance and advice to assist landowners to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.
- Liaise and collaborate with landowners, interest groups and agencies with interests in the protection of indigenous biodiversity.

Section 2.18 Waterbodies

Issues

- 2.18.1** Inappropriate subdivision, use and development can adversely affect the natural character and conservation, recreation, amenity, heritage and cultural values of lakes, rivers, wetlands and other waterbodies.
- 2.18.2** There is demand for public access to and along lakes, rivers and other waterbodies to support recreational opportunities. However, this access could adversely affect other values of the waterbodies (e.g. natural character, conservation, heritage, cultural), as well as operational requirements of adjoining land.
- 2.18.3** Activities on the surface of lakes and rivers can have adverse effects on the values of the waterbodies (e.g. natural character, conservation, amenity, cultural, historical), as well as conflict with other activities.

South Taranaki has a variety of lakes, rivers, streams and other waterbodies which are valued for a range of natural character, conservation, recreation, amenity, heritage and cultural reasons. Lake Rotokare and Lake Rotorangi are important for recreation including swimming, kayaking and water skiing. Hangatahua (Stony) River is regionally important for fisheries and angling, scenic characteristics and recreational, historical and cultural features. Other regionally significant rivers have high natural, ecological and amenity values. In the context of this District Plan ‘other waterbodies’ includes streams and tributaries, and wetlands.

Many rivers are culturally significant for Tāngata whenua and are recognised in statutory acknowledgements (e.g. Patea River, Whenuakura River, Waitotara River Mouth, and Tangahoe River). Waterbodies are seen as the lifeblood of the land and the people, therefore access to waterbodies, the management of water quality and ecological systems are important to Tāngata whenua, for cultural, spiritual, historical and traditional reasons, including customary activities.

It is a matter of national importance under the RMA to preserve the natural character of lakes, rivers and wetlands and their margins, and to protect them from inappropriate subdivision, use and development. Many of South Taranaki's rivers flow through farmland, particularly those on the lower to middle reaches of the ring plain. There has been, and remains to be, potential for modification and deterioration of the waterbody margins by unsustainable land use practices, vegetation clearance, and earthworks. Many of the District's wetlands have been drained or filled for agricultural production and urban development. Likewise, many river margins have lost much of their protective cover of riparian vegetation, resulting in a loss of natural character which also adversely affects the functioning and water quality of ecosystems. The Regional Council is the agency with primary responsibilities in this area, although the District Council plays a role in relation to the indirect effects of land use on waterbodies, the management of the effects of activities on the surface of water, and has a general responsibility to maintain and enhance indigenous biodiversity.

The maintenance and enhancement of public access to and along lakes and rivers is also a matter of national importance. The recreational values of waterbodies are constrained by limited access, therefore it is important to provide access, as long as it does not adversely affect conservation values, cultural values, or increase risk to natural hazards.

Activities on the surface of water or on land near waterbodies can adversely affect the values of the waterbodies if not properly managed. For example, Lake Rotokare is valued for recreation, including swimming, kayaking and water skiing which can conflict with its high natural character and conservation values (e.g. motorised recreational craft can lead to spillage of oil, grease or diesel and potentially reduce water quality, or excessive noise can be detrimental to native ecosystems and natural character).

Activities on the surface of lakes, rivers and other waterbodies are managed by the District Council. It also maintains and enhances public access with the creation of esplanade reserves and strips at the time of subdivision and land use adjacent to significant waterbodies. Taranaki Regional Councils' responsibilities in relation to waterbodies are to manage the quality and quantity of freshwater and ecosystems for freshwater habitat by controlling the discharge of contaminants to water and the taking, use, damming and diversion of water.

Objectives

- 2.18.4** To preserve the natural character of the district's lakes, rivers, streams, wetlands and other waterbodies and protect them from inappropriate subdivision, use and development.
- 2.18.5** To maintain and enhance public access to and along the margins of lakes and rivers with high natural character, conservation, recreation, amenity, heritage or cultural values.
- 2.18.6** To enable activities on the surface of lakes and rivers while recognising and protecting their natural character, heritage and cultural values, and maintaining the amenity and recreation values of lakes, rivers and their margins.
- 2.18.7** To maintain and enhance the recreational and amenity values of lakes, rivers, streams and other waterbodies.

Policies

- 2.18.8** Identify significant lakes, rivers and other waterbodies with high natural character, ecological, recreation, amenity, heritage and cultural values.
- 2.18.9** Avoid, remedy or mitigate the adverse effects of subdivision, use and development that would detract from or compromise the natural character, ecological, recreation, amenity, heritage and cultural values of lakes, rivers and other waterbodies.
- 2.18.10** Ensure that subdivision, use and development is of a scale, location, and design that protects the natural character of lakes, rivers and other waterbodies and maintains and enhances their values by having regard to the following matters in assessing proposals:
- (a) Extent to which natural processes, elements and patterns that determine the natural character of the water body are sustained, and/or restored and rehabilitated;
 - (b) Degree of protection of vegetation cover and patterns, including use of a buffer or riparian margin;
 - (c) Compatibility with existing level of modification to the environment;
 - (d) Functional necessity to be located in or near the waterbody, and no reasonably practicable alternative locations exist;
 - (e) Ability to mitigate any potential adverse effects of subdivision, use and development; and
 - (f) Provision of public amenity and access to land acquired by Council for reserve purposes.
- 2.18.11** Provide for the maintenance of the natural character of lakes, rivers and other waterbodies and their margins, whilst balancing the need to provide public access to and along these waterbodies by way of an esplanade network.
- 2.18.12** Promote sustainable management practices in order to maintain and enhance the natural functioning of waterbodies, and improve water quality.
- 2.18.13** Promote and encourage the development and maintenance of riparian fencing and planting along waterbody margins.
- 2.18.14** Provide for esplanade reserves or strips at the time of subdivision or development adjacent to significant lakes or rivers, particularly where it is compatible with conservation values, and if one or more of the following matters apply:
- (a) Development pressure is high and may result in damage to the natural character of the environment, including water quality, habitat and visual amenity.
 - (b) Where it would provide connections to existing reserves.
- 2.18.15** Establish a connected network of esplanade reserves for public access and recreation purposes, along the margins of significant rivers and streams in the long term.
- 2.18.16** Maintain and enhance public access to and along rivers and lakes as far as practical, except where restrictions are necessary to:
- (a) Preserve natural character.
 - (b) Safeguard ecological or intrinsic attributes.
 - (c) Avoid conflicts between competing uses.

- (d) Protect cultural and spiritual values of Tāngata whenua.
 - (e) Protect human health and safety.
 - (f) Protect the integrity of river and flood control works.
 - (g) Protect significant infrastructure and network utilities.
 - (h) Provide for other exceptional circumstances that are sufficient to justify the restriction, notwithstanding the national importance of maintaining access.
- 2.18.17** Promote public access to the margins of significant lakes and rivers, especially those of recreational/access value, while recognising that restrictions may be necessary to provide for the needs of alternative legislation or other values.
- 2.18.18** Prioritise the creation of esplanade reserves of strips along significant rivers valued for recreational or public access purposes and consult with relevant affected parties.
- 2.18.19** Recognise cultural and spiritual values of Tāngata whenua and enable customary activities to be undertaken within and adjacent to lakes, rivers and other waterbodies, including by managing subdivision, use and development adjacent to the Patea River, Whenuakura River and Tangahoe River given the cultural and spiritual values of these particular rivers.
- 2.18.20** Enable activities on the surface of lakes and rivers to maintain and enhance community wellbeing whilst avoiding or mitigating adverse effects on health and safety, and on natural character, conservation, amenity, heritage and cultural values.
- 2.18.21** Develop sustainable methods for the use of the surface of water in lakes and rivers, in association with Tāngata whenua and the community.
- 2.18.22** Where appropriate, negotiate the voluntary creation of esplanade strips and access strips with landowners by agreement.

Explanation of Policies

Managing development, land use and subdivision close to lakes, rivers and other waterbodies is important to protect the high natural character and special values of these waterbodies, including conservation, recreation, amenity, heritage and cultural values. It is generally inappropriate to place structures within, and immediately adjoining, waterbodies, except for those that are required to be located in these areas by their nature, such as flood protection works, bridges, small recreational structures or structures for irrigation, water supply, or energy generation.

If buildings, structures and activities are not effectively managed adjacent to or on the surface of waterbodies, they may create environmental effects such as adverse visual impacts, excessive noise, and loss of public access to riparian areas which affects the natural character and special values of these areas.

An effective way to achieve protection of the natural character of waterbodies is to create a buffer between waterways and adjoining activities, through the creation of esplanade reserves and strips at the time of subdivision or development. A schedule of significant rivers has been created for this purpose, which effectively prioritises specific rivers in the District which have important special values (natural/conservation values, natural hazards, recreational/access values, heritage/cultural values and water quality). Many of these rivers presently have some form of reserves set aside. Over time, it is anticipated that a comprehensive network of connected esplanade reserves or strips based on the values of these rivers would enhance natural character and public access in accordance with the requirements of the RMA. However, it is recognised that the promotion of public access and the

conservation of water margins affects the rights of landowners to use their land, and there may be circumstances where it is appropriate to restrict public access to rivers (e.g. or preservation, to protect private property rights or for public safety).

Methods of Implementation

The principal methods of implementation are:

- Schedule of significant waterbodies in the District Plan, according to their natural and conservation values, natural hazard risk, recreational and public access values, heritage and cultural values, and water quality, and identify these on Planning Maps.
- Rules in the District Plan requiring the setting aside of esplanade reserves and/or strips on resource consent applications for subdivision, use and development.
- Use of conditions on resource consents to ensure that adverse effects of subdivision, use and development on lakes, rivers and other waterbodies are avoided, remedied or mitigated.
- Through the Long Term Plan and Annual Plan processes, the Council may commit resources such as rates relief or grants towards voluntary riparian planting, fencing of riparian areas, or voluntary public access to waterbodies.
- Co-ordination and liaison with the Taranaki Regional Council particularly in respect of advocacy, education initiatives and guidance related to riparian planting, and maintenance and enhancement of water quality.
- Encouraging voluntary methods of protection for riparian and wetland areas and planting particularly adjacent to scheduled rivers, and encouraging additional riparian management to avoid, remedy or mitigate the adverse effects of activities.
- Liaise and collaborate with landowners and other groups and agencies with interests in the management and protection of waterbodies.

Section 2.19 Natural Hazards

Issue

2.19.1 Natural hazards, such as risks of flooding, coastal erosion and inundation, and land instability, have the potential to generate adverse effects on people, property and the environment. Inappropriate use and development of land can also worsen the potential or severity of natural hazards.

Natural hazards have the potential to cause significant adverse effects and pose a risk to people, property and the environment. There are potentially high social and economic costs associated with natural hazards with significant consequences for public health and safety, agriculture, housing, infrastructure and valued aspects of the environment.

The location, nature and magnitude of these natural hazards vary throughout the District. The impact of a natural hazard on people, property and the environment is a function of the magnitude of the natural event, the density of population and the intensity of development. Active coastal erosion is occurring along the coastline from Opunake to Patea and south of Waitotara. Land instability is common in the eastern hill country, and Waitotara is known to be susceptible to flooding.

The vulnerability to natural hazard events can be increased by inappropriate development and human activity, which can exacerbate the potential or intensify the effects of natural hazards. For example, forestry clearance or earthworks can lead to increased run-off and flooding potential, or an increased

number of people living and building (and associated infrastructure) in hazard risk areas can increase the potential for a natural hazard to cause damage to people and properties. The Council's functions include controlling the effects of subdivision, use and development for the avoidance or mitigation of the effects from natural hazards.

Obtaining accurate information about natural hazards is one of the biggest challenges facing authorities. This information can provide data on the likely frequency, intensity, extent or location of natural hazard events, such as flooding and coastal erosion.

Below is a description of the known natural hazards in the South Taranaki context and the risks they pose to people, property and the environment in general.

Coastal Erosion and Inundation

Coastal erosion and inundation becomes a particular hazard where built development has occurred within the area of natural beach movements. People, properties, and other existing assets (e.g. gas pipelines) near the coastline are at risk from potential damage. The Patea Township has a history of sand advancing towards the town and coastal erosion. There have been various modifications to the shoreline, river and estuary in response to these threats, including erosion protection efforts around the gas pipeline that crosses the estuary (including planting, rock wall and renourishment). Waverley Beach and Ohawe coastal settlements are in close proximity to the coastal cliffs, with some habitable buildings within 30-75 metres of the coastline, at potential risk from future coastal erosion.

The coastline from Opunake to Patea and south of Waitotara experiences ongoing coastal erosion of 0.05 to 1.1 metres per year¹. Much of the shoreline comprises 30–40 metre tall, near vertical, soft sedimentary cliffs that are actively eroding through catastrophic failure and slumping. Narrow sandy beaches fronting the cliffs provide little protection from wave action and erosion. Erosion and accretion vary in different areas along the coast, over just a few kilometres, and under similar storm conditions due to various local factors. The nature and rate of coastal erosion vary depending on a particular area of the coastline and whether many storms have occurred over a particular time period. Hard shorelines erode slowly, but unconsolidated shorelines can erode or retreat depending on sediment supply and forcing conditions.

The coastal sand country along the southern-most area of the District is also subject to wind erosion, which can be exacerbated by the removal of vegetation (e.g. earthworks and motor vehicles which disturb the sand and vegetation cover, exposing it to the wind). River mouth migration is an important natural factor in the long-term erosion-vs-accretion pattern of the coastline, and is evident at Waitotara River, Patea River and Kapoiaia Stream.

Climate change and associated sea level rise is likely to influence the frequency, scale or intensity of atmospherically influenced natural hazards such as coastal erosion and inundation from storm surges. Any future development in coastal settlements will need to be located and constructed so as to avoid worsening the erosion and inundation hazards and to protect property from extreme events.

Surface Water Flooding and River Bank Erosion

The impacts of flooding in South Taranaki are usually within very defined and specific areas. The greatest flood risk is associated with the major river systems in South Taranaki, particularly the Waitotara River. In addition, localised flooding occurs during and following high and intensive rainfall events which exceed the capacity of overland flow paths and stormwater systems.

¹ NIWA (2012), "Coastal stability in the South Taranaki Bight – Phase 1".

Flooding and other storm related damage is a significant and reoccurring problem in the Waitotara catchment. Storms relating to flooding were experienced in 1869, 1891, 1903, 1904, 1924, 1936, 1971, 1990, 1999 and more recently 2004, 2006 and 2015. The most recent Waitotara floods had significant effects on the southern part of South Taranaki, particularly the Waitotara Township. The 2004 flood caused damage to 41 of 47 houses, and 14 were later condemned due to structural damage. Others were relocated out of town. The population dropped from 102 in 2001 to 66 in the 2006 and 2013 census, with 30 occupied dwellings in Waitotara at the time of the 2013 census. Damage and disruption was also experienced by small businesses and community buildings, including the Waitotara Store, the Waitotara Hotel, fire station, town hall, primary school, marae, church and Plunket rooms. Inland farming and other telecommunications, electricity and roading infrastructure (i.e. 250km of local roads and bridges) in the Waitotara catchment were also affected, mainly by subsidence and slipping. These services are important for the social and economic wellbeing of the area. There is low development pressure in the Waitotara Township, which may never regain the community present before the 2004 flood.

Following the 2004 Waitotara flood event, the Taranaki Regional Council (with financial assistance from STDC) carried out significant willow removal works to clear the critical paths of the Waitotara River and its major tributaries to increase flood carrying capacity of the river and thus lower flood levels. Erosion protection works are constructed and maintained at key locations to maintain the alignment of the river channels. An ongoing programme of works will be undertaken to maintain the cleared channel. A flood warning system was also installed.

The Patea Dam and associated hydro-electric power scheme is located 42 kilometres east of the Patea River mouth in the South Taranaki District. A failure of the dam structure subsequent to another natural hazard event would result in flood waters travelling down the Patea River, and inundating lower lying parts of the Patea township, before entering the sea at Carlyle Beach. Floodwaters would affect residential areas and cover the river road bridge (SH3) and the water pumping station.

In 2008, extreme rainfall events generated high flows centred on the ranges and western and southern flanks of the Egmont National Park, between Oakura and Opunake. The high flows caused erosion and deposition within and adjacent to the Stony River, Mangatete Stream, Oaonui Stream and Waiiau River. High flows collected and transported trees and debris. The debris caused blockages to structures and resulted in surge flows and overtopping, resulting in damage to a number of structures including bridges, culverts, fords and fences.

Land Instability

Land instability, including slippage, slumping and subsidence occurs as a localised hazard throughout the District. The natural ground conditions of some parts of the District, in particular the inland hill country, with steep slopes and soil conditions, means that the land is susceptible to possible erosion, subsidence, slippage, debris flow and surface water flooding. Constructing new buildings in areas at risk of land instability could place people and property at unacceptable risk.

Volcanic Activity

A volcanic event (eruption) is an ever-present hazard risk in Taranaki which may create ash fall and lahar hazards throughout the District. There are no indications that Mt Taranaki is about to erupt, however, its unbroken geological history of activity indicates that it will in the future. A 2013 forecast based on the best available eruption dates estimates the chance of an eruption is 3% in any one year, or up to an

81% probability of at least one eruption in the next 50 years². Mt Taranaki volcano is well monitored by the GeoNet project, and quiescent volcanoes like Taranaki almost always demonstrate unrest before an eruption starts, with warning periods likely to range between days to months.

An eruption poses a major threat to the economy and population of Taranaki with all parts of the environment, including settlements and activities, at potential risk.

Ash fall from volcanic eruptions has the potential to affect a large portion of the District. The impacts of ash fall will generally be disruptive rather than destructive. It is not possible to avoid the effects of ash fall on the District, but mitigation measures can prevent or limit the effects of ash fall and provide for the efficient removal of ash.

Lahars have the potential to affect the ring plain around Mount Taranaki, particularly the river valleys. Lahars pose a significant threat to buildings and infrastructure (e.g. roads, bridges) in their path as well as having a continuing impact on river systems, water quality, water supply networks and flooding. Lahars can reoccur long after an eruption has finished during periods of high rainfall.

Seismic

Seismic hazards, including fault rupture, ground shaking, liquefaction, and landslides can result from an earthquake. Compared to other parts of New Zealand, South Taranaki has a low seismic hazard risk. Different parts of the District are more or less susceptible to the risk of seismic hazards. There are a series of active faults recorded in the Cape Egmont Fault Zone to the west and south of Mt Taranaki. In addition, there is another series of active faults in the vicinity of Waverley. The areas in the District assessed with high potential liquefaction hazard are the lower reaches of the Waitotara, Whenuakura and Patea Rivers. Earthquake ground shaking strong enough to cause minor sand boils and fissures can be expected, on average, every few hundred years (980-1,070 years). More extensive damage can be expected during stronger, but less frequent (9,500 – 14,300 years), ground shaking.

High winds/tornadoes

The South Taranaki District can experience high winds, especially on the south-west coast and the eastern hill country. These winds occur when vigorous fronts, troughs, deep depressions or cyclones cause strong northerly to westerly airflows, or south easterly airflows over the District. On average about one tornado will occur somewhere in Taranaki each year, with the frequency of severe cases about once in four years. High winds and tornadoes have the potential to cause significant damage to people and property.

Roles and Responsibilities

Management of natural hazards under the RMA involves the combined efforts of a number of agencies including District and Regional councils. The Regional Policy Statement for Taranaki states the different roles and responsibilities of the Taranaki Civil Defence Emergency Management (CDEM) Group and the Regional and District councils in relation to the management of natural hazards in the Taranaki region. In summary these roles and responsibilities are:

Taranaki CDEM Group

- To increase community awareness, understanding of, and preparation and readiness for emergencies; through public education, engagement, and community-led CDEM planning.

² Green R M, Bebbington M S, Cronin S J, & Jones G. (2013); Geochemical precursors for eruption repose length; *Geophysical Journal International*, 193(2), 855-873.

- To reduce the risks from hazards in Taranaki; by improving understandings of hazards, and by developing and monitoring a group-wide risk reduction programme which demonstrates how individual agency initiatives contribute to overall regional risk reduction.
- To enhance Taranaki's ability to respond to emergencies; through continued focus on response plans, professional development and exercises, community recovery planning, management and training.

Taranaki Regional Council

- Controlling any actual or potential effects of subdivision, use and development for the avoidance and mitigation of natural hazards in the coastal marine area and the beds of lakes and rivers.
- Maintaining and carrying out public flood protection in flood control scheme areas under their respective scheme management plans.
- Preparing and implementing civil defence and emergency management plans.
- Gathering information on hazards in partnership with territorial authorities.
- Raising public awareness of the risks of natural hazards through education, including information about what natural hazards exist in the region, and what people can do to minimise their own level of risk and what help is available.

South Taranaki District Council

- Controlling any actual or potential effects of subdivision, use and development for the avoidance and mitigation of natural hazards on land.
- Providing hazard information for specific sites through Land Information Memoranda and Project Information Memoranda.
- Coordinating and integrating all aspects of hazard and emergency management functions and activities under the Civil Defence Emergency Management Act 2002 and the Civil Defence Emergency Management (CDEM) Group Plan for Taranaki (2012).
- Planning for the continuity of the Council's business and community services during the managed of any significant hazard or emergency.

Therefore, the principal role of the District Plan is to identify where the risks are most significant, and to manage subdivision, development and activities in these areas to avoid the exacerbation of such risks, and to reduce the risks as appropriate.

Objectives

2.19.2 The risks and adverse effects from natural hazards on people, property and the environment are avoided or mitigated.

2.19.3 Subdivision, use and development do not create, worsen, displace or increase the severity of natural hazards.

Policies

2.19.4 Identify areas at significant risk from the effects of natural hazards based on the likelihood of the events and potential risks and consequences.

2.19.5 Control the location and design of subdivision, use and development within identified natural hazard areas, or areas which have significant potential to be affected by a natural hazard, to avoid or mitigate the effects of the natural hazard.

- 2.19.6** Avoid, where practicable, the siting of new critical infrastructure and services ('lifelines') within areas of significant risk from natural hazard events.
- 2.19.7** Minimise the need for hazard protection works by ensuring that new subdivision, land use and development is located and/or designed to mitigate the potential effects of natural hazards.
- 2.19.8** Ensure that the use and development of land does not accelerate or worsen any material damage to that land, or displace to other land or structures, resulting from erosion, subsidence, slippage, debris flow, or surface water flooding.
- 2.19.9** Manage the effects of natural hazards caused by long-term shifts in climate and changes in sea-level. In particular, factor in climate change predictions in avoidance or mitigation measures.
- 2.19.10** Raise awareness and educate the community about natural hazard risks, and provide assistance in preparing, designing and planning for the occurrence of natural hazard events through the provision of information and advice.
- 2.19.11** Plan and review contingencies for the continuity of the Council's business and community services in the event of any significant hazard or emergency.

Coastal Erosion and Inundation

- 2.19.12** Manage subdivision, development of buildings, and structures within the Coastal Protection Area on land which may be susceptible to coastal erosion or the effect of sea level rise unless the activity can demonstrate:
 - (a) There will be significant community benefit.
 - (b) There is a functional requirement for the proposed location.
 - (c) It is relocatable; or
 - (d) That it will not increase the susceptibility of other nearby properties to natural hazards.
- 2.19.13** Recognise that natural defences against coastal hazards include beaches, estuaries, wetlands, intertidal areas, coastal vegetation, dunes and barrier islands.
- 2.19.14** Provide where appropriate for the protection, restoration or enhancement of natural defences that protect coastal land uses or sites of significant biodiversity, cultural or historic heritage or geological value, from coastal hazards.

Surface Water Flooding

- 2.19.15** Identify the Waitotara Flood Hazard Area on the Planning Maps and avoid the establishment of any new dwelling unit within the Flood Hazard Area unless the building is designed to withstand the adverse effects of a 0.5% AEP (1 in 200 year) flood event, in which case the structure or activity may be allowed.
- 2.19.16** Ensure that any new dwelling unit constructed within the Flood Hazard Area as identified in Policy 2.19.15, or within 50 metres of a significant waterbody with flood hazard potential, adopts specifically designed measures to avoid or mitigate the hazard risks such as:
 - (a) A finished floor or ground level above the known or anticipated flood level.
 - (b) In a flood event, a safe area between dwelling units where evacuation may be carried out (preferably that will not be flooded) where the level of inundation of access

combined with water depth and velocity can be shown to result in no greater risk to human life, infrastructure or property.

- (c) Avoiding adverse effects on the effectiveness of existing flood hazard avoidance or mitigation measures, or natural landforms that protect against inundation, and overland stormwater flow paths.
- (d) Avoid or mitigate adverse effects on existing structures and activities.
- (e) Regard to the likelihood and consequences of the failure of the proposed flood hazard mitigation measures.
- (f) Regard to the consequential effects of ensuring new dwelling units have a finished floor or ground level, including but not limited to landscape and natural character, urban design, and the displacement of floodwaters onto adjoining properties.
- (g) Regard to the proposed ownership of, and responsibility for maintenance of, the flood hazard mitigation measures.

2.19.17 Control the location of buildings on land adjacent to major watercourses with flood hazard potential.

Land Instability

2.19.18 Manage subdivision, use and development in areas considered to be susceptible to land instability by siting work in stable locations to avoid hazard risks or adopting specifically designed measures such as appropriate building foundations or batter slopes to mitigate the hazard risks.

2.19.19 Encourage the retirement of high risk land susceptible to land instability to regeneration by covenant protection.

Seismic

2.19.20 Ensure that all structures and activities are constructed so as to minimise material damage from seismic events.

Fire

2.19.21 Ensure that all structures and activities incorporate measures to minimise risk of, and damage caused by, fire.

Wind

2.19.22 Ensure that all structures and activities incorporate measures to minimise risk of, and damage caused by, wind hazards.

Explanation of Policies

Appropriate identification and awareness of hazard risks and the implementation of the above policies through applicable development controls, including the avoidance of inappropriate development in hazard risk areas, will reduce the susceptibility of the South Taranaki community and valued aspects of the environment to natural hazards. For areas of known or suspected hazards, the most effective control technique available involves the retention of the Council's discretion to control activities that occur in known hazard risk areas.

Known hazard risk areas are identified in the District Plan and some form of controls are used to manage new land use activities, subdivision and development. These controls relate to coastal erosion and inundation, and flooding. For risks from other types of natural hazards such as land instability, seismic events and fire, measures outside the District Plan are used to avoid or mitigate the effects from other natural hazards. For example, controls under the [Building Act 2004](#) and by the Regional Council assist in the avoidance and mitigation of the effects of these types of natural hazards.

Where subdivision, land use or development is intended or expected to occur, it is important that every endeavour is made to avoid locations which are susceptible to significant risks of natural hazards. In some situations it may not be possible to consider alternative locations (for instance, where the development changes the use of existing buildings, or for infrastructure that has locational requirements), and for some hazards the risk may be fairly low or equal throughout the District. In these situations, every effort should be made to mitigate potential adverse effects expected to result from the hazard on people, property and the environment.

When assessing the effects of land use activities, subdivision and development within areas subject to natural hazards, important considerations are whether the proposal would alter or change the nature of a natural hazard event, increase the intensity of a natural hazard event or increase the risk of the event occurring. Through the resource consent process, the assessment and any conditions would need to ensure that the activities and structures do not increase the risk to the community or the environment. In particular, land use activities within or nearby hazard protection works can impair or compromise the function and maintenance of protection structures and works. The risks of natural hazards can also be avoided and mitigated by certain works, design and techniques. For example, sufficient building and subdivision design should not significantly increase surface runoff flooding. In some circumstances it may be possible to allow a building within a known hazard area on the basis that its design allows for separation distances, minimum floor levels and/or practicable and easy relocation.

There may be some situations where the modification of natural hazard processes produces benefits to the community in excess of the costs involved in protection or prevention works or programmes. Consideration should be given to the relocation of existing development and infrastructure away from areas susceptible to significant natural hazard risk, particularly where the environmental costs resulting from protection works exceed the benefits, which would result. In general terms, risk takers should themselves carry that risk. Similarly, those who benefit from the works or services should bear the cost.

Informing people of the risks from natural hazards – including the ways to avoid or minimise such risks, and how to be prepared for natural hazards events – is a critical and ongoing requirement. Such information includes education about how to minimise the risks when planning subdivision and development. Adequate information, therefore, needs to be disseminated to the community, in conjunction with those other authorities with responsibilities for natural hazards management and response.

Methods of Implementation

The methods of implementation include:

District Plan

- Identification of areas subject to significant risk from the adverse effects of natural hazards in the District Plan (Coastal Protection Area, Flood Hazard Area). Areas are updated when new or improved information becomes available.
- District Plan rules and performance standards to control the location of subdivision, land use and development in identified hazard risk areas including when the subdivision and development could worsen the risk of occurrence or severity of hazards.

- Assessment of environmental effects through the resource consent process for proposals involving inappropriate land use or activities in hazard risk areas or those not meeting performance standards.
- Conditions on resource consents to avoid or reduce the potential risks from natural hazards, for example the siting of structures, requirements on the design of foundations, separation distances for buildings in areas subject to significant flooding risk.
- Where there are significant risks from natural hazards (erosion, falling debris, subsidence, slippage or inundation) that have not yet been identified in the District Plan, control subdivision in these areas if the subsequent use is likely to accelerate, worsen or result in material damage to the land or structure through Section 106 of the RMA: Consent authority may refuse subdivision consent in certain circumstances.
- Co-ordination and liaison with Taranaki Regional Council, particularly regarding data gathering and analysis of natural hazards.
- Promote the use of guidelines for development and activities in identified hazard risk areas.

Building Controls

- Apply Section 71 and 72 of the [Building Act 2004](#) to control inappropriate development of land subject to natural hazards, including where the building itself is likely to accelerate, worsen, or result in erosion, falling debris, subsidence, inundation or slippage of that land or any other property. Also, the standards specified in the Building Act for geotechnical requirements, seismic design and fire protection will be imposed, as well as Section 36 registrations (for construction of buildings on land subject to natural hazards).

Monitoring

- Use of information describing hazards affecting South Taranaki as it comes available from other agencies (particularly from Taranaki Regional Council).
- Cooperate with the monitoring and investigation studies undertaken by other agencies including Taranaki Regional Council.

Collection and Provision of Information

- Refer to existing available information on hazards for resource consent applicants, including the NIWA report (2012), [Coastal stability in the South Taranaki Bight – Phase 1: Historical and present day shoreline change](#), and the Taranaki Regional Council Report (2006), [Reducing the Risk: Proposed River Clearance and Maintenance Programme for the Waitotara Catchment](#) for inappropriate land use and activities in Natural Hazard risk areas. The Council will require new hazard risk assessments for certain activities or applications where necessary.
- Develop and maintain information, undertake data gathering and analysis of hazard risks in coordination with Taranaki Regional Council.
- Make information available to the public that helps to raise awareness and educate people about the risks of all natural hazards. For example, the [Civil Defence Emergency Management Group Plan for Taranaki](#) (2012) provides a summary of all natural hazards in the region, and emergency management provisions including planning and preparation to reduce, respond and recover from adverse natural hazard events.
- Make available to the public, through Project Information Memoranda (PIMs), Land Information Memoranda (LIMs) and individual enquiries, information about natural hazards held by the Council.

Section 2.20 Temporary Activities

Issue

- 2.20.1** Temporary activities have positive social, cultural and economic impacts and encourage vibrancy and diversity within the community. However temporary activities can have adverse effects on residents and the environment such as noise, traffic, recreation, heritage, cultural and visual effects.

Temporary activities are part of the life of the District. Temporary events are varied in nature and scale; they could be one-off events or regular occurrences which are planned well in advance. These activities include events such as A and P shows, community events, charity events such as fun runs, fairs and fetes as well as temporary military training activities. Events and temporary activities make a contribution to the economic, social and cultural wellbeing and help create a vibrant and diverse district.

In addition, temporary activities include construction activities which can involve temporary structures such as site offices and cranes near roads, and generate various adverse effects including unusually heavy traffic movements.

The temporary nature of the activities generally makes any adverse effects more acceptable to the community. Consequently, many events and temporary activities of short duration are tolerated by those affected while others enjoy what the event has to offer. Notwithstanding this, this tolerance can be exceeded due to activities occurring for a prolonged period or the intensive concentration of significant effects.

Objective

- 2.20.2** Provide for temporary activities that contribute to the economic, cultural and social wellbeing and vibrancy and diversity of the district, whilst managing effects on public safety and the quality of the environment.

Policy

- 2.20.3** To provide for temporary activities, including temporary military training activities, while managing their effects on amenity and character of the surrounding environment, effects on public health and safety, and effects on the safe and efficient functioning of transport networks through the use of rules and standards by managing their nature, scale, location and duration.

Explanation of Policies

Events bring in visitors and significant economic, social and cultural benefits to the district. The adverse effects of events and temporary activities are usually mitigated by their infrequent nature, short duration, limited scale and their social, cultural and economic benefits. Therefore, a degree of flexibility is provided in the rules and standards for the operation of temporary activities. However, it is important to manage events and temporary activities that generate significant adverse effects on the environment. Specifically, temporary activities can result in adverse effects on amenity values where located in or close to sensitive areas, such as residential areas. For this reason some events and temporary activities will require resource consent when they exceed a certain scale or threshold of effects, which are defined by standards.

Methods of Implementation

The methods of implementation include:

- Rules and performance standards to control the scale, location, frequency and duration of temporary activities, relative to the level of acceptance of types of temporary activities across different zones of the District.
- Conditions on resource consents to manage adverse amenity, nuisance, and safety and traffic effects of temporary activities.

Section 2.21 Relocated Buildings

Issue

2.21.1 Relocating buildings is an efficient use of resources but they can be unsightly and detract from the visual amenity of an area if they are not reinstated and repaired in a timely manner.

Relocated buildings represent sustainable development as they result in the re-use of materials rather than recycling, which may require some form of processing, or sending materials to landfill. Furthermore relocated buildings provide an affordable housing choice for some. The Council supports the relocation of buildings providing that adverse effects on the quality of the environment can be avoided, remedied or mitigated.

The relocation of buildings in the District is a common practice but has caused some tension in the community. This tension has arisen because relocated buildings tend to be older buildings that may need some repair and they are being relocated onto sites but not re-instated to a standard anticipated by the community. For example, houses are left on blocks rather than foundations and are left unpainted or without driveways.

Objective

2.21.2 Maintain and enhance the amenity values of areas by ensuring relocated buildings avoid, remedy or mitigate their adverse effects.

Policy

2.21.3 Provide for the relocation of buildings while requiring the completion of exterior reinstatement and repair works within a reasonable timeframe to avoid, remedy or mitigate their adverse effects.

Explanation of Policy

The policy supports the relocation of buildings in the District provided that effects on the environment can be managed so as to not adversely affect amenity values and character, particularly in the Residential Zone. Relocated buildings are an important element of affordable housing and resource efficiency. However they can, if not properly established on sites, generate adverse effects as they can look unfinished for long periods of time.

The Council manages the relocation of buildings by way of rules and performance standards to maintain the quality of the environment.

Methods of Implementation

The methods of implementation include:

- Rules which permit relocated buildings subject to performance standards relating to previous use, foundations, and a performance bond and owner certification to maintain and enhance amenity values.
- Assessment of environmental effects through the resource consent process for proposals that are not permitted, because of non-compliance with performance standards. Use of conditions on resource consents to control the effects of relocated buildings.
- The provisions of the [Building Act 2004](#) and New Zealand Building Code to manage the structural integrity and habitable and occupancy requirements for relocated buildings.

Section 2.22 Signs

Issue

2.22.1 Signs perform an important function of advertising, providing information and directing people, but can detract from visual amenity and create traffic safety issues.

Signage is a necessary tool. In commercial and industrial areas, signs are used to advertise the location of, and services offered by businesses. In the residential and rural areas, signage enables properties to display their name or street number, and in some cases the location of a home occupation. In fact most activities require signs to advertise their location to the public including, schools, educational facilities, parks, sports fields, hospitals, doctors and community halls.

Other activities such as community or recreational events, elections, the sale of property or work being undertaken on a site also generate a need for signage. However, such signage is anticipated to be temporary in nature. There is also directional and safety signage required by statute on local roads and state highways; these are managed by the roading authority rather than through the District Plan.

All signage has the potential to generate adverse effects on the environment, particularly in residential areas where a higher level of amenity is anticipated than in commercial and industrial areas. Effects are often related to size, location and design, or clutter (i.e. a number of signs located in close proximity). Colour can also be an issue but it is not controlled by the District Plan as effectively the colour of a building could be considered a sign (e.g. Mitre 10 orange). Conversely, some people may consider that signage adds to the character of an area or are accepting of a reasonable number of signs, particularly in commercial and industrial zones.

Signs that are lit, flashing or animated can generate specific nuisance effects if they are located adjacent to or visible from residential properties. In the Rural Zone such signs can, in proliferation, obscure the view of the night sky, which is often a valued amenity in the Rural Zone.

Objective

2.22.2 Recognise and provide for signage that meets the needs of the community and businesses whilst managing effects on public safety and the quality of the environment.

Policies

- 2.22.3** To provide for signs, including temporary signs, ensuring that these do not detract from the visual amenity and character of the surrounding environment (including historic heritage values), and /or impact on traffic safety through the use of rules and standards that manage size, location and design.
- 2.22.4** Avoid visual clutter and the proliferation of signage by restricting the establishment of signage that is not associated with, or does not relate to, the site in which the sign is located.

Explanation of Policies

Signs are an integral part of the environment providing information, directing traffic and providing for the safety of people using the roading network. Standards that are applied on the location, size and nature of signs are considered essential to protect amenity values and the quality of the environment (including historic heritage values), and to provide for public health and safety.

In the Rural Zone signs can adversely affect the open, spacious character of the Zone, whilst in the Residential Zones and on residential sites in the Township Zone, residential character can be adversely impacted by large or numerous signs. It is intended to manage such effects through minimum setbacks from road boundaries and separation distances between signs.

In the Commercial and Industrial Zones and on commercial and industrial sites in the Township Zone, signs are more likely to be accepted given the nature of activities occurring in these zones. However, signs still need to be controlled in terms of their size and location to manage effects on road safety and amenity values.

No lit, animated or flashing signs are provided for as permitted activities within the District given the potential for adverse effects on road safety and amenity values, particularly on residential sites. Signs in road reserve can also generate effects on road safety by causing a distraction to drivers and becoming a hazard in the event of an accident. However, these signs are managed by the roading authority.

Methods of Implementation

The methods of implementation include:

- Rules and performance standards to control the size, location and design of signage, relative to the level of acceptance of types of signage across different zones of the District.
- Conditions on resource consents to ensure that adverse visual, nuisance or safety effects of signage are avoided, remedied or mitigated.
- Bylaw to manage signs in public spaces (road reserve and Council reserves).
- For signs located on road reserve or within the rail corridor, written approval from the requiring authority under Section 176 of the RMA.

SECTION 3: RURAL ZONE RULES

3.1 CATEGORIES OF ACTIVITIES

3.1.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Rural Zone, provided activities comply with all relevant Permitted Activity Performance Standards in Section 3.2 and all other Sections of the District Plan:

- (a) Farming and intensive farming activities.
- (b) Rural service activities.
- (c) Residential activities.
- (d) Home occupations.
- (e) Marae.
- (f) Papakainga development.
- (g) Community activities.
- (h) Open space.
- (i) Operation and use of existing camping grounds/motor camps.
- (j) Home-based childcare service.
- (k) Home based visitor accommodation.
- (l) Holiday homes.
- (m) Forestry planting, forestry maintenance, and forestry harvesting.
- (n) Aggregate/soil extraction.
- (o) Airport operations and development at Hawera Aerodrome.
- (p) Within land administered by the Department of Conservation:
- (q) Construction, maintenance and removal of accommodation (huts) and toilets, visitor information signs, staff accommodation, information centres, and storage sheds.
- (r) Commercial guiding and outdoor recreation activities.
- (s) Species protection and conservation management work, including restoration and re-vegetation work.
- (t) Control of pest plants and animal pests.
- (u) Within the Parihaka Cultural Area:
 - (i) Education and childcare facilities (including Kohanga Reo and Kura Kaupapa).
 - (ii) Farmers and craft markets.

- (iii) Papakainga housing.
- (iv) Marae.
- (v) Residential care facilities.
- (vi) Community facilities.
- (vii) Retail activities.
- (viii) Tourism information and museum activities.
- (ix) Temporary activities.
- (x) Small-scale renewable electricity generation.
- (xi) Community wastewater treatment system.
- (xii) Car parks.
- (v) Stock loading and unloading facilities.
- (w) Recreational vehicles or other easily moveable buildings, such as caravans, and motor homes and porta cabins, used for temporary residential housing for up to six (6) months within a calendar year.
- (x) Activities on the surface of any waterbody.
- (y) Earthworks within the National Grid Yard.
- (z) Buildings and structures within the National Grid Yard.
- (aa) The construction, alteration of, addition to, removal and demolition of buildings and structures for any permitted activity.
- (bb) Landfarming.

Note: For activities occurring within 30 m of a Gas Pipeline as shown on the Planning Maps, consultation with Vector Gas Limited should be undertaken.

3.1.2 CONTROLLED ACTIVITIES

The following activity is a controlled activity in the Rural Zone:

- (a) The keeping of goats within two (2) kilometres of Egmont National Park and the contiguous areas of land administered by the Department of Conservation as shown the Planning Maps.

Matters over which the Council reserves its control:

- (i) Potential adverse effects on significant indigenous vegetation and habitat.
- (ii) The suitability of fencing for effectively containing goats within the property, having regard to both the fencing standards in [Rural Zone Appendix 2] and nature of the terrain.
- (iii) Annual inspection of fences by the consent holder and reporting to the Council.
- (iv) Annual reporting of stock numbers to the Council by the consent holder.
- (v) Procedures for reporting of breaches of the fence and escapes to Council and the Department of Conservation.

- (vi) Robust identification of stock.
- (vii) Methods of disposal of stock if farming ceases.

Notification Statement

Where an activity requires resource consent solely because of this rule, then the application does not need to be publicly notified but must be served on the Department of Conservation who will be considered an affected person.

Note: Deer farming within 7km of Egmont National Park is prohibited by Gazette Notice #5, 2008.

3.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities are restricted discretionary activities in the Rural Zone:

- (a) Unless listed elsewhere in the District Plan, any permitted activity listed in Section 3.1.1 which does not meet one or more of the performance standards in Section 3.2.

Matters to which the Council restricts its discretion:

- (i) Avoiding, remedying or mitigating of actual or potential effects deriving from non-compliance with the particular performance standard(s) that is not met, except where specifically identified in other rules below.
- (b) Any activity that will generate unusual heavy vehicle traffic.

Matters to which the Council restricts its discretion:

- (i) Avoiding, remedying or mitigating the effects of the increase in heavy vehicle movements beyond the boundary of the site.
- (ii) Road safety, maintenance and upgrades.
- (iii) Dust.
- (iv) Noise.
- (v) Hours of operation.
- (vi) Heavy vehicle traffic routes.
- (vii) Access.
- (viii) Whether a review condition is necessary.
- (ix) Financial contributions.
- (c) Industrial activities occupying existing buildings.

Matters to which the Council restricts its discretion:

- (i) Location.
- (ii) Landscaping.
- (iii) Appearance.
- (iv) Heavy vehicle movements.
- (v) Financial contributions.

- (d) Forestry planting which does not meet one or more of the performance standards in Section 3.2.9.

Matters to which the Council restricts its discretion:

- (i) Avoiding, remedying or mitigating of any effects deriving from non-compliance with the particular standard(s) that is not met.
- (ii) Shading and landscaping.
- (iii) Effects on adjacent properties.

- (e) Recreational vehicles or other easily moveable buildings, such as caravans, motor homes and porta cabins, used for residential housing for more than six (6) months within a calendar year.

Matters to which the Council restricts its discretion:

- (i) Duration of use.
- (ii) Effects on the surrounding character and amenity values.
- (iii) Location.
- (iv) Appearance.
- (v) Landscaping.
- (vi) Connection to services.
- (vii) Proximity to public amenities (parks, beaches).

- (f) Activities on surface of rivers and lakes which cannot meet one or more of the performance standards for permitted activities.

Matters to which the Council restricts its discretion:

- (i) Protection of natural character, conservation, ecological, amenity, heritage and cultural values.
- (ii) Compliance with relevant statutes, regulations and licences.
- (iii) Nature and scale of the activity.
- (iv) Noise.
- (v) Access.

- (g) Any childcare facility that provides for more than 4 children and up to a maximum of 30 children.

Matters to which the Council restricts its discretion:

- (i) Effects on character and amenity values.
- (ii) Location and characteristics of the site.
- (iii) Traffic effects.
- (iv) Parking effects.
- (v) Noise.

- (h) Within 50m of the natural waterbody of a river or stream listed for Natural Hazard values in Schedule 5, the construction or addition to any building.

Matters to which the Council restricts its discretion:

- (i) Risks from natural hazards and to public health and safety, including whether the activity would accelerate or worsen natural hazard risks.
 - (ii) Building location, design, floor level and ability to be relocated.
 - (iii) Changes to existing land contour and site reinstatement.
 - (iv) Potential to displace floodwaters onto adjoining properties and associated site drainage.
 - (v) Sewage disposal.
 - (vi) Effects on recreational values, public access and the natural and conservation values of the Significant Waterbody.
- (i) Within 30m of the natural waterbody of any river or stream listed in Schedule 5 with values other than natural hazards, the construction or addition to any building.

Matters to which the Council restricts its discretion:

- (i) Effects of the proposed building on the values for which the significant waterbody has been identified in Schedule 5.
 - (ii) Building location and design.
 - (iii) Changes to existing land contour and site reinstatement.
 - (iv) Potential to displace floodwaters onto adjoining properties and associated site drainage.
- (j) Any building within 500m of the Significant Waterbody of Lake Rotorangi, except for any buildings for the Patea Hydro Scheme, Lake Rotorangi Campground or Hawera Water Ski Club (500m setback is shown on the map in Natural Environment Appendix 1).

Matters to which the Council restricts its discretion:

- (i) Effects on natural character and landscape values, visual amenity, recreational values, cultural values, and quality of the environment.
- (k) Within the National Grid Yard, any earthworks and/or aggregate/soil extraction that does not comply with performance standards in Rule 3.2.14.1.

Matters to which the Council restricts its discretion:

- (i) Impacts on the operation, maintenance, upgrade and development of the National Grid.
 - (ii) Compliance with NZECP34:2001.
 - (iii) Technical advice provided by Transpower.
 - (iv) The risk to the structural integrity of the National Grid.
 - (v) Any impact on the ability of the National Grid owner (Transpower) to access the National Grid.
 - (vi) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
- (l) Any building within 20m of the secured yard of a National Grid substation.

Matters to which the Council restricts its discretion:

- (i) The extent to which the development may adversely affect the efficient operation, maintenance, upgrading and development of the substation.
 - (ii) The extent to which the proposed development design and layout enables appropriate separation distances between activities sensitive to National Grid lines and the substation.
 - (iii) The results of any detailed investigations to determine appropriate separation distances between activities sensitive to National Grid lines and the substation.
 - (iv) Any other measures proposed to avoid or mitigate potential adverse effects, including reverse sensitivity effects, on the substation.
 - (v) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
- (m) Additions to existing noise sensitive activities within the Outer Control Boundary (OCB) of Hawera Aerodrome shown on Planning Maps (Special Map 1).

Matters to which the Council restricts its discretion:

- (i) The nature, size and scale of the proposed development.
 - (ii) The internal noise environment of the proposed addition.
 - (iii) The effects on the safe and efficient functioning and operation of Hawera Aerodrome.
- (n) Any building or aggregate/soil extraction within 100m of the Patea River.

Matters to which the Council restricts its discretion:

- (i) Effects on the cultural values and the relationship of Maori and their culture and traditions with the Patea River.
- (ii) Effects on public access, recreational values, natural character, landscape values, and visual amenity.

3.1.4 DISCRETIONARY ACTIVITIES

- (a) Aggregate/Soil Extraction which does not meet one or more of the performance standards in Section 3.2.11, except within the National Grid Yard (refer Rule 3.1.3(k) or Rule 3.1.5(c)(vi)) or in the Coastal Protection Area (refer Rule 17.1.5(a)(i)).
- (b) Any industrial activity, other than those in existing buildings (refer Rule 3.1.3(c)).
- (c) Community activities which do not meet one or more Permitted Activity performance standards.
- (d) Any community activity designed to accommodate a maximum occupancy of more than 100 people within a building(s).
- (e) New camping grounds/motor camps or upgrades to existing camping grounds/motor camps.
- (f) Any childcare facility which provides for more than 30 children.
- (g) Commercial activities.
- (h) Entertainment activities.
- (i) Visitor accommodation

- (j) Wastewater treatment facilities.
- (k) Private function centres/facilities.
- (l) Any retail activity which occupies 500m² or less gross floor area.
- (m) Any additions or alterations of habitable rooms up to 20% of GFA to existing sensitive activity which is either:
 - (i) within a Petroleum Activity Risk Contour shown on the Planning Maps, or
 - (ii) within 250m of a well-site or 650m of a petroleum production station/gas treatment plant which does not have a Petroleum Activity Risk Contour shown on the Planning Maps.

The GFA to be at the date the District Plan is made operative.

- (n) Any activity that is not listed as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.

3.1.5 NON-COMPLYING ACTIVITIES

- (a) Any retail activity which occupies more than 500m² gross floor area.
- (b) New noise sensitive activities within the Outer Control Boundary (OCB) of Hawera Aerodrome shown on Planning Maps (Special Map 1).
- (c) Within the National Grid Yard:
 - (i) Any new building or addition to an existing building for a sensitive activity.
 - (ii) Any change of use to a sensitive activity or the establishment of a new sensitive activity.
 - (iii) Dairy/milking sheds or buildings (excluding associated ancillary structures) intensive farm buildings, Pseudomonas syringae pv. actinidiae (PSA) structures, and commercial greenhouses.
 - (iv) Note: PSA is a bacterium that can result in the death of kiwifruit vines.
 - (v) Significant hazardous facilities.
 - (vi) Any building or structure not permitted by Rule 3.1.1 (z).
 - (vii) Earthworks and/or aggregate/soil extraction that does not comply with performance standards in Rule 3.2.14, points 2 or 3.
- (d) Any new sensitive activity within 250m of a well-site or 650m of a petroleum production station/gas treatment plant which does not have a Petroleum Activity Risk Contour shown on the Planning Maps.
- (e) Any new sensitive activity within a Petroleum Exploration or Petroleum Production Activity Risk Contour shown on the Planning Maps.
- (f) Any additions or alterations of habitable rooms 20% or greater of GFA to existing sensitive activity which is either:
 - (i) within a Petroleum Exploration or Petroleum Production Activity Risk Contour shown on the Planning Maps; or

- (ii) within 250m of a well-site or 650m of a petroleum production station/gas treatment plant which does not have a Petroleum Activity Risk Contour shown on the Planning Maps.

The GFA to be at the date the District Plan is made operative.

3.1.6 PROHIBITED ACTIVITIES

None.

3.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

The following performance standards shall apply to all permitted activities:

3.2.1 Number of Dwelling Units

- (a) The maximum number of dwellings units per site shall be:
 - (i) One dwelling unit per site under 20 hectares.
 - (ii) Two dwelling units per site between 20 – 40 hectares.
 - (iii) Three dwelling units per site between 40 – 60 hectares.
 - (iv) Four dwelling units per site over 60 hectares.

Except that:

- (v) Papakainga development is exempt from the above maximum number of dwellings units.

3.2.2 Bulk and Location

- (a) Buildings shall comply with the height and location requirements in Table 1.

Table 1: Height and Location Requirements

Type of activity	Minimum setback: State Highway	Minimum setback: Road boundary	Minimum setback: Other site boundaries	Maximum height	Additional setbacks/requirements
Dwelling unit, home occupation and other sensitive activities	20 m	10 m	10 m	10 m	Minimum setbacks: 300m from intensive farming buildings on any other site under separate ownership. 150m from piggery effluent or human effluent storage and treatment facilities. 150m from any dairy/milking shed, solid and liquid animal storage and treatment facilities or soil or aggregate extraction (e.g. quarries) on any other site not in the same ownership.

Type of activity	Minimum setback: State Highway	Minimum setback: Road boundary	Minimum setback: Other site boundaries	Maximum height	Additional setbacks/requirements
					<p>40m from the edge of existing plantation forestry on any other site under separate ownership.</p> <p>10m from rail corridor boundary.</p> <p>50m from a Significant Waterbody in Schedule 5 identified with natural hazard values, and 30m from all other Significant Waterbodies in Schedule 5</p> <p>100m from the Patea River.</p> <p>250m from well-sites which do not have a Petroleum Activity Risk Contour shown on the Planning Maps.</p> <p>For the purposes of this rule, the 250m distance is measured from the source of risk (i.e. location of existing or consented wellheads and/or surface production equipment).</p> <p>Where the source of risk cannot be identified, then the 250m distance is measured from:</p> <ul style="list-style-type: none"> • the security fence; or • if the security fence cannot be identified, the drilling pad for that well-head; or • if the security fence and drilling pad cannot be identified, the property boundary. <p>650m from a petroleum production station/gas treatment plant which does not have a Petroleum Activity Facility Risk Contour shown on the Planning Maps.</p> <p>For the purposes of this rule, the 650m distance is measured from the security fence within which the hazardous substances are used and stored at the petroleum station/gas treatment plant.</p>
Intensive farming buildings	75 m	75 m	75 m	15 m	<p>Minimum setbacks:</p> <p>300m to any dwelling unit or other sensitive activity on any other site.</p> <p>600m to any Residential, Township or Commercial Zone.</p> <p>50m from a Significant Waterbody in Schedule 5 identified with natural hazard values, and 30m from all other Significant Waterbodies in Schedule 5</p>

Type of activity	Minimum setback: State Highway	Minimum setback: Road boundary	Minimum setback: Other site boundaries	Maximum height	Additional setbacks/requirements
					100m from the Patea River.
Stock loading and unloading facilities	0 m	0 m	5 m	10 m	Shall be located so that no stock vehicles are located in the formed road when loading or unloading. 10m from rail corridor boundary.
Dairy/Milking Sheds	10 m	10 m	15 m	15 m	150m to any dwelling unit or other sensitive activity on any other site under separate ownership. 50m from a Significant Waterbody in Schedule 5 identified with natural hazard values, and 30m from all other Significant Waterbodies in Schedule 5. 100m from the Patea River.
Farm and other buildings	10 m	10 m	5 m	15 m	10m from rail corridor boundary. 50m from a Significant Waterbody in Schedule 5 identified with natural hazard values, and 30m from all other Significant Waterbodies in Schedule 5. 100m from the Patea River.

- (b) Buildings shall be contained within a building recession plane from points 3m above site boundaries as shown in Section 4: Residential Zone Appendix 1.

Except that:

- (i) The recession plane shall not apply to road boundaries.
 - (ii) Intensive farm buildings and stock unloading and unloading facilities are exempt from the Building Recession Plane requirements.
- (c) Within the Parihaka Cultural Area, the following standards shall apply to all permitted activities.
- (i) All buildings shall be located no closer than 5m to any road or other boundary.
 - (ii) No part of any building shall extend more than 15m above natural ground level.
 - (iii) The total gross floor area of all retail activities (excluding tourism related activities) within the Parihaka Cultural Area shall not exceed 400m².

Except as provided for above, marae and papakainga development shall comply with the standards set out in Rule 3.2.1.

Note: All buildings within the Parihaka Cultural Area are exempt from the performance standards in Section 3.2.1: Number of Dwelling units and the “additional setbacks/requirements” in Rule 3.2.2.1: Bulk and Location.

3.2.3 Home Occupations

- (a) The total floor area dedicated to home occupations on a site shall not exceed 50m².

3.2.4 Lighting

- (a) The spill of light from any outdoor artificial lighting shall not exceed 10 lux (measured horizontally and vertically) when measured at the boundary of a site zoned Residential in separate ownership, or at the notional boundary of an existing dwelling unit on a site in separate ownership in the Rural Zone.

3.2.5 Outdoor Storage

- (a) All areas used for the storage of goods, materials or waste products shall be maintained in a tidy condition and shall be screened from view from adjoining properties and from roads.

3.2.6 Odour

- (a) No activity shall result in offensive or objectionable odours to the extent that it causes an adverse effect at or beyond the boundary of the site in which the activity is located on.

Note 1: For the purpose of this performance standard, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by at least two independent observers; including at least one Council officer. In determining whether an odour is offensive or objectionable, the “FIDOL factors” shall be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location of where the odour is measured (i.e. the sensitivity of the receiving environment)).

Note 2: This performance standard shall not apply if the discharge of odour is authorised by a discharge permit granted by the Regional Council.

3.2.7 Access and Rooding

- (a) All activities shall be provided with practicable vehicle access from a road, and on-site parking, manoeuvring areas and loading facilities in accordance with the permitted activity standards in Section 10: Parking and Transportation.

3.2.8 Flood Hazard Area

- (a) Any new dwelling unit to be located within the Flood Hazard Area shall be designed with a finished floor level above a 0.5% Annual Exceedance Period (1 in 200 year) flood event.

3.2.9 Forestry Planting

- (a) Forestry planting shall comply with the following setbacks:
- (i) 15 m to any road or rail boundary.
 - (ii) 10 m to any site boundary in separate ownership.
 - (iii) 40 m from any existing dwelling unit on a site in separate ownership.
- (b) Forestry planting shall not be planted or allowed to grow in any position which could result in any icing of a road as a result of shading of the road surface between 10.00am and 2.00pm on the shortest day (refer to Rural Zone Appendix 1 for guidance).

Note: If there is a recorded archaeological site within 100 m of the vicinity of the proposed work, or if the presence of an archaeological site is suspected, the operator is advised to contact Heritage New Zealand for further information. Work that may modify or destroy any archaeological sites is subject to a consent process under the Heritage New Zealand Pouhere Taonga Act 2014, separate to the District Plan consent requirements.

3.2.10 Aggregate/Soil Extraction

- (a) Aggregate/Soil Extraction shall comply with the following standards:
- (i) Not exceed 1,000m³ of extracted material within any site per 12 month period.
 - (ii) Setbacks of:
 - (a) 150m from existing dwelling units, home occupations and sensitive activities on sites under separate ownership.
 - (b) 20m from identified heritage building/object in Schedule 1A, historic site or sites of significance to tangata whenua in Schedule 1B.
 - (c) 100m from Significant Natural Areas in Schedule 2.
 - (d) 100m from the Patea River.
 - (e) 50m from a Significant Waterbody in Schedule 5 identified with natural hazard values, and
 - (f) 30m from all other Significant Waterbodies in Schedule 5.
 - (iii) Not use blasting as a method of exploration or extraction unless a copy of the necessary licence obtained from Worksafe New Zealand has first been submitted to the Council, and at least 48 hours' notice has been given to all property owners and occupiers within a 1 km radius of the blasting site.
 - (iv) Provide landscaping and planting of at least 2 m depth at site boundaries where the extraction area is visible from a public road, public place, or any dwelling unit on a site in separate ownership.
 - (v) Achieve compliance with Performance Standards 3.2.14 Earthworks in the National Grid Yard.
 - (vi) All excavated and disturbed areas shall be progressively rehabilitated (except where otherwise used for permitted activities or provided for by resource consent conditions). Any planting (grass or other vegetation) shall take place as soon as practicable (within the next growing season) following the completion of the excavation activity.

Note: If there is a recorded archaeological site within 100 m of the vicinity of the proposed work, or if the presence of an archaeological site is suspected, the operator is advised to contact Heritage New Zealand for further information. Work that may modify or destroy any archaeological sites is subject to a consent process under the Heritage New Zealand Pouhere Taonga Act 2014, separate to the District Plan consent requirements.

3.2.11 Hawera Aerodrome Protection Area

- (a) No building, mast, pole, other structure or tree shall penetrate the flight path protection plane, the transitional side slopes or the horizontal surface as shown on the Planning Maps (Special Map 1) and as defined in Appendices of the District Plan.

- (b) No road or railway shall be building above or within 4.6m vertically of the flight path protection plane, the transitional side slopes or the horizontal surface as shown on the Planning Maps (Special Map 1) and as defined in Appendices of the District Plan.

3.2.12 Activities on Surface of Rivers and Lakes

- (a) Activities on the surface of waterbodies:
- (i) Shall be moored on the surface of a waterbody for less than a 12 month period, and shall dispose of all effluent onshore.
 - (ii) Shall not be commercial activities.
 - (iii) Shall comply with the maximum noise standards for the Rural Zone.
- Note:
- (iv) Noise from motorcraft on waterbodies are exempt from the Noise standards in Section 11.
 - (v) The Taranaki Regional Council Freshwater Plan manages all structures in, on, or under the beds of rivers and lakes, and the damming or diversion of any water.

3.2.13 Earthworks in the National Grid Yard

- (a) Earthworks shall be no deeper than 300mm within 12m of any National Grid support structure foundation.
- Except that vertical holes not exceeding 500mm in diameter are exempt, provided they:
- (i) Are for a rural fence; and
 - (ii) Are at least 5m from the visible outer edge of a National Grid support structure foundation.
- (b) Earthworks and agricultural cultivation shall not compromise the stability of a National Grid support structure.
- (c) Earthworks and agricultural cultivation shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP 34:2001 (Working near Power Lines).

The following are exempt from point 1 above:

- (i) Earthworks undertaken by a network utility operator (complying with NZECP 34:2001).
- (ii) Earthworks undertaken as part of normal rural cultivation, or repair, sealing or resealing of a road (including a farm track), footpath, or driveway.
- (iii) Earthworks that comply with the requirements in Clause 2.2.3 of the NZECP34:2001.

Note: Aggregate/Soil Extraction activities shall also comply with Performance Standards 3.2.14 Earthworks in the National Grid Yard.

3.2.14 Buildings and Structures in the National Grid Yard

Under the National Grid Conductors (wires)

- (a) All sites within any part of the National Grid Yard, buildings and structures shall:
- (i) If they are for a sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur, or
 - (ii) Be a fence which is either:
 - (a) Less than 2.5m high and at least 5 m from the nearest support structure.
 - (b) Located within 5m of a support structure where Transpower has given written approval in accordance with clause 2.3.3 of the NZECP 34:2001 (Working near Power Lines); or
 - (iii) Be a network utility (excluding buildings and structures for dams and irrigation schemes)
 - (iv) Be an uninhabitable farm building or structure for farming activities (but not a milking/dairy shed (excluding ancillary structures), *Pseudomonas syringae* pv. *actinidiae* (PSA) Structures, or intensive farming buildings); or

Note: PSA is a bacterium that can result in the death of kiwifruit vines.
 - (v) Be an uninhabited horticultural building or structure other than a commercial greenhouse or intensive farming building.
- (b) All buildings or structures permitted by point 1 above shall comply with at least one of the following standards:
- (i) A minimum vertical clearance of 10 m below the lowest point of the conductor associated with National Grid lines; or
 - (ii) Demonstrate that safe electrical clearance distances required by NZECP 34:2001 (Working near Power Lines) are maintained under all National Grid line operating conditions.

Around National Grid Support structures

- (c) Buildings and structures shall be at least 12m from a National Grid support structure unless it is a:
- (i) Network utility (excluding buildings and structures for dams or irrigation); or
 - (ii) A fence which is either:
 - (a) Less than 2.5m high and at least 5m from the nearest support structure; or
 - (b) Located within 5m of a support structure where Transpower has given written approval in accordance with clause 2.3.3 of the NZECP 34:2001.
 - (iii) Horticultural structure between 8m and 12m from a single pole support structure that:
 - (a) Meets the requirements of the NZECP 34:2001 (Working near Power Lines) for separation distances from the conductor;
 - (b) Is no more than 2.5m high;
 - (c) Is removable or temporary, to allow a clear working space 12 m from the pole when necessary for maintenance and emergency repair purposes; and

- (d) Allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane.
- (iv) A new horticultural structure or uninhabitable farm building or structure (excluding milking/dairy sheds and intensive farming buildings) where Transpower has given written approval in accordance with clause 2.4.1 of NZECP 34:2001 (Working near Power Lines) to be located within 12m of a tower or 8m of a pole support structure.

Advice Notes

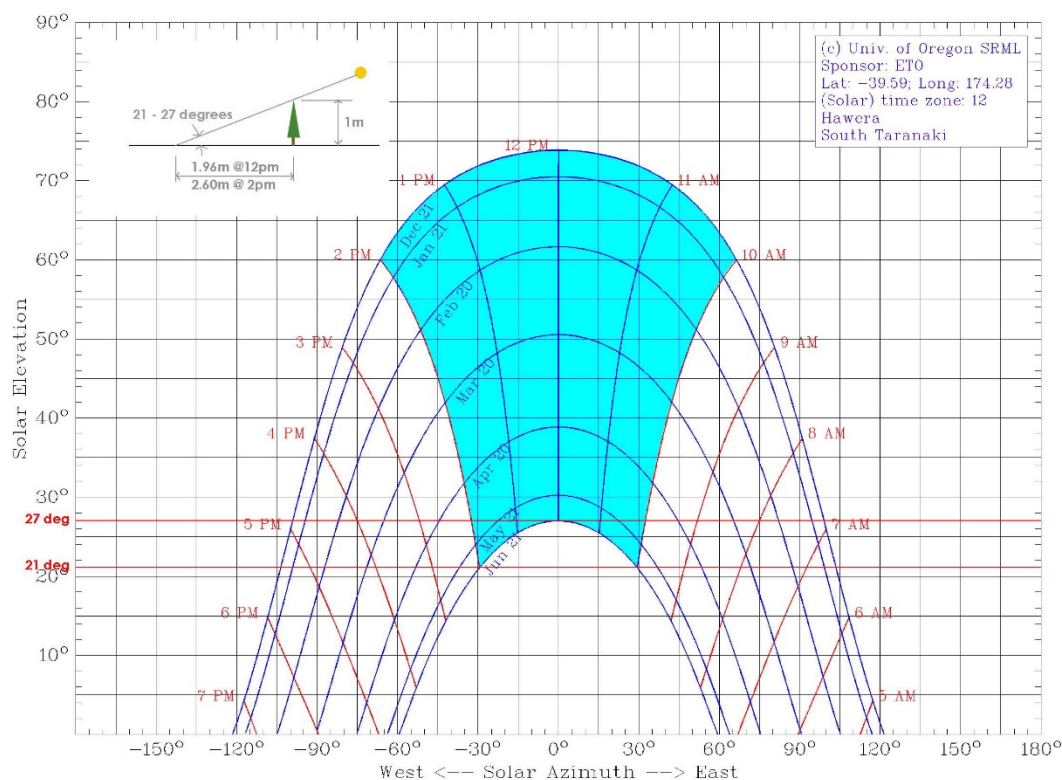
Note: Vegetation to be planted near electricity lines (including the National Grid) should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to telecommunications and electricity lines (including the National Grid). Compliance with the permitted activity standards of the Plan does not ensure compliance with the NZECP 34:2001.

Notification Statement

Where an activity requires resource consent solely because it is within a National Grid Yard, or within 20m of a National Grid substation then the application need not be publicly notified and need not be served on any affected person apart from Transpower New Zealand Limited who will be considered an affected person.

3.3 Rural Zone Appendix 1: Sunchart for Forestry Planting (Performance Standard 3.2.9)



3.4 Rural Zone Appendix 2: Goat Farming Boundary Fencing Standards

- (a) The keeping of goats within 2km of Egmont National Park and the contiguous areas of land administered by the Department of Conservation shall comply with the following standards:
- (i) All goats shall be contained within areas with fencing erected and maintained in accordance with the following standards:
- (a) Wire post-and-batten fence with no internal or external stays with a minimum of high tensile 2.5mm diameter galvanised steel, and either have:
- Nine wires, with the bottom wire placed no higher than 80mm above ground level and, above that, wires placed at the following intervals: 100, 100, 100m, 110, 120, 135, 150 and 165mm. The top wire should be approximately 50mm below the top of the post; or
 - Seven wires, with the bottom wire barded, and no higher than 80mm above ground level and, above that, wires placed at the following intervals 100, 120, 140, 160, 210 and 250mm. The top wire should be approximately 50mm below the top of the post. An electric wire on an outrigger shall also extend for the full length of the fence.
- (ii) Posts to be at the following intervals:
- (a) Less than 30 degrees ground slope: 5m

- (b) 30 degrees to less than 45 degrees: 4m
 - (c) 45 degrees or more: 3m
- (iii) Battens to be at 1m intervals.
- (iv) Fences across water bodies shall require a floodgate to be constructed of H3 treated 100mm x 50mm timber suspended from an overhead wire or rail in such a way that the spacings will allow the passage of water by will not allow stock including goats to pass through. A crossbar shall be positioned in the top third of the floodgate. Wire netting will not be used in floodgate construction. Flood gates across culverted watercourses shall be on the downstream side of the culvert.

SECTION 4: RESIDENTIAL ZONE RULES

4.1 CATEGORIES OF ACTIVITIES

4.1.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Residential Zone, provided activities comply with all relevant Permitted Activity Performance Standards in Section 4.2 and all other Sections of the District Plan:

- (a) Residential activities.
- (b) Residential care facilities.
- (c) Home occupations.
- (d) Marae.
- (e) Papakainga development.
- (f) Community activities.
- (g) Open space.
- (h) Home based childcare service.
- (i) Home based visitor accommodation.
- (j) Holiday homes.
- (k) Recreational vehicles or other easily moveable buildings, such as caravans, motor homes and porta cabins, used for temporary residential housing for up to six (6) months within a calendar year.
- (l) On Section 42 Carlyle SBRN (30 Victoria Street, Patea) and Lots 11 – 13 DP 3265 (89 Collins Street, Hawera), Commercial activities and/or offices.
- (m) The construction, alteration of, addition to, removal and demolition buildings and structures for any permitted activity.

4.1.2 CONTROLLED ACTIVITIES

None.

4.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities are restricted discretionary activities in the Residential Zone, provided activities comply with all relevant Restricted Discretionary Activity Performance Standards in Section 4.3:

- (a) Unless listed elsewhere in the District Plan, any permitted activity listed in Section 4.1.1, which does not comply with one or more of the performance standards in Section 4.2.

Matters to which the Council restricts its discretion:

- (i) Avoiding, remedying or mitigating of actual or potential effects deriving from non-compliance with the particular performance standard(s) that is not met, except where specifically identified in other rules below.
- (b) Dwelling units which do not comply with one or more of the permitted activity performance standards for net site area (Rule 4.2.1.1), bulk and location (Rule 4.2.2), private outdoor living area (Rule 4.2.3) or parking and access requirements (Rule 4.2.9).

Matters to which the Council restricts its discretion:

- (i) Avoiding, remedying or mitigating of actual or potential effects deriving from non-compliance with the particular performance standard(s) that is not met. Matters include:
 - (i) Site Layout.
 - (ii) Scale and design of buildings.
 - (iii) Effects on existing residential character and amenity, including privacy, loss of healthy mature trees and shading on neighbouring properties.
 - (iv) Location, function and amenity of on-site open space.
 - (v) Parking, access, extent of impervious surfaces and landscaping.
- (c) Housing for the Elderly where the net site area per dwelling unit is, at minimum, 280m².

Matters to which Council restricts its discretion:

- (vi) Site Layout.
- (vii) Scale and design of buildings.
- (viii) Effects on existing residential character and amenity, including privacy, loss of healthy mature trees and shading on neighbouring properties.
- (ix) Location, function and amenity of on-site open space.
- (x) Parking, access, extent of impervious surfaces and landscaping.
- (xi) Effects from the construction and operation of any medical, recreational, communal and staff facilities associated with the development.
- (d) Any childcare facility up to a maximum of 30 children.

Matters to the Council restricts its discretion:

- (i) Effects on residential character and amenity values
- (ii) Location and characteristics of the site.
- (iii) Traffic effects.
- (iv) Parking effects.
- (v) Noise.
- (e) Recreational vehicles or other easily moveable buildings, such as caravans, motor homes and porta cabins, used for residential housing for more than six (6) months within a calendar year.

Matters to which the Council restricts its discretion:

- (i) Duration of use.
- (ii) Effects on the surrounding residential character and amenity values.

- (iii) Location.
- (iv) Appearance.
- (v) Landscaping.
- (vi) Connection to services.
- (vii) Proximity to public amenities (parks, beaches).

4.1.4 DISCRETIONARY ACTIVITIES

- (a) Any activity that is not listed as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.
- (b) Any childcare facility which provides for more than 30 children.
- (c) Commercial activities.
- (d) Entertainment activities.
- (e) Retail activities under 100m² in gross floor area.
- (f) Visitor accommodation.
- (g) Camping grounds/motor camps.
- (h) Education facilities.
- (i) Emergency facilities.
- (j) Health care services.
- (k) Private function centres/facilities.

4.1.5 NON-COMPLYING ACTIVITIES

- (a) Any activity which occupies a gross floor area of more than 1,000m².
- (b) Waste disposal facility and water and sewerage treatment plants.
- (c) Retail activities occupying 100m² or more in gross floor area.
- (d) Industrial activities, excluding panel beating and spray painting businesses.

4.1.6 PROHIBITED ACTIVITIES

- (a) Panel beating businesses.
- (b) Spray painting businesses.

NOTE: The above Prohibited Activities are not allowed under any circumstances, and only a Change to the District Plan itself can change this rule.

4.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

4.2.1 Net Site Area

- (a) Each dwelling unit shall have a minimum net site area of:
- (i) 400m² outside the intensification area shown on the Planning Maps.
 - (ii) 300m² within the intensification area shown on the Planning Maps.

4.2.2 Bulk and Location

- (a) Yards: Buildings shall be located no closer than:
- (i) 4.5m to a road boundary outside the intensification area shown on the Planning Maps;
 - (ii) 3m to a road boundary within the intensification area shown on the Planning Maps
 - (iii) 3m to a rail boundary; and
 - (iv) 1.5m to any other site boundary
 - (v) On Section 42 Carlyle SBRN (30 Victoria Street, Patea) new buildings shall be located no closer than 10 metres to any site boundary.

Except that yards shall not apply to the following:

- (vi) Eaves (up to 600mm) of any roof, balcony, gutter or downpipe.
 - (vii) Buildings which have a common wall along a boundary.
 - (viii) A 5m long vehicle standing space shall be provided between the road boundary and any structure housing a vehicle, where the vehicle takes direct access to the structure from the road.
 - (ix) No building setback to boundaries with another site shall be applied where buildings on the adjoining site has a common wall along an internal boundary.
- (b) Separation Distance: Where more than one dwelling unit is located on a site:
- (i) No detached dwelling unit shall be located closer than 3m from any other detached dwelling unit.
 - (ii) No more than two dwelling units shall share a common side wall.
- (c) Building Recession Plane: Buildings and accessory buildings shall not project beyond the building recession plane from points 3m above site boundaries as shown in Residential Zone Appendix 1.
- Except that:
- (i) The recession plane shall not apply to road boundaries.
 - (ii) Buildings on adjoining sites have a common wall along an internal boundary, no recession plane shall be applied along that part of the boundary covered by such a wall.
 - (iii) Where a boundary abuts an access lot or right of way, the boundary may be taken from the furthest boundary of the access lot or right of way.

- (d) Maximum Building Height: No part of any building or accessory building may extend more than 8m above natural ground level.

Except that:

- (i) All poles, support structures and fixtures associated with outdoor lighting shall not exceed a height of 13.5m.
- (e) Building Site Coverage: The proportion of a site, when viewed in plan, which is covered by buildings or parts of buildings or accessory buildings, shall not exceed:
- (i) Outside the intensification area shown on the Planning Maps: 40%.
- (ii) Within the intensification area shown on the Planning Maps: 50%.
- (iii) For any Open Space: 5%.

4.2.3 Private Outdoor Living Area

- (a) All dwelling units shall have a private outdoor living area which complies with the Table 1 below:

Table 1: Private Outdoor Living Areas

Type of Dwelling Unit	Intersecting Road Type (distances in metres)		
	Minimum Area	Minimum Dimension	Urban
Orientation/Other Matters			
Outside Intensification Area Shown on the Planning Maps			
Ground Floor Dwelling Units	20m ²	2.5m diameter circle	Directly access from the main living area and kept free of buildings, access (including driveways and manoeuvring areas), parking spaces and dedicated utility spaces.
Upper Floor Dwelling Units	15m ²	2.5m diameter circle	Directly access from the main living area and kept free of access to other dwelling units and dedicated utility spaces.
Outside Intensification Area Shown on the Planning Maps			
Minor Dwelling Units	10m ²	2.5m diameter circle	East, West or North
All Other Dwelling Units	50m ²	4m diameter circle	East, West or North

4.2.4 Subdivision

- (a) Where more than one dwelling unit (other than a minor dwelling unit) is located on a site, they shall be located so that a subdivision could be undertaken for each dwelling unit that would achieve compliance with the requirements for a Controlled Activity subdivision in Section 9.

4.2.5 Home Occupations

- (a) The total floor area dedicated to home occupations on a site shall not exceed 50m².

4.2.6 Lighting

- (a) The spill of light from any outdoor artificial lighting shall not exceed 10 lux (measured horizontally and vertically) when measured at the boundary of any site zoned Residential in separate ownership.

4.2.7 Outdoor Storage

- (a) All areas used for the storage of goods, materials or waste products shall be maintained in a tidy condition and shall be screened from view from adjoining properties and from roads.

4.2.8 Odour

- (a) No activity shall result in offensive or objectionable odours to the extent that it causes an adverse effect at or beyond the boundary of the site in which the activity is located on.

Note 1: For the purpose of this performance standard, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by at least two independent observers; including at least one Council officer. In determining whether an odour is offensive or objectionable, the “FIDOL factors” shall be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location of where the odour is measured (i.e. the sensitivity of the receiving environment)).

Note 2: This performance standard shall not apply if the discharge of odour is authorised by a discharge permit granted by the Regional Council.

4.2.9 Access and Rooding

- (a) All activities shall be provided with practicable vehicle access from a road, and on-site parking, manoeuvring areas and loading facilities in accordance with the permitted activity standards in Section 10: Parking and Transportation.

4.2.10 Hawera Aerodrome Protection Area

- (a) No building, mast, pole, other structure or tree shall penetrate the flight path protection plane, the transitional side slopes or the horizontal surface as shown on the Planning Maps (Special Map 1) and as defined in Appendices of the District Plan.
- (b) No road or railway shall be building above or within 4.6m vertically of the flight path protection plane, the transitional side slopes or the horizontal surface as shown on the Planning Maps (Special Map 1) and as defined in Appendices of the District Plan.

Advice Notes

Note: Vegetation to be planted near electricity lines (including the National Grid) should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the telecommunication and electricity lines (including the National Grid). Compliance with the permitted activity standards of the Plan does not ensure compliance with the NZECP 34:2001.

Where works are proposed near any electrical line, individuals are advised to contact the line operator to discuss the works.

4.3 PERFORMANCE STANDARDS – RESTRICTED DISCRETIONARY ACTIVITIES

4.3.1 Net Site Area

- (a) Outside the intensification area shown on the Planning Maps, each dwelling unit shall have a minimum net site area of 350m².

Notification Statement

Under Section 77D of the RMA, for an activity requiring resource consent under Rule 4.1.3 (b), the application shall not be publicly notified, except where:

- The Council decides special circumstances exist (pursuant to Section 95(A)(4)), or
- The applicant requests public notification (pursuant to Section 95A(2)(b)).

4.3.2 Housing for the Elderly

- (a) Housing for the Elderly provided for in Rule 4.1.3 (c) shall comply with all the relevant permitted activity performance standards in Rule 4.2, except for the following standards:
- (i) Net Site Area standards set out in Rule 4.2.1
 - (ii) Road boundary yard setback in Rule 4.2.2.1, and
 - (iii) Private Outdoor Living Area standards set out in Rule 4.2.3.
- (b) All buildings shall be setback 3m from the road boundary.
- (c) The maximum occupancy for any associated medical, recreational or other communal facilities shall be 20 persons, excluding staff.

Notification Statement

Under Section 77D of the RMA, for an activity requiring resource consent under Rule 4.1.3(c), the application shall not be publicly notified, except where:

- The Council decides special circumstances exist (pursuant to Section 95(A)(4)), or
- The applicant requests public notification (pursuant to Section 95A(2)(b)).

4.3.3 Childcare Facilities

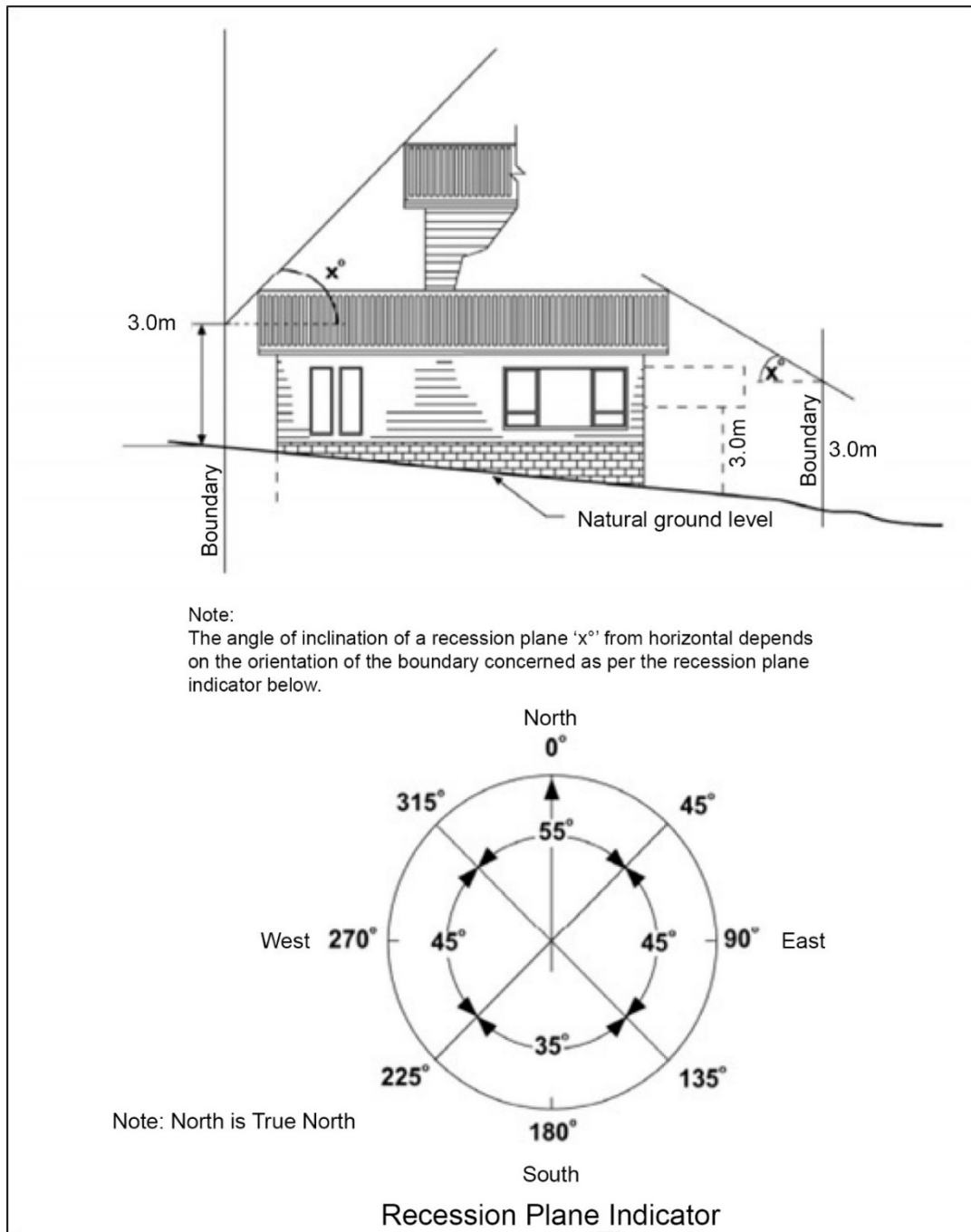
- (a) Any childcare facility provided for in Rule 4.1.3(d) shall comply with the following performance standards:
- (i) Childcare facilities provided for in Rule 4.1.3(d) shall comply with all the relevant permitted activity performance standards in Rule 4.2.
 - (ii) Demonstrate compliance with all the relevant permitted activity performance standards in other Sections of the District Plan.

Notification Statement

Under Section 77D of the RMA, for an activity requiring resource consent under Rule 4.1.3(d), the application shall not be publicly notified, except where:

- The Council decides special circumstances exist (pursuant to Section 95(A)(4)), or
- The applicant requests public notification (pursuant to Section 95A(2)(b)).

4.4 Residential Zone Appendix 1: Building Recession Plane (Performance Standard 4.2.2)



SECTION 5: TOWNSHIP ZONE RULES

5.1 CATEGORIES OF ACTIVITIES

5.1.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Township Zone, provided activities comply with all relevant Permitted Activity Performance Standards in Section 5.2 and all other Sections of the District Plan:

- (a) Residential activities.
- (b) Residential care facilities.
- (c) Home occupations.
- (d) Marae.
- (e) Papakainga development.
- (f) Community activities.
- (g) Open space.
- (h) Home based childcare service.
- (i) Home based visitor accommodation.
- (j) Holiday homes.
- (k) Recreational activities.
- (l) Retail and commercial activities up to 500m² gross floor area.
- (m) Rural service activities.
- (n) Recreational vehicles or other easily moveable buildings, such as caravans, motor homes and porta cabins, used for temporary residential housing for up to six (6) months within a calendar year.
- (o) Farming activities, except for intensive farming activities.
- (p) Existing industrial activities, including an increase in size (building or outdoor area) of up to 100m².
- (q) The construction, alteration of, addition to, removal and demolition of buildings and structures for any permitted activity.

5.1.2 CONTROLLED ACTIVITIES

None.

5.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities are restricted discretionary activities in the Township Zone:

- (a) Unless listed elsewhere in the District Plan, any permitted activity listed in Section 5.1.1 which does not meet one or more of the Permitted Activity Performance Standards set out in Section 5.2.

Matters to which the Council restricts its discretion:

- (i) Avoiding, remedying or mitigating of any effects deriving from non-compliance with the particular standard(s) that is not met, except where specifically identified in other rules below.
- (b) Where a new dwelling unit (including one additional minor dwelling unit) is on a site with a net site area between 1,000m² and 4,000m².

Matters to which the Council restricts its discretion:

- (i) Provision and sustainability of on-site water supply and wastewater systems.
- (c) Extension of existing Industrial Activities by 100-500m² in area (building or outdoor area).

Matters to which the Council restricts its discretion:

- (i) Effects on adjoining residential amenity.
- (ii) Effects on the overall character of the surrounding area
- (iii) Shading of the street or adjoining sites
- (iv) Dominance of building bulk, lack of access to sunlight and loss of views.
- (v) Noise and increased vehicle movements.
- (vi) Location of additional storage and parking, if required.
- (d) Any childcare facility that provides for more than 4 children and up to a maximum of 30 children.

Matters to which the Council restricts its discretion:

- (i) Effects on character and amenity values
- (ii) Location and characteristics of the site
- (iii) Traffic effects
- (iv) Parking effects
- (v) Noise
- (e) Recreational vehicles and other easily moveable buildings, such as caravans and motor homes, used for residential housing for more than six (6) months.

Matters to which the Council restricts its discretion:

- (i) Duration of use
- (ii) Effects on the surrounding character and amenity values
- (iii) Location
- (iv) Appearance

- (v) Landscaping
- (vi) Connection to services
- (vii) Proximity to public amenities (parks, beaches)

5.1.4 DISCRETIONARY ACTIVITIES

- (a) Any childcare facility which provides for more than 30 children.
- (b) Where a new dwelling unit (or including one additional minor dwelling unit) is on a site with a net site area less than 1,000m².
- (c) Visitor accommodation.
- (d) Camping grounds/motor camps.
- (e) Commercial, retail, entertainment and community activities, except where provided for as a Permitted Activity.
- (f) Industrial activities, except where provided for as a Restricted Discretionary Activity in Rule 5.1.3(c).
- (g) Education facilities.
- (h) Emergency facilities.
- (i) Health care services.
- (j) Private function centres/facilities.
- (k) Forestry planting and forestry harvesting.
- (l) Panel beating businesses.
- (m) Spray painting businesses.
- (n) Any activity that is not listed as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.

5.1.5 NON-COMPLYING ACTIVITIES

- (a) Waste disposal facility and water and sewerage treatment plants.
- (b) Intensive farming.
- (c) Aggregate/soil extraction.

5.1.6 PROHIBITED ACTIVITIES

None.

5.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

5.2.1 Number of Dwelling Units and Minimum Site Area

- (a) The maximum number of dwelling units per site shall be two dwelling units (including one minor dwelling unit).
- (b) Each dwelling unit shall have, at minimum, a net site area of 4,000m².

5.2.2 Bulk and Location

- (a) Buildings shall comply with the location requirements in Table 1.

Table 1: Height and Location Requirements

Type of activity	Minimum setback: State Highway	Minimum setback: Road boundary	Minimum setback: Other site boundaries	Additional setbacks/requirements
Dwelling unit, home occupation and other sensitive activities	10 m	5 m	1.5 m	Minimum setbacks: 5m from any retail, commercial, entertainment or community activity (including car parking and outdoor storage areas) on any other site under separate ownership. 20m from an industrial activity on any other site under separate ownership.
All buildings for Retail, Commercial, Entertainment and Community Activities including outdoor storage	10 m	5 m	1.5 m	Minimum setbacks: 5m from any dwelling unit, home occupation and other sensitive activities on any other site under separate ownership. 20m from an industrial activity on any other site under separate ownership.
All buildings for Industrial Activities and Rural Service activities, including outdoor storage	10 m	10 m	5 m	Minimum setbacks: 20m from any dwelling unit, home occupation and other sensitive activities on any other site under separate ownership.

- (b) Building Recession Plane: Buildings shall not project beyond building recession plane from points 3m above site boundaries as shown in Section 4: Residential Zone Appendix 1.

Except that:

- (i) The recession plane shall not apply to road boundaries.
- (ii) Buildings on adjoining sites have a common wall along an internal boundary, no recession plane shall be applied along that part of the boundary covered by such a wall.
- (iii) Where a boundary abuts an access lot or right of way, the boundary may be taken from the furthest boundary of the access lot or right of way.

- (c) **Maximum Building Height:** No part of any building may extend more than 8m above natural ground level.

Except that:

- (i) All poles, support structures and fixtures associated with outdoor lighting shall not exceed a height of 13.5m.
- (d) **Building Site Coverage:** The proportion of a site when viewed in plan, which is covered by buildings or parts of buildings, shall not exceed:
- (i) For residential activities: 40%.
- (ii) For all other activities: 75%

5.2.3 Private Outdoor Living Area

- (a) All dwelling units shall have a private outdoor living area which is at least 50m² in area and capable of containing a circle 4m in diameter, and is orientated to the east, west or north of the dwelling.
- (b) All minor dwelling units shall have a private outdoor living area which is at least 10m² in area and capable of containing a circle 2.5m in diameter and is orientated to the east, west or north of the dwelling.

5.2.4 Home Occupations

- (a) The total floor area dedicated to home occupations on a site shall not exceed 50m².

5.2.5 Lighting

- (a) The spill of light from any outdoor artificial lighting shall not exceed 10 lux (measures horizontally and vertically) when measured at the boundary of a site zoned Residential in separate ownership, or at the notional boundary of an existing dwelling unit on a site in separate ownership in any other zone.

5.2.6 Outdoor Storage

- (a) All areas used for the storage of goods, materials or waste products shall be maintained in a tidy condition and shall be screened from view from adjoining properties and from roads.

5.2.7 Odour

- (a) No activity shall result in offensive or objectionable odours to the extent that it causes an adverse effect at or beyond the boundary of the site in which the activity is located on.

Note 1: For the purpose of this performance standard, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by at least two independent observers; including at least one Council officer. In determining whether an odour is offensive or objectionable, the "FIDOL factors" shall be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location of where the odour is measured (i.e. the sensitivity of the receiving environment).

Note 2: This performance standard shall not apply if the discharge of odour is authorised by a discharge permit granted by the Regional Council.

5.2.8 Access and Rooding

- (a) All activities shall be provided with practicable vehicle access from a road, and on-site parking, manoeuvring areas and loading facilities in accordance with the permitted activity standards in Section 10: Parking and Transportation.

5.2.9 Flood Hazard Area

- (a) Any new dwelling unit to be located within the Flood Hazard Area shall be designed with a finished floor level above a 0.5% AEP (1 in 200 year) flood event.

5.2.10 Hours of Operation

- (a) Any activity, other than residential, farming, visitor accommodation, outdoor recreation and where specifically provided for within this section, shall be limited to the following hours of operation:
 - (i) 7.00am to 9.00pm Monday to Friday and 9.00am to 5.00pm Saturday, Sunday and public holidays; except where:
 - a. The entire activity is located within a building; and
 - b. Each person engaged in the activity outside the above hours resides permanently on the site; and
 - c. There are no visitors, customers or deliveries to the activity outside the above hours.

Advice Notes

Note: Vegetation to be planted near electricity lines (including the National Grid) should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the telecommunication and electricity lines (including the National Grid). Compliance with the permitted activity standards of the Plan does not ensure compliance with the NZECP 34:2001.

Where works are proposed near any electrical line, individuals are advised to contact the line operator to discuss the works.

SECTION 6: COMMERCIAL ZONE RULES

6.1 CATEGORIES OF ACTIVITIES

6.1.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Commercial Zone, provided activities comply with all relevant Permitted Activity Performance Standards in Section 6.2 and all other Sections of the District Plan:

- (a) Within areas zoned either Commercial (Hawera Town Centre) or Commercial (Mixed Use), the following activities:
 - (i) Retail activities
 - (ii) Commercial activities.
 - (iii) Entertainment activities.
 - (iv) Community activities.
 - (v) Healthcare services.
 - (vi) Emergency facilities.
 - (vii) Education facilities.
 - (viii) Offices.
 - (ix) Open space.
 - (x) Car parks.
 - (xi) Public conveniences.
 - (xii) Visitor accommodation.
 - (xiii) Marae.
 - (xiv) Papakainga development.
 - (xv) Residential activities, including residential activities ancillary to the operation of a permitted activity.
- (b) Within areas zoned Commercial (Large Format Trade and Service), the following activities:
 - (i) Trade and Service Activity.
 - (ii) Commercial activities.
 - (iii) Emergency facilities.
 - (iv) Car parks.
 - (v) Commercial garages/vehicle sales yards.
 - (vi) Vehicle service stations.
 - (vii) Vehicle sales yards.
 - (viii) Veterinary services.

- (c) Within areas zoned Commercial (Mixed Use Area), in addition to those activities permitted in Rule 6.1.1(a), the following activities are also permitted:
- (i) Residential care facilities.
 - (ii) Home occupations.
 - (iii) Vehicle service stations.
 - (iv) Commercial garages/vehicle sales yards.
 - (v) Childcare facilities.
 - (vi) Veterinary services.
- (d) Within areas zoned either Commercial (Hawera Town Centre), Commercial (Large Format Trade and Service) or Commercial (Mixed Use), the construction, alteration of, addition to, removal and demolition of buildings and structures for any permitted activity, except those works covered by Rule 6.1.2(a).

6.1.2 CONTROLLED ACTIVITIES

The following activities are controlled activities in the Commercial Zone:

- (a) The full or partial demolition of buildings on a site, where:
- (i) The site has a Defined Pedestrian Frontage.
 - (ii) The site has frontage to:
 - Victoria Street in Kaponga; or
 - Egmont Street in Patea; or
 - State Highway 3 (Weraroa Road) in Waverley; or
 - State Highway 45 (South Road) in Manaia.

Matters to which the Council restricts its control:

- (i) Effects on visual amenity values and streetscape character.
- (ii) The future use, maintenance, and development of the site, including the duration in which it may be left vacant.

Notification Statement

- (i) Under Section 77D of the RMA, for an activity requiring resource consent under Rule 6.1.2(a), the application shall not be publicly notified, except where:
 - The Council decides special circumstances exist (pursuant to Section 95(A)(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

6.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities are restricted discretionary activities in the Commercial Zone:

- (a) Unless listed elsewhere in the District Plan, any permitted activity listed in Section 6.1.1, which does not meet one or more of the Permitted Activity Performance Standards in Section 6.2.

Matters to which the Council restricts its discretion:

- (i) Avoiding, remedying or mitigating of actual or potential effects deriving from non-compliance with the particular performance standard(s) that is not met, except where specifically identified in other rules below.
- (b) Within the Commercial Zone (Mixed Use Area), the following activities:
- (i) Housing for the Elderly where the net site area per dwelling unit is, at minimum, 280m².
 - (ii) In Hawera, three or more dwelling units where the net site area per dwelling unit is, at minimum, 300m².

Matters to which the Council restricts its discretion for (i) – (ii) above:

- (i) Site Layout;
- (ii) Scale and design of buildings.
- (iii) Effects on existing character and amenity values, including privacy, loss of healthy mature trees and shading on neighbouring properties.
- (iv) Location, function and amenity of on-site open space.
- (v) Parking, access, extent of impervious surfaces and landscaping.

In relation to any Housing for the Elderly additional matters of discretion is:

- (vi) Effects from the construction and operation of any medical, recreational, communal and staff facilities associated with the development.

Notification Statement

- (i) Under Section 77D of the RMA, for an activity within the Commercial Zone (Hawera Town Centre) requiring resource consent under Rule 6.1.3(a) or (b), the application shall not be publicly notified, except where:
 - The Council decides special circumstances exist (pursuant to Section 95(A)(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).
- (c) Within the Commercial Zone (Large Format Trade and Service), any building with a total floor area exceeding 1000m².

Matters to which the Council restricts its discretion:

- (i) Scale and design of buildings.
 - (ii) Visual effects.
 - (iii) Effects on the vibrancy and vitality of the Hawera Town Centre
 - (iv) Safety and efficiency of the road network;
 - (v) Parking, access, servicing activities;
 - (vi) The use of urban design and landscaping to avoid, remedy or mitigate adverse effects.
- (d) Additions to existing noise sensitive activities within the Outer Control Boundary (OCB) of Hawera Aerodrome shown on Planning Maps (Special Map 1).

Matters to which the Council restricts its discretion:

- (i) The nature, size and scale of the proposed development.

- (ii) The internal noise environment of the proposed addition.
- (iii) The effects on the safe and efficient functioning and operation of Hawera Aerodrome.

6.1.4 DISCRETIONARY ACTIVITIES

- (a) Industrial activities, except in the Commercial Zone (Hawera Town Centre) (refer Rule 6.1.5(a)).
- (b) Within the Commercial Zone (Large Format Trade and Service):
 - (i) Residential activities.
 - (ii) Residential care facilities.
 - (iii) Visitor accommodation.
- (c) Any activity that is not listed as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.

Notification Statement

- (i) Under Section 77D of the RMA, for an activity within the Commercial Zone (Hawera Town Centre) requiring resource consent under Rule 6.1.4(c), the application shall not be publicly notified, except where:
 - The Council decides special circumstances exist (pursuant to Section 95(A)(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

6.1.5 NON-COMPLYING ACTIVITIES

- (a) Industrial activities in the Commercial Zone (Hawera Town Centre).
- (b) Stockyards.
- (c) Noise sensitive activities within the Outer Control Boundary (OCB) of Hawera Aerodrome shown on Planning Maps (Special Map 1).

6.1.6 PROHIBITED ACTIVITIES

None

6.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

6.2.1 Bulk and Location

- (a) Yards: All buildings shall be located no closer than:
 - (i) 10m to the State Highway 3 road boundary between Hawera and Normanby.
 - (ii) 3m to the rail boundary.

- (b) Building Recession Plane: Buildings on sites adjacent to the Residential zone shall not project beyond a building recession plane from points 3m above the site boundaries adjacent to the Residential zone, as shown in Section 4: Residential Zone Appendix 1.

Except that:

- (i) The recession plane shall not apply to road boundaries.
 - (ii) Where a boundary abuts an access lot or right of way, the boundary may be taken from the furthest boundary of the access lot or right of way.
- (c) Building Height: No part of any building shall extend more than 10m above natural ground level.

Except that:

- (i) All poles, support structures and fixtures associated with outdoor lighting shall not exceed a height of 13.5m.
- (ii) On Defined Town Centre Corner Sites identified on the Planning Maps, buildings shall have a minimum height of two storeys or 10m (whichever is the lesser) and not exceed a maximum height of 15m.

6.2.2 Defined Pedestrian Frontage

- (a) On sites with a Defined Pedestrian Frontage identified on the Planning Maps, the following standards apply:
- (i) All buildings shall be built to the front road boundary at the Defined Pedestrian Frontage.
 - (ii) All buildings shall be built along the full width of the front road boundary for the Defined Pedestrian Frontage.
 - (iii) All buildings shall have continuous verandas over the full width (less 300 mm along roads) and length of all footpaths or other accessways for the Defined Pedestrian Frontage.
 - (iv) All buildings shall have display windows along the Defined Pedestrian Frontage of at least 75% of the ground floor facade surface. The minimum window area shall be kept clear and not be boarded up, painted or covered by signage.
 - (v) No activities or development shall obstruct the footpath for the Defined Pedestrian Frontage.

6.2.3 Sites Adjoining Residential Zone or Rural Zone

- (a) Where a site adjoins a Residential Zone or Rural Zone, the following standards apply:
- (i) All buildings shall be located no closer than 5m to the Residential or Rural zone boundary.
 - (ii) Landscaping and planting of at least 2m deep at the Residential or Rural zone boundary/boundaries shall be provided.
 - (iii) All outdoor carparking, storage, servicing and loading areas shall be screened by a close-boarded fence made of solid material with a minimum height of 1.2m and a maximum height of 2m.

- (iv) The spill of light from any outdoor artificial lighting shall not exceed 10 lux (measured horizontally and vertically) when measured at the boundary of an adjoining Residential zoned site.

6.2.4 Minimum and Maximum Floor Areas

- (a) Within the Commercial Zone (Hawera Town Centre), no individual activity shall occupy a total floor area of 500m² or more, at ground level.
- (b) Within the Commercial Zone (Large Format Trade and Service), no individual activity shall occupy a total floor area (excluding shared storage space and activities) less than 500m², at ground level.
- (c) Within the Commercial Zone (Large Format Trade and Service), the maximum total floor area of any building shall not exceed 1000m².

Note: For the purpose of this Performance Standard, the total floor area shall be measured from the internal face of exterior walls, or from the centre line of common walls separating two (2) abutting individual activities, and shall exclude shared storage facilities and spaces.

6.2.5 Outdoor storage

- (a) All areas used for the storage of goods, materials or waste products shall be maintained in a tidy condition and shall be fully screened from view from roads and adjacent properties.

6.2.6 Odour

- (a) No activity shall result in offensive or objectionable odours to the extent that it causes an adverse effect at or beyond the boundary of the site in which the activity is located on.

Note 1: For the purpose of this performance standard, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by at least two independent observers; including at least one Council officer. In determining whether an odour is offensive or objectionable, the “FIDOL factors” shall be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location of where the odour is measured (i.e. the sensitivity of the receiving environment).

Note 2: This performance standard shall not apply if the discharge of odour is authorised by a discharge permit granted by the Regional Council.

6.2.7 Access and Roding

- (a) All activities shall be provided with practicable vehicle access from a road, and on-site parking, manoeuvring areas and loading facilities in accordance with the permitted activity standards in Section 10: Parking and Transportation.

Except that activities:

- (i) Adjacent to the Defined Pedestrian Frontage in Hawera; or
- (ii) Within the Commercial Zone (Mixed Use) areas in Eltham, Normanby, Patea, Manaia, Opunake, Kaponga and Waverley;

Are exempt from providing vehicle access, manoeuvring areas, loading facilities and on-site parking as set out in Sections 10.2 – 10.6 of the Plan; and

If vehicle access, manoeuvring areas, loading facilities and on-site parking is proposed, it shall be located to the rear of the building.

- (b) Activities within the Commercial Zone (Large Format Trade and Service) shall provide vehicular access by way of local roads as opposed to access from State Highway 3.

6.2.8 Hawera Aerodrome Protection Area

- (a) No building, mast, pole, other structure or tree shall penetrate the flight path protection plane, the transitional side slopes or the horizontal surface as shown on the Planning Maps (Special Map 1) and as defined in Appendices of the District Plan.
- (b) No road or railway shall be building above or within 4.6m vertically of the flight path protection plane, the transitional side slopes or the horizontal surface as shown on the Planning Maps (Special Map 1) and as defined in Appendices of the District Plan.

6.2.9 Landscaping

- (a) All activities adjacent to the State Highway 3 road boundary between Hawera and Normanby, shall provide landscaping and planting that can attain a minimum height 1m, of at least 2m width at the boundary abutting the State Highway.

6.2.10 Residential Activities and Visitor Accommodation

- (a) All new dwelling units shall have a private outdoor living area which is at least 50m² in area and capable of containing a circle 4m in diameter, and is oriented to the east, west, or north of the dwelling unit.
- (b) All new minor dwelling units shall have a private outdoor living area which is at least 10m² in area and capable of containing a circle 2.5m in diameter and is oriented to the east, west or north of the dwelling unit.

Except that:

- (i) This requirement does not apply to new dwelling units or minor dwelling units accommodated in buildings listed in Schedule 1A.
- (c) Within the Commercial Zone (Hawera Town Centre) and the Defined Pedestrian Frontage area in Eltham, no residential activities or visitor accommodation shall occupy the ground floor of buildings.

Except that:

- (i) Residential activities may occur on the ground floor to the rear of the building if the building frontage is occupied by retail or other permitted activity.

Advice Notes

Note: Vegetation to be planted near electricity lines (including the National Grid) should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the telecommunication and electricity lines (including the National Grid). Compliance with the permitted activity standards of the Plan does not ensure compliance with the NZECP 34:2001.

Where works are proposed near any electrical line, individuals are advised to contact the line operator to discuss the works.

SECTION 7: INDUSTRIAL ZONE RULES

7.1 CATEGORIES OF ACTIVITIES

7.1.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Industrial Zone, provided activities comply with all relevant Permitted Activity Performance Standards in Section 7.2 and all other Sections of the District Plan:

- (a) Industrial activities.
- (b) Residential accommodation ancillary to the operation of any permitted activity.
- (c) Offices ancillary to the operation of any permitted activity.
- (d) Trade and Service Activity.
- (e) Commercial garages/vehicle sales yard.
- (f) Vehicle service stations.
- (g) Open space.
- (h) Emergency facilities.
- (i) Car parks.
- (j) Farming.
- (k) Activities servicing the needs to persons engaged within the Industrial Zone including canteens, cafes, dining rooms, recreational facilities and activities.
- (l) Activities and facilities associated with the bakery and the manufacture of yeast products in Manaia, within the sites shown in the Concept Plan (Industrial Zone Appendix 2).

Note: This activity is not subject to the performance standards in Section 7.2 except those in Section 7.2.8.

- (m) The construction, alteration of, addition to, removal and demolition of buildings and structures for any permitted activity.

7.1.2 CONTROLLED ACTIVITIES

None.

7.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities are restricted discretionary activities in the Industrial Zone:

- (a) Unless listed elsewhere in the District Plan, any permitted activity listed in Section 7.1.1 which does not meet one or more of the performance standards in Section 7.2.

Matters to which the Council restricts its discretion:

- (i) Avoiding, remedying or mitigating of actual or potential effects deriving from non-compliance with the particular performance standards(s) that is not met.
- (b) Additions to existing noise sensitive activities within the Outer Control Boundary (OCB) of Hawera Aerodrome shown on Planning Maps (Special Map 1) (Refer to Rule 11.2.8).

Matters to which the Council restricts its discretion:

- (i) The nature, size and scale of the proposed development.
- (ii) The internal noise environment of the proposed addition.
- (iii) The effects on the safe and efficient functioning and operation of Hawera Aerodrome

7.1.4 DISCRETIONARY ACTIVITIES

- (a) Community activities.
- (b) Childcare facilities.
- (c) Education facilities.
- (d) Entertainment activities.
- (e) Healthcare services.
- (f) Residential activities.
- (g) Residential care facilities
- (h) Intensive Farming.
- (i) Retail activities.
- (j) Commercial activities.
- (k) Any activity that is not listed as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.

7.1.5 NON-COMPLYING ACTIVITIES

- (a) Aggregate/soil extraction.
- (b) Noise sensitive activities within the Outer Control Boundary (OCB) of Hawera Aerodrome shown on Planning Maps (Special Map 1).
- (c) Any discretionary activity listed in Section 7.1.4 which does not meet one or more of the Discretionary Activity Performance Standards in Section 7.3.

7.1.6 PROHIBITED ACTIVITIES

None.

7.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

7.2.1 Bulk and Location

- (a) Yards: All buildings shall be located no closer than:
- (i) 3m from a road boundary, except, no yard setback applies to buildings that comply with the alternative maximum building height of 5, 6.5, 7.5 or 8.5 metres, shown on the maps in Industrial Zone Appendix 3.
 - (ii) 3m from a rail boundary, except that this setback shall not apply to any building associated with the loading and unloading of goods from a railway.
 - (iii) 3m from a Residential, Township, Commercial or Rural Zone boundary.
 - (iv) 60m from the State Highway 3 boundary between the southern end of Wallscourt Place and the deviation of the rail line south of Ohangai Road, shown in Industrial Zone Appendix 1.
- (b) Sunlight Access Recession Plane: Buildings on sites adjacent to the Residential, Commercial or Rural Zones shall not project beyond a building recession plane from points 3m above the site boundaries adjacent to the Residential, Commercial or Rural Zones, as shown in Section 4: Residential Zone Appendix 1.

Except that:

- (i) The recession plane shall not apply to road boundaries.
 - (ii) Where a boundary abuts an access lot or right of way, the boundary may be taken from the furthest boundary of the access lot or right of way.
- (c) Building Height: No part of any building, including poles, structures and fixtures associated with outdoor lighting, shall extend more than 15m above natural ground level.

Except that:

- (i) For 29 Collingwood Street, Eltham, (Lot 8 DP 1360), no part of any building, including poles, structures and fixtures associated with outdoor lighting, shall extend more than 8m above natural ground level.

7.2.2 Sites Adjoining Residential Zone, Commercial Zone or Rural Zone

- (a) Where a site adjoins a Residential Zone, Commercial Zone or Rural Zone, the following standards apply:
- (i) Landscaping and planting that can attain a minimum height of 2m, for at least 2m depth shall be provided at the boundary of any property in any other zone, unless screened by a solid fence as per clause (ii) below.

Except that:

- a. For 29 Collingwood Street, Eltham, (Lot 8 DP 1360), where the site adjoins the Residential Zone to the north, landscaping and planting along this northern boundary that can attain a minimum height of 6m, for at least 3m depth shall be provided for at the boundary of 33 Collingwood Street.
- (ii) All outdoor carparking, servicing and loading areas, and storage of goods, materials or waste products shall be screened from ground level view from any property in any other zone by a

close-boarded fence made of solid material with a minimum height of 1.2m and a maximum height of 2m.

- (iii) The spill of light from any outdoor artificial lighting shall not exceed 10 lux (measured horizontally and vertically) when measured at the boundary of an adjoining Residential zoned site or at the notional boundary of an existing dwelling unit located in the Commercial or Rural Zones.

7.2.3 Access and Rooding

- (a) All activities shall be provided with vehicle access from a road, and on-site parking, manoeuvring areas and loading facilities in accordance with the permitted activity standards in Section 10: Parking and Transportation.
- (b) Activities within the Industrial Zone between Hawera and Normanby shall provide vehicular access by way of local roads instead of State Highway 3.

7.2.4 Landscaping

- (a) All new buildings or carparking areas that are visible and adjacent to a road boundary shall provide landscaping and planting that can attain a minimum height of 1m, at a minimum width of 2m at the road boundary.

7.2.5 Outdoor Storage

- (a) All areas used for the storage of goods, materials or waste products shall be maintained in a tidy condition and shall be screened from view from roads by landscaping, or solid walls, buildings or fences not less than 1.8m in height.

7.2.6 Odour

- (a) No activity shall result in offensive or objectionable odours to the extent that it causes an adverse effect at or beyond the boundary of the site in which the activity is located on.

Note 1: For the purpose of this performance standard, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by at least two independent observers; including at least one Council officer. In determining whether an odour is offensive or objectionable, the "FIDOL factors" shall be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location of where the odour (i.e. the sensitivity of the receiving environment).

Note 2: This performance standard shall not apply if the discharge of odour is authorised by a discharge permit granted by the regional council.

7.2.7 Hawera Aerodrome Protection Area

- (a) No building, mast, pole, other structure or tree shall penetrate the flight path protection plane, the transitional side slopes or the horizontal surface as shown on the Planning Maps (Special Map 1) and as defined in Appendices of the District Plan.

- (b) No road or railway shall be building above or within 4.6m vertically of the flight path protection plane, the transitional side slopes or the horizontal surface as shown on the Planning Maps (Special Map 1) and as defined in Appendices of the District Plan.

7.2.8 Yarrows (The Bakers) Sites

- (a) All activities, buildings, works and structures shall comply with the requirements shown on the Concept Plan in Industrial Zone Appendix 2.
- (b) All activities shall be in accordance with the permitted activity standards for noise levels in Section 11: Noise.
- (c) All roads, access, parking and loading areas shall be provided in accordance with the standards in Section 10, except that the Minimum Number of Parking Spaces under Rule 10.5.1 shall not apply provided there is sufficient parking spaces available on-site so that no vehicles need to be parked on road reserve.
- (d) No part of any new building, including poles, structures and fixtures associated with outdoor lighting, shall extend more than 18m above natural ground level.
- (e) At the time of development of the “Future Expansion Area” as shown on the concept plan in in Industrial Zone Appendix 2:
- (i) Landscaping and planting that can attain a minimum height of 2m, for at least 2m depth shall be provided at the boundary shown as the “Proposed Landscaping Area” on the concept plan.
 - (ii) New buildings shall not project beyond a building recession plane from points 3m above the site boundaries adjacent to the Residential or Commercial Zones, as shown in Section 4: Residential Zone Appendix 1.

Note: The Yarrows (The Bakers) sites are not subject to any other performance standards in Section 7: Industrial Zone. For the avoidance of doubt, the Yarrows (The Bakers) sites are subject to the rules and standards in all other relevant Sections of this Plan.

Advice Notes

Note: Vegetation to be planted near electricity lines (including the National Grid) should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the telecommunication and electricity lines (including the National Grid). Compliance with the permitted activity standards of the Plan does not ensure compliance with the NZECP 34:2001.

Where works are proposed near any electrical line, individuals are advised to contact the line operator to discuss the works.

7.3 PERFORMANCE STANDARDS – DISCRETIONARY ACTIVITIES

7.3.1 Residential Activities

- (a) All new dwelling units shall have a private outdoor living area which is at least 50m² in area and capable of containing a circle 4m in diameter, and is oriented to the east, west, or north of the dwelling unit.
- (b) All new minor dwelling units shall have a private outdoor living area which is at least 10m² in area and capable of containing a circle 2.5m in diameter and is oriented to the east, west or north of the dwelling.

Except that:

- (i) These requirements do not apply to new residential activity accommodated in buildings listed in Schedule 1A.

7.3.2 Noise

- (a) Any habitable room in a new dwelling unit in the Industrial Zone shall be designed, constructed and maintained to meet an internal noise level of:
 - (i) 35dB L_{Aeq} (1 hour) inside bedrooms with ventilating windows open.
 - (ii) 40dB L_{Aeq} (1 hour) inside other habitable rooms with ventilating windows open.

Compliance with this rule shall be achieved by an acoustic design certificate from a suitably qualified acoustic engineer being provided to the Council, prior to the construction of any noise sensitive activity, demonstrating that the above internal sound levels will be achieved. The building will be designed, constructed and maintained in accordance with the design certificate.

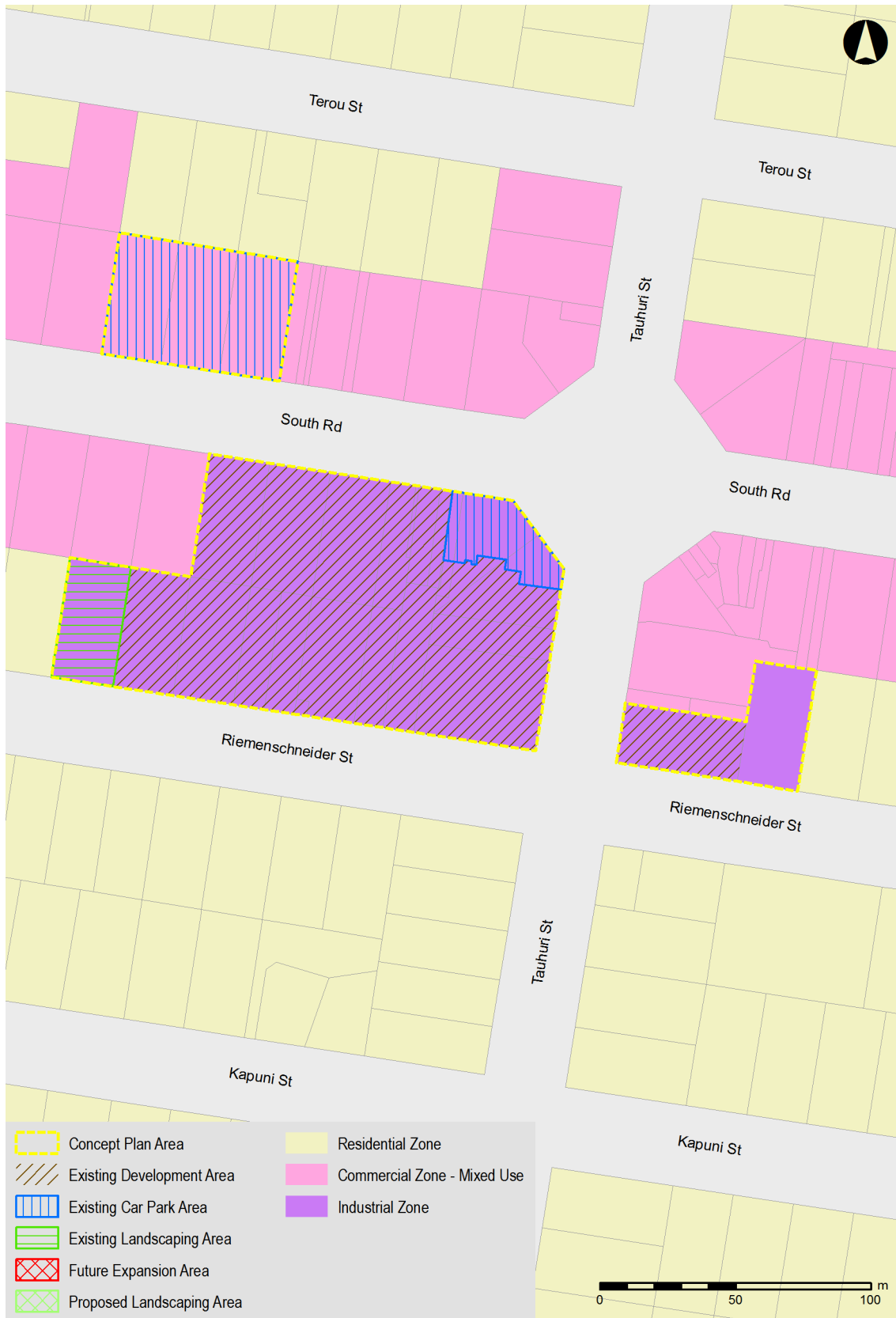
Where the noise level specified in this rule cannot be met with ventilating windows open, a ventilation system shall be installed for the habitable room(s).

Note: For the purpose of this rule. Ventilation System means a system complying with the Building Code (NZS 4303) for mechanical ventilation (refer Clause G4). This rule will ensure a minimum level of mechanical ventilation with ventilating windows closed.

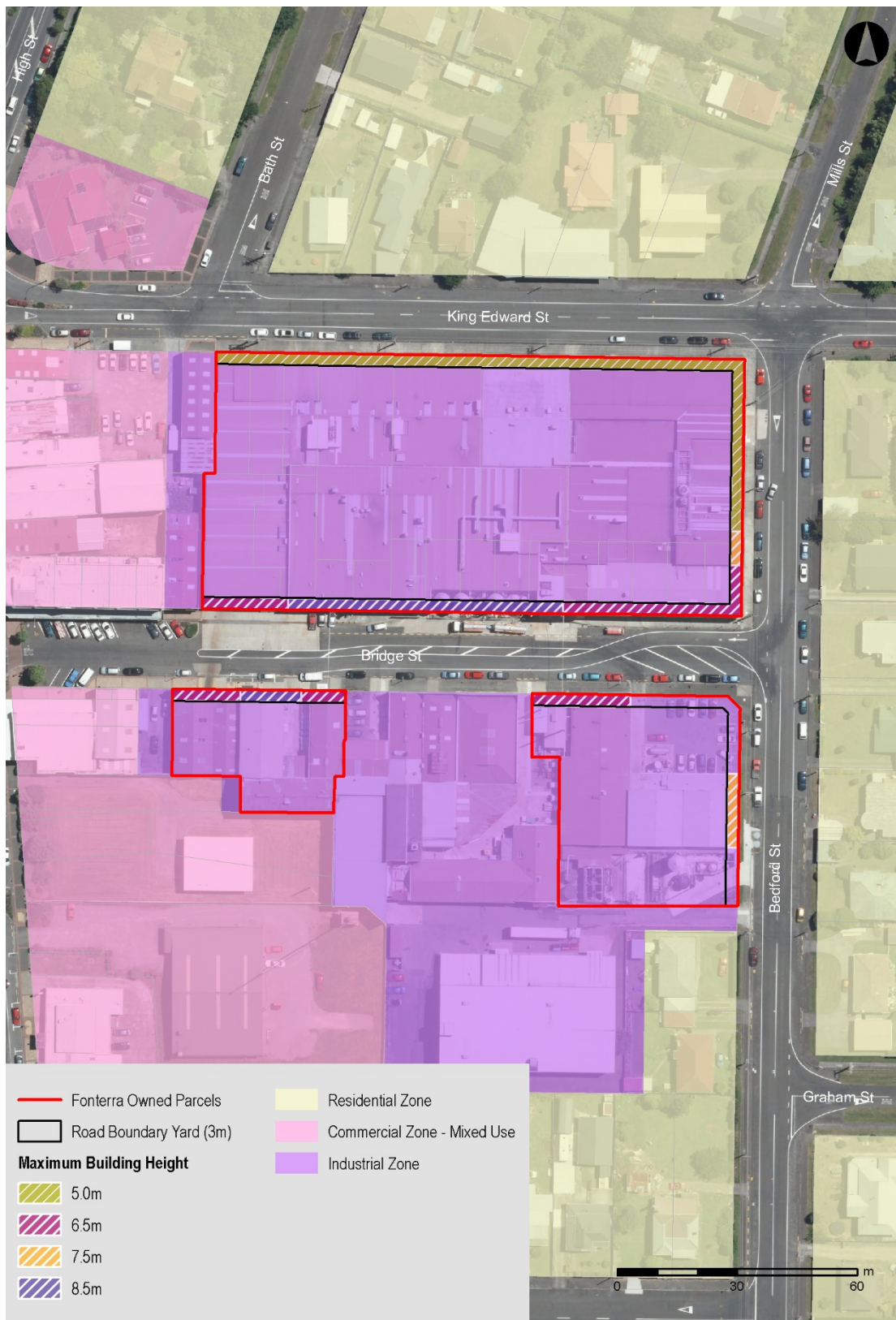
7.4 Industrial Zone Appendix 1: 60 metre building setback from State Highway (Performance Standard 7.2.1.1(iv))



7.5 Industrial Zone Appendix 2: Yarrows (The Bakers) Ltd Concept Plan (Performance Standard 7.2.8)



7.6 Industrial Zone Appendix 3: Fonterra, Bridge Street Site, Eltham (Performance Standard 7.2.1 No Front Yard)



7.7 Industrial Zone Appendix 3: Fonterra, Collingwood Street Site, Eltham (Performance Standard 7.2.1 No Front Yard)



SECTION 8: RURAL INDUSTRIAL ZONE RULES

8.1 CATEGORIES OF ACTIVITIES

8.1.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Rural Industrial Zone, provided activities comply with all relevant Permitted Activity Performance Standards in Section 8.2 and all other Sections of the District Plan:

- (a) The manufacturing, processing and/or treatment of products.
- (b) The packaging, storage and distribution of any products and goods derived from the rural environment, including the operation of warehouses, silos, coolstores and other associated activities.
- (c) Laboratories and research facilities ancillary to manufacturing, processing and/or treatment activities.
- (d) The operation of transport depots ancillary to manufacturing, processing and/or treatment activities.
- (e) Ancillary activities associated with the operation of any permitted activity, including the provision of canteens, dining rooms, ablution, medical, administrative office facilities, parking, loading and unloading of tankers and other service vehicles, rail facilities, water treatment facilities, outdoor storage areas and retail activities
- (f) Farming and intensive farming activities.
- (g) Energy generation activities (including petroleum exploration and production) associated with the manufacturing, processing and/or treatment processes.
- (h) Existing effluent and waste treatment and disposal facilities associated with the manufacturing, processing and/or treatment process and shown on the relevant concept plans.
- (i) Stock holding areas, including loading and unloading facilities.
- (j) Activities and facilities involving or associated with the recovery, treatment and/or processing of petroleum or its derivatives.
- (k) The construction, alteration of, addition to, removal and demolition of buildings and structures for any permitted activity.

8.1.2 CONTROLLED ACTIVITIES

None.

8.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities are restricted discretionary activities in the Rural Industrial Zone:

- (a) Wastewater treatment plants and storage ponds where the location of such activities is not nominated on the relevant Concept Plan.

Matters to which the Council restricts its discretion:

- (i) Landscaping
 - (ii) Access and location
 - (iii) Compatibility with activities on adjacent land and control of the creation of potential nuisance effect
 - (iv) Visual amenity
 - (v) Financial Contributions
- (b) Any new vehicle access to a site, or road, which does not comply with the standards set out in the Subdivision and Development Section 9: Subdivision and Development.

Matters to which the Council restricts its discretion:

- (i) Dimensional standards of accessways
- (ii) Separation distances between crossings and/or between intersections and crossings
- (iii) Design speeds and pavement widths
- (iv) Financial Contributions.

8.1.4 DISCRETIONARY ACTIVITIES

- (a) Any activity that is not listed as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.
- (b) Unless listed elsewhere in the District Plan, any permitted activity listed in Section 8.1.1 which does not meet one or more of the performance standards for permitted activities in Sections 8.2 - 8.11.
- (c) Any buildings, works, structures or activities that is not in accordance with the relevant Concept Plan in the Appendix of this section.

8.1.5 NON-COMPLYING ACTIVITIES

- (a) Any retail activity which exceeds 100m² and is not designed solely to cater for the needs of other industries or does not exclusively sell products manufactured or processed on the site.

8.1.6 PROHIBITED ACTIVITIES

None.

8.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

The requirements shown on the relevant Concept Plan and site-specific performance standards in the Appendix of this section take precedence over the performance standards in Sections 8.2.2 – 8.2.6.

8.2.1 Concept Plans

- (a) All activities, buildings, works, structures and landscaping shall comply with the requirements shown on the relevant concept plan(s) contained in the Appendix of this section.

8.2.2 Bulk and Location

- (a) No part of any building, including poles, structures and fixtures associated with outdoor lighting, shall extend more than 20m above natural ground level.
- (b) All buildings shall not project beyond the building recession plane from points 3m above site boundaries as shown in Section 4: Residential Zone Appendix 1.
- (c) No outdoor storage area, parking area, building or structure (other than a fence) shall be located within 20m of a Rural Zone boundary, or a public road.

8.2.3 Landscaping and Screening

- (a) Any outdoor storage areas for goods, materials, product, plant, machinery or equipment, and waste shall be screened from view from any site in a Residential or Rural Zone or adjoining any public place (including a public road).
- (b) Landscaping (including trees) shall be required in any yard along road frontages.
- (c) Where a parking area contains more than four spaces, it shall be designed, contoured and landscaped, where visible, from any adjacent residential activity that is in a Residential or Rural Zone.

8.2.4 Lighting

- (a) The spill of light from any outdoor artificial lighting shall not exceed 10 lux (measured horizontally and vertically) when measured at the boundary of a site zoned Residential in separate ownership, or at the notional boundary of an existing dwelling unit on a site in separate ownership in any other zone.

8.2.5 Odour

- (a) No activity shall result in offensive or objectionable odours to the extent that it causes an adverse effect at or beyond the boundary of the site in which the activity is located.

Note 1: For the purpose of this performance standard, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by at least two independent observers; including at least one Council officer. In determining whether an odour is offensive or objectionable, the “FIDOL factors” shall be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location of where the odour is measured (i.e. the sensitivity of the receiving environment)).

Note 2: This performance standard shall not apply if the discharge of odour is authorised by a discharge permit granted by the Regional Council.

8.2.6 Roads, Access, Parking and Loading Areas

- (a) All activities shall be provided with vehicle access from a road, and on-site parking, manoeuvring areas and loading facilities in accordance with the permitted activity standards in Section 10: Parking and Transportation.

Except that:

- (i) Fonterra Co-operative Group Ltd's Whareroa and Kapuni Sites, Ballance Agri- Nutrients Kapuni Site, Shell Todd Oil Services Kapuni Production Station and Maui Production Station sites are exempt from the Minimum Number of Parking Spaces under Rule 10.5.1 provided no vehicles are parked on road reserve.

Advice Notes

Note: Vegetation to be planted near electricity lines (including the National Grid) should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

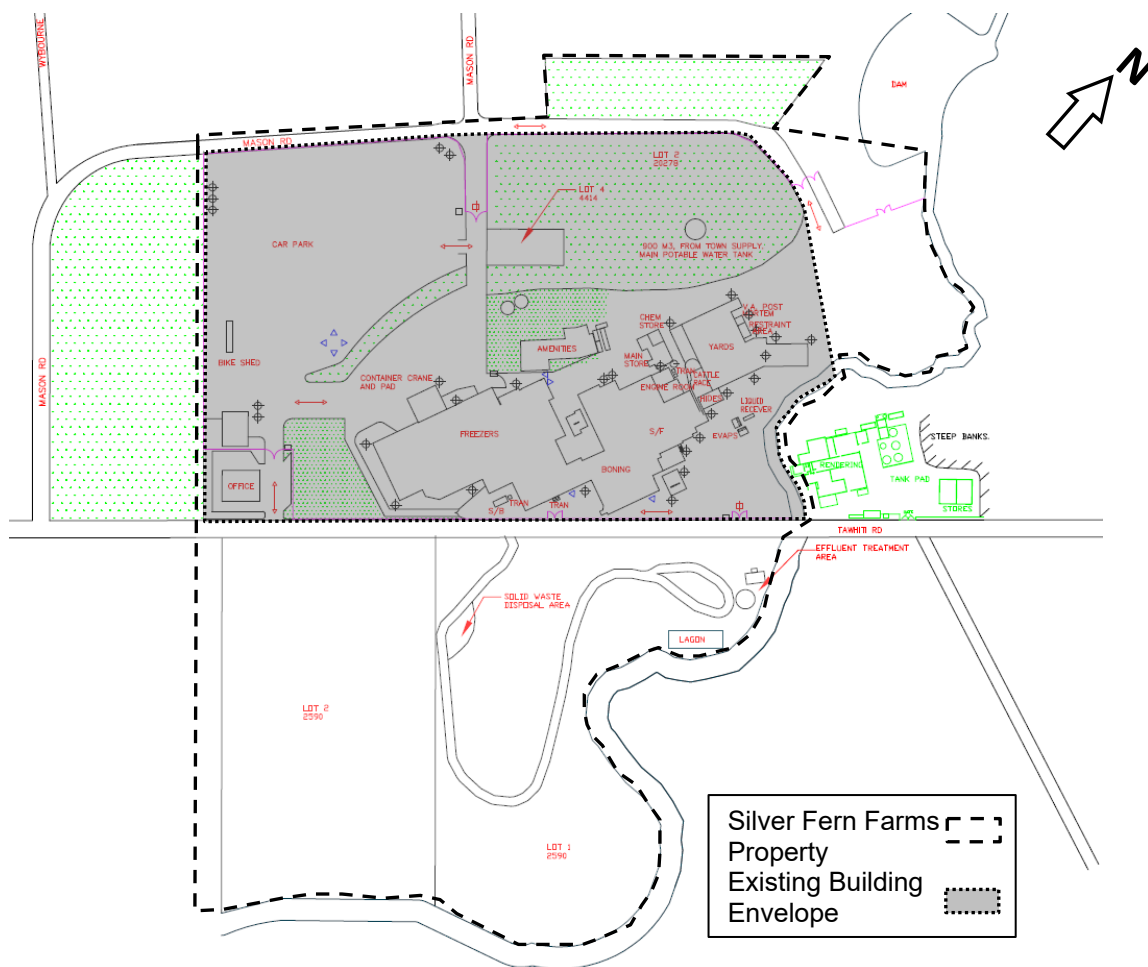
Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the telecommunication and electricity lines (including the National Grid). Compliance with the permitted activity standards of the Plan does not ensure compliance with the NZECP 34:2001.

Where works are proposed near any electrical line, individuals are advised to contact the line operator to discuss the works.

8.3 Rural Industrial Zone Appendix 1: Concept Plan and Site Specific Performance Standards for Silver Fern Farms Ltd, Tawhiti Road, Hawera (formerly known as Lowe Corporation Ltd and Richmond Ltd, and before that as Lowe Walker Ltd)

Site (Legal Description): Lots 2, 3 and 4 DP 20278, Lot 4 DP 4149, Part Lot 1 DP 2590, Lot 2 DP 2590, Pt Lot 3 DP 2590, Section 1 SO 438635.

Activities: Meat processing plant.



8.3.1 Noise

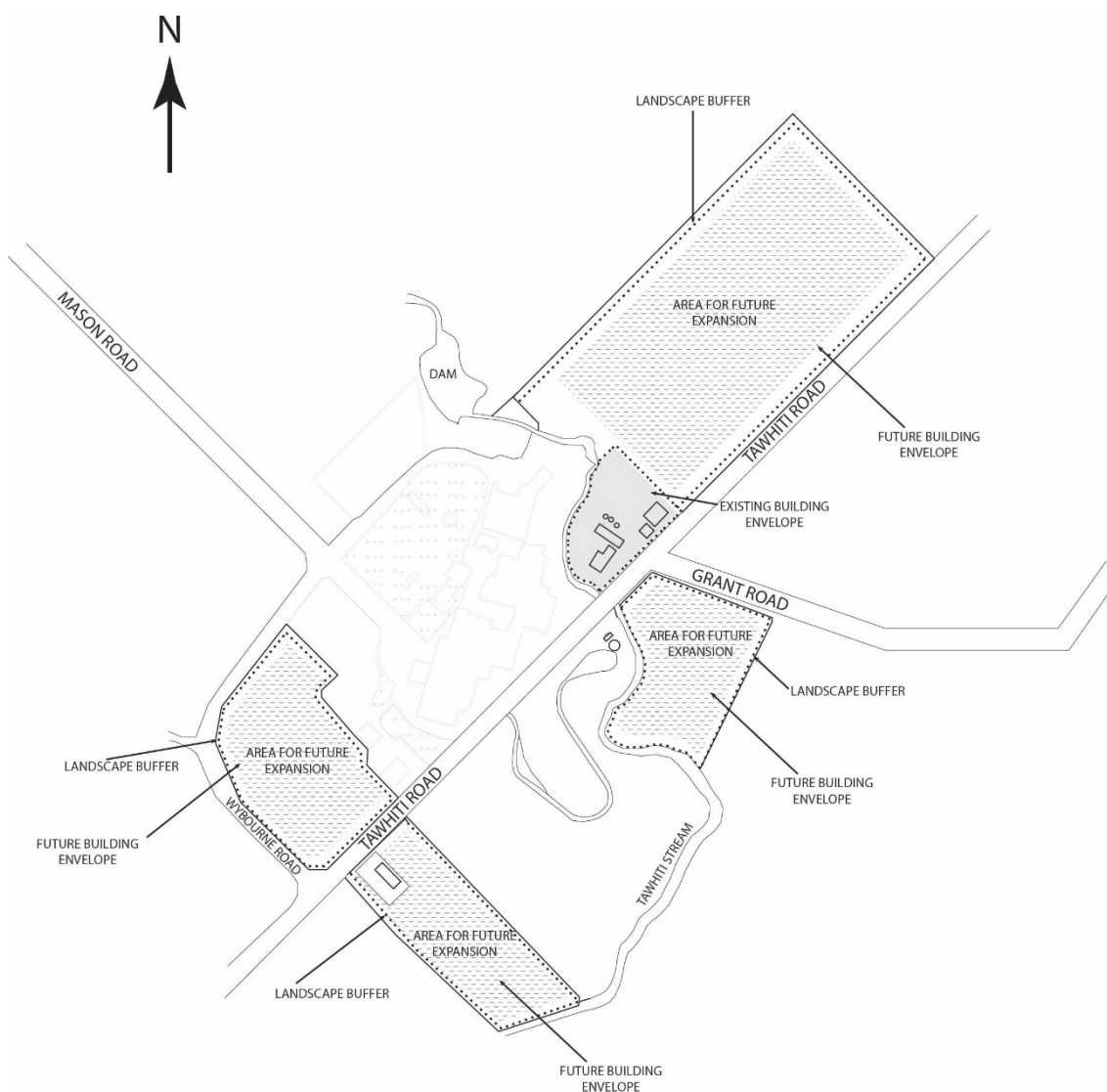
- (a) No noise shall be created by a permitted use, which causes a nuisance beyond the site. In determining whether a nuisance has been created the following standards shall be applied.
- (b) The noise level measured on the boundary of any residential zone or the notional boundary of a dwelling in the Rural Zone shall not exceed the following limits.

Any Day	L ₁₀	L ₉₅
6.30 am to 8.30 pm	55dBA	50dBA
8.30 pm to 6.30 am	45dBA	40dBA

8.4 Rural Industrial Zone Appendix 2: Concept Plan and Site Specific Performance Standards for Graeme Lowe Protein Ltd, Tawhiti Road, Hawera (formerly known as Lowe Corporation Ltd and Richmond Ltd, and before that as Lowe Walker Ltd)

Site (Legal Description): Pt Lot 1 DP 10315, Pt Lot 2 DP 10315, Lot 1 DP 7360, Pt Lot 3 DP 2590, Lot 1 DP 20278, Pt Lot 4 DP 1092, Pt Lot 2 DP 3291

Activities: By-products/Rendering processing plant, including processing material from the Silver Fern Farms plant via direct pipeline across the Tawhiti Stream.



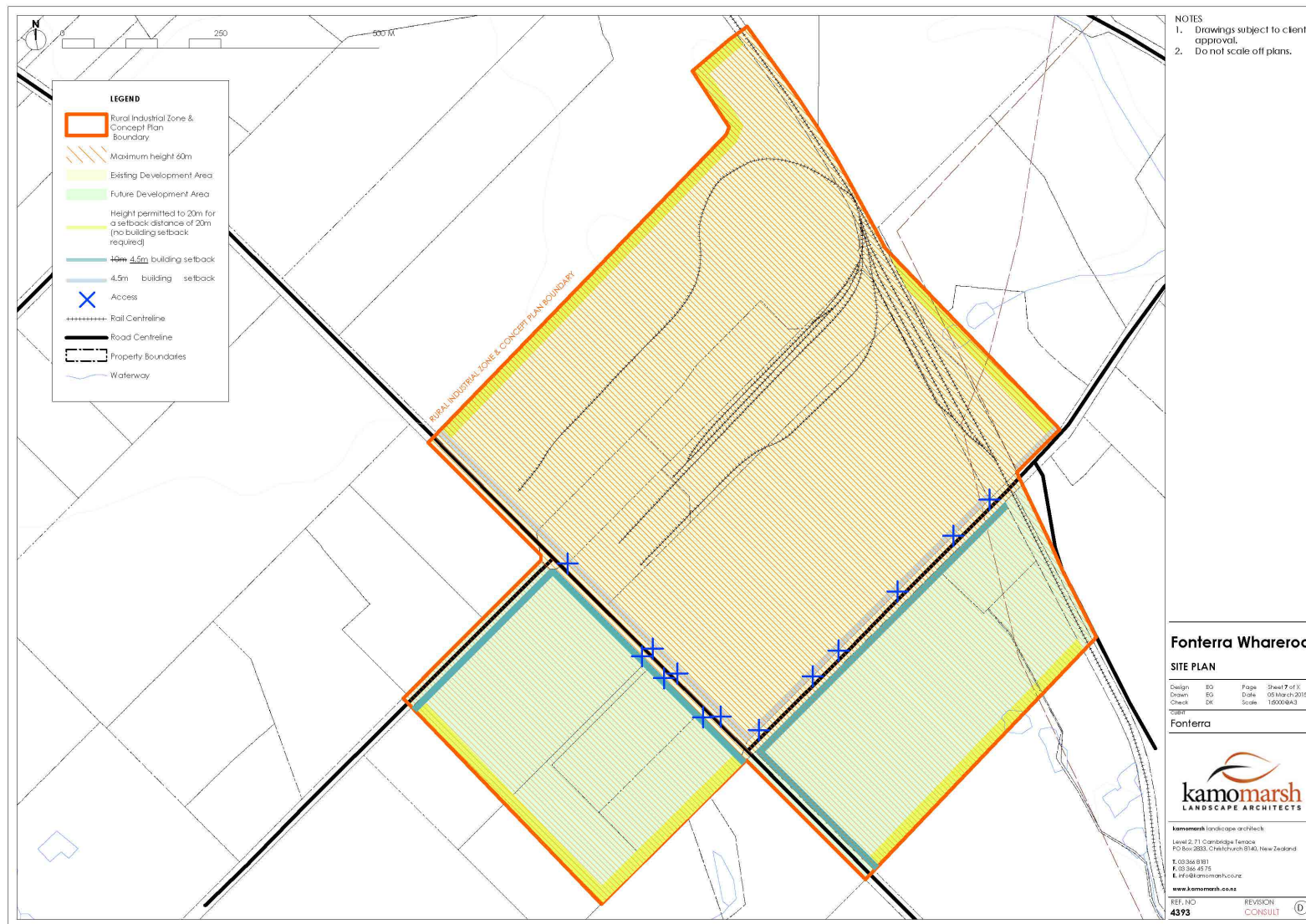
8.5 Rural Industrial Zone Appendix 3: Concept Plan and Site Specific Performance Standards for Fonterra, Whareroa Dairy Manufacturing Site

Site: Fonterra, Whareroa Dairy Manufacturing Site

Activities: Dairy manufacturing plant

Legal Description:

- Lot 1 DP 12929, Lots 1 and 2 DP 13689, Lot 2 and 3 DP 19722 held in TNK4/544
- Lot 1 DP 17308 held in TNJ2/578
- Lot 1 DP 19722 and Lot 1 DP 17686 held in TNK4/543
- Part Section 234 Patea District held in TNB2/836
- Part Section 235 Patea District held in TN130/262
- Pt Lot 2 DP 2777 and Lot 2 DP 5272 held in TNE4/214
- Lot 1 DP 13241 held in TNF1/896
- Lots 1 and 3 DP 19882, Lot 1 DP 18283, and Sec 749 held in TNK4/545
- Lot 1 DP 15874 being part of TNH2/655
- Lot 2 DP 15874 being part of TNH2/656
- Lot 3 DP 15874, being part of TNH2/657
- Pt Lot 4 DP 15874 being part of TNJ4/704



8.5.1 Noise

- (a) The noise level from Fonterra, Whareroa Dairy Manufacturing Site shall not exceed 50 dB L_{Aeq} when measured at or beyond the Noise Area Boundary as shown on Figure 1 below.
- (b) The Noise Area Boundary has been based on there being meteorological effects that result in slightly enhanced propagation of sound from the Fonterra, Whareroa Dairy Manufacturing Site's plant. Noise shall be monitored in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.
- (c) Note: Any new dwelling unit located within the Noise Area Boundary as shown in Figure 1, shall be constructed to achieve an internal design level of 35 dB L_{Aeq} (1 hour) in all habitable rooms with the windows closed – refer to Rule 11.2.2 (4).

8.5.2 Parking

- (a) All parking shall be provided in accordance with the standards in Section 10 of the Plan, except Fonterra, Whareroa Dairy Manufacturing Site is exempt from the Minimum Number of Parking Spaces under Rule 10.5.1, provided no vehicles are parked on road reserve.

8.5.3 Landscaping

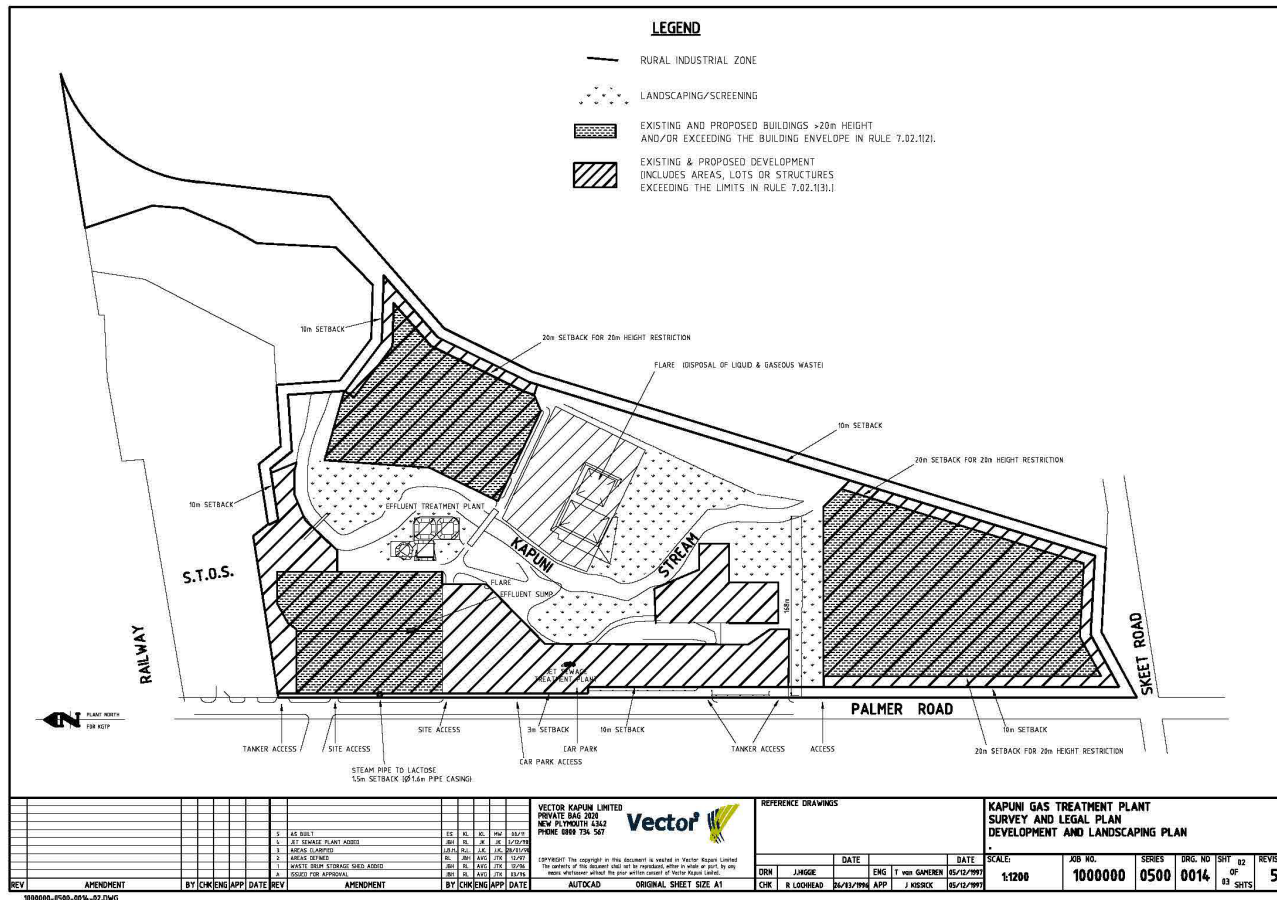
- (a) Landscaping within any yard may consist of trees, shrubs, mounds or grassed area.

Figure 1: Fonterra, Whareroa Dairy Manufacturing Site, Noise Area Boundary



8.6 Rural Industrial Zone Appendix 4: Concept Plan and Site Specific Performance Standards for Vector, Kapuni Gas Treatment Plant, Palmer Road (previously known as Natural Gas Corporation site)

Activities: Production station and gas treatment plant, and co-generation facility



The decision areas to which the below noise levels relate are shown approximately on the Plan identifying the 1984 and 1997 decision areas in this Appendix.

8.6.1 1968 Decision Area

- (a) Activities
 - (i) Production station and gas treatment plant
 - (ii) The collecting and separating of natural gas and oil together with any necessary ancillary services and the gathering, processing, storage and pumping of Natural Gas and Oil together with building necessary to house equipment, and/or provide ancillary services or facilities for the personnel so employed.
- (b) Noise Standards
 - (i) No specific noise standards were applied in the 1968 decision. Reliance shall be placed on the Section 16 requirements of the Act.

8.6.2 1984 and 1991 Decision Areas

- (a) Activities:
 - (ii) Gas conditioning and flaring, the truck load out of hydrocarbons, fire water storage and the construction of buildings, plant and services associated with such uses
 - (iii) The storage of LPG in holding tanks of up to 100 tonnes capacity
 - (iv) The loading of road vehicles with LPG
 - (v) Accessory facilities for staff involved with liquid petroleum gas storage and loadout facility
 - (vi) The storage of water for firefighting and any operation necessary for the safety of the plant, its operators and the public.

(b) Noise Standards

(i) Operational Noise Levels

- a. The Grantee shall use and operate the plant and related and ancillary activities on the site in such a manner as to ensure that at any notional boundary, the corrected noise level emanating from the uses the subject of this consent based on measurements made at the locations specified on 'Plan A' attached hereto and at such other locations as may become necessary, shall not exceed the following:

7.00 pm to 7.00 am 43 dBA L₁₀

7.00 am to 7.00 pm 45 dBA L₁₀

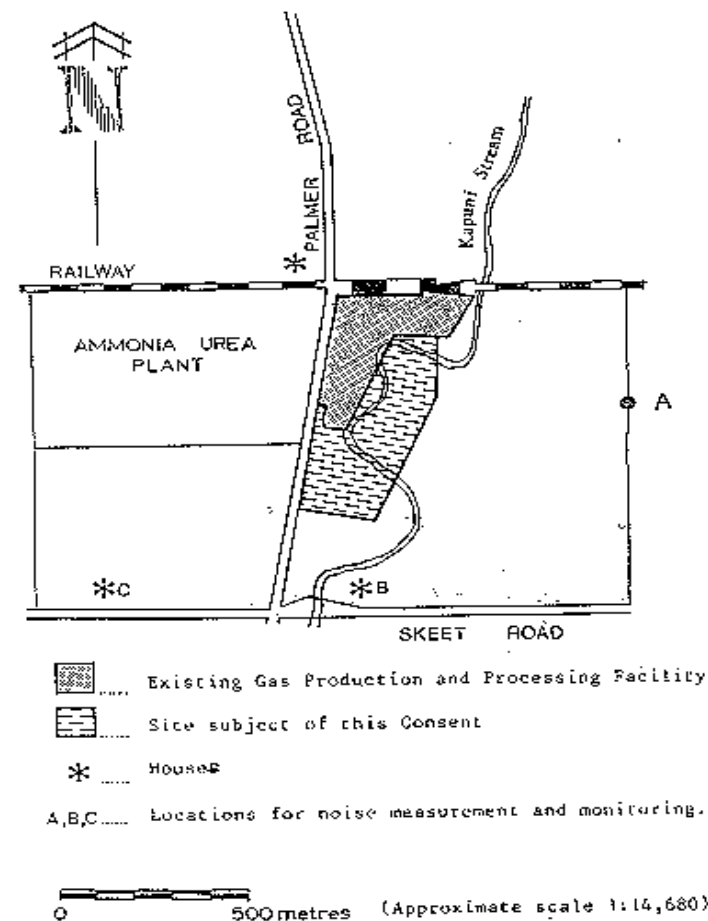
(ii) Noise Report

- a. The Grantee shall forward to the Council not later than three months after commissioning of the plant a noise report from an acoustic consultant accepted by the Council. This report shall detail noise levels measured at the monitoring locations shown on 'Plan A' attached hereto.

(iii) Noise Monitoring

- a. Weather permitting, the Grantee shall monitor at the times specified below the noise levels generated by its operations.
- b. This monitoring shall be at intervals of not more than seven days for the first three months after commissioning of the plant or until the provisions of this condition are satisfied, whichever is the longer and thereafter at intervals not greater than 26 weeks.
- c. All information obtained from such monitoring shall be made available to the Council on request. Monitoring of noise levels shall be conducted at the points marked 'A', 'B' and 'C' on 'Plan A' attached hereto.

Plan 'A' referred to in Condition 5 of Planning Consent granted by Eltham County Council on -20 November 1984.



(iv) Measurements

a. The noise levels referred to in this condition shall be measured and assessed in accordance with the requirements of New Zealand standards:

- i. 6801: 1977 'Methods of Measuring Noise' and
- ii. 6802: 1977 'Assessment of Noise in the Environment'

b. The noise shall be measured with a sound level meter complying at least with the type (or class) 1 requirements in NZS6801:2008.

c. All evaluations of the noise of the plant during the first three months shall be based upon the average of L₁₀ levels assessed in accordance with the said New Zealand Standard 6801:1977.

(v) Definition of Notional Boundary (for the purpose of the 1984 & 1991 Decision Areas)

a. 'Notional Boundary' means a line 20 metres from any wall of any occupied residence not owned by the Grantee, and 20 metres from the position of any wall of the residences marked on 'Plan A' attached hereto irrespective of ownership, occupancy, or continued existence of those residences as so marked.

8.6.3 1997 Decision Area

(a) Activities:

(i) Construction, operation and maintenance of a co-generation facility and ancillary structures, including the relocation of an existing entranceway and CNG facility at the Natural Gas Corporation of New Zealand Limited's existing gas treatment plant on Palmer Road, Kapuni (Pt. Lot 1 DP 5227)

(b) Noise Standards

(i) The consent holder shall provide to the South Taranaki District Council prior to the installation of the co-generation plant, a noise management plan prepared by a suitably qualified and experienced person.

a. This plan shall detail the measures to be implemented to ensure that noise from the co-generation facility does not exceed the limits specified in condition 3 and fulfils the duty under section 16 of the Act to adopt the best practicable option. This plan shall indicate the means by which noise emissions through all potential noise transmission paths on the co-generation facility will be treated, as far as they can be ascertained.

(ii) The consent holder shall measure noise levels excluding traffic noise at, or as close as reasonably practicable to the notional boundary (as defined in NZS 6801:1991) of Mr Jack Smith's existing Palmer Road dwelling located on Pt. Section 13, Block XV Kaupokonui Survey District. Noise level measurements

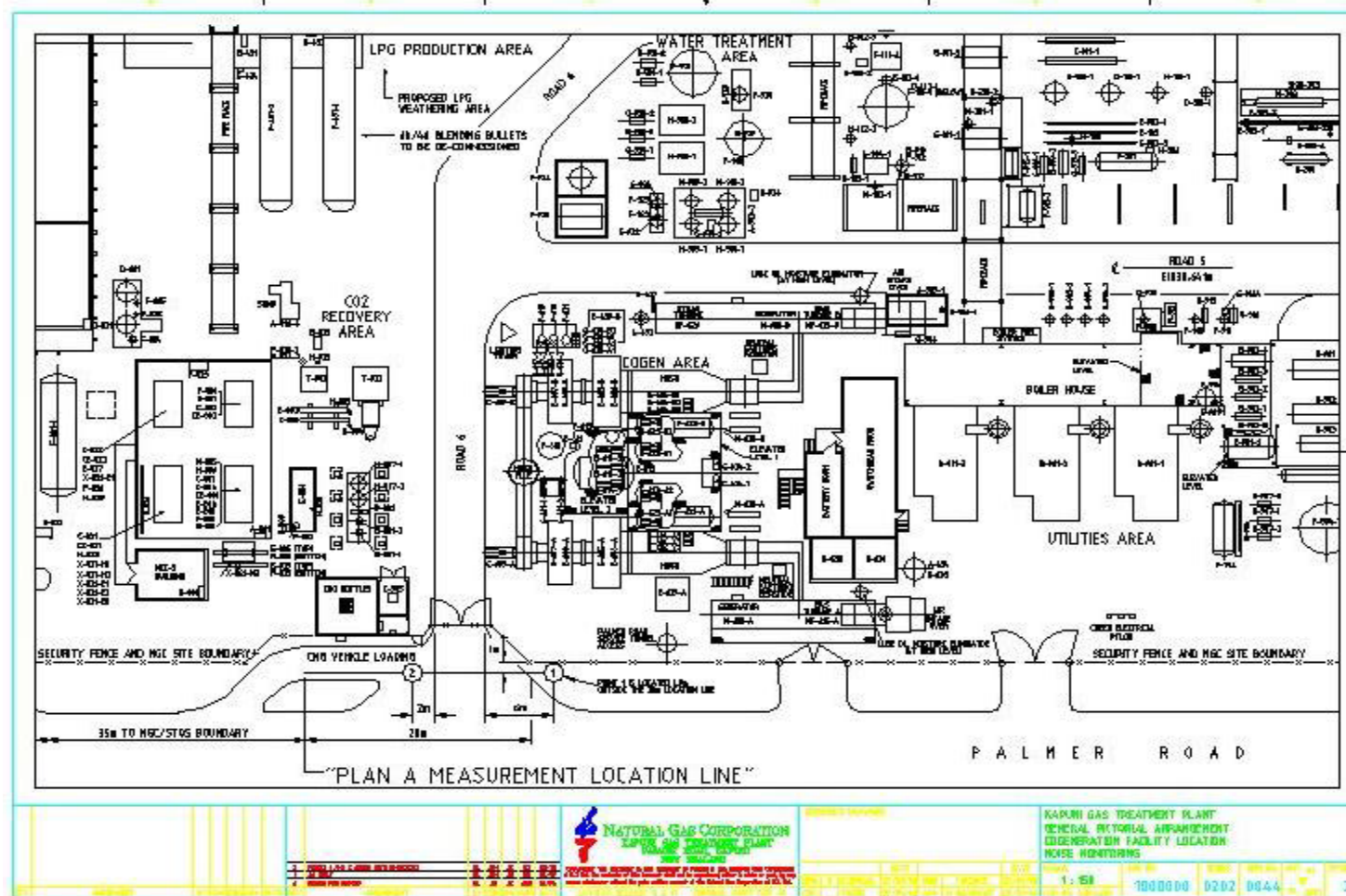
shall, as far as practicable, be undertaken two times per week on separate days and shall be undertaken using four consecutive fifteen minutes periods for each measurement. All measurements shall be undertaken and recorded in accordance with NZS 6801:1991, shall include L_{max} , L_{eq} , L_{10} , L_{50} and L_{95} measurements and shall be provided to the South Taranaki District Council on request or otherwise at three monthly intervals. The monitoring required by this condition shall only be undertaken with the consent of the owner (s) and/or occupiers of Pt. Section 13, Block XV Kaupokonui Survey District and shall cease on the due date for the South Taranaki District Council's review of these conditions in accordance with condition 8 regardless of whether any review occurs.

In the event that in the reasonable opinion of the South Taranaki District Council's Director of Environmental Services, the owner (s) and/or occupiers of Part Section 13, Block XV Kaupokonui Survey District will not permit the consent holder reasonable access to carry out the noise level measurements required by this condition, the South Taranaki District Council's Director of Environmental Services shall specify a new location of an equivalent distance from the Natural Gas site as Pt. Section 13 Block XV Kaupokonui Survey District, and that this new location be agreed to by the consent holder.

- (iii) The consent holder shall provide to the South Taranaki District Council after the construction of the facility but within three (3) months of the commencement of co-generation operations, a report prepared by a suitably qualified and experienced person. This report shall advise that the specific sound power level 105dBA for the co-generation facility has been met and that the logarithmic average of two measured sound pressure levels from noise emissions from the co-generation facility or the co-generation facility and the three remaining boilers measured at points prescribed in condition 4, does not exceed:
 - i. 70dBA Leq (15 mins) for the operation of the co-generation facility alone; or
 - ii. 75dBA Leq (15 mins) for the simultaneous operation of the co-generation facility and the three remaining boilers.
- (iv) Noise from all other sources shall be excluded from the measurement as far as is practicably possible.
- (v) The two measurement points chosen shall be those deemed by a suitably qualified and experienced person to accurately represent noise from the co-generation facility or the co-generation facility and the three remaining boilers within the constraints of the measurement location line. The measurement location line shall be as shown in the attached plan marked "Plan A – Measurement Location Line" (ie. on an imaginary line one metre west of, and parallel to, the consent holder's Palmer Road boundary which line shall commence 35 metres south of the north-western corner of the consent holder's boundary with the Shell Todd Oil Services Production Station and terminate 55 metres south of that corner.)

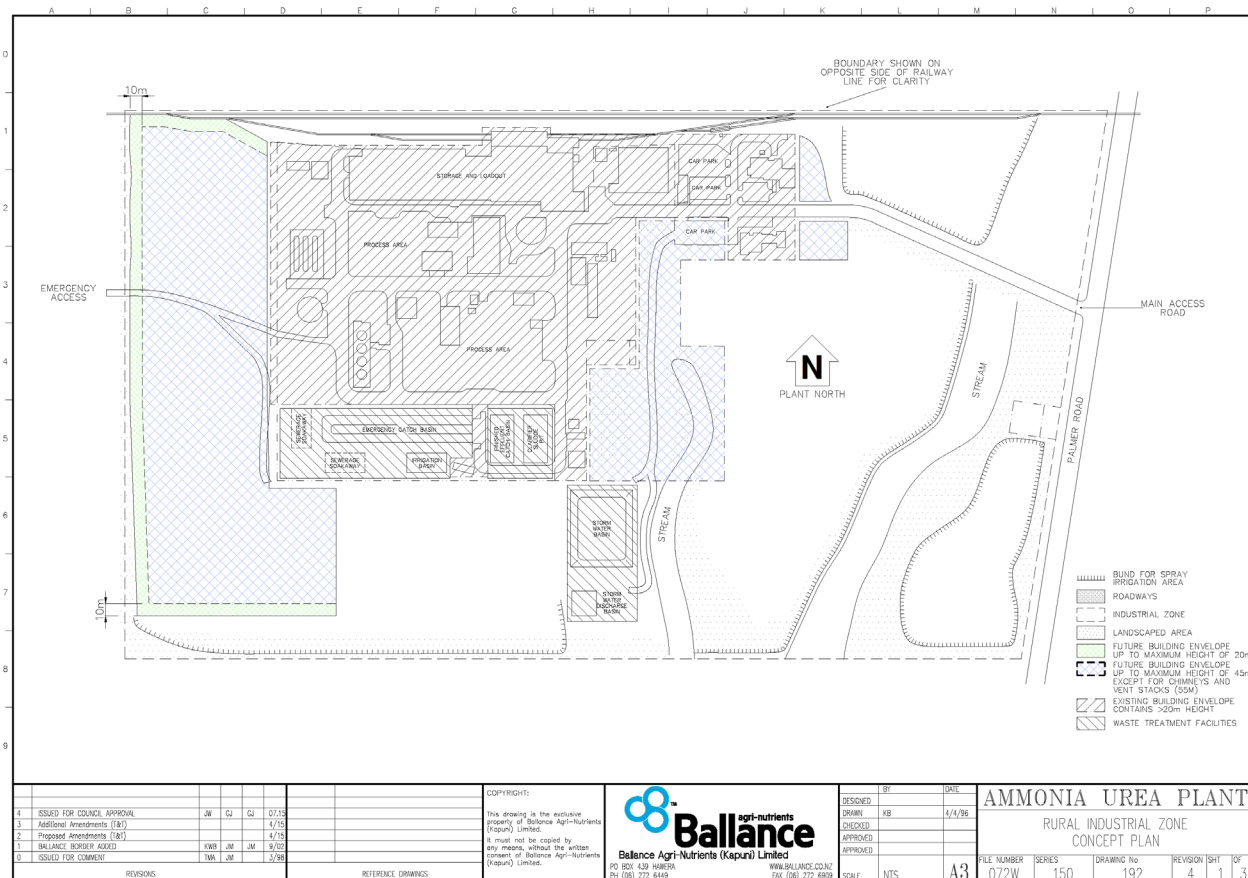
The two measurement points shall be no closer than five metres to each other and shall be 1.5 metres above the natural ground level.

- (vi) After initial measurements have been undertaken in accordance with conditions 3 and 4 those measurements shall be repeated at six monthly intervals as an additional component of the six monthly noise monitoring programme for the 1984 decision area. The first such ongoing measurements shall be timed to coincide with measurements undertaken as part of the existing six monthly noise monitoring programme for the 1994 decision area. Noise measurements shall be provided to the South Taranaki District Council.



8.7 Rural Industrial Zone Appendix 5: Concept Plan and Site Specific Performance Standards for Ballance Agri-Nutrients Kapuni Ltd (formerly known as Petrochem Ammonia-Urea Plant)

Activities: Fertiliser (ammonia-urea) manufacturing plant



8.7.1 Noise

(a) Noise Levels

- (i) The level of noise emanating from the zone shall not exceed the following level at a distance in any direction of 1,000 metres from the intersection of coordinates 66.1950 metres north and 29.4625 metres east:

- a. 43 dBA at all times

The Council accepted that the noise levels set out in the paragraph above will be exceeded on certain occasions due to the type of plant and the method and nature of operation carried on the site. These occasions are as follows:

- a. Plant start up following routine shut downs, maximum duration of 3-5 days per year.
b. Abnormal operations, maximum of six times per year for a duration of 12 hours each.

Provided that on these occasions the noise levels shall not exceed 48dBA and no one measuring point shall exceed this level by more than 5dBA at the stated measuring points.

(b) Measurement of Noise

- (i) Measurements shall be taken at four points where the circle having a radius of 1,000 metres from the intersection of the said coordinates 66.1950 metres north and 19.4625 metres east meets the centre lines of Palmer Road (both north and south of the railway), Skeet Road (west of Palmer Road), and the railway (east of Palmer Road) or from points as near as conveniently practicable thereto, the line between each such point and the substantial bulk of the ammonia/urea complex being unobstructed by ground or buildings other than fences.
- (ii) The precise points from which measurements are to be made under paragraph (i) of this ordinance shall be chosen by the Council and the owner of the ammonia/urea plant and thereafter all measurements shall be made from the same points so long as they continue to satisfy the requirements then some other point shall be chosen by the Council and the owner of the ammonia/urea plant as close as practicable to the point previously used.
- (iii) Where measurements are taken at points which are to a greater or lesser distance from the said intersection than 1,000 metres the level measured shall be converted to the equivalent level at a distance of 1,000 metres according to the recognised methods of noise measurement.
- (iv) All measurements shall be made with a non-directional microphone so oriented as to accept sounds from both the Ammonia and Urea Plant and from the natural gas treatment facilities except that measurement will only be taken when wind speeds are less than two (2) metres per second.

(c) Adjustment of Noise Levels

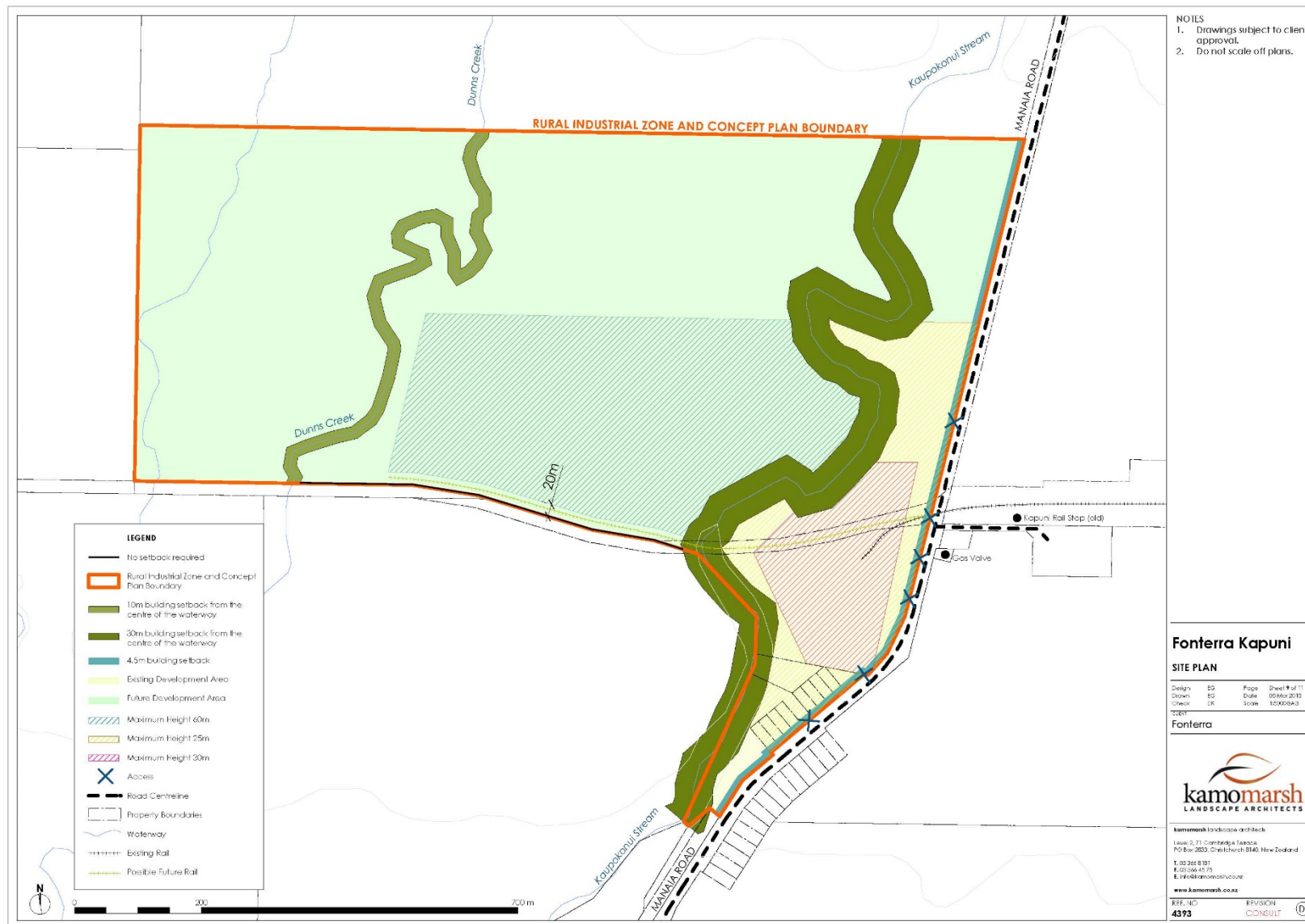
- (i) The noise levels so measured shall be adjusted by excluding the averaged measured ambient background noise which for this purpose shall be assumed to be 38 dBA.
- (ii) The Council or the owner of the Ammonia/Urea Plant may at any time when the plant is not operating and the natural gas treatment facilities are fully loaded with all components operating, cause measurements to be made by an independent acoustic consultant.
- (iii) The measured levels as so adjusted shall then be averaged but excluding for this purpose any measurement made at a time when noise from a source outside the control of the occupiers of the zone or of the natural gas treatment facilities shall be at a level likely to significantly affect the measurement.
- (iv) A timed and dated record shall be kept of all measurements and shall include a note of wind conditions and air temperature and relative humidity.
- (v) In measurement of noise there shall be excluded there from noise emanating from the railway line or railway siding if the operations thereon shall not be or be capable of being under the control of the occupiers of the zone.

8.8 Rural Industrial Zone Appendix 6: Concept Plan and Site Specific Performance Standards for Fonterra, Kapuni Dairy Manufacturing Site

Legal Description:

- Lot 1 DP 4509 held in TNK2/1132
- Section 1 SO 11967 held in TNH4/1100
- Pt Lot 1 DP 6157 held in TN153/110
- Lot 1 DP 9769 held in TNB1/726
- Pt Lot 2 DP6157 TN1/727
- Lots 1 – 9 DP 6588 held in TN162/232

Activities: Dairy manufacturing plant



8.8.1 Noise

- (a) The noise level from the Kapuni Milk Processing Site shall not exceed 45 dB LAeq (15 mins) when measured at or beyond the Noise Area Boundary as shown on Figure 1 below.
- (b) Noise shall be monitored in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assess in accordance with NZS 6802:2008 Acoustics – Environmental Noise.

Note: Any new noise sensitive activity located within the Noise Area Boundary as shown in Figure 1, shall be constructed to achieve an internal design level of 35 dB LAeq (1 hour) in all habitable rooms with the windows closed – refer to Rule 11.2.2 (5).

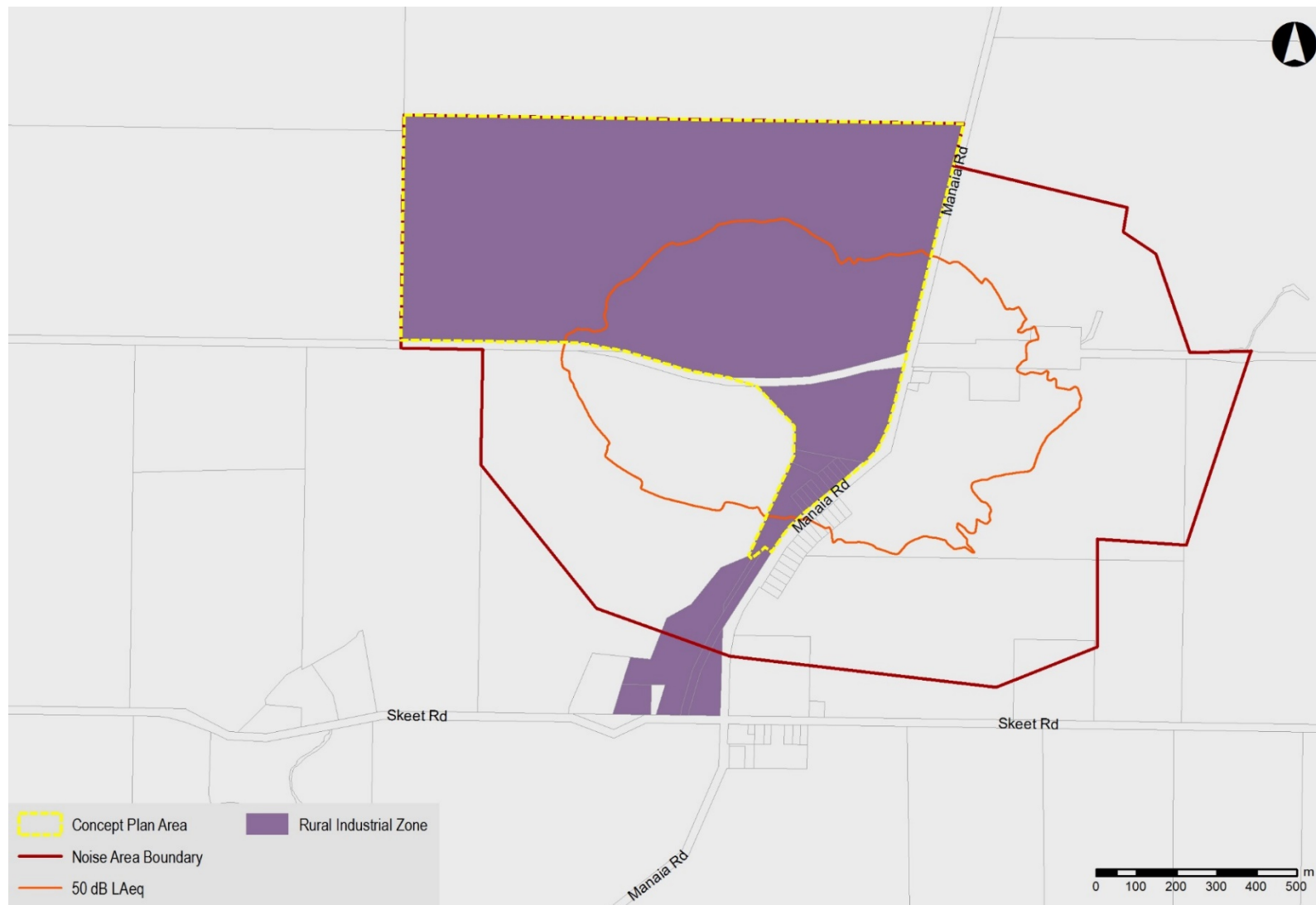
8.8.2 Parking

- (a) All parking shall be provided in accordance with the standards in Section 10 of the Plan, except Fonterra Kapuni Dairy Manufacturing Site is exempt from the Minimum Number of Parking Spaces under Rule 10.5.1, provided no vehicles are parked on road reserve.

8.8.3 Landscaping

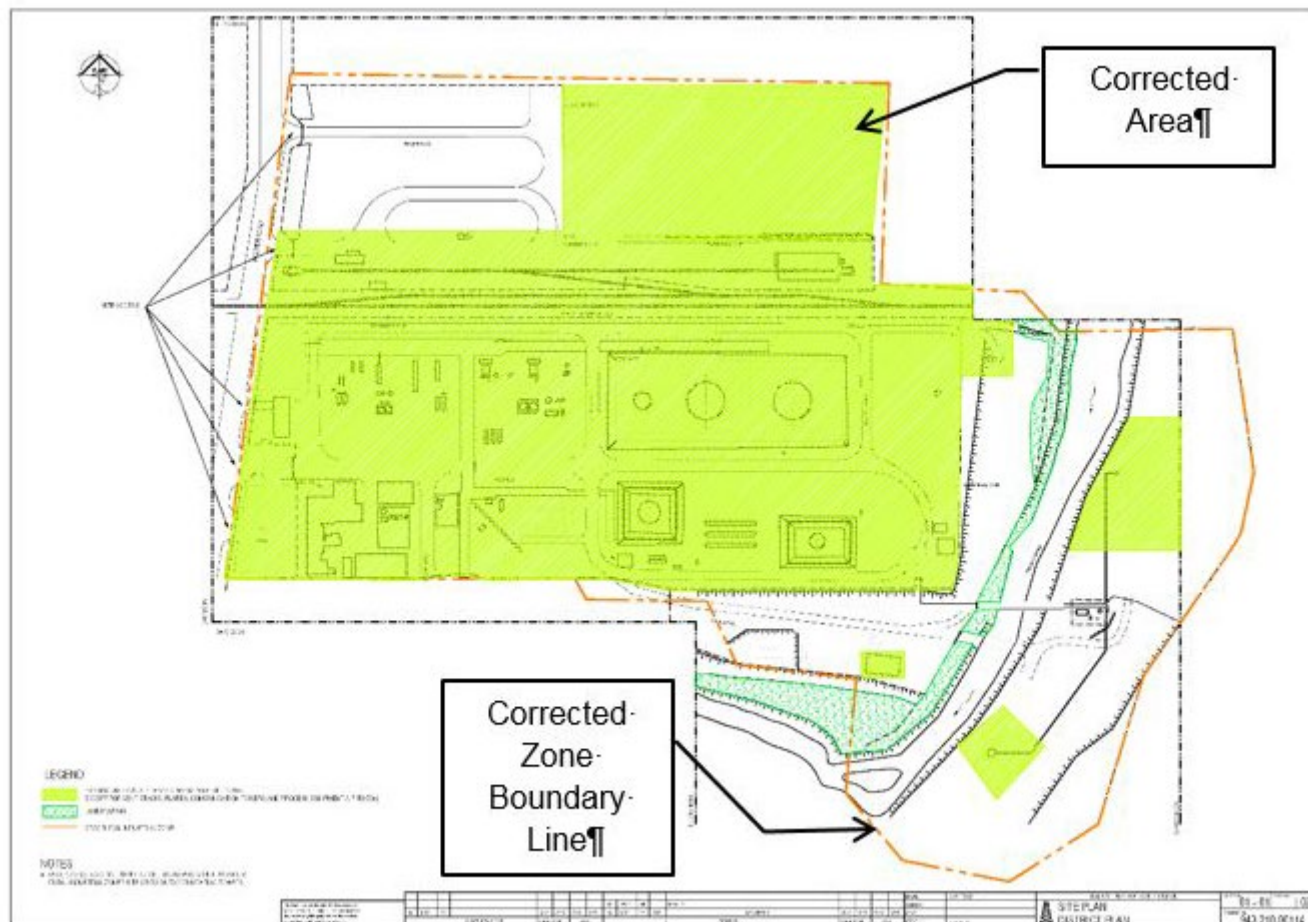
- (a) Landscaping within any yard may consist of trees, shrubs, mounds or grassed area.

Figure 1: Fonterra Kapuni Milk Processing Site Noise Area Boundary



8.9 Rural Industrial Zone Appendix 7: Concept Plan and Site Specific Performance Standards for Shell Todd Oil Services, Kapuni Production Station

Activities: Production station and gas treatment plant



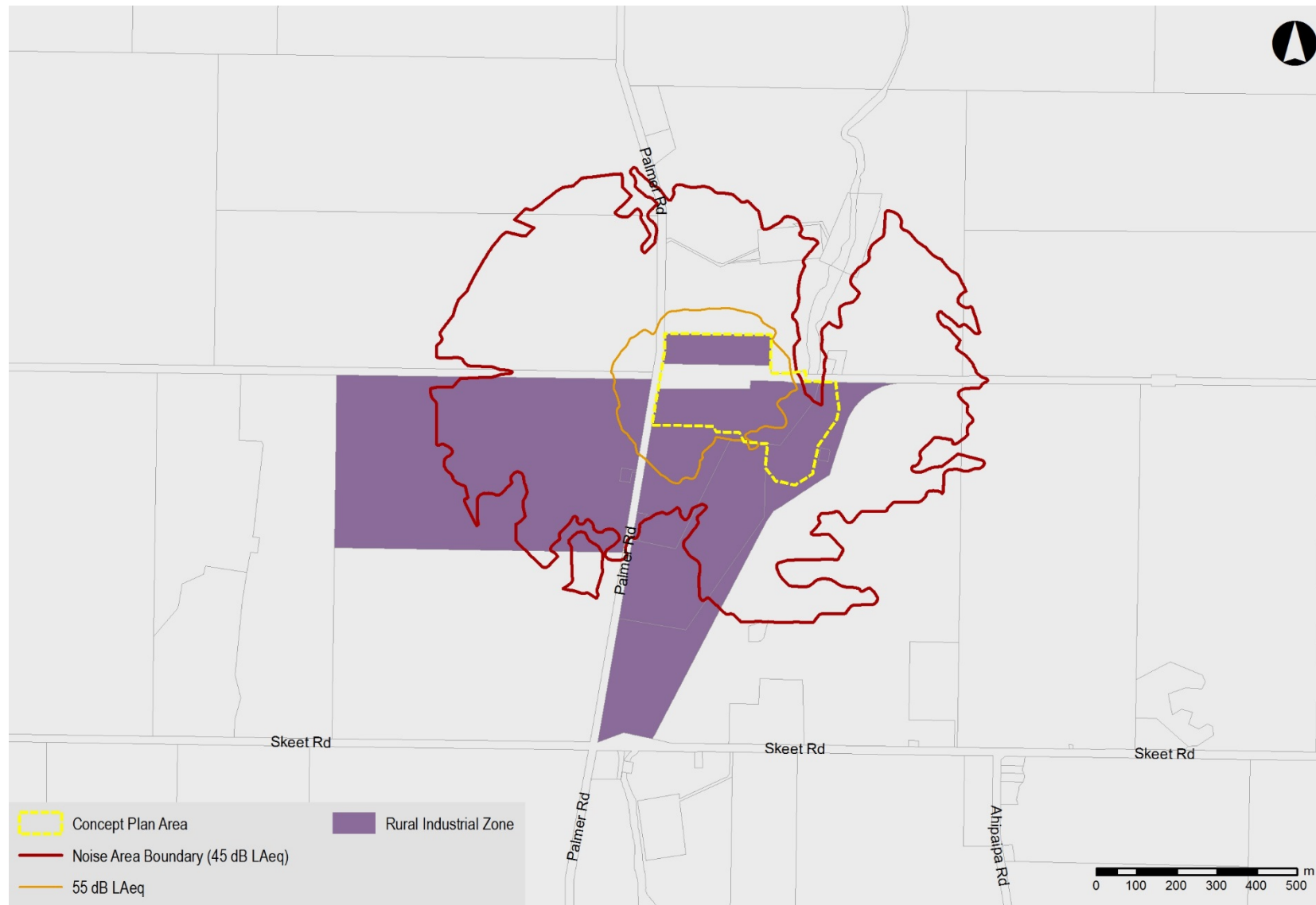
8.9.1 Noise

- (a) The noise level from the Shell Todd Oil Services Kapuni Production Station Site shall not exceed 45dB LAeq(15mins) when measured at or beyond the 45dB LAeq Noise Area Boundary as shown on Figure 1 below.
- (b) The Noise Area Boundary has been based on there being meteorological effects that result in slightly enhanced propagation of sound from the Shell Todd Oil Services Kapuni Production Station Site.
- (c) Noise shall be monitored in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assess in accordance with the requirements NZS 6802:2008 Acoustics – Environmental Noise.

8.9.2 Parking, loading, access

- (a) All parking shall be provided in accordance with the standards in Section 10 of the Plan, except that the Shell Todd Oil Services Kapuni Production Station is exempt from the Minimum Number of Parking Spaces under Rule 10.5.1, provided no vehicles are parked on road reserve.

Figure 1: Shell Todd Oil Services Kapuni Production Station Site Noise Area Boundary



8.10.1 Noise

- (a) The noise level from the Shell Todd Oil Services Maui Production Station Site shall not exceed 45dB LAeq(15mins) when measured at or beyond the 45dB LAeq Noise Area Boundary as shown on Figure 1 below.
- (b) The Noise Area Boundary has been based on there being meteorological effects that result in slightly enhanced propagation of sound from the Shell Todd Oil Services Maui Production Station Site.
- (c) Noise shall be monitored in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assess in accordance with the requirements NZS 6802:2008 Acoustics – Environmental Noise.

8.10.2 Parking, loading, access

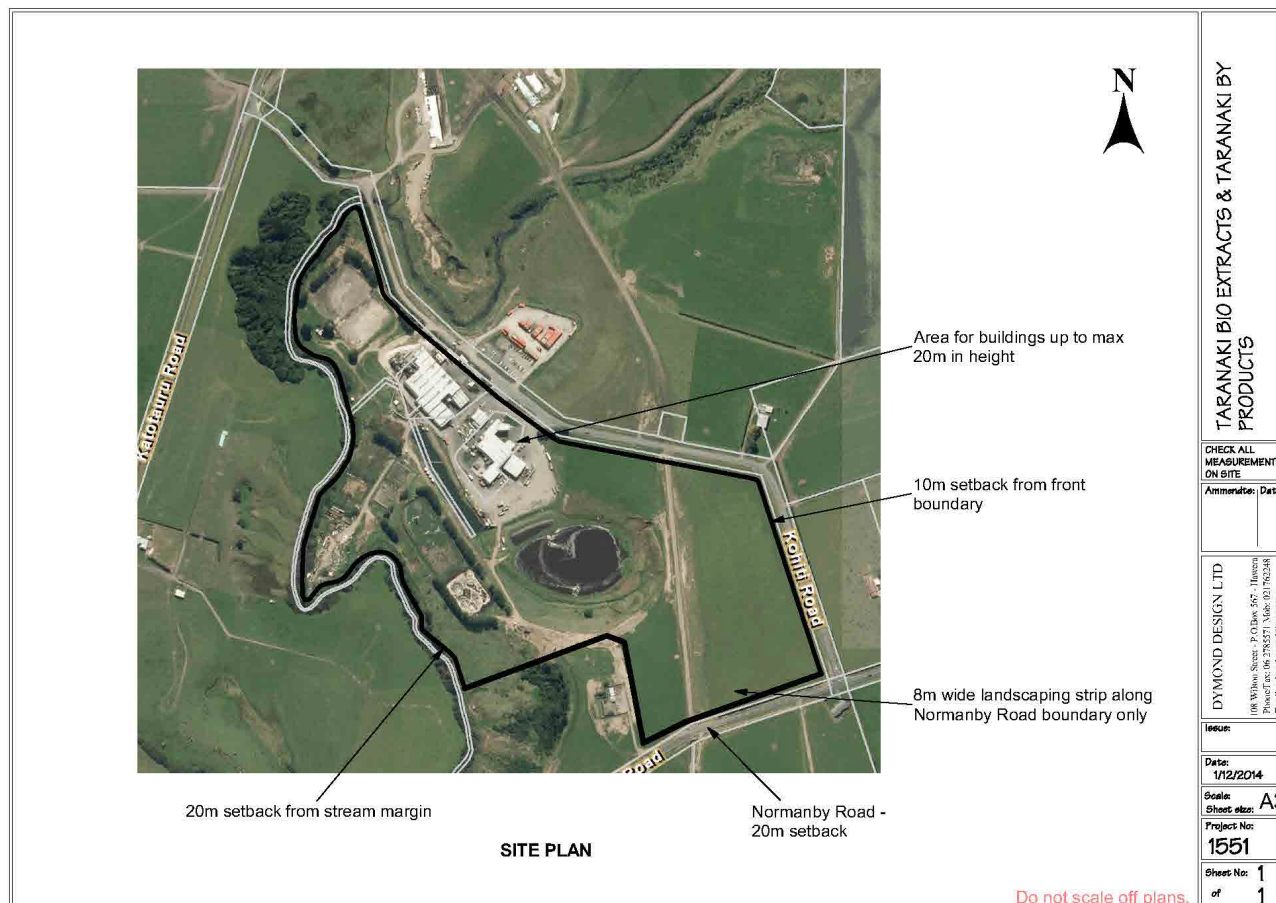
- (a) All parking shall be provided in accordance with the standards in Section 10 of the Plan, except that the Shell Todd Oil Services Maui Production Station is exempt from the Minimum Number of Parking Spaces under Rule 10.5.1, provided no vehicles are parked on road reserve.

Figure 1: Shell Todd Oil Services Maui Production Station Site Noise Area Boundary



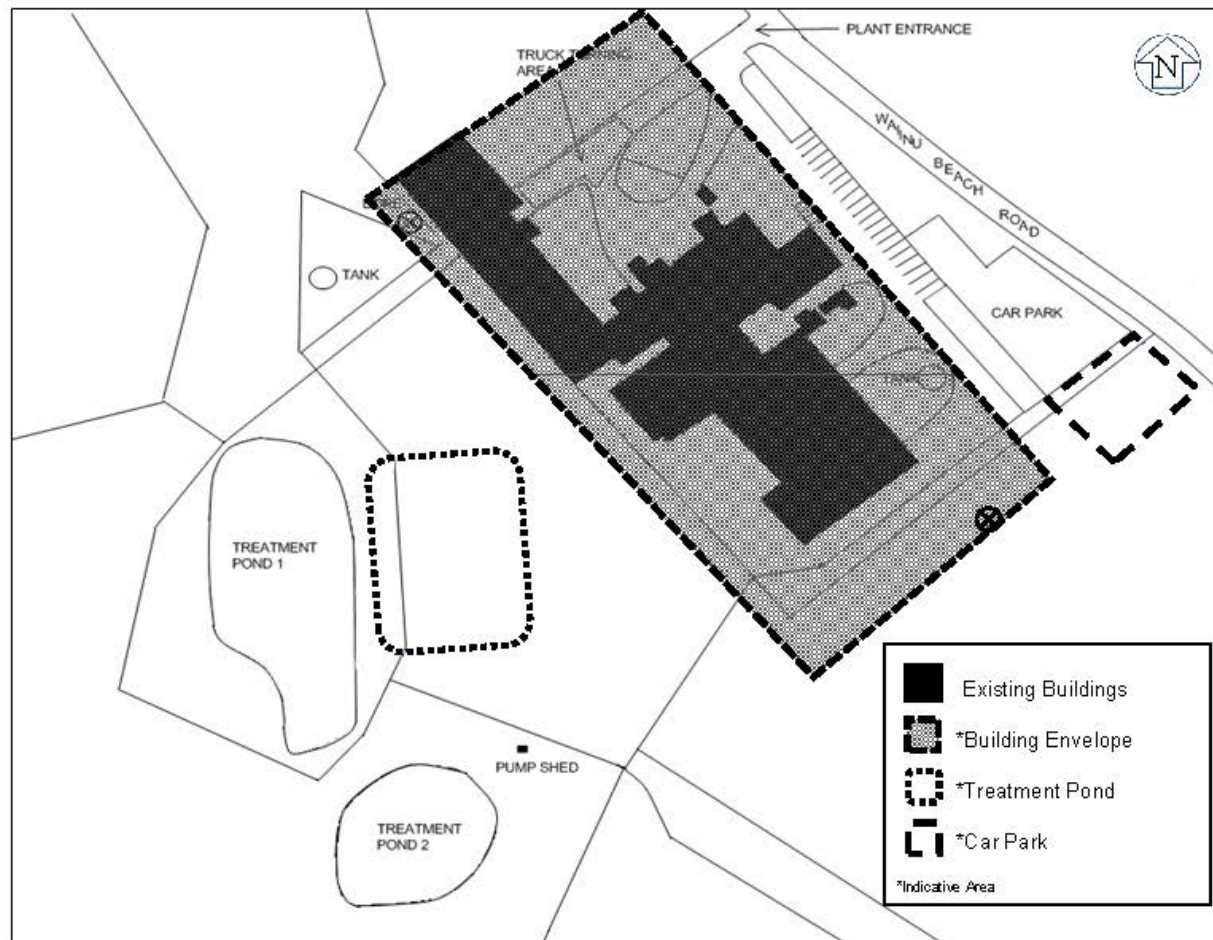
8.11 Rural Industrial Zone Appendix 9: Concept Plan and Site Specific Performance Standards for Smith Bros Trading (Taranaki By-Products), Kohiti Road

Activities: By-products processing plant



8.12 Rural Industrial Zone Appendix 10: Concept Plan and Site Specific Performance Standards for Silver Fern Farms Ltd, Waiinu Beach Road, Waitotara.

Activities: Meat processing plant



SECTION 9: SUBDIVISION AND DEVELOPMENT RULES

This part of the Plan contains rules and performance standards relating to the subdivision of land and development. This includes the requirements in terms of providing services to subdivisions or developments either as permitted activities or as those activities requiring resource consent.

All subdivision that is proposed will require a resource consent from the Council either as a Controlled Activity, a Limited Discretionary Activity, a Discretionary Activity or a Non-Complying Activity. The set of performance standards relates to every Activity category.

9.1 CATEGORIES OF ACTIVITIES

9.1.1 PERMITTED ACTIVITIES

None.

9.1.2 CONTROLLED ACTIVITIES

The following are Controlled Activities if they comply with the performance standards in Section 9.2:

- (a) Subdivision of land in all Zones.

Matters to which the Council restricts its control:

- (i) Design, layout, shape and location of lots.
- (ii) Infrastructure and services, including water supply (including firefighting water supply), wastewater systems, stormwater control and disposal, telecommunications and electricity.
- (iii) Transport infrastructure and traffic effects, including roads and access, and the capacity of the roading network to cope with additional vehicle movements and road upgrade requirements.
- (iv) Provision of reserves, esplanade reserves/strips, access strips, including connections to existing and future reserves.
- (v) Avoidance or mitigation of natural hazards.
- (vi) Effects on significant sites and features, including natural, cultural, historic heritage and waterbodies.
- (vii) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control.
- (viii) The management of potential reverse sensitivity effects on existing land uses, including network utilities. These effects could include but not limited to noise, vibration, odour, dust and visual effects.
- (ix) Reverse sensitivity effects resulting from the location of residential or commercial allotments in the vicinity of petroleum exploration and/or production activities, or large-scale renewable electricity generation activities.

- (x) Energy efficiency, such as whether the subdivision road and lot layouts makes efficient use of existing transport links; minimises vehicle trips and reliance of private motor vehicles and whether lot dimensions facilitate the siting and design of dwellings that can maximise use of passive solar energy.
- (xi) Compliance with the Council's Land development and Subdivision Infrastructure requirements.
- (xii) Those matters described in Section 108 and 220 of the RMA.

Advice Note

Note: The New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 should be consulted when determining the most appropriate design for firefighting water supply. The New Zealand Fire Service is available to assist with this.

Notification Statement

- (i) Under Section 77D of the RMA, for an activity requiring resource consent under Rule 9.1.2(a), the application shall not be publicly notified, except where:
 - The Council decides special circumstances exist (pursuant to Section 95(A)(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

9.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following are Restricted Discretionary Activities if they comply with the performance standards set out or referred to in Section 9.2:

- (a) Subdivision of land within the heritage setting of a heritage building or object, historic site or site of significance to tangata whenua listed in Schedule 1 of this Plan.

Matters to which the Council restricts its discretion:

- (i) The location and design of lots.
- (ii) The effects of the proposed subdivision on the heritage values of the listed building, object or site.
- (iii) The protection and conservation of the heritage item, or surroundings or curtilage associated with the heritage item or historic site.

- (b) Subdivision of land that contains a Significant Natural Area (in whole or part) listed in Schedule 2 of this Plan and not protected by a legal covenant or other legal protection mechanism.

Matters to which the Council restricts its discretion:

- (i) The location and design of lots.
- (ii) The effects of the proposed subdivision on the biodiversity values of the Significant Natural Area.
- (iii) The management and protection of the Significant Natural Area, including the requirement for legal covenant or other legal protection mechanism.

- (c) Subdivision of land containing or adjoining a significant waterbody listed in Schedule 5 of the Plan.

Matters to which the Council restricts its discretion:

- (i) The location and design of lots.
 - (ii) The effects of the proposed subdivision on the values of the significant waterbody.
 - (iii) The setting aside of esplanade strips or reserves of up to 20 metres in width for the purposes of national/conservation values, natural hazards, recreational/access, heritage/cultural, or water quality values identified in Schedule 5.
 - (iv) The management of riparian areas of natural habitat and vegetation.
- (d) Subdivision of land that contains an archaeological site identified on the Planning Maps.

Matters to which the Council restricts its discretion:

- (i) The location and design of lots.
 - (ii) The effects of the proposed subdivision on the values of the archaeological site.
 - (iii) The management and protection of archaeological sites, including the requirement for legal protection.
- (e) Subdivision of land in the Flood Hazard Area.

Matters to which the Council restricts its discretion:

- (i) The location and design of lots, and their intended use, and the degree to which people or property are put at risk as a result of the subdivision.
 - (ii) Avoidance or mitigation measures to address the risks from natural hazards.
 - (iii) The effects of any mitigation measures in terms of any increasing the likelihood of erosion, flooding or any other hazard event occurring, or increasing its magnitude on the site and to other properties which may or may not currently be at risk from the effects of the natural hazards.
- (f) Subdivision of land within the National Grid Subdivision Corridor, provided that all allotments shall identify a building platform for the principal building and any dwelling, to be located outside the National Grid Yard.

Matters to which the Council restricts its discretion:

- (i) Impacts on the operation, maintenance, upgrade and development of the National Grid
- (ii) The ability of future development to comply with NZECP 34:2001.
- (iii) Technical advice provided by Transpower
- (iv) The ability of the applicant to provide a complying building platform.
- (v) Location, design and use of the proposed building platform or structure as it relates to the National Grid transmission line.
- (vi) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
- (vii) The nature and location of any vegetation to be planted in the vicinity of National Grid Lines.

Notification Statement

Where a subdivision requires resource consent solely because it is within a National Grid Subdivision Corridor under Rules 9.1.3(f) or 9.1.5(c) then the application need not be publicly

notified and need not be served on any affected person apart from Transpower New Zealand Limited who will be considered an affected person.

9.1.4 DISCRETIONARY ACTIVITIES

- (a) Unless listed elsewhere in the District Plan, any activity (including any subdivision of land), which does not meet one or more of the performance standards in Section 9.2.
- (b) Within the Coastal Protection Area, subdivision of land which creates one or more lots that are 4,000m² or greater in area.

9.1.5 NON COMPLYING ACTIVITIES

- (a) Within the Coastal Protection Area, subdivision of land which creates one or more lots less than 4,000m² in area.
- (b) Within an Outstanding Natural Feature/Landscape listed in Schedule 8A (except for Lake Rotokare, Whanganui National Park and Mount Taranaki), or an area of Outstanding Natural Character listed in Schedule 8B, any subdivision of land (excluding boundary adjustments).
- (c) Within the National Grid Subdivision Corridor, any subdivision of land which is not a restricted discretionary activity under Rule 9.1.3(f).

9.1.6 PROHIBITED ACTIVITIES

None.

9.2 PERFORMANCE STANDARDS

All activities shall comply with the following requirements (in addition to the rules and permitted activity performance standards for each Zone).

9.2.1 Lot Design and Parameters

(a) Any subdivision shall comply with all of the following standards for the respective Zone:

Zone	Minimum Lot Size	Maximum Number of Additional Lots that can be created	Minimum Balance Lot Size	Minimum Shape Factor	Additional requirements
Rural Zone	4,000m ²	4	20 hectares	N/A	All lots shall demonstrate that development can comply with the permitted activity standards for the Zone.
Residential Zone	400m ²	1 or more	N/A	12m diameter	All lots shall demonstrate that development can comply with the permitted activity standards for the Zone.
Residential – Intensification Area	300m ²	1 or more	N/A	12m diameter	All lots shall demonstrate that development can comply with the permitted activity standards for the Zone.
Township Zone	4,000m ²	1 or more	N/A	N/A	All lots shall demonstrate that development can comply with the permitted activity standards for the Zone.
Commercial Zone	N/A	1 or more	N/A	N/A	All lots shall demonstrate that development can comply with the permitted activity standards for the Zone.
Industrial Zone	N/A	1 or more	N/A	N/A	All lots shall demonstrate that development can comply with the permitted activity standards for the Zone.

(b) When calculating minimum lot size for subdivision in the Residential Zone, all land covered by access legs and common access shall be excluded.

(c) The following subdivisions are exempt from complying with the above standards:

- (i) Boundary adjustments where existing sites are already smaller than the minimum lot size, any adjustment shall not decrease the area by more than 10% and shall not cause any non-compliance or increase any existing non-compliance with any other rules.
- (ii) Any lots created exclusively for public works, network utilities, reserves or access.
- (iii) Any lots created solely for the purpose of protecting a Significant Natural Area listed in Schedule 2.
- (iv) Any subdivision of different floors or levels of a building, or different parts of a floor or level of a building.

9.2.2 Utilities and Services

- (a) Where public water, sewerage and/or drainage services are available within 200m of any boundary of any lot of a proposed subdivision or site of a proposed development, all lots and developments shall be connected to such available services at the time of subdivision or development, unless it can be demonstrated that there is a more sustainable option.
- (b) Where public water, sewerage and/or drainage services are not available within 200m of a proposed subdivision or development, all lots or sites shall be self-sufficient in terms of water supply (including firefighting water supply), drainage and effluent disposal. Sufficient regard to suitability in respect of topography, soils, water tables and proximity to water bodies must be demonstrated.

Note: SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice should be consulted when determining the most appropriate design for firefighting water supply. The New Zealand Fire Service is available to assist with this.

- (c) In residential, commercial and industrial zones, and in other zones where power lines, gas distribution pipes and telecommunication lines are available within 200m of any boundary of any lot of a proposed subdivision or site of a proposed development, the services shall be provided to the boundary of any lot created by the subdivided land, or proposed development.

Note: Performance Standard 14.2.2: Undergrounding of lines and gas pipes also applies.

- (d) At the time of subdivision sufficient land for transformers and associated ancillary services shall be set aside.
- (e) If a subdivision creates more than 15 lots, sufficient land shall be set aside for telecommunications and associated and ancillary services. Consultation with telecommunications network utility operators will be necessary.
- (f) All necessary easements for the protection of utilities and services to the lot(s) shall be provided by the subdivider, and duly granted and reserved.
- (g) All development and subdivision design and construction shall comply with the requirements of NZS 4404:2010 Land Development and Subdivision Infrastructure and NPDC & STDC Local Amendments to NZS 4404:2010 Land Development and Subdivision Infrastructure (August 2013).

9.2.3 Roads and Access

- (a) All lots and sites shall provide vehicle access, in accordance with the Council's vehicle crossing standards, to a formed legal road. Where it can be demonstrated that compliant vehicle crossings are possible at more than one location along the road frontage, the applicant may request that formation of the vehicle crossing is not required to be undertaken as part of the subdivision. This decision shall be at the discretion of the Council's Development Engineer.
- (b) All development and subdivision design and construction shall comply with the requirements of NZS 4404:2010 Land Development and Subdivision Infrastructure and NPDC & STDC Local Amendments to NZS 4404:2010 Land Development and Subdivision Infrastructure (August 2013), including any requirements for upgrading and/or forming vehicle crossings, roads and rights-of-way in all zones.

Note: SNZ PAS 4509:2008 New Zealand Firefighting Water Supplies Code of Practice shall be consulted to ensure compliance with the access way dimensions required for fire appliances for developments where a fire appliance is not able to reach either the dwelling or the source of firefighting water supply from the public road.

9.2.4 Structure Plans

- (a) Where any land is within a Structure Plan area identified in Subdivision and Development Appendix 1, all subdivisions shall be designed in accordance with the Structure Plan i.e. the alignment and provision of services and roads.

9.2.5 Financial Contributions

- (a) All financial contributions shall be in accordance with the requirements in Section 16.

9.2.6 Esplanade Reserves/Strips

- (a) All lots in all zones shall comply with the requirements for esplanade reserves and esplanade strips:

For subdivision:

- (b) An esplanade reserve or strip of up to 20m in width shall be required where any allotment of less than 4 hectares in area is created by a subdivision on land abutting the mark of Mean High Water Springs of the sea, or the bank of any river, stream or lake identified in Schedule 5 – Significant Waterbodies.
- (c) An esplanade reserve or strip of up to 20m in width may be required where any allotment of 4 hectares or more in area is created by a subdivision on land abutting the mark of Mean High Water Springs of the sea, or the bank of any river, stream or lake identified in Schedule 5 – Significant Waterbodies.
- (d) Where an allotment of less than 4 hectares is to be created adjacent to any water body not listed in Schedule 5 – Significant Waterbodies and the water body is a river over 3m in width or a lake over 8 hectares, the Council may require an esplanade reserve or strip to be created for one or more of the purposes set out in Section 229 of the RMA. Whether a reserve or strip is required, and its width will be determined by the Council having considered the matters set out under 5 below.
- (e) The requirement for either an esplanade reserve or an esplanade strip in standards 2 to 4, or increase or reduction in the width, or a waiver of an esplanade reserve or esplanade strip shall be at the Council's discretion taking the following factors into account:
 - (i) The effects of the increase or reduction in width, size, or non-provision of the reserve or strip on:
 - (ii) The values for which the waterbody was identified as being significant in Schedule 5 – Significant Waterbodies.
 - (iii) The natural functioning of the water body, water quality, ecological attributes, and land and water based habitats.
 - (iv) Maintenance and enhancement of public access and recreational enjoyment of the waterbody.

- (v) Cultural and spiritual values of tangata whenua.
 - (vi) Natural hazards, including protection of the integrity of the river and flood control works.
 - (vii) Protection of human health and safety.
 - (viii) Protection of historic heritage.
 - (ix) Adjacent land uses including farming activities.
 - (x) The benefits and costs of the provision and maintenance of esplanade reserves and strips (i.e. whether the public benefits gained with respect to the reserve or strip justify the costs of acquiring and maintaining them, while recognising that benefits in terms of improved water quality habitat and access are important and cannot readily be expressed in monetary terms).
 - (xi) The degree to which the purpose of the reserve or strip can be, or is already, achieved by other mechanisms (e.g. covenants, conditions of resource consents, voluntary methods).
- (f) Notwithstanding the above requirements, in all Zones, an esplanade reserve or strip is not required where a subdivision is:
- (i) For a minor adjustment to an existing cross-lease or unit title due to the increase in the size of the allotment by alterations to the building outline or the addition of accessory buildings;
 - (ii) Boundary Adjustment; or
 - (iii) Solely due to land being subdivided for a network utility or reserve purpose.

For a land use consent application:

- (g) Where a land use consent application relates to a site that adjoins and/or includes part of a water body listed in Schedule 5 – Significant Waterbodies, the Council may impose a condition of consent requiring an esplanade reserve or esplanade strip for one or more of the purposes set out in Section 229 of the RMA. In deciding whether an esplanade reserve or strip is required, the Council will consider the matters listed in Rule 9.2.6.5 above.

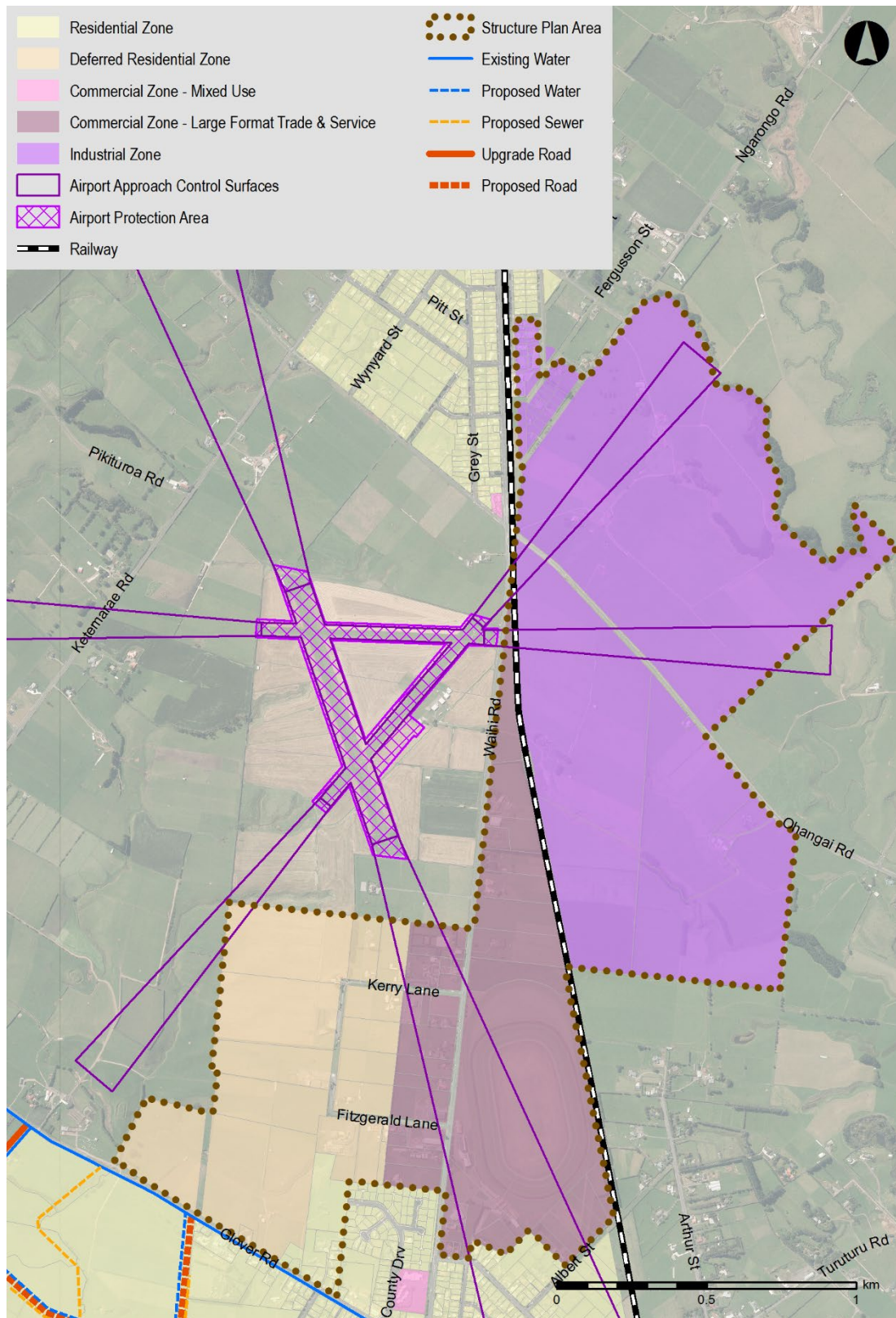
Advice Notes:

- Subdivision must also comply with all other relevant rules of the Plan. Check:
 - Sections 3-8: Zone Rules
 - Section 10: Parking and Transportation
 - Section 14: Network Utilities
 - Section 15: Heritage
 - Section 16: Financial Contributions
 - Section 17: Natural Environment
- Information Requirements for making an Application for Resource Consent are listed in Section 20.1 of the Plan.
- When granting a resource consent, including subdivision consent, the Council can impose conditions. Unless stated, these conditions will need to be satisfied before Computer Freehold Register (Certificates of Title) can be applied for.
- Subdivision that results in an adverse impact on the design capacity of existing road(s) shall be assessed for road upgrading requirements.

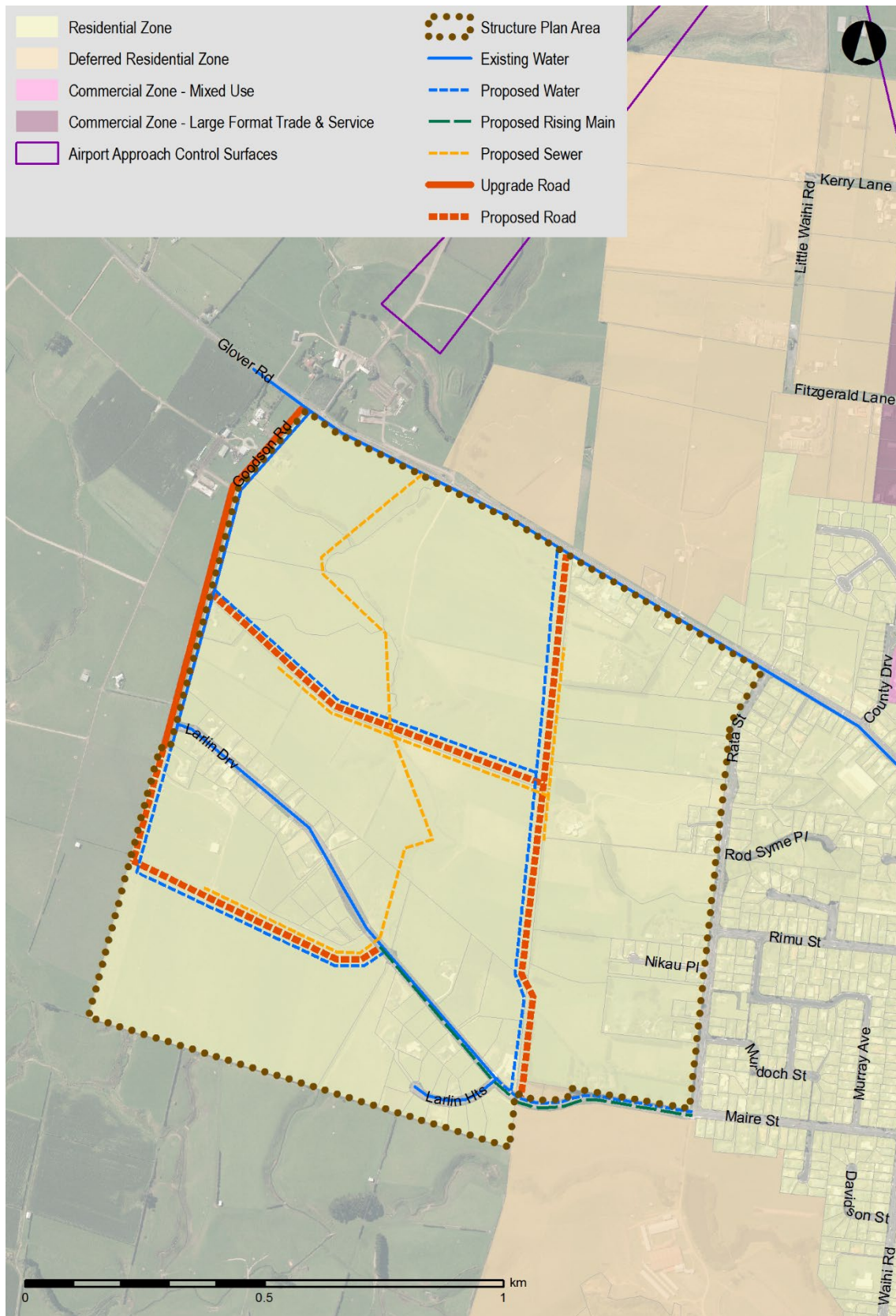
- Where an esplanade strip or reserve is set aside for the purpose of public access along the coast, or the bank of any river, stream or the bank of any river, stream or lake identified in Schedule 5 – Significant Waterbodies, and this strip or reserve is inaccessible to the public, the Council may negotiate with the landowner for an Access Strip.
- Subdivision that results in additional pressure on reserve land shall include land for reserve area or a financial contribution will be payable in accordance with Section 16 of the District Plan.
- All archaeological sites are protected under the Heritage New Zealand Pouhere Taonga Act 2014 and an authority is required from Heritage New Zealand to modify or destroy archaeological sites. Applicants are advised to check with Heritage New Zealand when preparing subdivision proposals.
- The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) sets mandatory separation distances for activities near telecommunications and electricity lines (including the National Grid). In addition, the Electricity (Hazards from Trees) Regulations 2003 identify “Growth Limit Zones” in relation to trees growing near electricity lines. Vegetation to be planted around electricity lines should be selected or managed to ensure it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. Applicants are advised to contact Transpower or their utility company (e.g. Powerco) for further information.
- Where an application proposes access from a State Highway, the applicant should consult with the NZ Transport Agency. Prior to commencing any works on any State Highway, approval must be obtained from the NZ Transport Agency to work on the State Highway legal road.
- The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 may be applicable to your site/property.
- Where an esplanade strip or reserve is required along a river that is subject to a Statutory Acknowledgement, it is advised that the applicant engage with the relevant Iwi.

9.3 Subdivision and Development Appendix 1: Structure Plans

Hawera North/Normanby Structure Plan



Hawera West Structure Plan



SECTION 10: PARKING AND TRANSPORTATION RULES

This part of the Plan contains rules and performance standards relating to parking and transportation. This includes the requirements in terms of providing access, parking and loading for subdivisions or developments either as permitted activities or as those activities requiring resource consent.

The following should also be noted:

1. The Roding Hierarchy is shown on the Planning Maps identifying the roads classified as Arterial, Primary Collector and Secondary Collector Roads.
2. Reference should also be made to applicable Zone Rules which may restrict vehicle access and vehicle crossings on some Arterial and Primary Collector roads.
3. Further information on parking design and layouts can be found in NZS4121: 2001 Design for access and mobility: Buildings and associated facilities and AS/NZS2890.1: 2004 Parking Facilities – off street car parking.
4. Prior to commencing any works on any State Highway, approval must be obtained from the NZ Transport Agency (NZTA) to work on the State Highway legal road.
5. Prior to commencing any works on any railway premises, approval must be obtained from the New Zealand Railways Corporation/KiwiRail to work on the rail network.
6. Certain exemptions apply to the application of the parking requirements – reference to the relevant zone chapters should be made to ascertain where these exemptions apply.

10.1 CATEGORIES OF ACTIVITIES

10.1.1 PERMITTED ACTIVITIES

- (a) Any activity which complies with the performance standards in Sections 10.2 - 10.7.

10.1.2 CONTROLLED ACTIVITIES

None.

10.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

- (a) Unless listed elsewhere in the District Plan, any activity which does not comply with one or more of the performance standards in Sections 10.2- 10.7.

Matters to which the Council restricts its discretion:

- (i) Avoiding, remedying or mitigating of actual or potential effects deriving from non-compliance with the particular performance standards(s) that is not met. Reference should be made to the applicable financial contributions assessment criteria in Section 16.

Notification Statement

Under Section 77D of the RMA, for an activity requiring resource consent due to non-compliance with performance standards 10.5.3 (Size of Parking Spaces), 10.5.4 (On-site Manoeuvring) or 10.5.5 (Surface of Parking and Loading Areas), the application shall not be publicly notified, except where:

- The Council decides special circumstances exist (pursuant to Section 95(A)(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).
- (b) Any new subdivision or land use activity that will require direct access over a railway level crossing at a location where there is currently no such direct access and where no alternative access is provided, or will require any alteration to or increase in use of an existing direct access over a railway level crossing.

Matters to which the Council restricts its discretion:

- (i) The potential for adverse effects on the safety and efficiency of the road and railway resulting from the nature, use, location, and design of direct access to a subdivision or land use activity; and
- (ii) The ability to obtain alternative legal access to the site.

Note:

Consultation with the New Zealand Railways Corporation/KiwiRail will be important in the assessment of resource consent applications in relation to this rule.

- (c) Any new subdivision or land use activity that would require direct access or vehicle crossing onto a State Highway at a location where there is currently no such direct access, or would require any alteration to, or increase in the use of an existing direct access to such a State Highway.

Matters to which the Council restricts its discretion:

- (i) The relevant aspects of Performance Standards 10.2 – 10.4.
- (ii) Use, location, design and number of access points.
- (iii) The safe and efficient operation of the State Highway.

Note:

Consultation with the NZ Transport Agency (NZTA) will be important in the assessment of resource consent applications in relation to this rule.

10.1.4 DISCRETIONARY ACTIVITIES

- (a) Any restricted discretionary activity which does not comply with one or more of the performance standards in Section 10.8.1.

10.1.5 NON COMPLYING ACTIVITIES

None.

10.1.6 PROHIBITED ACTIVITIES

None.

10.2 PERFORMANCE STANDARDS – ROADS AND ACCESS WAYS

10.2.1 New Roads and Access Ways

- (a) All new roads and access ways in any Zone shall comply with the roading and access design standards set out in Part 3 of NZS 4404:2010 Land Development and Subdivision Infrastructure and NPDC and STDC Local Amendments to NZS 4404:2010 (August 2013) and Performance Standards 10.2.2 and 10.2.3 below.

Note:

- (i) These standards do not apply to vehicle crossings directly onto individual sites, which do not involve an access (refer to the definition of “access”).
 - (ii) All new roads and access ways that intersect a State Highway require the approval of the New Zealand Transport Agency, as road controlling authority and pursuant to the Government Roding Powers Act 1989.
 - (iii) In addition, any access to a State Highway is subject to the requirements and standards of the New Zealand Transport Agency.
 - (iv) SNZ PAS 4509:2008 New Zealand Firefighting Water Supplies Code of Practice shall be consulted to ensure compliance with the access way dimensions required for fire appliances for developments where a fire appliance is not able to reach either the dwelling or the source of firefighting water supply from the public road.
- (b) All new accessways or vehicle crossing from the following lots (being the land on the western side of State Highway 3, north of Hawera and south of the Aerodrome, as shaded in Appendix 2), or any subsequent lots resulting from any subdivision of those lots, must be from a local road:
- (i) Lot 2 DP 13857; Lot 1 DP 13857; Lot 2 DP 2185; Lot 2 DP 312441; Lot 3 DP 1529; Pt Lot 4 DP 1529; Lot 1 DP 2942; Lot 5 DP 1529; Lot 1 DP 386383; Lot 2 DP 386383; Lot 1 DP 19053; Lot 2 DP 403203; Lot 1 DP 403203; Lot 2 DP 3652; Lot 3 DP 403203; Lot 4 DP 403203; Lot 8 DP 1529.
- (c) Where any new activity utilises an existing accessway or vehicle crossing to State Highway 3 from the following lots (being the land on the western side of State Highway 3, north of Hawera and south of the Aerodrome, as shaded in Appendix 2, the new activity must not exceed 10 car equivalent movements per day:
- (i) Lot 2 DP 13857; Lot 1 DP 13857; Lot 2 DP 2185; Lot 2 DP 312441; Lot 3 DP 1529; Pt Lot 4 DP 1529; Lot 1 DP 2942; Lot 5 DP 1529; Lot 1 DP 386383; Lot 2 DP 386383; Lot 1 DP 19053; Lot 2 DP 403203; Lot 1 DP 403203; Lot 2 DP 3652; Lot 3 DP 403203; Lot 4 DP 403203; Lot 8 DP 1529.

10.2.2 Minimum Sight Distances from Intersections

- (a) Unobstructed sight distances shall be available from all intersections, in accordance with the minimum sight distances specified in Table 1 below:

Table 1: Minimum Sight Distances from Intersections

Legal Speed Limit for Road (km/hr)	Minimum Sight Distance (m)
0-50	110m
51-60	140m
61-70	170m
71-80	200m
81-100	280m

- (b) All sight distance measurements shall be undertaken in accordance with the relevant diagram in Appendix 3: Sight Distance Measurement Diagram.

10.2.3 Spacing between Intersections

- (a) All intersections shall be designed and located such that the minimum spacing between successive intersections is not less than the minimum distance specified in Table 2 below:

Table 2: Minimum Spacing Between Intersections

Legal Speed Limit for Road (km/hr)	Minimum Distance (m)
0-50	125m
51-60	160m
61-70	220m
71-80	550m
81-100	800m

- (b) The distance shall be measured from the centre of one intersection to the centre of the succeeding intersection, parallel to the centreline of the road.
- (c) In Rural Zones where the legal speed limit for the road is 100km/hr, the above standard shall apply regardless of the side of the road on which the intersections are located.
- (d) On roads in other zones, the above standard shall apply to intersections on the same side of the road only.

10.3 PERFORMANCE STANDARDS – VEHICLE CROSSINGS

10.3.1 New Vehicle Crossings

- (a) All new vehicle crossings in any Zone shall comply with the crossing standards set out in Part 3 of NZS 4404:2010 Land Development and Subdivision Infrastructure and NPDC and STDC Local Amendments to NZS 4404:2010 (August 2013) and Performance Standards below.

Note:

- (i) All new vehicle crossings to a State Highway require the approval of the New Zealand Transport Agency, as road controlling authority and pursuant to the Government Roading Powers Act 1989. In addition, any vehicle crossing to a State Highway is subject to the requirements and standards of the New Zealand Transport Agency.
- (b) All new accessways or vehicle crossings from the following lots (being the land on the western side of State Highway 3, north of Hawera and south of the Aerodrome, as shaded in Appendix 2), or any subsequent lots resulting from any subdivision of those lots, must be from a local road:
 - (i) Lot 2 DP 13857; Lot 1 DP 13857; Lot 2 DP 2185; Lot 2 DP 312441; Lot 3 DP 1529; Pt Lot 4 DP 1529; Lot 1 DP 2942; Lot 5 DP 1529; Lot 1 DP 386383; Lot 2 DP 386383; Lot 1 DP 19053; Lot 2 DP 403203; Lot 1 DP 403203; Lot 2 DP 3652; Lot 3 DP 403203; Lot 4 DP 403203; Lot 8 DP 1529.
- (c) Where any new activity utilises an existing accessway or vehicle crossing to State Highway 3 from the following lots (being the land on the western side of State Highway 3, north of Hawera and south of the Aerodrome, as shaded in Appendix 2, the new activity must not exceed 10 car equivalent movements per day:
 - (i) Lot 2 DP 13857; Lot 1 DP 13857; Lot 2 DP 2185; Lot 2 DP 312441; Lot 3 DP 1529; Pt Lot 4 DP 1529; Lot 1 DP 2942; Lot 5 DP 1529; Lot 1 DP 386383; Lot 2 DP 386383; Lot 1 DP 19053; Lot 2 DP 403203; Lot 1 DP 403203; Lot 2 DP 3652; Lot 3 DP 403203; Lot 4 DP 403203; Lot 8 DP 1529.

10.3.2 Distance of Vehicle Crossings from Intersections

- (a) No part of any vehicle crossing shall be located closer to the intersection of any roads than the minimum distances specified in Table 3 below:

Table 3: Minimum Distance of Vehicle Crossings from Intersections

Frontage Road	Intersecting Road Type (distances in metres)					
	Urban			Rural		
	Arterial and Primary Collector	Secondary Collector	Local	Arterial and Primary Collector	Secondary Collector	Local
Arterial and Primary Collector	30m	30m	30m	200m	200m	200m
Secondary Collector	20m	20m	15m	60m	50m	50m
Local	20m	15m	10m	60m	50m	50m

- (b) Notwithstanding Rule 10.2.3.1 above, no part of any vehicle crossing onto an Arterial or Primary Collector road servicing for an activity with vehicle movements exceeding 50 movements per hour or 200 movements per day shall be located closer than:
 - (i) 60m to the departure side of any intersection; or
 - (ii) 30m to the approach side of any intersection.

Distances shall be measured from the point at which the legal boundary lines of the two road frontages intersect.

- (c) Where the boundaries of the site do not allow the provision of any vehicle crossing whatsoever in conformity with the above distances, a single vehicle crossing may be constructed provided it is located in the position which most nearly complies with the provisions of these rules.

10.3.3 Spacing Between Vehicle Crossings

- (a) On Arterial and Primary Collector Roads where the legal speed limit is 100km/hr, the minimum spacing between successive vehicle crossings (regardless of the side of the road on which they are located) shall not be less than 200m. This rule shall not apply to vehicle crossings to farming activities, which do not provide access or a driveway to buildings (other than hayshed's).
- (b) On Arterial and Primary Collector Roads where the legal speed limit is less than 100km/hr, the minimum spacing between successive vehicle crossings (either single or combined) on the same side of the road, shall not be less than 15m. This rule shall not apply to vehicle crossings which serve residential activities only.
- (c) The separation distances shall be measured from the centre of one vehicle crossing to the centre of the succeeding vehicle crossing, parallel to the centreline of the transport network.
- (d) Where the boundaries of the site do not allow the provision of any vehicle crossing whatsoever in conformity with the above distances a single vehicle crossing may be constructed in the position which most closely complies with the provisions of this rule.

10.3.4 Sight Distances from Vehicle Crossings

- (a) Minimum unobstructed sight distances from all vehicle crossings shall be in accordance with the distances specified in Table 4 below:

Table 4: Minimum Sight Distance from Access

Legal Speed Limit for Road (km/hr)	Minimum Sight Distance (m)
0-50	45m
51-60	65m
61-70	85m
71-80	105m
81-100	160m

- (b) All sight distance measurements shall be undertaken in accordance with the diagram in Appendix 3: Sight Distance Measurement Diagram.

10.3.5 Design and Construction of Vehicle Crossings onto Arterial, Primary Collector and Secondary Collector Roads

- (a) The width of any vehicle crossing shall be in accordance with dimensions set out in

- (b) Table 5 below:

Table 5: Vehicle Crossing Width

	Minimum	Maximum
Residential	3m	7.5m
Other	4m	9m

- (c) The vehicle crossing width shall be measured along the road boundary of the property.
- (d) All vehicle crossings on to Arterial, Primary Collector and Secondary Collector Roads where the speed limit exceeds 50km/hr shall be designed and constructed in accordance with the diagrams included in Appendices 4 and 5, except for vehicle crossings to farming activities in the Rural Zone; this standard shall only apply where a vehicle crossing provides access or a driveway to building(s).

10.4 PERFORMANCE STANDARDS – RAILWAY

10.4.1 Direct Access via Railway Level Crossings

- (a) Any new accessway or vehicle crossing shall be located a minimum of 30m from a road/rail level crossing. The 30m shall be measured from the closest rail track to the edge of seal on the proposed accessway/vehicle crossing.

10.4.2 Railway Level Crossings – Access and Minimum Sight Distances

- (a) Any new vehicle access onto a road shall be located a minimum of 30m from a railway level crossing, measured from the closest railway track to the edge of seal of the proposed access.
- (b) No obstruction shall be located such that it fails to comply with the railway level crossing approach sight triangles determined in accordance with Appendix 1: Railway Level Crossing Requirements.

Notes:

- (i) The above controls apply to existing level crossings. Sightlines are also a factor in the development of the design of new level crossings: however further technical assessment against rail and road design standards, and formal statutory approvals under the Railways Act 2005, are also required from the New Zealand Railways Corporation/KiwiRail.
- (ii) The New Zealand Railways Corporation/KiwiRail also has the authority to require the removal of vegetation, walls, fences, and other obstructions from these sightlines under Section 77 of the Railways Act 2005. The inclusion of the above sightline control standard ensures that development and road/rail safety standards are well integrated, and reduce the (later) risk of a landowner being required to remove obstructions.

10.5 PERFORMANCE STANDARDS – PARKING

10.5.1 Minimum Number of Parking Spaces and Cycle Parking

- (a) All activities shall provide the following onsite parking as set out in Table 6 below:

Table 6: Minimum Number of Parking Spaces

Activity	Minimum Number of Parking Spaces Required
Residential dwelling units (excluding Boarding houses)	1 space per residential dwelling unit plus 1 space per 5 units for visitors
Food serving and entertainment activities (including activities in public halls and churches)	1 space for every 5 people the building or facility is designed to accommodate, or 1 space per 30m ² of gross floor area, whichever is greater;
Health care services (excluding administration activities)	1 space for every bed, or 2 spaces for every medical practitioner (including nursing staff) on site at any one time, whichever is greater;
Educational activities (excluding administration activities)	1 space for every classroom used solely to teach students under the age of 16, and 5 spaces for every other classroom;
Visitor accommodation (for travellers or permanent residents, but not including administration activities or home occupations)	1 space for every accommodation unit or dwelling unit or 0.5 spaces for each bedroom, whichever is greater;
Industrial activities	0.5 space for every person on site at any one time, or one space for every 100m ² of gross floor area, whichever is greater.
Trade and Service Activity	1 space per 40m ² of gross floor area
Temporary Activities	None
All other activities-not listed above, including administration activities, home occupations, offices and retail activities	1 space per 30m ² of gross floor area.
All activities (excluding residential and farming)	1 cycle space for every 40 car parking spaces provided.

- (b) The required parking spaces set out in Table 6 above shall be available for residents, staff and visitors at all times during the hours of operation of the activity to which they relate.
- (c) Where a land use corresponds with two or more similar activities in Table 6 above, the activity with the higher parking rate shall apply. Where there are two or more different activities on a site, the total requirement for the site shall be the sum of the parking requirements for each activity.
- (d) Where an assessment of the required parking standards results in a fractional space, any fraction under one half shall be disregarded and any fraction of one half or more shall be counted as one space.
- (e) The area of any parking space or spaces provided and of vehicular access, driveways and aisles provided within a building shall be excluded from the assessment of gross floor area of that building for the purpose of ascertaining the total number of spaces required or permitted.
- (f) Staff car parking spaces shall be marked accordingly.

10.5.2 Car Spaces for People with Disabilities

- (a) Where car parking is provided for a non-residential activity, the minimum number of parking spaces for people with a disability shall be as follows:
- (i) No spaces required for the first 9 car parking spaces provided on site.
 - (ii) 1 space where between 10 and 20 car parking spaces are provided on site.
 - (iii) 2 spaces where between 21 and 50 car parking spaces are provided on site.
 - (iv) Plus 1 space for every additional 50 car parking spaces provided on site, or part thereof.
- (b) Car parking for people with disabilities shall be located as close as practicable to the building entrance. The spaces should be on a level surface and be clearly marked and designed & constructed in accordance with NZS 4121: 2001 Design for access and mobility: Buildings and associated facilities.

10.5.3 Size of Parking Spaces

- (a) All required parking spaces, other than for residential units, shall be designed to accommodate a 90 percentile design motor car and shall be laid out in accordance with the minimum dimensions specified within Table 7 below and as illustrated in Appendix 6: Size and Layout of Car Parks:

Table 7: Minimum Parking Space Dimensions

Type of User	Parking Angle	Stall Width (m)	Aisle Width (m)	Stall Depth (m)
Class 1 ⁽¹⁾	90°	2.5m	6.2m	5.0m
Class 2 ⁽²⁾	90°	2.6m	7.0m	5.0m
People with disabilities	90°	3.6m	6.2m	5.0m
All	0° (parallel)	2.1m	3.3m (one way aisle) 6.5m (two way aisle)	6.1m
All	30°	2.5m	3.5m	4.4m
All	45°	2.6m	4.2m	5.2m
All	60°	2.6m	5.1m	5.7m

Notes for Table 7:

- (i) Class 1: medium to long term parking including areas such as employee and commuter parking, long-term town centre parking, sporting facilities, entertainment centres and hotels and motels
- (ii) Class 2: short term, high turnover parking at retail / commercial activities and where goods can be expected to be loaded into vehicles.
- (iii) Stall depth may be reduced by 600mm where there is sufficient overhang space in front of the space, provided such space is not required for another parking space, pedestrian path or similar purpose
- (iv) Spaces adjacent to walls or columns shall be 300mm wider than specified within Table 9.

10.5.4 On-site Manoeuvring

- (a) Onsite manoeuvring for a 90 percentile car (refer Appendix 7: 90 Percentile Design Motor Car and Appendix 8: 90 Percentile Design Two Axle Truck) shall be provided to ensure that no vehicle is required to reverse either onto or off a site where:
- (i) Any activity has vehicle access and/or vehicle crossings to an Arterial or Primary Collector Road;
 - (ii) Any activity provides 4 or more parking spaces having vehicle access and/or vehicle crossings onto an Arterial, Primary Collector or Secondary Collector Road;
 - (iii) Any activity provides 10 or more parking spaces;
 - (iv) Three or more residential units share a common access.

10.5.5 Surface of Parking Areas

- (a) The surface of all required parking areas shall be sealed except in the Rural Zone where parking areas may have a permeable surface such as gravel.
- (b) The first 3m of parking areas or any access to a parking area in the Rural Zone (as measured from the road boundary) shall be formed and sealed for the full width of the vehicle crossing, to ensure that material such as mud, stone chips or gravel is not carried onto any footpath, road transport network or service lane.

10.6 PERFORMANCE STANDARDS – LOADING SPACES

10.6.1 Loading Spaces

- (a) Every site in the Commercial and Industrial Zones and commercial and industrial sites in the Township Zone shall provide one loading space and associated manoeuvring area.
- (b) Every loading space provided shall be of a useable shape and in accordance with the following minimum dimensions:
- (i) 9m deep
 - (ii) 3.5m wide
 - (iii) 4.5m high
- Except for: activities not involving the trading of goods (e.g. offices), where the gross floor area is less than 1,500m², and on street parking is available for occasional servicing by larger vehicles, then loading space dimensions shall be in accordance with the following minimum dimensions:
- (i) 6.4m deep
 - (ii) 3.5m wide
 - (iii) 3.5m high
- (c) The manoeuvring space used by vehicles to gain access from a road to any required loading space shall accommodate the minimum turning radii contained in Table 8 as follows:

Table 8: Minimum Turning Radius

Main Service Vehicle Type	On-Road Purposes	On-Site Manoeuvring and Parking
Single unit and semi-trailer vehicles	12.5m	10m
B Train	12.5m	10m

- (d) No loading space (other than a stock loading and unloading facility) shall be located in a manner which requires any vehicle to manoeuvre within the road to use it.
- (e) All loading spaces/areas shall be provided in a location that does not impede any through traffic, or manoeuvring areas, or any pedestrian or cycle access
- (f) Any activity on a site that is adjacent to a proposed service lane shall provide at least one loading space, clear of the service lane, which will be accessible to vehicles using the service lane when it is constructed.
- (g) The surface of all required loading spaces shall be sealed.

10.7 PERFORMANCE STANDARDS - TREE PLANTING

10.7.1 Tree Planting

- (a) Where a car parking area has central parking rows, which do not abut a site boundary or building, trees shall be planted at least 7.5m apart adjacent to the central car parking spaces. The trees shall be protected from damage by vehicles.
- (b) Where a car park adjoins a road, one tree per 10m shall be planted along the road boundary, excluding any ingress and egress.
- (c) Where a car park adjoins a Residential Zone boundary, shrubs that grow to a maximum of 1.8m and a minimum of 1m in height shall be planted along the zone boundary.
- (d) No tree shall be allowed to grow so that it shades the carriageway of a road through the hours of 10am and 2pm on the shortest day of the year.
- (e) No tree shall be planted within 30m of a road intersection, measured to the point at which the legal boundary lines of the two road frontages intersect.

10.8 PERFORMANCE STANDARDS – RESTRICTED DISCRETIONARY ACTIVITIES

10.8.1 Access Over a Railway

- (a) Where any new subdivision or land use activity is subject to Rule 10.1.3(b), it shall comply with all the relevant permitted activity performance standards in Sections 10.2 - 10.4.

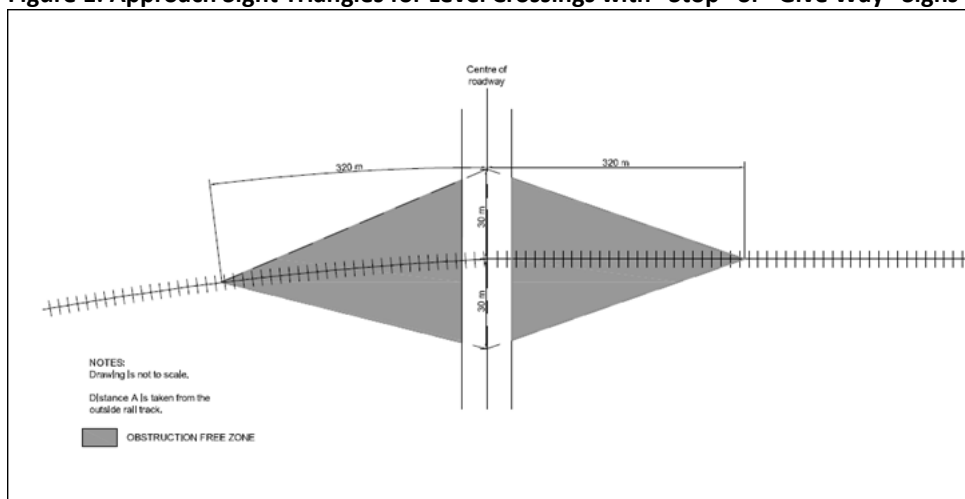
10.9 Parking and Transportation Appendices

Appendix 1: Railway Level Crossing Requirements

Approach sight triangles at level crossings with Stop or Give Way signs

On sites adjacent to rail level crossings controlled by Stop or Give Way Signs, no building, structure or planting shall be located within the shaded areas shown in Figure 1. These are defined by a sight triangle taken 30m from the outside rail and 320m along the railway track.

Figure 1: Approach Sight Triangles for Level Crossings with “Stop” or “Give Way” Signs



Restart sight triangles at All Level Crossings

On sites adjacent to all rail level crossings, no building, structure or planting shall be located within the shaded areas shown in Figure 2. These are defined by a sight triangle taken 5m from the outside rail and distance A along the railway track. Distance A depends on the type of control (Table 1 below).

Figure 2: Restart Sight Triangles for all Level Crossings

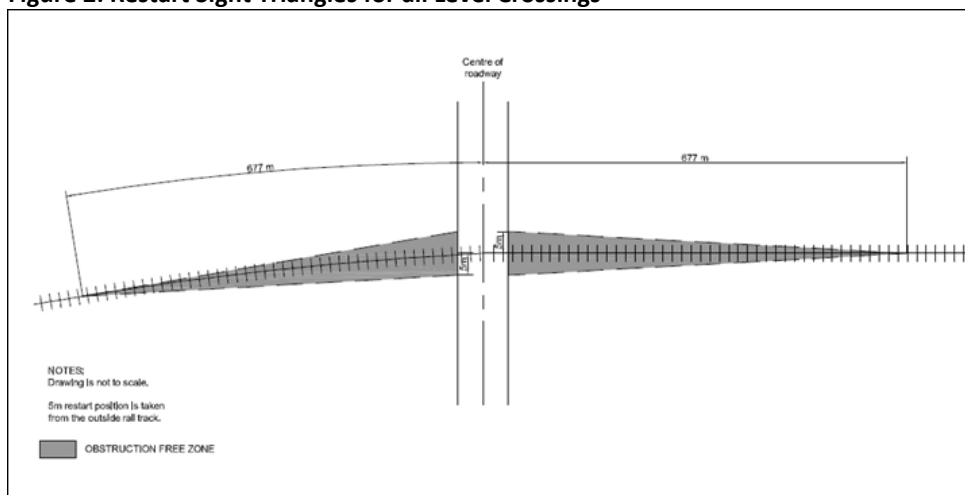


Table 1: Required Restart Sight Distances For Figure 2

Required approach visibility along tracks A (m)		
Signs only	Alarms only	Alarms and barriers
677m	677m	60m

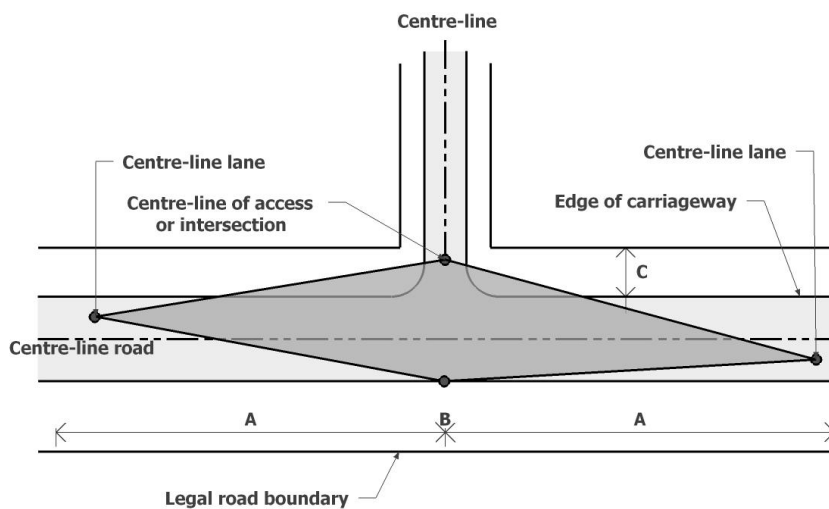
Notes:

- (a) Figures 1 and 2 show a single set of rail tracks only. For each additional set of tracks add 25 m to the along-track distance in Figure 1, and 50 m to the along-track distance in Figure 2.
- (b) All figures are based on the sighting distance formula used in NZTA Traffic Control Devices Manual 2008, Part 9 Level Crossings. The formulae in this document are performance based. However, for the purposes of this rule, the parameters are fixed to enable easy application. Approach and restart distances are derived from a:
- Train speed of 110 km/hr
 - Vehicle approach speed of 20 km/hr
 - Fall of 8% on the approach to the level crossing and a rise of 8% at the level crossing
 - 25m design truck length
 - 90° angle between road and rail

Appendix 2: State Highway 3 Access Restrictions



Appendix 3: Sight Distance Measurement Diagram

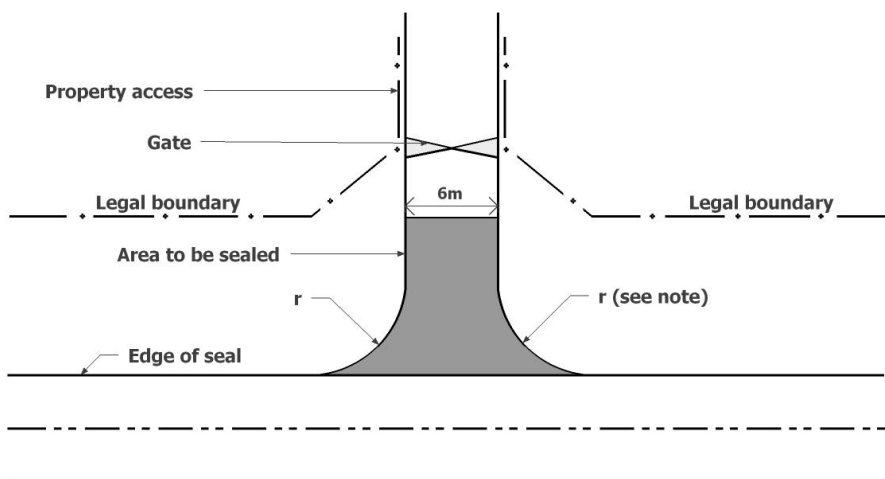


- A) Sight distance
- B) Edge of carriageway
- C) 3.5m from edge of carriageway

diagram not to scale

Note:
Sight distances shall be measured to and from a height of 1.15 metres above the existing road surface and the proposed surface level of the access or intersection

Appendix 4: Standards for the Design and Construction of Vehicle Crossings on Arterial, Primary Collector and Secondary Collector Roads (Speeds >50km/Hr): Vehicle crossings where traffic levels are less than 30 equivalent car trips per day

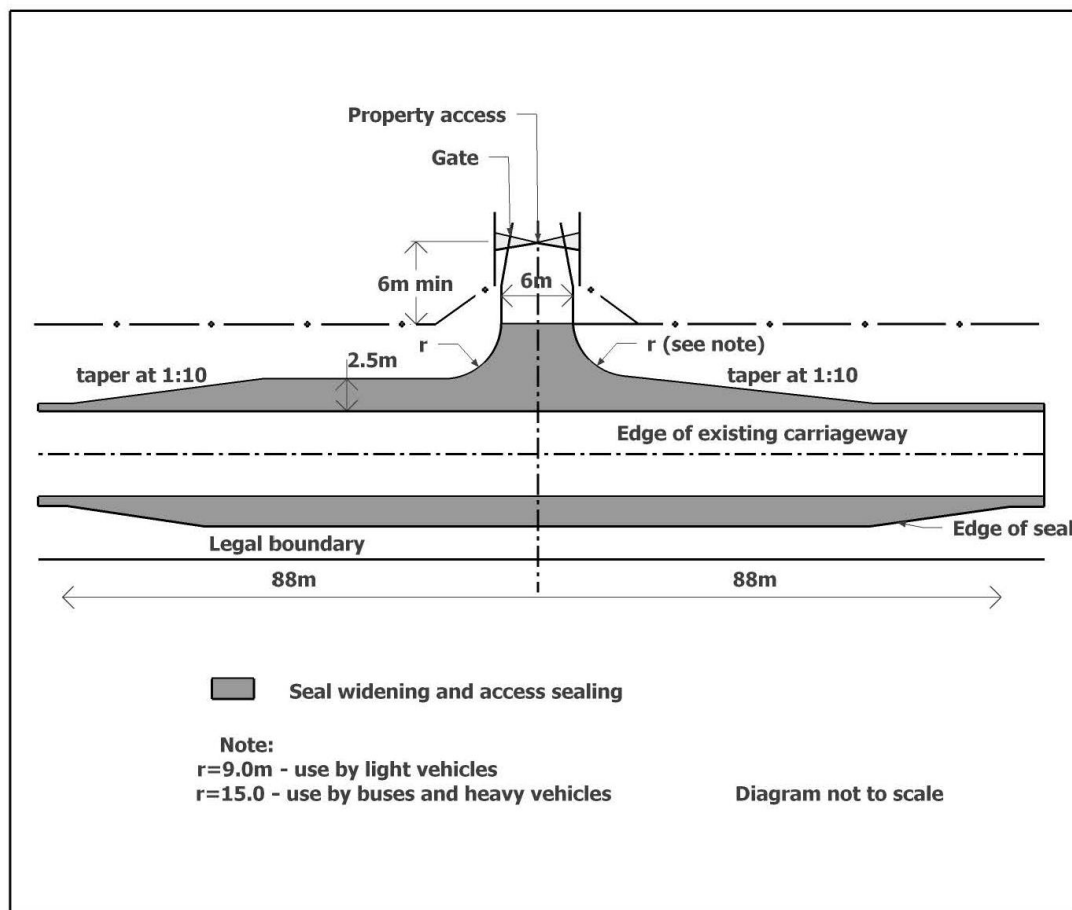


- Note:
r=6.0m - use by light vehicles
r=9.0m - use by buses and heavy vehicles

Diagram not to scale

Note: for the purposes of calculating equivalent car trips per day, one truck trip equates to 3 car trips and one truck and trailer combination trip equates to 5 car trips.

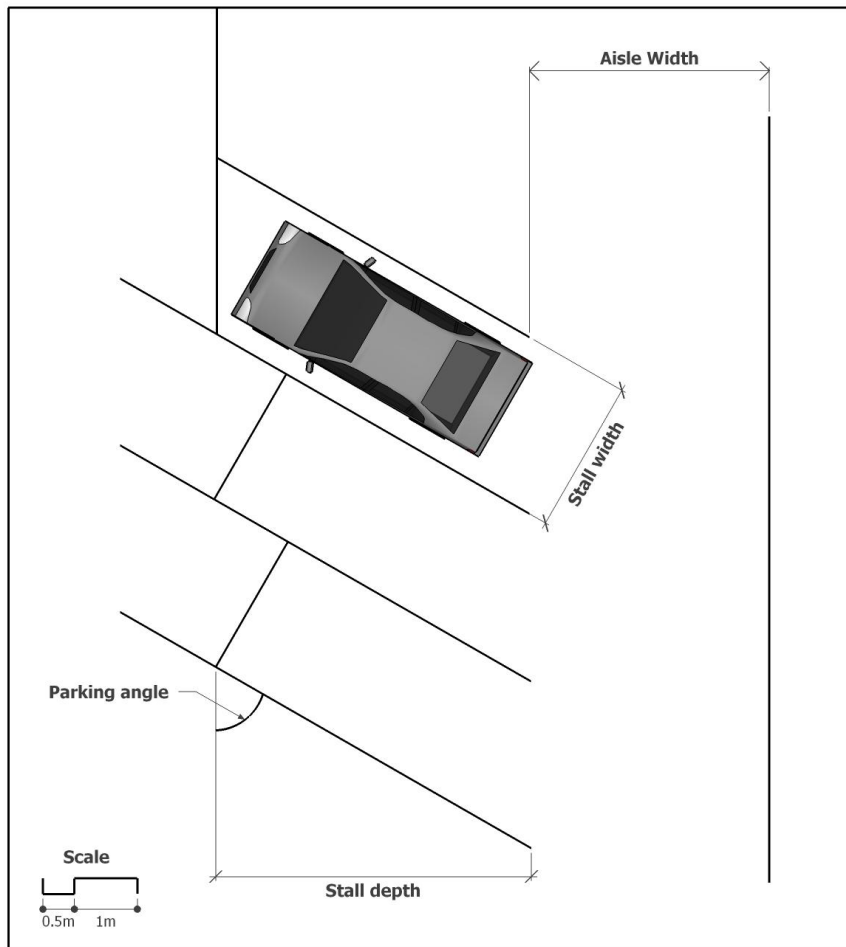
Appendix 5: Standards for the Design and Construction of Vehicle Crossings on Arterial, Primary Collector and Secondary Collector Roads (Speeds >50km/Hr): Vehicle crossings where traffic levels are 30 or more equivalent car trips per day



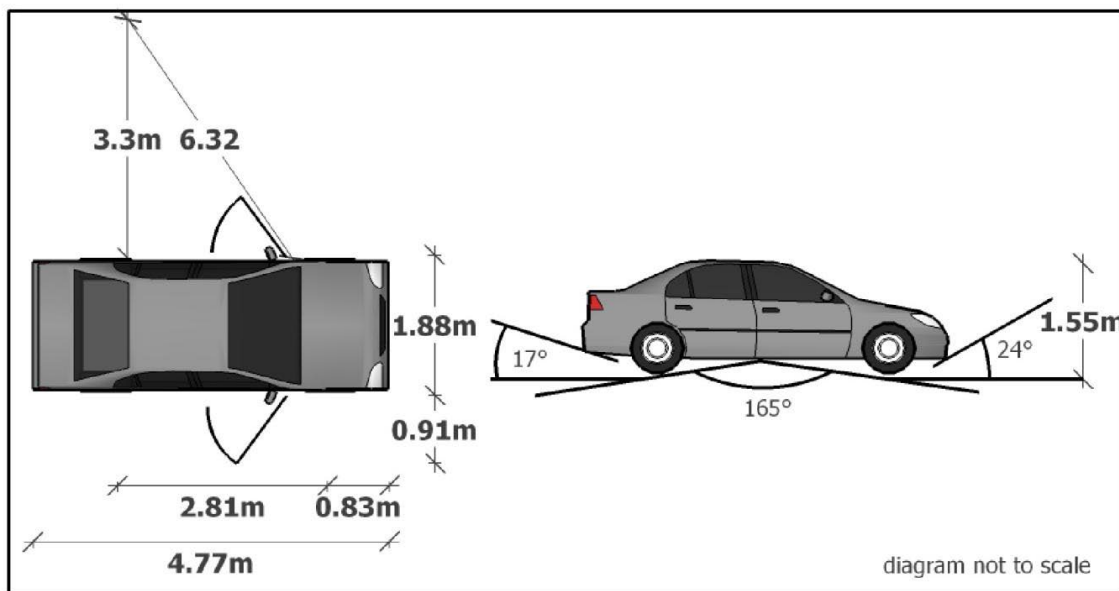
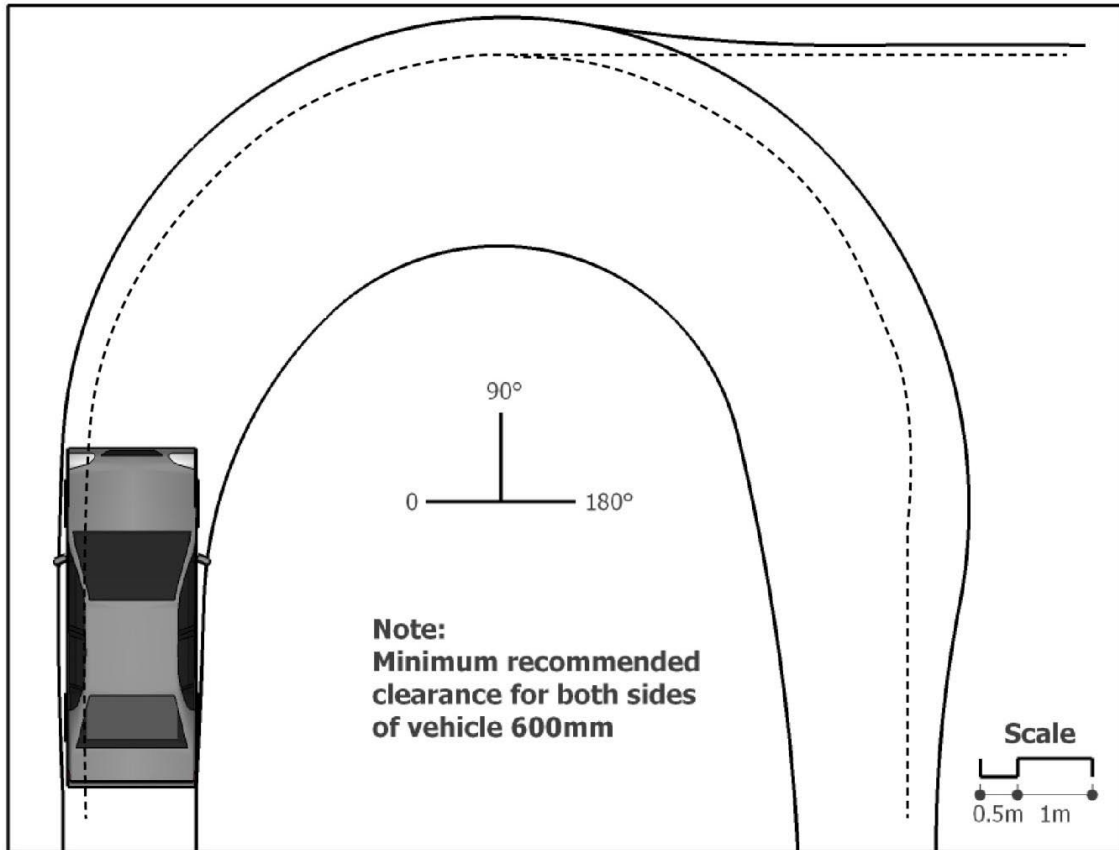
Note:

- (a) For the purposes of calculating equivalent car trips per day, one truck trip equates to 3 car trips and one truck and trailer combination trip equates to 5 car trips.

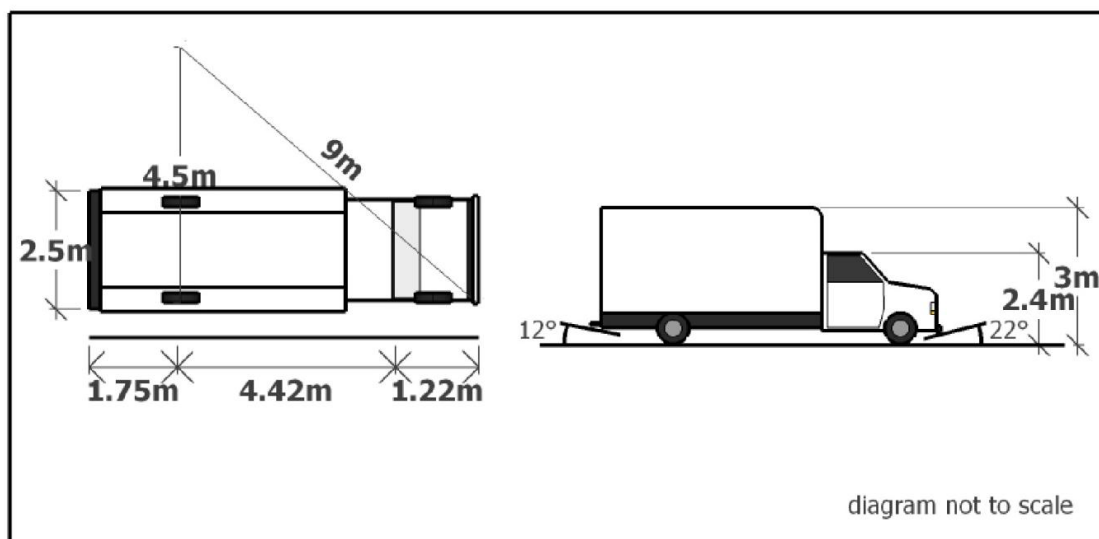
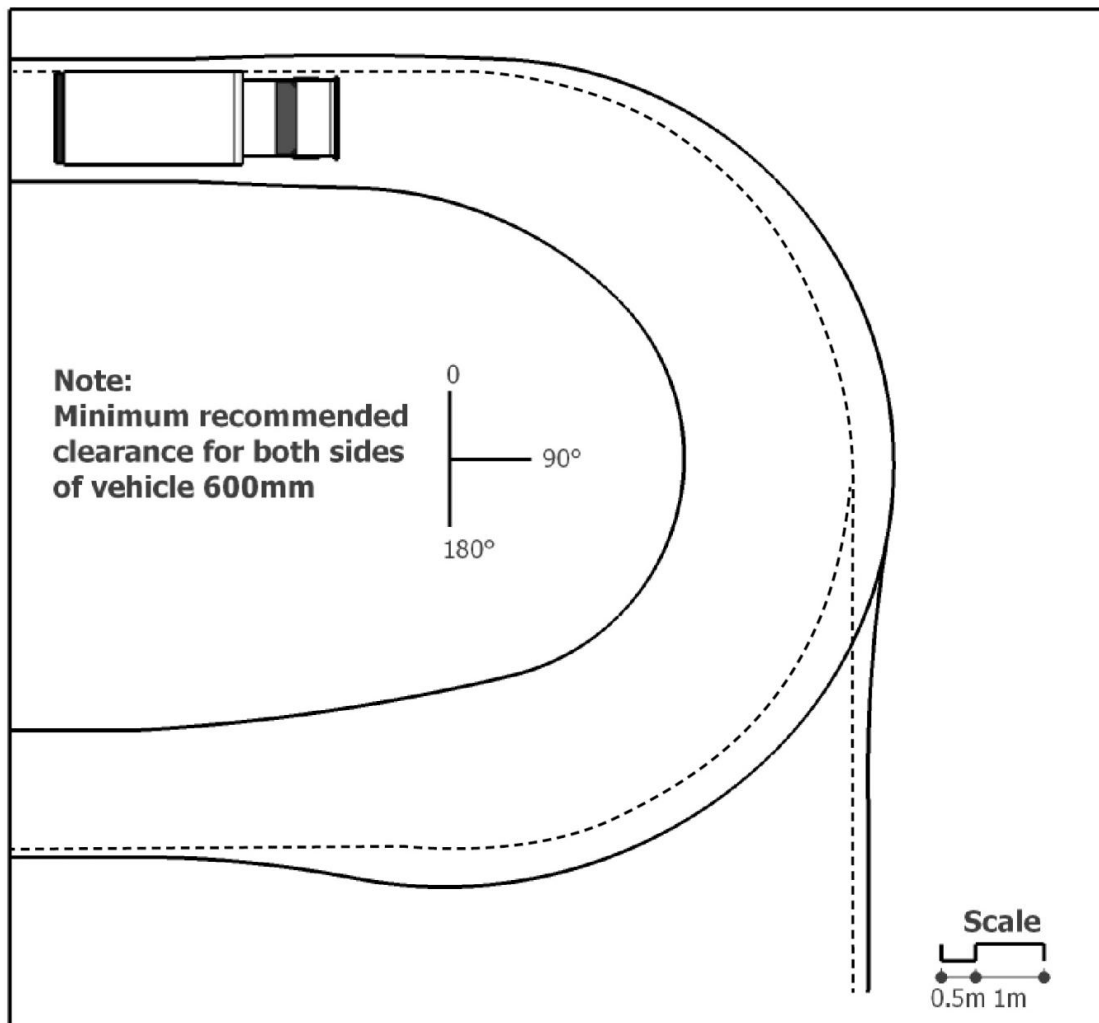
Appendix 6: Size and Layout of Car Parks



Appendix 7: 90 Percentile Design Motor Car



Appendix 8: 90 Percentile Design Two Axle Truck



SECTION 11: NOISE RULES

This part of the Plan contains rules and performance standards relating to noise. This includes the requirements in terms of the maximum noise levels for activities and acoustic insulation requirements for buildings. It is noted Section 8: Rural Industrial Zone contains site-specific noise provisions, which are in addition to the provisions in this Section.

11.1 CATEGORIES OF ACTIVITIES

11.1.1 PERMITTED ACTIVITIES

- (a) All activities provided that they comply with the relevant performance standards in Section 11.2.

11.1.2 CONTROLLED ACTIVITIES

None.

11.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

- (a) In the Rural Zone, any activity which does not comply with one or more of the noise limit performance standards in Rule 11.2.1.1 – 11.2.2.4.

Matters to which the Council restricts its discretion:

- (i) The level, duration and character of the noise, and proximity and nature of nearby activities, and the adverse effects that may arise from these factors on activities anticipated in the receiving environment and associated amenity; and
- (ii) The measures to avoid, remedy or mitigate the adverse effects of noise.

- (b) In the Rural Zone, any activity which does not comply with one or more of the noise insulation performance standards in Rules 11.2.2.5 or 11.2.2.6.

Matters to which the Council restricts its discretion:

- (i) The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise impacts through other means, e.g. screening by other structures, or distance from noise sources.
- (ii) The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the site.
- (iii) The impact of any noise sensitive activity that does not provide the required noise insulation on the ability of existing or future permitted activities to operate or establish without undue constraint.
- (iv) The location of any nearby activities and the degree to which the amenities of the noise sensitive activities may be adversely affected.

- (c) Unless listed elsewhere in the District Plan, any activity which does not comply with one or more of the performance standards in Section 11.2.

Matters to which the Council restricts its discretion:

- (i) Avoiding, remedying or mitigating of actual or potential effects deriving from non-compliance with the particular performance standards(s) that is not met.

11.1.4 DISCRETIONARY ACTIVITIES

None.

11.1.5 NON COMPLYING ACTIVITIES

None.

11.1.6 PROHIBITED ACTIVITIES

None.

11.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES

The following Performance Standards apply to all permitted activities, except those exempt from the standards as set out in Section 11.2.1.

Except where otherwise expressly provided for, noise is to be measured and assessed in accordance with NZS 6801:2008 Acoustics - Measurement of Environmental Sound and NZS 6802:2008 Acoustics – Environmental Noise.

11.2.1 ACTIVITIES THAT ARE EXEMPT FROM THE NOISE PERFORMANCE STANDARDS

The following activities are exempt from the specific noise performance standards in Chapters 8, 11 and 18 and shall be controlled separately by reference to and Sections 16 and 17 of the RMA and by the application of relevant New Zealand Noise Standards where these are applicable:

- (a) Aircraft being operated during or immediately before or after flight, except for helicopter noise as part of a Temporary Military Training Activity as set out in Rule 11.2.10.
- (b) Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1998), or within a site as part of or compatible with a normal residential activity.
- (c) Trains on rail lines (public or private), including at railway yards, railway sidings or stations. However, this exemption does not apply to the testing (when stationary), maintenance, loading or unloading of trains.
- (d) Sounds specifically generated by construction, maintenance and demolition activities which shall be assessed, managed and controlled by reference to NZ S6803:1999 Acoustics – Construction noise.

- (e) Farming activity, intensive farming, forestry planting and forestry harvesting in the Rural Zone.
- (f) Residential activities in Residential or Rural Zones with the exception of noise associated with power generation, heating, ventilating or air conditioning systems, or water pumping/treatment systems of any kind.
- (g) Crowd noise at a park or reserve.
- (h) Motorcraft operating on the surface of waterbodies.
- (i) Any warning device or siren used by emergency services for emergency purposes (and routine testing and maintenance).
- (j) Sounds specifically generated by wind turbines as part of large-scale renewable electricity generation activities shall be assessed, managed and controlled by reference to NZS 6808:2010 Acoustics – Wind farm Noise.

11.2.2 RURAL ZONE AND TOWNSHIP ZONE

1. Noise generated by any activity in the Rural Zone and Township Zones shall not exceed the following noise limits:
 - (i) when measured at any point within the boundary of any other Rural Zoned site:

All times	55dB L_{Aeq} (15 min)
10pm to 7am	85dB L_{Aeq} (15 max)
 - (ii) when measured at any point within the notional boundary of any dwelling on any other Rural Zoned site:

7am to 7pm	55dB L_{Aeq} (15 min)
7pm to 10pm	50dB L_{Aeq} (15 min)
10pm to 7am	45dB L_{Aeq} (15 min)
10pm to 7am	75dB L_{Amax}
2. Noise generated by any activity in the Township Zone shall not exceed the following noise limits when measured at any point within the boundary of any other Township Zoned site:

7am to 7pm	55dB L_{Aeq} (15 min)
7pm to 10pm	50dB L_{Aeq} (15 min)
10pm to 7am	45dB L_{Aeq} (15 min)
10pm to 7am	75dB L_{Amax}
3. Noise generated by any activity in the Rural Zone shall not exceed the following noise limits at any point within any Township Zoned site:

7am to 7pm	55dB L_{Aeq} (15 min)
7pm to 10pm	50dB L_{Aeq} (15 min)
10pm to 7am	45dB L_{Aeq} (15 min)

10pm to 7am 75dB L_{Amax}

4. Noise generated by any activity in the Rural Zone shall not exceed the following noise limits at any point within any Residential Zoned site:

7am to 7pm 50dB L_{Aeq} (15 min)

7pm to 10pm 45dB L_{Aeq} (15 min)

10pm to 7am 40dB L_{Aeq} (15 min)

10pm to 7am 70dB L_{Amax}

5. In the Rural Zone and Township Zone in the following locations:

- (i) Within 80m (measured from the nearest painted edge of the carriageway) of a State Highway where the posted speed limit is 70km/hr or greater, any habitable room in a new building containing a noise sensitive activity shall be designed, constructed and maintained to meet an internal noise level of 40 dB L_{Aeq} (24 hour).
- (ii) Within 60m (measured from the nearest edge of the rail corridor) of the railway line, any habitable room in a new building containing a noise sensitive activity shall be designed, constructed and maintained to meet an internal noise level of:
 - (i) 35dBA L_{Aeq} (1 hour) inside bedrooms with ventilating windows open.
 - (ii) 40dBA L_{Aeq} (1 hour) inside other habitable rooms with ventilating windows open.

Compliance with Rule 11.2.2.5 shall be achieved by an acoustic design certificate from a suitably qualified acoustic engineer being provided to Council, prior to the construction of any building containing a noise sensitive activity, demonstrating that the above internal sound levels will be achieved. The building will be designed, constructed and maintained in accordance with the design certificate.

Where the noise level specified in Rule 11.2.2.5 cannot be met with ventilating windows open, a ventilation system shall be installed for the habitable room(s).

Note: For the purpose of this rule. Ventilation System means a system complying with the Building Code (NZS 4303) for mechanical ventilation (refer Clause G4). This rule will ensure a minimum level of mechanical ventilation with ventilating windows closed.

6. Any habitable room in a new building containing a noise sensitive activity located within the Noise Area Boundary identified for the Fonterra Whareroa Dairy Manufacturing Site or Fonterra Kapuni Dairy Manufacturing Site shown in Sections 8.5.1 or 8.8.2 of this Plan shall be designed, constructed and maintained to achieve an internal design level of 35 dB L_{Aeq} (1 hour) with the windows closed.

11.2.3 RESIDENTIAL ZONE

1. Noise generated by any activity in the Residential Zone shall not exceed the following noise limits when measured at any point within any other Residential Zoned site:

7am to 7pm 50dB L_{Aeq} (15 min)

7pm to 10pm 45dB L_{Aeq} (15 min)

10pm to 7am 40dB L_{Aeq} (15 min)

10pm to 7am

70dB L_{Amax}

2. Any habitable room in a new building containing a noise sensitive activity within 40m (measured from the nearest painted edge of the carriageway) of State Highway 3 or 45 where the posted speed limit is 70km/hr or greater shall be designed, constructed and maintained to meet an internal noise level of 40 dB L_{Aeq} (24 hours).
3. Within 60m (measured from the nearest edge of the rail corridor) of the railway line, any habitable room in a new building containing a noise sensitive activity shall be designed, constructed and maintained to meet an internal noise level of:
 - (i) 35dBA L_{Aeq} (1 hour) inside bedrooms with ventilating windows open.
 - (ii) 40dBA L_{Aeq} (1 hour) inside other habitable rooms with ventilating windows open.

Compliance with Rule 11.2.3.2 and 11.2.3.3 shall be achieved by an acoustic design certificate from a suitably qualified acoustic engineer being provided to the Council, prior to the construction of any building containing a noise sensitive activity, demonstrating that the above internal sound levels will be achieved. The building will be designed, constructed and maintained in accordance with the design certificate.

Where the noise level specified in Rule 11.2.3.2 or 11.2.3.3 cannot be met with ventilating windows open, a ventilation system shall be installed for the habitable room(s).

Note: For the purpose of this rule. Ventilation System means a system complying with NZS 4303:1990 for mechanical ventilation (refer Clause G4). This rule will ensure a minimum level of mechanical ventilation with ventilating windows closed.

11.2.4 COMMERCIAL ZONE

1. Noise generated by any activity in the Commercial Zone shall not exceed the following noise limits at any point within any other site in the Commercial Zone:

All times 65dB L_{Aeq} (15 min)

All times 90dB L_{Amax}

2. Any habitable room in a new dwelling unit in the Commercial Zone shall be designed, constructed and maintained to meet an internal noise level of:
 - (i) 35dB L_{Aeq} (1 hour) inside bedrooms with ventilating windows open.
 - (ii) 40dB L_{Aeq} (1 hour) inside other habitable rooms with ventilating windows open.

Compliance with Rule 11.2.4.2 shall be achieved by an acoustic design certificate from a suitably qualified acoustic engineer being provided to the Council, prior to the construction of any noise sensitive activity, demonstrating that the above internal sound levels will be achieved. The building will be designed, constructed and maintained in accordance with the design certificate.

Where the noise level specified in Rule 11.2.4.2 cannot be met with ventilating windows open, a ventilation system shall be installed for the habitable room(s).

Note: For the purpose of this rule. Ventilation System means a system complying with the NZS 4303:1990 for mechanical ventilation (refer Clause G4). This rule will ensure a minimum level of mechanical ventilation with ventilating windows closed.

3. Noise generated by any activity in the Commercial Zone shall not exceed the following limits when measured at or within the boundary of any Rural Zoned site, or Residential Zoned site:

Rural Zoned site:	7am to 7pm	55dB L_{Aeq} (15 min)
	7pm to 10pm	50dB L_{Aeq} (15 min)
	10pm to 7am	45dB L_{Aeq} (15 min)
	10pm to 7am	75dB L_{Amax}
Residential Zoned site:	7am to 7pm	50dB L_{Aeq} (15 min)
	7pm to 10pm	45dB L_{Aeq} (15 min)
	10pm to 7am	40dB L_{Aeq} (15 min)
	10pm to 7am	70dB L_{Amax}

4. Noise from the operation of emergency generators are exempt from the noise limits in Rule 11.2.4.

11.2.5 INDUSTRIAL ZONE

1. Noise generated by any activity in the Industrial Zone shall not exceed the following noise limits at any point within any other site in the Industrial Zone:

At all times	65dB L_{Aeq} (15 min)
At all times	90dB L_{Amax}

2. Any habitable room in a new dwelling unit in the Industrial Zone shall be designed, constructed and maintained to meet an internal noise level of:

- (i) 35dB L_{Aeq} (1 hour) inside bedrooms with ventilating windows open.
- (ii) 40dB L_{Aeq} (1 hour) inside other habitable rooms with ventilating windows open.

Compliance with Rule 11.2.5.2 shall be achieved by an acoustic design certificate from a suitably qualified acoustic engineer being provided to the Council, prior to the construction of any noise sensitive activity, demonstrating that the above internal sound levels will be achieved. The building will be designed, constructed and maintained in accordance with the design certificate.

Where the noise level specified in Rule 11.2.5.2 cannot be met with ventilating windows open, a ventilation system shall be installed for the habitable room(s).

Note: For the purpose of this rule. Ventilation System means a system complying with the NZS 4303:1990 for mechanical ventilation (refer Clause G4). This rule will ensure a minimum level of mechanical ventilation with ventilating windows closed.

3. Noise generated by any activity in the Industrial Zone shall not exceed the following noise limits at any point within the boundary of any Rural Zoned site or Residential Zoned site:

7am to 7pm	55dB L_{Aeq} (15 min)
7pm to 10pm	50dB L_{Aeq} (15 min)

10pm to 7am	45dB L_{Aeq} (15 min)
10pm to 7am	75dB L_{Amax}

11.2.6 RURAL INDUSTRIAL ZONE

1. The noise standards set out in the Appendix of Section 8 shall apply to activities in the areas of the Rural Industrial Zone referred to and described in that Appendix.
2. Where these standards specifically refer to previous versions of NZS 6801:2008 and NZS 6802:2008 then measurement and assessment shall continue to be made in accordance with those versions, otherwise measurement and assessment shall be made in accordance with the 2008 version of those standards, ie NZS 6801:2008 and NZS 6802:2008 respectively.
3. All other activities in the Rural Industrial Zone shall be subject to the provisions in Section 11.2.2 except those that are exempt under Section 11.2.1 and except the 1968 Decision Area as shown on the Vector, Kapuni Decision Areas Plan (Appendix 1 of Section 8).

11.2.7 PARKS AND RESERVES

1. Noise generated by any activity in any park or reserve shall not exceed the following noise limits at any point within the boundary of any Rural, Township or Residential Zoned site:

7am to 7pm	50dB L_{Aeq} (15 min)
7pm to 10pm	45dB L_{Aeq} (15 min)
10pm to 7am	40dB L_{Aeq} (15 min)
10pm to 7am	65dB L_{Amax}

11.2.8 HAWERA AERODROME – NOISE SENSITIVE ACTIVITIES

1. Any new noise sensitive activity or addition(s) to an existing noise sensitive activity constructed inside the Hawera Aerodrome Outer Control Boundary (OCB) shown on Planning Maps (Special Map 1) shall be designed, constructed and maintained to meet an internal noise level of 40 dB L_{dn} in habitable rooms with ventilating windows open.

The acoustic insulation shall be based on an external aircraft noise level for a given location determined by interpolating between the OCB (55 dB L_{dn}) and the 65 dB L_{dn} contour. For each octave band the linear decibel level can be determined by adding the following adjustment to the overall A-weighted outdoor L_{dn} level.

External Aircraft Noise Octave Band Adjustments for Sound Insulation Design

63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz
6	5	0	-3	-6	-8	-11

Compliance with Rule 11.2.8.1 shall be achieved by an acoustic design certificate from a suitably qualified acoustic engineer being provided to the Council, prior to the construction of any noise sensitive activity, demonstrating that the above internal sound levels will be achieved. The building will be designed, constructed and maintained in accordance with the design certificate.

Where the noise level specified in Rule 11.2.8.1 cannot be met with ventilating windows open, a ventilation system shall be installed for the habitable room(s).

Note: For the purpose of this rule. Ventilation System means a system complying with the Building Code (NZS 4303) for mechanical ventilation (refer Clause G4). This rule will ensure a minimum level of mechanical ventilation with ventilating windows closed.

11.2.9 HAWERA AERODROME – AIRCRAFT OPERATIONS

1. Aircraft operations at Hawera Aerodrome shall be managed so that the 90 day average day night noise level (L_{dn}) from aircraft operations does not exceed 55dB L_{dn} outside the Outer Control Boundary (OCB) shown on the Planning Maps. Aircraft noise will be measured in accordance with NZS 6805:1992.

Noise from aircraft operations shall be monitored every three years commencing three years following the Plan becoming operative by one of the following methods:

- (i) Continuous in-field noise monitoring at one location over a busy 90 day period (typically summer). Monitoring does not need to occur on the OCB but shall be at a suitable location to enable compliance with the limit at the OCB to be determined.
- (ii) Noise contours calculated using the Integrated Noise Model or suitable equivalent and records of actual aircraft activity over a busy 90 day period (typically summer).

Monitoring and assessment of compliance with the noise limit shall be carried out by a suitably qualified acoustic specialist and the results shall be reported to the Council.

Once noise from aircraft operations reaches 54 dB L_{dn} at any location on the OCB the monitoring described above shall be undertaken and reported to the Council annually.

11.2.10 TEMPORARY MILITARY TRAINING ACTIVITIES

1. Temporary military training activities are only subject to the standards in Rule 11.2.10. They are exempt from the standards in Rules 11.2.2 – 11.2.9.
2. The use of guns, mortars or any other explosive devices shall comply with the following requirements.

Type of Military Noise	Time (on all days)	Separation distance to the notional boundary of any building containing a noise sensitive activity	
Live firing of weapons and single or multiple explosive events	7am to 7pm	1,500m minimum	Less than 1,500m if conditions (i) and (iii) below are complied with
	7pm to 7am	4,500m minimum	Less than 1,500m if conditions (ii) and (iii) below are complied with
Firing of blank ammunition	7am to 7pm	750m minimum	Less than 750m if conditions (i) and (iii) are complied with
	7pm to 7am	2,250m minimum	Less than 2,250m if conditions (ii) and (iii) are complied with

The below standards are to be complied with if minimum separation distances in the above table cannot be met.

- (i) Day time (7am to 7pm) noise levels must not exceed a peak sound level of 120dBC when measured at or within the notional boundary of any building containing a noise sensitive activity.
 - (ii) Night time (7pm to 7am) noise levels must not exceed a peak sound level of 90dBC when measured at or within the notional boundary of any building containing a noise sensitive activity.
 - (iii) A noise management plan is prepared by a suitably qualified acoustic engineer and provided to the Council at least 15 working days prior to the activity taking place. The noise management plan must contain as a minimum:
 - A description of the site and activities, including times, dates and duration of the activities, and the nature and location of the proposed training activities
 - Methods to minimise the noise disturbance for activities sensitive to noise including the location, orientation and timing of noisy activities
 - A map showing potentially affected activities sensitive to noise and predicted peak sound pressure noise levels for each of these locations
 - A programme for notification and communication with the occupiers of activities sensitive to noise at least seven days before the activity is commenced
 - A method for following up complaints received by the Council during and after the event and any proposed debriefings with Council officers.
 - (iv) Notice is provided to the Council at least 48 hours prior to the commencement of the activity, specifying whether the activity involves live firing and/or the use of explosives, or firing of blank ammunition; the location of the activity and the boundaries within which the activity will take place, and distances to buildings housing noise sensitive activities; and the timing and duration of the activity.
3. Mobile noise sources, excluding those in the table above, shall comply with the noise limits set out in Tables 2 and 3 of NZS 6803:1999 Acoustics – Construction Noise, with reference to ‘construction noise’ taken to refer to other, mobile noise sources.

Note: For the purpose of this performance standard, mobile noise sources include (but are not limited to) sources such as personnel, light and heavy vehicles, self-propelled equipment, and earthmoving equipment.

4. Fixed (stationary) noise sources, excluding those in the table above, shall not exceed the following noise limits when measured at any point within any land zoned Residential or æ within the notional boundary of a building housing any noise sensitive activity in any other Zone:

7am to 7pm	55dBA L_{Aeq} (15 min)
7pm to 10pm	50dBA L_{Aeq} (15 min)
10pm to 7am	45dBA L_{Aeq} (15 min)
10pm to 7am	75dBA L_{Amax}

Note: For the purpose of this performance standard, fixed (stationary) noise sources include (but are not limited to) noise sources such as power generation, heating, ventilation or air conditioning systems, or water or wastewater pumping/treatment systems.

5. Noise generated by helicopter landing areas shall comply with the noise limits set out in NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.

SECTION 12: HAZARDOUS SUBSTANCES RULES

This part of the Plan contains rules and performance standards relating to significant hazardous facilities (whether new or expansion of existing lawfully established facilities). The following provisions for significant hazardous activities shall apply to all zones of the District as specified. The rules contained in this section take precedence over any other zone rules that may apply to significant hazardous facilities in the District Plan, unless specifically stated to the contrary. Other relevant Zone and District wide rules will also still apply, including Section 11 Noise, Section 13 Energy, Section 15 Heritage Protection, Section 17 Natural Environment, and Section 19 Signs.

For all other activities (i.e. not significant hazardous facilities) which use, store, handle or dispose of hazardous substances, the District Plan relies upon the Hazardous Substances and New Organisms Act and Health and Safety at Work Act and their associated regulations.

The Planning Maps contain an alert layer that is subject to the potential presence of contaminants from abnormal flare operation at a petroleum facility, which has the potential to cause acute health effects. As the probability of an acute health effect occurring is low, this alert layer (the Petroleum Flare Alert Area) is non-regulatory and no District Plan rules are triggered by it. This alert layer is measured 70m from flares at well-sites and 300m from flares at production stations. For information about the discharge to air from a flare, please contact the Taranaki Regional Council.

12.1 CATEGORIES OF ACTIVITIES

12.1.1 PERMITTED ACTIVITIES

- (a) In the Rural Industrial Zone, significant hazardous facilities.
- (b) In the Rural Industrial Zone for sites with a Petroleum Activity Risk Contour shown on the Planning Maps, alterations or additions to existing petroleum production activities provided:
 - (i) the new 1×10^{-6} individual fatality risk contour does not extend beyond the Petroleum Production Activity Risk Contour shown on the Planning Maps for the subject site; and
 - (ii) there are no existing sensitive activities within the new 1×10^{-6} individual fatality risk contour.
- (c) In the Rural Industrial Zone for sites with a Petroleum Activity Risk Contour shown on the Planning Maps, alterations or additions to existing petroleum production activities provided the new 1×10^{-6} individual fatality risk contour does not extend outside of the Petroleum Activity Risk Contour.
- (d) In the Rural Industrial Zone for sites with no Petroleum Activity Risk Contour shown on the Planning Maps, alterations or additions to existing petroleum production activities where the new 1×10^{-6} individual fatality risk contour does not extend beyond the Rural Industrial Zone.

12.1.2 CONTROLLED ACTIVITIES

None.

12.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

- (a) In the Industrial Zone, alterations or additions to existing significant hazardous facilities, provided they comply with the performance standards in Section 12.2.

Matters to which the Council restricts its discretion:

- (i) Changes to operations and site layout arising from the proposed alterations or additions to the facility, including the location of hazardous substances on-site.
 - (ii) Separation distances from sensitive activities and sensitive environments, including the number of people potentially at risk from the proposed alterations or additions to the facility.
 - (iii) Any new or increase in potential health or environmental hazards and exposure pathways arising from the proposed alterations or additions to the facility and any on site containment measures proposed.
 - (iv) Proposed emergency management planning (spills, fills and other relevant hazards).
 - (v) Proposed monitoring and maintenance schedules.
 - (vi) Compliance with relevant Codes of Practice and standards and relevant regional plan permitted activity performance standards/resource consents.
- (b) In the Rural Industrial Zone for sites with a Petroleum Activity Risk Contour shown on the Planning Maps, alterations or additions to existing petroleum production activities where the new 1×10^{-6} individual fatality risk contour extends outside the Petroleum Production Activity Risk Contour shown on the Planning Maps for the subject site and does not contain any existing sensitive activities.

Matters of discretion:

- (i) Changes to operations and site layout arising from the proposed alterations or additions to the facility, including the location of hazardous substances on-site.
 - (ii) Separation distances from sensitive activities and sensitive environments, including the number of people potentially at risk from the proposed alterations or additions to the facility.
 - (iii) Any new or increase in potential health or environmental hazards and exposure pathways arising from the proposed alterations or additions to the facility and any on site containment measures proposed.
 - (iv) Application of risk management (ALARP) to lesser risks.
 - (v) Proposed emergency management planning (spills, fills and other relevant hazards).
 - (vi) Proposed monitoring and maintenance schedules.
 - (vii) Compliance with relevant Codes of Practice and standards and relevant regional plan permitted activity performance standards/resource consents.
 - (viii) Controls proposed to avoid the establishment of new sensitive activities within the area of Unacceptable Risk.
- (c) In the Rural Industrial Zone for sites with a Petroleum Activity Risk Contour shown on the Planning Maps, alterations or additions to existing petroleum production activities where:
- (i) the new 1×10^{-6} individual fatality risk contour does not extend outside the Petroleum Production Activity Risk Contour shown on the Planning Maps for the subject site; and

- (ii) there are one or more existing sensitive activities within the new 1×10^{-6} individual fatality risk contour.

Matters of discretion:

- (i) Changes to operations and site layout arising from the proposed alterations or additions to the facility, including the location of hazardous substances on-site.
 - (ii) Separation distances from sensitive activities and sensitive environments, including the number of people potentially at risk from the proposed alterations or additions to the facility.
 - (iii) Any new or increase in potential health or environmental hazards and exposure pathways arising from the proposed alterations or additions to the facility and any on site containment measures proposed.
 - (iv) Application of risk management (ALARP) to Unacceptable Risk that cannot be avoided and to lesser risks.
 - (v) Proposed emergency management planning (spills, fills and other relevant hazards).
 - (vi) Proposed monitoring and maintenance schedules.
 - (vii) Compliance with relevant Codes of Practice and standards and relevant regional plan permitted activity performance standards/resource consents.
 - (viii) Controls proposed to avoid the establishment of new sensitive activities within the area of Unacceptable Risk.
- (d) In the Rural Industrial Zone for sites with no Petroleum Activity Risk Contour shown on the Planning Maps, alterations or additions to existing petroleum production activities where the new 1×10^{-6} individual fatality risk contour does not contain any existing sensitive activities.

Matters of discretion:

- (i) Changes to operations and site layout arising from the proposed alterations or additions to the facility, including the location of hazardous substances on-site.
 - (ii) Separation distances from sensitive activities and sensitive environments, including the number of people potentially at risk from the proposed alterations or additions to the facility.
 - (iii) Any new or increase in potential health or environmental hazards and exposure pathways arising from the proposed alterations or additions to the facility and any on site containment measures proposed.
 - (iv) Application of risk management (ALARP) to lesser risks.
 - (v) Proposed emergency management planning (spills, fills and other relevant hazards).
 - (vi) Proposed monitoring and maintenance schedules.
 - (vii) Compliance with relevant Codes of Practice and standards and relevant regional plan permitted activity performance standards/resource consents.
 - (viii) Controls proposed to avoid the establishment of new sensitive activities within the area of Unacceptable Risk.
- (e) In the Rural Zone, alterations or additions to existing petroleum exploration and petroleum production activities where the new 1×10^{-6} individual fatality risk contour is contained within the Petroleum Activity Risk Area for the subject site.

Matters of discretion:

- (i) Changes to operations and site layout arising from the proposed alterations or additions to the facility, including the location of hazardous substances on-site.
- (ii) Separation distances from sensitive activities and sensitive environments, including the number of people potentially at risk from the proposed alterations or additions to the facility.
- (iii) Any new or increase in potential health or environmental hazards and exposure pathways arising from the proposed alterations or additions to the facility and any on site containment measures proposed.
- (iv) Application of risk management (ALARP) to lesser risks.
- (v) Proposed emergency management planning (spills, fills and other relevant hazards).
- (vi) Proposed monitoring and maintenance schedules.
- (vii) Compliance with relevant Codes of Practice and standards and relevant regional plan permitted activity performance standards/resource consents.

12.1.4 DISCRETIONARY ACTIVITIES

- (a) In the Rural Zone, Residential Zone, Township Zone, Commercial Zone and Industrial Zone, significant hazardous facilities, provided they comply with the performance standards in Section 12.2 (excluding alterations or additions to existing significant hazardous facilities in the Industrial Zone under Rule 12.1.3)
- (b) In the Rural Industrial Zone, Rural Zone, Commercial Zone and Industrial Zone, new petroleum exploration and petroleum production activities where the 1×10^{-6} individual fatality risk is contained within the Petroleum Activity Risk Area.
- (c) In the Rural Zone for sites with no Petroleum Activity Risk Contour shown on the Planning Maps, alterations or additions to existing petroleum exploration and petroleum production activities where the new 1×10^{-6} individual fatality risk contour extends outside the Petroleum Activity Risk Area and does not contain any existing sensitive activities.
- (d) In the Rural Zone, alterations or additions to existing petroleum exploration and production activities where the new 1×10^{-6} individual fatality risk contour extends outside the Petroleum Activity Risk Contour shown on the Planning Maps, and does not contain any existing sensitive activities.

12.1.5 NON-COMPLYING ACTIVITIES

- (a) In the Rural Zone, Residential Zone, Township Zone, Commercial Zone and Industrial Zone, any significant hazardous facility that does not comply with one or more of the performance standards in Section 12.2.
- (b) In the Rural Industrial Zone, Rural Zone, Commercial Zone and Industrial Zone, new petroleum exploration and petroleum production activities where the 1×10^{-6} individual fatality risk contour extends outside the Petroleum Activity Risk Area.
- (c) In the Rural Industrial Zone and Rural Zone, alterations or additions to existing petroleum exploration and production activities where the new 1×10^{-6} individual fatality risk contour

extends outside the Petroleum Activity Risk Contour shown on the Planning Maps, and contains one or more existing sensitive activities.

- (d) In the Rural Industrial Zone and Rural Zone for sites with no Petroleum Activity Risk Contour shown on the Planning Maps, alterations or additions to existing petroleum exploration and petroleum production activities where the new 1×10^{-6} individual fatality risk contour contains one or more existing sensitive activities.
- (e) In the Residential Zone and Township Zone, petroleum exploration and petroleum production activities not involving the use, storage or handling of hazardous substances.
- (f) In the Rural Industrial Zone, recommissioning the LPG tanker loadout facility at the Kapuni Production Station where the new 1×10^{-6} individual fatality risk contour extends outside the Petroleum Activity Risk Contour shown on the Planning Maps, and contains one or more existing sensitive activities.

12.1.6 PROHIBITED ACTIVITIES

- (a) In the Residential Zone and Township Zone, petroleum exploration and petroleum production activities involving the use, storage or handling of hazardous substances.

12.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES

The following Performance Standards apply to significant hazardous facilities in the Rural Zone, Residential Zone, Township Zone, Commercial Zone and Industrial Zone.

12.2.1 Water

1. Significant hazardous facilities shall not be located within the catchments of:
 - (i) The Hangatahua (Stony) River (as shown in Hazardous Substances Appendix 1); or
 - (ii) The Lake Rotokare Scenic Reserve (as identified on the Planning Maps as ONF/L8).
2. The Significant hazardous facilities shall not be located within 50m of:
 - (i) Significant Waterbodies (as identified in Schedule 5); or
 - (ii) Regionally Significant Wetlands (as identified in Schedule 6).

12.2.2 Habitats

1. Significant hazardous facilities shall not be located within a Significant Natural Area identified in Schedule 2.

12.2.3 Natural Hazards and Coastal Protection Area

1. Significant hazardous facilities shall not be located within:
 - (i) The Flood Hazard Area or the Coastal Protection Area identified on the Planning Maps-

12.2.4 Historic Sites or Sites of Significance to Tangata Whenua

1. Significant hazardous facilities shall not be located either within, or closer than 50m from the boundary, of a Historic Site or Site of Significance to Tāngata Whenua identified in Schedule 1B.

12.3 Hazardous Substances Appendix 1: Hangatahua (Stony) River Catchment (Performance Standard 12.2.1)



SECTION 13: ENERGY RULES

This part of the Plan contains rules and performance standards relating to energy activities. The rules contained in this section take precedence over any other zone rules that may apply to energy activities in the District Plan, unless specifically stated to the contrary. The following provisions for energy activities shall apply to all zones of the District. District wide rules including Section 11 Noise, Section 12 Hazardous Substances, Section 15 Heritage Protection, Section 17 Natural Environment, and Section 19 Signs will still apply.

13.1 CATEGORIES OF ACTIVITIES

13.1.1 PERMITTED ACTIVITIES

The following activities are permitted activities, provided activities comply with all relevant Permitted Activity Performance Standards in Section 13.2 and all other Sections of the District Plan:

- (a) In the Rural Zone, the following activities:
 - (i) Small scale renewable electricity generation.
 - (ii) Exploratory wind generation activities.
 - (iii) Prospecting, including seismic surveys.
 - (iv) Existing renewable electricity generation activities, including the Patea Hydro Scheme.
- (b) In the Residential, Township, Commercial, and Industrial Zones, the following activities:
 - (i) Small scale renewable electricity generation.
 - (ii) Prospecting, excluding seismic surveys.
- (c) In the Rural Industrial Zone, the following activities:
 - (i) Small scale renewable electricity generation.
 - (ii) Large-scale renewable electricity generation activities.
 - (iii) Prospecting, including seismic surveys.
 - (iv) Petroleum exploration and production.

13.1.2 CONTROLLED ACTIVITIES

None.

13.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

- (a) In all Zones, the following activities:
 - (i) Any small scale renewable electricity generation activity that does not comply with one or more of the performance standards in Section 13.2.

Matters to which the Council restricts its discretion:

- (i) Design, scale and location in relation to neighbouring properties and dwelling units.
 - (ii) Noise.
 - (iii) Landscaping.
 - (iv) Effects on the natural character and values of waterbodies, particularly those listed in Schedule 5.
- (b) Any small scale renewable electricity generation activity located within the Coastal Protection Area or an Outstanding Natural Features and Landscapes.

Matters to which the Council restricts its discretion:

- (i) Potential adverse effects on the natural character-of the coastal environment and the values of any outstanding natural feature and landscape.
 - (ii) Design, scale and location in relation to neighbouring properties and dwelling units.
 - (iii) Noise.
 - (iv) Landscaping.
- (c) In Rural Zone and Rural Industrial Zone, any seismic survey that does not comply with one or more of the performance standards in Section 13.2.4.

The matters to which Council restricts its discretion:

- (i) Use, type and number of explosive and detonator.
- (ii) The results of the ppV tests and offset distances.
- (iii) The provision of information and notification of misfires.

13.1.4 DISCRETIONARY ACTIVITIES

- (a) In the Rural Zone, the following activities:
- (i) Petroleum exploration that is not located in the Coastal Protection Area or in an area of Outstanding Natural Features and Landscapes listed in Schedule 8A.
 - (ii) Petroleum production that is not located in the Coastal Protection Area or in an area of Outstanding Natural Features and Landscapes listed in Schedule 8A.
 - (iii) Large-scale renewable electricity generation activities that is not located in an area of Outstanding Natural Character listed in Schedule 8B or Outstanding Natural Features and Landscapes listed in Schedule 8A.
- (b) In all Zones, unless listed elsewhere in the District Plan, any permitted activity listed in Section 13.1.1 which does not meet one or more of the performance standards for permitted activities in Section 13.2.

13.1.5 NON-COMPLYING ACTIVITIES

- (a) In the Rural Zone, the following activities:
- (i) Petroleum exploration in the Coastal Protection Area or an area of Outstanding Natural Features and Landscapes in Schedule 8A.

- (ii) Petroleum production in the Coastal Protection Area or an area of Outstanding Natural Features and Landscapes in Schedule 8A.
 - (iii) Large-scale renewable electricity generation activities in an area of Outstanding Natural Character listed in Schedule 8B or Outstanding Natural Features and Landscapes listed in Schedule 8A.
- (b) In the Residential, Township, Commercial and Industrial Zones, the following activities:
- (i) Seismic surveys, petroleum exploration and production.
 - (ii) Large-scale renewable electricity generation activities.

13.1.6 PROHIBITED ACTIVITIES

None.

13.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES

13.2.1 Small-Scale Renewable Electricity Generation

1. For small-scale wind turbines, the following standards apply:
 - (i) Maximum height above natural ground level to the tip of the blade shall not exceed 20m.
 - (ii) Maximum number of turbines per site shall be:
 - a. One turbine on sites up to 20 hectares.
 - b. Three turbines on sites 20 hectares or more.
 - (iii) Maximum rotor diameter of 7.2m.
 - (iv) The wind turbine and associated mast/pole shall be at least 60m from the closest wall of a dwelling unit (excluding balconies and decks).
 - (v) The wind turbine and associated mast/pole shall be a distance of at least ten times its height from the boundary of any site that is in separate ownership.
2. For small-scale hydro turbines, the following standards apply:
 - (i) Any associated building or structure shall not exceed 50m² (excluding structures within the bed of a river and/or existing dam structures).
 - (ii) Any building or structure shall not be located within an existing esplanade reserve or strip.
 - (iii) Any building or structure associated with small-scale hydro turbines shall be exempt from the 50m/30m setback from a natural waterbody in Rural Zone Rules 3.1.3 (i) and (j).
3. For solar panels, the following standards apply:
 - (i) Where solar panels are attached to buildings, they shall comply with all the relevant permitted activity performance standards for the relevant Zone, including bulk and location (height and setbacks) standards.

- (ii) Where solar panels are free-standing, including any support structures, they shall:
 - a. Comply with all the relevant permitted activity performance standards for the relevant Zone, including bulk and location (height and setbacks) standards; and
 - b. Have a maximum footprint (gross floor area) of 50m² per site.

Note: Resource consents may be required from the Taranaki Regional Council in respect of taking, using, damming and/or diversion of water for small-scale hydro turbines.

13.2.2 Exploratory Wind Generation Activities

1. Wind monitoring mast shall not exceed a maximum height of 80 metres above natural ground level.
2. Any wind monitoring mast shall be a distance of at least three times its height from the boundary of any site that is not in the same ownership, except that a wind monitoring mast may be erected closer to boundary of any site where, prior to the mast being erected, the written approval of those property owners and occupiers whose properties adjoin the proposed non-compliance has been obtained and is clearly endorsed on all relevant building plans provided to the South Taranaki District Council.
3. Any wind monitoring mast shall be erected for a maximum duration of 5 years.
4. Any wind monitoring mast shall be removed within 2 months of the wind monitoring equipment ceasing to operate.

13.2.3 Existing Renewable Electricity Generation Activities

1. Any activity involving continued operation, maintenance, enhancement, refurbishment and upgrading of existing renewable electricity generating activities and structures (including the Patea Hydro Scheme).

For the purpose of the above rule –

- (i) “Maintenance” means all activities associated with the protective care, repair and monitoring of a hydro dam, wind turbine or power station and associated structures, in order to prevent decay, structural fatigue, erosion or dilapidation and includes maintenance of surrounds and water areas.
- (ii) “Operation” means the working of the electricity generation facility on a day-to-day basis to generate and transmit electricity.
- (iii) “Enhancement” means the improvement of an electricity generation facility (e.g. activities include landscaping, planting, painting, refurbishment of buildings).
- (iv) “Refurbishment and upgrading” means structural improvement, replacement, upgrade and renewal of existing plant, machinery or structures to gain efficiencies in generating and transmitting electricity (a gain in efficiency of generation under this definition includes increases in installed generation capacity by replacement of turbines that have higher energy generation capacity).

This includes work to all structures, such as the parts of the powerhouse, hydro dams and spillways, wind turbines and structures, substations, switchyards, intake, control and diversion structures, jetties, wells, pipes, tunnels, cables, other equipment and accessory buildings and structures of similar character and scale, and includes associated

roads, access, drilling, earthworks and vegetation removal. Any extension to existing buildings and the erection of new buildings shall not exceed a gross floor area of 50m², or a maximum height of 3.5m.

2. For the Patea Hydro Scheme, in addition to Rule 13.2.3.1, the operation of this scheme shall comply with the conditions in Energy Appendix 1.

13.2.4 Seismic Surveys

1. All seismic surveys shall comply with the following performance standards:
 - (i) The main explosive charge for seismic surveys shall consist of bio-degradable/ bio-remediation technology.
 - (ii) Electronically coded detonators or similar technology shall be used for all seismic surveys.
 - (iii) Where designed source points are shallower than 5m, two detonators shall be used.
 - (iv) Offset distances of charges/source points from dwellings and structures shall be established in accordance with the test(s) and analysis of the results, undertaken by a suitably qualified and experienced person.
 - (v) The offset distances shall be established to ensure compliance with the prescribed ppV threshold limits in relation to the 'Health and Safety at Work (Hazardous Substances) Regulations 2017, Part 9.30 (1)(b),(c),(d),(2) and (4)'.
 - (vi) Results of the ppV test(s) and the offset distances established for the survey shall be provided to Council at least 7 days prior to seismic drilling commencing.
 - (vii) A Misfire Management Plan shall be submitted to the Council at least 7 days prior to commencement of drilling activities. This Misfire Management Plan shall include, but not be limited to, the following:
 - a. Procedures for misfire remediation;
 - b. Procedures for securing misfire by way of backfilling and restoration;
 - c. If a misfire occurs, notification requirements to the Council and landowner(s) of the site of the misfire;
 - d. Process for identifying misfires on a map and the provision of this map to the Council and landowners of the site of the misfire;
 - e. Provisions for the physical identification of misfire locations, if requested by the landowner(s);
 - f. Procedures for annual communication in relation to the misfire with the landowner(s).

13.3 Energy Appendix 1: Patea Hydro Electric Power Scheme – Lake Rotorangi (Patea River) (Performance Standard 13.2.3.2)

Note: The below conditions are based on the original decision made under the Town and Country Planning Act 1977 when the scheme was first established. The original decision directed the conditions be included in the respective District Plan (Scheme). The original conditions contained in the District

Plan were reviewed in 2015 as part of the overall review of the District Plan. The conditions in the District Plan were amended to remove original conditions that were now redundant (i.e. they related to the dam's construction) and other conditions were updated to reflect the current operation.

Site:

The Patea Hydro Scheme includes:

Lake Rotorangi which has been formed behind an earth dam on the Patea River located at, or about NZTM Map reference Easting 1734675, Northing 5621416 in South Taranaki District Council to be used for the generation of electricity, such lake to be formed by controlling the maximum operating level of the water in the lake to a level of 80m above mean sea level.

The dam and power house area is shown on Planning Map Rural Map 16.

Conditions

Reserves

- (a) The provision of a Lake Shore Reserve of a minimum width of 20m,

RESERVES related to a theoretical lake level of 80m above mean sea level, subject to the provisions below, around the total perimeter of the lake and extending up any tributary, river or stream exceeding three metres in width except where the topography of the land precludes the siting of necessary roads or road reserves other than within this area. Where the topography of the land makes the siting of a road, or road reserve, within the close proximity to the edge of the 20m reserve impracticable as determined upon by Trustpower and the South Taranaki District Council, then the 20m reserve strip shall as much as is necessary be replaced by a road, or road reserve and the provision of the 20m reserve strip around the entire lake boundary shall be subject to road access, parking and barge docking provisions, more specifically set out hereunder.

The above information shall be subject to the following conditions:

- (i) All reserves shall be vested in the territorial local authority in whose territory they are situated unless, prior to the vesting, an Administering Body is appointed under the Reserves Act 1977 in which case the reserves will be vested in such administering body.
- (ii) The cost of the land for reserves, its subdivision of and incidental to its vesting as above set out, shall be borne by Trustpower.

Roads

The following roads shall be provided:

- (b) A continuous road, or road reserve outside the 20-metre lake reserve provided this is practicable as determined by the Trustpower and South Taranaki District Council, shall be provided on the left bank of the lake from Glen-Nui and downstream, through Maben Road, linking up with Ball Road extension.
- (c) A road connecting the lower Maben Road with Rotorangi Road and the lake reserve above the dam site.

The basis on which the conditions are set is intended to reinstate any roads, or bridges, to provide for improvements where added usage is envisaged as a direct result of the formation of the lake and where the lake necessitates the provisions of alternative access for the land used around its perimeter.

The roads shall be provided to the following standards:

- (i) Roads shall be replaced with roads to a rural all-weather access standard, metalled but not sealed, except where the part required to be replaced has been previously sealed, when the replacement shall also be sealed – all roads to conform generally with land development and subdivision NZS 4404:2010.
- (ii) Included in the road area to be brought up to this standard is a new road to be formed connecting the lower Maben Road with the Rotorangi Road and the lake reserve in the vicinity of the dam site.
- (iii) If required by circumstances specifically attributable to the formation of the lake and power project, following consultation with Trustpower, and pursuant to a resolution of the South Taranaki District Council, Trustpower shall erect a fence, or fences, to an adequate standard so as to contain any formed road, or road reserves which pursuant to these conditions are being replaced and/or upgraded in positions satisfactory to the appropriate Council and the costs of such fencing shall be the responsibility of Trustpower.

These requirements shall lapse fifteen years after the date that the engineer of the Local Authority certifies that the road has been brought up to the standard satisfied above.

Miscellaneous

- (d) Trustpower shall provide a barge with a loading capacity of not less than 10 tonnes, such barge being available at all reasonable times, as of right, for use by Trustpower, South Taranaki District Council, the property owners on the left bank of the Patea River between the northern boundary of the land contained in Part Section 4 Block XIII Omoana Survey District and the southern boundary of the land contained in Part Section 3 Block II Opaku Survey District, and such other persons as Trustpower or the Council shall think fit. The barge shall be maintained by Trustpower as long as the Council, think fit.
- (e) Trustpower shall provide suitable docking and loading facilities for the barge.
- (f) Trustpower shall provide such access across the dam as is reasonable having regard to the operation of the hydro-electrical scheme and its security.
- (g) In lieu of the following land lost by inundation:
 - (i) Section 8 Block II Opaku SD
 - (ii) Part Rotorangi Block III Opaku SD

If agreement can be reached with the Crown, Trustpower shall provide an equivalent area of land within Section 7 Block II Opaku SD, or such other area agreed between the respective parties, the siting to be approved by the South Taranaki District Council.

SECTION 14: NETWORK UTILITIES RULES

The rules contained in this section take precedence over any other zone rules that may apply to utilities in the District Plan, unless specifically stated to the contrary (e.g. rules relating to earthworks, structures, buildings and activities within the National Grid Yard in Section 3: Rural Zone would apply). The following provisions for network utilities and services shall apply throughout all zones of the District. All formed and unformed roads are zoned in the District Plan Maps. District wide rules in Section 9 Subdivision and Development, Section 11 Noise, Section 12 Hazardous Substances, Section 15 Heritage Protection, Section 17 Natural Environment, and Section 19 Signs will still apply.

The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 contains a separate code of rules for the operation, maintenance, upgrading, relocation or removal of a transmission line that is part of the National Grid and existed prior to 14 January 2010. No rules in this District Plan apply to activities provided for by that regulation.

The installation and operation of telecommunications facilities within the road reserve is largely controlled by the Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008, separate to this District Plan. It also controls all radio-frequency emissions from telecommunication facilities through specific exposure standards.

South Taranaki District Council is responsible for enforcing these standards. For clarification, where there is conflict or perceived conflict between the provisions of this Plan and the requirements of the National Environmental Standard's (NES) identified above, the provisions of the NES shall apply.

Amateur radio configurations do not fit within the definition of network utilities and are not subject to the same rules, however specific rules for amateur radio configuration are included within this section.

14.1 CATEGORIES OF ACTIVITIES

14.1.1 PERMITTED ACTIVITIES IN ALL ZONES

- (a) The development, operation, maintenance and upgrading of the following activities are permitted activities, provided that they comply with the performance standards in Section 14.2:
- (i) Pole-mounted street lighting.
 - (ii) Trig Stations.
 - (iii) Household, commercial and industrial connections to electricity, telecommunications, gas, water, drainage and sewer pipes.
 - (iv) Traffic control signals and devices, light and decorative poles and associated structures and fittings, bus stops and shelters, and phone boxes located within the road reserve.
 - (v) Water and irrigation races, drains, channels, and pipes and necessary incidental equipment for conveying water, wastewater and stormwater, including pump stations.
 - (vi) Meteorological instruments, enclosures and buildings.
 - (vii) Lighthouses, navigational aids and beacons.
 - (viii) Pump stations or electricity substations, provided that new or enlarged pump stations or electricity substations do not exceed 50m² in gross floor area.

- (ix) Underground and overhead electricity lines and cables, associated support structures (and incidental equipment) not exceeding 110kV.
- (x) Gas and liquid petroleum pipelines (and incidental aboveground equipment) at a pressure not exceeding 2000 kilopascals.
- (xi) Telecommunication and radiocommunication (including incidental equipment).
- (b) The operation and maintenance of existing electricity lines and associated support structures including towers, masts and poles that convey electricity above 110kV.
- (c) Lightning rods and Global Positioning System (GPS) antenna.
- (d) The operation, maintenance and upgrading of existing gas and liquid petroleum pipelines, and/or incidental aboveground equipment at a pressure exceeding 2000 kilopascals.
- (e) The operation, maintenance or upgrade of land transport networks, and the development of new roads as part of any approved subdivision.
- (f) Vegetation trimming or removal that is required to maintain safe separation distances for the ongoing efficient operation of network utilities (including the National Grid), except that:
 - (i) Where a tree is listed in Schedule 4 – Notable Trees, the rules in Section 15: Historic Heritage apply.
 - (ii) Where vegetation is listed in Schedule 2 as a Significant Natural Area, or within the Coastal Protection Area, the rules in Section 17: Natural Environment apply.
- (g) The removal of existing network utilities, including any existing infrastructure whether underground or overhead.
- (h) Amateur radio configuration, provided that it complies with the performance standards in 14.2.11.

14.1.2 CONTROLLED ACTIVITIES IN ALL ZONES

None.

14.1.3 RESTRICTED DISCRETIONARY ACTIVITIES IN ALL ZONES

- (a) The development or upgrading of electricity transmission lines and associated support structures including towers, masts and poles that convey electricity above 110kV.
- (b) The development of gas and liquid petroleum pipelines and/or incidental aboveground equipment at a pressure exceeding 2000 kilopascals.
- (c) Unless listed elsewhere in the District Plan, any permitted activity listed in Section 14.1.1 which does not meet one or more of the performance standards in Section 14.2.
- (d) Any network utility not specifically listed as a permitted, controlled, discretionary, non-complying or prohibited activity.

Matters to which the Council restricts its discretion for Rules 14.1.3 (a) - (d):

- (iii) The degree, extent and effects of the non-compliance with the Permitted Activity performance standard(s).

- (iv) Risks to public health and safety.
 - (v) Design and external appearance.
 - (vi) Visual and amenity effects, including effects on landscape and streetscape values, and adjacent land uses.
 - (vii) The extent to which the proposal will be visible from residences, key public places, and public viewing points.
 - (viii) For any part of a network utility located adjacent to the Coastal Protection Area or Outstanding Natural Features and Landscapes, effects on the values of the Coastal Protection Area or qualities of Outstanding Natural Features and Landscapes.
 - (ix) Noise, odour, vibration, dust, earthworks and lighting effects.
 - (x) Effects on tangata whenua values.
 - (xi) Size and scale compatibility with other development in the area, including measures to mitigate the bulk and scale of the activity (i.e. through screening, recessive colours and sensitive design).
 - (xii) Adverse effects on vegetation.
 - (xiii) Traffic and pedestrian safety effects.
 - (xiv) Consideration of alternative locations and options.
 - (xv) The extent to which the utility provider has investigated the potential to co-site utility facilities with similar structures or buildings, where practicable.
 - (xvi) Locational, operational or technical constraints.
 - (xvii) Cumulative effects.
 - (xviii) The duration, timing and frequency of adverse effects.
 - (xix) Reinstatement of the site at completion of construction.
 - (xx) The need for the work and impact on the network levels of service if the work is not undertaken.
 - (xxi) The benefits of the work (nationally, regionally and locally).
 - (xxii) Financial contributions.
- (e) Amateur Radio Configuration, which does not meet one or more of the performance standards listed in 14.2.11:
- Matters to which the Council restricts its discretion:
- (i) The degree, extent and effects of the non-compliance with the Permitted Activity performance standard(s).
 - (ii) Visual and amenity effects, including effects on landscape and streetscape values, and adjacent land uses.

14.1.4 DISCRETIONARY ACTIVITIES IN ALL ZONES

- (a) New or enlarged pump stations exceeding 50m² in gross floor area.
- (b) New or enlarged electricity substations exceeding 50m² in gross floor area.

14.1.5 NON-COMPLYING ACTIVITIES IN ALL ZONES

None.

14.1.6 PROHIBITED ACTIVITIES IN ALL ZONES

None.

14.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES

14.2.1 Bulk and Location

1. Network utility buildings or buildings that are ancillary to network utilities shall not exceed a gross floor area of 50m², or a maximum height of 3.5 m.
2. Network utility buildings or buildings that are ancillary to network utilities shall not project beyond a building recession plane from points measured 3m above site boundaries as shown in Section 3: Residential Zone Appendix 1.
3. Within or on sites adjacent to the Residential Zone and Township Zone, all telecommunication, radiocommunication and/or meteorological activities over 10m in height shall be set back a minimum distance of 5.5m from any site boundary (excluding any road boundary).
4. Within or on sites adjacent to the Residential Zone, network utility buildings of more than 10m² in gross floor area shall provide a landscaped area within the setback with a minimum width of 2m along any boundary.
5. Except that:
 - (i) Network Utilities located on road reserve are exempt from performance standards 14.2.1 (1) – (4) above.

14.2.2 Undergrounding of Lines and Gas Pipes

1. All new lines in Residential, Commercial and Industrial zones shall be located underground or fixed to the ground, except that aboveground lines may be established where they are:
 - (i) required for a new individual customer connection to an existing overhead line; or
 - (ii) replacing an existing line, provided that any replacement pole may be moved up to 3m from the original pole location; or
 - (iii) required for a new or expanded line, where:
 - a. there is an existing overhead line on the same side of the road; or
 - b. the new line forms part of an extension to an existing overhead line on the same side of the road and involves no more than 4 additional single pole structures and does not adjoin any previous extension that has been undertaken in the last 12 month period.
2. No new poles shall be erected in the Residential, Commercial and Industrial Zones, other than replacing existing poles. A replacement pole may be moved up to 3m from the original pole

location and may increase in height by no more than 15% of the height of the original support structure.

3. All new gas and liquid petroleum pipelines in the Residential, Commercial and Industrial Zones shall be constructed underground, except where they are attached to bridge crossings or where incidental equipment is required to be located aboveground for practical infrastructure and/or maintenance purposes.

14.2.3 Site Reinstatement

1. Any ground disturbance to the site shall be reinstated as close as practicable to its original condition at the completion of works.

14.2.4 Lighting

1. The spill of light from any outdoor artificial lighting shall not exceed 10 lux (measured horizontally and vertically) when measured at the boundary of a site zoned Residential in separate ownership, or at the notional boundary of an existing dwelling unit on a site in separate ownership in any other Zone.

14.2.5 Radiofrequency and Electric and Magnetic Fields

1. Radiofrequency maximum exposure levels shall not exceed the levels specified in AS/NZS 2772.2:2011 Radiofrequency Field Part 2: Principles and Methods of Measurement and Computation 3kHz to 300GHz.

Note: The Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008 Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008, separate to this District Plan controls all radio-frequency emissions from telecommunication facilities through specific exposure standards.

2. Utilities that emit electric and magnetic fields shall comply with the relevant International Commission on Non-Ionising Radiation Protection (ICNIRP) Guidelines (2010).

14.2.6 Noise

1. All network utilities shall comply with the noise standards for the Zone in which it is located, in accordance with Section 11.

PERFORMANCE STANDARDS FOR SPECIFIC ACTIVITIES

14.2.7 Antenna and support structures attached to buildings (excluding amateur radio configuration)

1. In the Residential Zone, antennas shall not extend more than above the highest part of the building to which they are attached.
2. In any other Zone, antennas shall not extend more than 5m above the part of the building to which they are attached.

3. The maximum face area of a panel antenna shall be 1.5m².
4. The maximum diameter of a dish antenna shall not exceed 1.2m.

14.2.8 Masts and associated antenna (excluding amateur radio configuration)

1. Within or on sites adjacent to the Residential Zone or Township Zone, all masts and associated antenna shall be set back a minimum of 10m from any site boundary (measured from the outer edge of the mast, excluding any base or foundation), except for those masts on road reserve.
2. Within the Rural Zone, all masts shall be no less than 50m to the closest wall of any residential dwelling unit (excluding balconies and decks).
3. Within the Residential or Township Zones, all masts shall not project beyond the building recession plane from points 3m above site boundaries as shown in Residential Zone Appendix 1.
4. An antenna shall not exceed 1.5m in diameter or 2m² in total face area.
5. Within the Residential Zone, antennas or aerials attached to a mast shall be located within one horizontal diameter circle of 3m, or within one horizontal diameter circle of 6m in any other zone.
6. The maximum height of any mast and associated antenna(s) shall be 18m in the Residential Zones, or 25m in all other Zones.
7. Within the Rural or Rural Industrial Zone, the maximum height of any masts and associated antenna(s) which are co-sited (two or more providers on one mast) shall be 30m.

14.2.9 Telecommunications cabinets

1. Telecommunications cabinets located in the Residential Zone shall have a footprint of no more than 1.4m² and be no higher than the height of the concrete foundation plinth, if there is one, plus 1.8m.
2. Telecommunications cabinets located in all zones except the Residential Zone, shall have a footprint of no more than 10m² and shall be no higher than the height of the concrete foundation plinth, if there is one, plus the distance to the nearest site boundary.

14.2.10 Aboveground lines and support structures

1. Aboveground lines and support structures shall not exceed a maximum height of 15m in the Township Zone or 25m in the Rural, or Rural Industrial Zones.
2. All poles and/or towers that no longer support wires/lines, and which are no longer required for any other purpose, shall be removed within 3 months of lines being replaced, removed or placed underground.

14.2.11 Amateur Radio Configuration

1. There shall be a maximum of 12 antennas and aerials per site.

2. No part of any aerial, antenna or mast associated with amateur radio configuration shall overhang any site boundary.
3. Within the Residential Zone, all support structures, aerials and antennas shall be located no closer than 4.5m to the road boundary, or 1.5m to any other site boundary.
 - (i) Except that guy wires and poles up to 2m in height may be located within 1.5m of the site boundary but not the road boundary.

Antennas

4. Where attached to a building or other structure (including a mast), radio and telecommunications antenna shall not exceed:
 - (i) For an antenna dish; 2m in diameter, or
 - (ii) For panel antenna, 4m² in area.
5. There shall be a maximum of one pedestal mounted antenna per site, which shall:
 - (i) Be pivoted less than 4m above the ground with a maximum diameter of 5m and a maximum height of 6.5m.
 - (ii) Comply with the bulk and location standards (including yard setbacks and building recession plane standards) for buildings in the zone in which they are located.
 - (iii) Where guy wires are used these shall not exceed 12mm in diameter.

Aerials

6. Any element making up an aerial shall not exceed 80mm in diameter.
7. For horizontal HF yagi aerials, the maximum element length shall not exceed 14.9m, and maximum boom length shall not exceed 13m.
8. For whip aerials, the maximum length shall not exceed 3.5m in height above the maximum height for the support structure.

Support Structures (Masts)

9. There shall be one primary mast per site, which shall not exceed a maximum height of 20m. This mast may be a pole or lattice mast, and may be guyed or self-supporting. Lattice masts shall be no more than:
 - (i) 1000mm in outside diameter up to 9m in height.
 - (ii) 420mm in outside diameter above 9m in height.
10. There shall be one secondary mast per site with a maximum height of 12m. This mast may be fitted with a rotator for VHF and/or UHF aerials.
11. All masts (except as provided for in clause 9 above) shall be less than 115mm in outside diameter.
12. In addition to the primary mast and the secondary mast, there shall be a maximum of six other masts per site, which shall not exceed the maximum height for buildings within the zone in which it is located by more than 30%.
 - (i) Except that one mast may be used as a vertical aerial up to 13.5m in height.

SECTION 15: HERITAGE PROTECTION RULES

This section of the Plan relates to the protection of historic heritage, including heritage buildings, objects, sites, listed in Schedule 1 of the District Plan. In addition, this section contains the rules for Notable Trees listed in Schedule 4 and identified on the Planning Maps. Notable Trees were assessed using the Standard Tree Evaluation Methodology (STEM) and further information about listed Notable Trees is available from the Council.

Important heritage items identified on the Planning Maps and listed in Schedule 1 of the District Plan are grouped into one of the following categories for regulatory protection:

- Historic Heritage Category 1 Buildings and Objects: Buildings that have outstanding national and/or regional significance due to their “rarity” and/or level of “integrity”.
- Historic Heritage Category 2 Buildings and Objects: Buildings that have regional and/or local significance.
- Historic Heritage Sites and Sites of Significance to Tangata Whenua: Places and areas that are of national, regional and/or local significance.

The items in Schedule 1 were derived from the Heritage New Zealand List - Rārangi Kōrero of significant heritage places, as it relates to South Taranaki, and includes additional items derived from further local research and evaluation. Further information about each item listed is either available from Heritage New Zealand and/or the Council.

If a scheduled heritage building, object or site is listed by Heritage New Zealand - Pouhere Taonga, this listing does not provide direct protection under the Heritage New Zealand Pouhere Taonga Act 2014. Heritage New Zealand listing is primarily a means of identifying the significant heritage items for the purposes of information and advocacy. Applicants who are planning work involving a listed Heritage New Zealand building, object or site are encouraged to contact Heritage New Zealand, for further information and advice, and to verify the need for a heritage assessment. South Taranaki District Council are also required to provide Heritage New Zealand with notice of any resource or buildings consents related to Heritage New Zealand listed items.

The protection of archaeological sites is regulated by Heritage New Zealand - Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014. If there is a recorded archaeological site or sites within 100 metres of the vicinity of the proposed work, or if the presence of an archaeological site is suspected, the applicant is advised to contact Heritage New Zealand for further information. Work affecting archaeological sites is subject to a consent process under the Heritage New Zealand Pouhere Taonga Act 2014, separate to the RMA (including District Plan) resource consent process. If a proposal, such as earthworks, fencing or landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from Heritage New Zealand must be obtained before the work commences. It is an offence to damage or destroy a site for any purpose without an authority.

Further research, evaluation and engagement between Council and Tangata Whenua is necessary to accurately identify, understand, document and map sites of Significance to Tangata Whenua. Schedule 1B is not currently representative of the sites of significance to Tangata Whenua, therefore effective engagement with Tangata whenua is necessary to ensure the ongoing protection and security of sites of significance that are not listed in the District Plan.

15.1 CATEGORIES OF ACTIVITIES

15.1.1 PERMITTED ACTIVITIES IN ALL ZONES

- (a) Where a building or object is listed in Schedule 1A:
- (i) The repair, redecoration and/or maintenance of the interior and/or exterior of a Category 1 or 2 building or object.
 - (ii) Internal earthquake strengthening or building safety alterations of a Category 2 building.
 - (iii) Earthworks within the heritage setting, which does not exceed 10m³ per 12 month period.
 - (iv) Connections to network utilities.
- (b) Within an area identified as a historic site or site of significance to tangata whenua as listed in Schedule 1B:
- (i) Maintenance of existing lawns, gardens, structures (including fences), and buildings.
 - (ii) Removal of vegetation (except for forestry harvesting).
- (c) Where a tree is listed in Schedule 4 – Notable Trees:
- (i) Trimming and maintenance of a Notable Tree, carried out by a suitably qualified arborist, that is either:
 - a. Necessary to maintain the health of the tree.
 - b. Required under the Electricity (Hazards from Trees) Regulations 2003.
 - (ii) Removal or partial removal of a Notable Tree that is confirmed by a suitably qualified arborist or Council Officer as one of the following:
 - a. Required as emergency work to safeguard life, habitable buildings or network utilities from immediate danger.
 - b. Necessary to avoid interference with existing buildings, structures, overhead wires or utility networks.
 - c. Removal of dead wood, broken branches or diseased vegetation.

Note: The applicant must advise the Council of the proposed work in advance.
 - (iii) Gardening, mowing and soft landscaping within the dripline of any tree listed in Schedule 4 – Notable Trees.

15.1.2 CONTROLLED ACTIVITIES IN ALL ZONES

- (a) External earthquake strengthening or building safety alterations of any Category 2 building listed in Schedule 1A.

Matters to which the Council restricts its control:

- (i) The potential effects of earthquake strengthening or building safety alterations work on the heritage values associated with the building.

Notification Statement

- (i) Under Section 77D of the RMA, for an activity requiring resource consent under Rule 15.1.2(a), the application shall not be publicly notified, except where:
- The Council decides special circumstances exist (pursuant to Section 95(A)(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

15.1.3 RESTRICTED DISCRETIONARY ACTIVITIES IN ALL ZONES

- (a) Internal alterations (not including earthquake strengthening or building safety alterations) of a Category 2 building listed in Schedule 1A.

Matters to which the Council restricts its discretion:

- (i) The potential effects on the heritage values associated with the building, including retention, conservation/protection of important heritage features.
- (ii) Whether the alterations encourage compatible and adaptive re-use, including greater development flexibility.
- (iii) The provision of quality (internal or external) living environments for new dwelling units.

15.1.4 DISCRETIONARY ACTIVITIES IN ALL ZONES

- (a) Where a building or object is listed in Schedule 1A:

- (i) Additions or alterations, except where provided for as a controlled activity (Rule 15.1.2(a)) or Restricted Discretionary Activity (Rule 15.1.3(a)).

Note: this rule includes earthquake strengthening and building safety alterations for a Category 1 building listed in Schedule 1A.

- (ii) Relocation of a Category 1 or 2 building or object.
- (iii) Demolition (including partial demolition) of a Category 2 building or object.
- (iv) New building or additions to an unlisted existing building located within the heritage setting of a Category 1 or 2 building or object.
- (v) Earthworks within the heritage setting of a Category 1 or 2 building or object, which exceeds 10m³ per 12 month period.

- (b) Within an area identified as a historic site or site of significance to tangata whenua as listed in Schedule 1B:

- (i) New building or the extension of the footprint of an existing building or structure.
- (ii) Earthworks (except those associated with the permitted activities in Rule 15.1.1(b)).
- (iii) Forestry planting or forestry harvesting.

Exemption: This rule does not apply to sites within the Parihaka Cultural Area.

- (c) Within the heritage setting of a building or object in Schedule 1A, or within an area identified as a historic site or site of significance to tangata whenua as listed in Schedule 1B, any activity

which is not specifically listed as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.

- (d) Within the dripline of any tree listed in Schedule 4 – Notable Trees:
 - (i) Earthworks.
 - (ii) The laying of overhead or underground services.
 - (iii) The construction of any building or structure.
- (e) Where a tree is listed in Schedule 4 – Notable Trees, felling, clearing, pollarding or any work to a Notable Tree that is not specifically listed as a permitted activity in 15.1.1(c).

15.1.5 NON-COMPLYING ACTIVITIES IN ALL ZONES

None.

15.1.6 PROHIBITED ACTIVITIES IN ALL ZONES

- (a) Demolition (including partial demolition) or removal of a Category 1 building or object listed in Schedule 1A.

SECTION 16: FINANCIAL CONTRIBUTION RULES

16.1 GENERAL

This section sets out the requirements for financial contributions. These matters include the obligations of developers in terms of providing services to subdivision or developments requiring a land use or subdivision resource consent. This section details the purpose, circumstances, and the maximum amount of the contribution.

All activities shall comply with the following requirements (in addition to the rules, performance standards and/or permitted activity conditions in each Zone).

16.2 RECREATION AND CIVIC DEVELOPMENT CONTRIBUTIONS

16.2.1 CONTRIBUTION PURPOSE

To provide for the acquisition and development of reserves and public open space for recreational purposes.

16.2.2 CONTRIBUTION CIRCUMSTANCES AND AMOUNT

1. Circumstances in which contributions may be imposed as conditions of a resource consent:
 - (a) As a condition of a subdivision consent in any Zone;
 - (b) As a condition of a land use consent in any Zone.
2. Maximum amounts of contribution required as conditions of resource consents:
 - (a) 7.5% of the value of the additional allotments created by a subdivision; and/or
 - (b) The land equivalent of 20m² of land for each additional dwelling unit created by the development; or
 - (c) A combination of both, being no greater than either 9(a) or (b) would allow individually.
3. Form of contribution: Cash or land or both.
4. Timing that contributions are payable:
 - (a) For land use consents, contributions shall be payable as and when required by any condition of that consent.
 - (b) For subdivision consents, contributions shall be made prior to the issuance of the Certificate under Section 224(c) of the Resource Management Act 1991.

16.3 ROADS AND ACCESS CONTRIBUTIONS

16.3.1 CONTRIBUTION PURPOSE

To provide for the safe, efficient and convenient movement of motor vehicles, bicycles and pedestrians along roads and to and from every site or building.

16.3.2 CONTRIBUTIONS CIRCUMSTANCES AND AMOUNT

1. Circumstances in which contributions may be required as conditions of a resource consent:
 - (a) As a condition of a subdivision consent in any Zone.
 - (b) As a condition of a land use consent in any Zone.
2. Maximum amounts of contribution required as conditions of resource consents:
 - (a) The full actual cost of providing a road to the subdivision or land concerned; and
 - (b) The full actual cost of all necessary roads and access within the subdivision or development for each allotment or development; and
 - (c) The full actual cost of crossings between the allotments, sites or buildings in the subdivision or development and the road or access; and
 - (d) The full actual cost of upgrading the roads and access to provide for the expanded effects of the subdivision and the development of buildings on the roads and access; and
 - (e) Within the Hawera West Structure Area shown in Section 9: Appendix, an additional contribution of \$5,250 (plus GST) per additional dwelling unit/allotment being the proportional share of additional capacity required to service this area. This additional contribution may be waived or reduced where the developer undertakes the work providing for this additional capacity; or
 - (f) Within the Hawera North/Normanby Structure Plan Area shown in Section 9: Appendix, an additional contribution of \$5,250 (plus GST) per additional dwelling unit/allotment in the Residential Zone or an additional contribution of \$30 (plus GST) per m² of land area in the Commercial and Industrial Zones, being the proportional share of additional capacity required to service this area. This additional contribution may be waived or reduced where the developer undertakes the work providing for this additional capacity.
3. Form of contribution: Cash payment. This contribution may be waived or reduced where the developer undertakes the work.
4. Timing that contributions are payable:
 - (a) For land use consents, contributions shall be payable as and when required by any condition of that consent.
 - (b) For subdivision consents, contributions shall be made prior to the issuance of the Certificate under Section 224(c) of the Resource Management Act 1991.

16.4 WATER SUPPLY CONTRIBUTIONS

16.4.1 CONTRIBUTION PURPOSE

To provide a supply of potable water for the estimated domestic and commercial/industrial consumption, and for firefighting.

This section is to be read in conjunction with the requirements of the various water supply schemes.

16.4.2 CONTRIBUTIONS CIRCUMSTANCES AND AMOUNT

1. Circumstances in which contributions may be imposed as conditions of resource consents:
 - (a) As a condition of a subdivision consent in any Zone where it connects to a Council reticulated water supply.
 - (b) As a condition of a land use consent in any Zone where it connects to a Council reticulated water supply.
2. Maximum amounts of contribution as conditions of resource consents:
 - (a) The full actual cost of the water system to the subdivision or development; and
 - (b) The full actual cost of all necessary water supply system reticulation within the subdivision or development for each allotment, site or building; and
 - (c) The full actual cost of connections between the water supply system reticulation in the subdivision or development and the water supply system; and
 - (d) The full actual cost of upgrading any existing water supply system to the extent necessary to serve the subdivision or development; and
 - (e) Within the Hawera West Structure Area shown in Section 9: Subdivision and Development Appendix 1, an additional contribution of \$750 (plus GST) per additional dwelling unit/allotment being the proportional share of additional capacity required to service this area. This additional contribution may be waived or reduced where the developer undertakes the work providing for this additional capacity; or
 - (f) Within the Hawera North/Normanby Structure Plan Area shown in Section 9: Subdivision and Development Appendix 1, an additional contribution of \$5,250 (plus GST) per additional dwelling unit/allotment in the Residential Zone or an additional contribution of \$12 (plus GST) per m² of land area in the Commercial and Industrial Zones, being the proportional share of additional capacity required to service this area. This additional contribution may be waived or reduced where the developer undertakes the work providing for this additional capacity.
3. Form of contribution: Cash payment. This contribution may be waived or reduced where the developer undertakes the work.
4. Timing that contributions are payable:
 - (a) For land use consents, contributions shall be payable as and when required by any condition of that consent.

- (b) For subdivision consents, contributions shall be made prior to the issuance of the Certificate under Section 224(c) of the Resource Management Act 1991.

16.5 SANITARY DRAINAGE AND TRADE WASTE DISPOSAL CONTRIBUTIONS

16.5.1 CONTRIBUTION PURPOSE

To maintain the health and amenity of inhabitants or occupants and to protect the natural environment from indiscriminate disposal of sanitary drainage and trade waste.

16.5.2 CONTRIBUTIONS CIRCUMSTANCES AND AMOUNT

1. Circumstances in which contributions may be imposed as conditions of resource consents:
 - (a) As a condition of a subdivision consent in any Zone where it connects to a Council sanitary drainage and trade waste disposal system.
 - (b) As a condition of a land use consent in any Zone where it connects to a Council sanitary drainage and trade waste disposal system.
2. Maximum amounts of contribution required as conditions of resource consents:
 - (a) The full actual cost of providing a sanitary drainage and trade waste disposal system for the subdivision, development or building; and
 - (b) The full actual cost of all necessary drainage and trade waste reticulation within the subdivision or development for each allotment, site or building; and
 - (c) The full actual cost of connections between the reticulation in the subdivision or development and the sanitary drainage and trade waste disposal system; and
 - (d) The full actual cost of any upgrading to the existing sanitary drainage and trade waste disposal systems that is required to provide for the expected effects of the subdivision, development or building on that sanitary drainage and trade waste disposal system; and
 - (e) Within the Hawera West Structure Area shown in Section 9: Subdivision and Development Appendix 1, an additional contribution of \$1500 (plus GST) per additional dwelling unit/allotment being the proportional share of additional capacity required to service this area. This additional contribution may be waived or reduced where the developer undertakes the work providing for this additional capacity; or
 - (f) Within the Hawera North/Normanby Structure Plan Area shown in Section 9: Subdivision and Development Appendix 1, an additional contribution of \$5250 (plus GST) per additional dwelling unit/allotment in the Residential Zone or an additional contribution of \$10 (plus GST) per m² of land area in the Commercial and Industrial Zones, being the proportional share of additional capacity required to service this area. This additional contribution may be waived or reduced where the developer undertakes the work providing for this additional capacity.
3. Form of contribution: Cash payment. This contribution may be waived or reduced where the developer undertakes the work.

4. Timing that contributions are payable:
 - (a) For land use consents, contributions shall be payable as and when required by any condition of that consent.
 - (b) For subdivision consents, contributions shall be made prior to the issuance of the Certificate under Section 224(c) of the Resource Management Act 1991.

16.6 STORMWATER DRAINAGE CONTRIBUTIONS

16.6.1 CONTRIBUTION PURPOSE

To prevent damage to or loss of property or amenity from the run-off of stormwater.

16.6.2 CONTRIBUTIONS CIRCUMSTANCES AND AMOUNT

1. Circumstances in which contributions may be imposed as conditions of resource consents:
 - (a) As a condition of a subdivision consent in any Zone.
 - (b) As a condition of a land use consent in any Zone.
2. Maximum amounts of contribution as conditions of resource consents:
 - (a) The full actual cost of providing a stormwater drainage system for the disposal of stormwater; and
 - (b) The full actual cost of all necessary stormwater drainage reticulation within the subdivision or development, including a stormwater Drainage system connection for each allotment, site or building; and
 - (c) The full actual cost of connections between the stormwater drainage system reticulation in the subdivision or development and the existing stormwater drainage system; and
 - (d) The full actual cost of upgrading the existing stormwater drainage system where additional capacity has been created in anticipation of future subdivision or development.
3. Form of contribution: Cash payment. This contribution may be waived or reduced where the developer undertakes the work.
4. Timing that contributions are payable:
 - (a) For land use consents, contributions shall be payable as and when required by any condition of that consent.
 - (b) For subdivision consents, contributions shall be made prior to the issuance of the Certificate under Section 224(c) of the Resource Management Act 1991.

16.7 HEAVY VEHICLE TRAFFIC CONTRIBUTIONS

16.7.1 CONTRIBUTION PURPOSE

To ensure that those activities which generate significant heavy vehicle movements or generate unusual heavy vehicle traffic contribute towards the avoidance, remediation or mitigation of adverse effects associated with those movements.

16.7.2 CONTRIBUTIONS CIRCUMSTANCES AND AMOUNT

1. Circumstances in which a contribution is required as a condition of resource consents:
 - (a) As a condition of a land use consent where the activity will generate unusual heavy vehicle traffic.
 - (b) As a condition of a land use consent where the activity will involve the transportation of hazardous substances and waste materials.
2. Maximum amounts of contribution as conditions of resource consents:
 - (a) The full actual cost of the physical upgrading of the road to a standard required to avoid the effects of unusual heavy vehicle traffic generated by that activity; or
 - (b) The full actual cost of remedying or mitigating against the adverse effects of the transportation of hazardous substances and/or waste materials.
3. Form of contribution: Cash payment. This contribution may be waived or reduced where the development undertakes the work.
4. Timing that contributions are payable:
 - (a) For land use consents, contributions shall be payable as and when required by any condition of that consent.

16.8 PARKING CONTRIBUTIONS

16.8.1 CONTRIBUTION PURPOSES

To ensure that activities in town centres contribute towards the provision of public car parks.

To enable the waiver or reduction in parking requirements where redevelopment or development of sites will result in the preservation of historic buildings, historic character, or the provision of public amenity.

16.8.2 CONTRIBUTIONS CIRCUMSTANCES AND AMOUNT

1. Circumstances in which contributions may be imposed as conditions of resource consents:
 - (a) As a condition of a land use consent in the Commercial Zone in Hawera.
 - (b) As a condition of a land use consent in any Zone where it will result in the preservation of historic buildings, or historic site, or the provisions of public amenity.

2. Maximum amounts of contribution as conditions of resource consents:
 - (a) The actual cost of the provision of land, the formation and marking out of spaces and where necessary, the landscaping and screening of parking areas.
3. Form of contribution: Cash payment.
4. Timing that contributions are payable:
 - (a) For land use consents, contributions shall be payable as and when required by any condition of that consent.

SECTION 17: NATURAL ENVIRONMENT RULES

This section of the District Plan relates to the following areas identified on Planning Maps:

- Significant Natural Areas (listed in Schedule 2).
- Outstanding Natural Features/Landscapes (listed in Schedule 8A).
- Coastal Protection Area, including Areas of Outstanding Natural Character (listed in Schedule 8B).

General rules and performance standards in relation to indigenous vegetation and habitats are also included to protect other important natural areas which are not listed for protection in Schedule 2 – Significant Natural Areas.

Furthermore, the underlying zone rules (e.g. Rural Zone) apply in addition to the rules in this chapter. Unless otherwise stated, the sites zoned Residential are exempt from the provisions in this chapter.

When there is actual or perceived conflict between provisions in different sections of the District Plan, the more stringent provisions shall apply.

Further information on the identification, values and attributes of these areas is contained within specific assessment reports, available from the Council. An applicant shall have regard to the particular values and attributes of the site or area in which a particular activity or development is proposed when applying for a resource consent.

17.1 CATEGORIES OF ACTIVITIES

17.1.1 PERMITTED ACTIVITIES

(a) Within the Coastal Protection Area, the following activities are permitted:

- (i) Passive outdoor recreation activities excluding boardwalks.

Note: This activity includes permanent or temporary structures designed to assist or restrict pedestrian access (such as fences, bollards and steps) or for passive recreation use (such as picnic tables, barbecues, shelter, and rubbish/recycling bins).

- (ii) Pest control methods aimed at managing pest plants and animal pests.
- (iii) Species protection and conservation management work, including indigenous vegetation restoration and re-planting work.
- (iv) Maintenance of flood control, erosion control, or drainage works carried out by or on behalf of Taranaki Regional Council.
- (v) The operation, upgrading, maintenance or removal of existing network utilities.
- (vi) Clearance, modification, damage or destruction of indigenous vegetation required for the operation, upgrading, maintenance, or removal of existing network utilities, but excluding their expansion and relocation.
- (vii) The maintenance of existing structures and tracks (including earthworks for existing farm tracks, fence lines and recreational tracks).

- (viii) The operation, use and maintenance of existing campgrounds, including earthworks within existing campgrounds not exceeding 1m (cut or fill) measured vertically.
- (ix) Clearance of indigenous vegetation not exceeding 100m² in area per 5 year period, per site.
- (x) Maintenance of bridges.
- (xi) The installation of underground pipelines and cables (including new customer connections) using trenchless techniques, such as directional drilling, where Significant Natural Areas and the following Regionally Significant Wetlands are avoided;
 - Julian's Pond
 - Lake Taumaha
 - Waitotara River Marginal Strip (Hawkin's Lagoon Conservation Area).
- (xii) The installation of underground pipelines and cables (including new customer connections) using trenches where the maximum length of trench open at any one time is 50m.
- (xiii) Farming.
- (xiv) Construction of new fences and stock water reticulation (tanks, pipes and water troughs).
- (xv) Soil conservation, including borrow pits.
- (xvi) Earthworks not exceeding 1m (cut or fill) measured vertically.
- (b) Within the existing Kaupokonui Beach Motor Camp section of the Kaupokonui Outstanding Natural Feature/Landscape listed in Schedule 8A, the following activities are permitted:
 - (i) The operation and use of the existing campground.
 - (ii) Earthworks not exceeding 1m (cut or fill) measured vertically.
- (c) New buildings or structures, and external additions to existing buildings that are set back a minimum of 100m from the boundary of the Kaupokonui Outstanding Natural Feature/Landscape listed in Schedule 8A.
- (d) For indigenous vegetation not identified as a Significant Natural Area in Schedule 2, any clearance, modification, damage or destruction of indigenous vegetation for the following purposes:
 - (i) Required for the operation, maintenance, and upgrading of existing network utilities, or roads, tracks, drains, structures and fence lines but excluding their expansion and relocation.
 - (ii) The removal of dead wood, wind-thrown trees or diseased vegetation.
 - (iii) Required as emergency work to safeguard life, dwelling units, or network utilities from immediate danger.
 - (iv) Removal of re-growth from previously cleared land, which has grown within 15 years of last being cleared, and does not involve trees greater than 30cm measured at 1.4m from the highest point of ground level at the base of the tree.
 - (v) Forestry harvesting.

- (vi) The modification or removal of kanuka and/or manuka when not accompanied by other indigenous tree species; or when the manuka and/or kanuka is less than 25 years of age.
- (vii) Required for pest control undertaken by the Department of Conservation, Taranaki Regional Council or South Taranaki District Council.
- (viii) The removal of up to 50m³ of timber from any area of indigenous vegetation per 10 year period for the following purposes:
 - a. Private use (i.e. the timber must not be sold or gifted to third parties).
 - b. Use by tāngata whenua for cultural purposes (e.g. for rongoa, waka, traditional buildings and marae based activities).
- (ix) Except where specifically listed in Rules (i) – (viii) above, any clearance, modification, damage or destruction of indigenous vegetation, regardless of land ownership, where:
 - a. Indigenous trees at less than 30cm in diameter measured at 1.4m from the highest point of ground level at the base of the tree; and
 - b. Four or fewer indigenous trees at least 6m in height, per 1ha area (or if less than 1ha, there are four or fewer trees at least 6m in height in the within an area of contiguous indigenous vegetation); and
 - c. The area of contiguous indigenous vegetation is either:
 - Smaller than 0.5ha in the Ring Plain and Marine Terraces Areas;
 - OR
 - Smaller than 2ha in the Hill Country Area.

As shown on the map in Natural Environment Appendix 2.
- (e) For indigenous vegetation identified as a Significant Natural Area in Schedule 2 and Outstanding Natural Features/Landscapes in Schedule 8A, clearance, modification, damage or destruction by a suitably qualified arborist where vegetation is interfering with, or is likely to compromise the safe and effective operation of the existing National Grid or an existing network utility.
- (f) Within the Significant Natural Areas listed in Schedule 2 and the Outstanding Natural Features/Landscapes listed in Schedule 8A, the following activities are permitted:
 - (i) The operation, upgrading, maintenance or removal of existing network utilities.

17.1.2 CONTROLLED ACTIVITIES

None.

17.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

- (a) Within the Coastal Protection Area, the following activities:
 - (i) External additions or alterations to an existing building or structure that increase the gross floor area.
 - (ii) New buildings or structures up to 50m² in gross floor area and with a height of no more than 5m.

- (iii) New or the upgrading of flood control, erosion control, or drainage works carried out by or on behalf of Taranaki Regional Council.
- (iv) New or upgraded board walks and bridges.
- (v) The installation of underground pipelines and cables (including new customer connections) using trenches where the maximum length of trench open at any one time exceeds 50m.

Matters to which the Council restricts its discretion:

- (i) Whether there is a functional requirement for the activity to be located within the coastal environment.
 - (ii) Effects on the natural character and landscape values, indigenous vegetation and fauna, visual amenity, open space, and historical and cultural values, and quality of the coastal environment, and proposed mitigation measures to reduce adverse effects.
 - (iii) Risks from natural hazards, including whether the activity would accelerate or worsen natural hazard risks.
- (b) Within the Lake Rotokare Outstanding Natural Feature/Landscape listed in Schedule 8A, the following activities:
- (i) The clearance of indigenous vegetation up to 100m² in any continuous period of 12 months (except as provided for under Rule 17.1.1).
 - (ii) New buildings or structures, up to 50m² in gross floor area and a height of no more than 5m.

Matters to the Council restricts its discretion:

- (i) Effects on natural character and landscape values, visual amenity, recreational values, and quality of the environment.
 - (ii) For the clearance of indigenous vegetation, the need for vegetation clearance and suitability of any re-vegetation plan.
- (c) Within the Kaupokonui Beach Motor Camp section of the Kaupokonui Outstanding Natural Feature/Landscape listed in Schedule 8A, new buildings or structures, and external additions to existing buildings.

Matters to which the Council restricts its discretion:

- (i) Effects on natural character and landscape values, visual amenity, recreational values, and quality of the environment.
- (d) Any new buildings or structures, and external additions to existing buildings that do not comply with the setback from the boundary of the Kaupokonui Outstanding Natural Feature/Landscape listed in Schedule 8A as in Rule 17.1.1(c).

Matters to which the Council restricts its discretion:

- (i) Effects on natural character and landscape values, visual amenity, recreational values, and quality of the environment.
- (e) Any building within 500m of the natural waterbody of Lake Rotorangi, except for any buildings for the Patea Hydro Scheme, Lake Rotorangi Campground or Hawera Water Ski Club (500m setback is shown on the map in Natural Environment Appendix 1).

Matters to which the Council restricts its discretion:

- (i) Effects on natural character and landscape values, visual amenity, recreational values, cultural values, and quality of the environment.
- (f) Within the Coastal Protection Area, the installation of underground pipelines and cables (including new customer connections) using trenchless techniques, such as directional drilling within Significant Natural Areas or within the following Regional Significant Wetlands:
 - Julian's Pond
 - Lake Taumaha
 - Waitotara River Marginal Strip (Hawkings Lagoon Conservation Area).

Matters to which the Council restricts its discretion:

- (i) Avoiding, remedying or mitigating actual or potential effects on the values of the Significant Natural Area(s) or Regionally Significant Wetland(s).

17.1.4 DISCRETIONARY ACTIVITIES

- (a) Within the Coastal Protection Area, the following activities are discretionary activities:
 - (i) Clearance of indigenous vegetation over 100m² in area per 5 year period.
 - (ii) Except as provided for as a permitted activity in in Rule 17.1.1, earthworks not exceeding 2.5m (cut or fill) measured vertically.
 - (iii) New camping grounds or extensions to existing camping grounds.
 - (iv) Except as provided for in Rules 17.1.3(a) and 17.1.4(a)(v), new buildings, structures or network utilities with a height of no more than 7m.
 - (v) New network utility lines and poles with a height of no more than 12.5m.
 - (vi) Any relocatable dwelling unit located within 100m of the Mean High Water Springs.
 - (vii) Waste disposal facility.
 - (viii) Large-scale renewable electricity generation activities.
 - (ix) Landfarming

Note: Relocatable means not intended for permanent location and readily capable of removal for relocation within the site or to another site (i.e. not on concrete foundations).
- (b) Within Lake Rotokare Outstanding Natural Feature/Landscape listed in Schedule 8A, new buildings or structures or clearance of vegetation not provided for as a restricted discretionary activity in Rule 17.1.3(b).
- (c) Any activity in the Coastal Protection Area, not specifically listed as a Permitted,-Restricted Discretionary, or Non-Complying activity.
- (d) Any clearance, modification, damage or destruction of indigenous vegetation in any Significant Natural Area listed in Schedule 2, except as provided for under Rule 17.1.1(e) or 17.1.3(f).
- (e) Any clearance, modification, damage or destruction of indigenous vegetation not identified as a Significant Natural Area in Schedule 2 regardless of land ownership, or unless the activity is provided for under Rule 17.1.1(d) or Rule 17.1.3.

- (f) Any clearance, modification, damage or destruction of indigenous vegetation which forms part of a 'Regionally Significant Wetland' identified in Schedule 6, which:
- (i) Is equal to or greater than 0.5ha in area; or
 - (ii) Regardless of size, contains nationally threatened or regionally distinctive species listed in Schedule 6 of this Plan.

Except as provided for under Rule 17.1.3(f).

Note: This rule does not include damp gully heads, or paddocks subject to regular ponding, or areas of wetland in or around bodies of water specifically designed, installed and maintained for the purposes of water storage, water treatment, water drainage or for beautification, landscaping and amenity purposes.

- (g) Within any Significant Natural Area listed in Schedule 2 or any Outstanding Natural Feature / Landscape listed in Schedule 8A, the construction of new above or below ground electricity lines including any associated vegetation clearance and earthworks.
- (h) Within any Outstanding Natural Feature/Landscape listed in Schedule 8A (except for Lake Rotokare, Whanganui National Park and Mount Taranaki), any waste disposal facility.

17.1.5 NON COMPLYING ACTIVITIES

- (a) Within the Coastal Protection Area, the following activities:
- (i) Aggregate/soil extraction
 - (ii) Petroleum exploration and production.
 - (iii) Except as provided for in Rule 17.1.1, earthworks involving cut or fill of 2.5m or more measured vertically.
 - (iv) New buildings or structures with a height above 7m or network utility lines and poles with a height of more than 12.5m.
 - (v) Any new dwelling unit which is located within 100m of Mean High Water Springs, which is not relocatable.

Note: Relocatable means not intended for permanent location and readily capable of removal for relocation within the site or to another site (i.e. not on concrete foundations). This rule includes residentially zoned sites within the Coastal Protection Area.

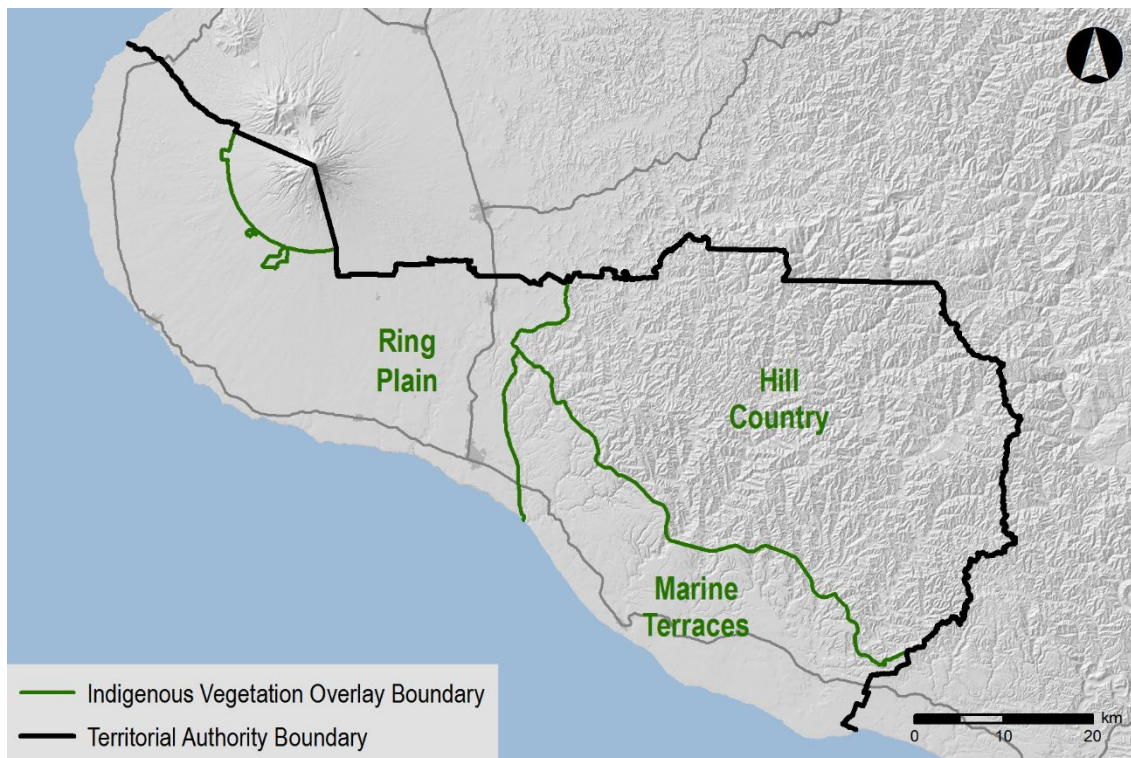
- (b) Within any Outstanding Natural Feature/Landscape listed in Schedule 8A (except for Lake Rotokare, Whanganui National Park and Mount Taranaki), or an area of Outstanding Natural Character listed in Schedule 8B, the following activities:
- (i) New buildings or structures, except as provided for in Rules 17.1.1, or 17.1.3(c) or 17.1.4.
 - (ii) Earthworks, except as provided for in Rule 17.1.1 or Rule 17.1.4(g).
 - (iii) Clearance of indigenous vegetation over 100m² in area (except as provided for in Rule 17.1.1(e)).
 - (iv) Large-scale renewable electricity generation activities.



17.1.6 PROHIBITED ACTIVITIES

None.

17.3 Natural Environment Appendix 2: Indigenous Vegetation Areas (Rule 17.1.1(d)(ix))



SECTION 18: DISTRICT WIDE RULES

The rules contained in this section apply across all Zones unless otherwise stated. The relevant Zone rules and other district wide rules, such as those relating to historic heritage and hazardous substances will still apply.

18.1 CATEGORIES OF ACTIVITIES

18.1.1 PERMITTED ACTIVITIES

- (a) Relocated buildings (including the removal of a building from its original site).
- (b) Temporary buildings ancillary to a building or other construction project.
- (c) Temporary activities.
- (d) Temporary military training activities.

18.1.2 CONTROLLED ACTIVITIES

- (a) Temporary military training activities which do not meet one or more of the performance standards in Section 18.2.5.

Matters to which the Council restricts its control:

- (i) The size and positioning of buildings and structures;
- (ii) The measures used to avoid, remedy or mitigate adverse effects from excavation;
- (iii) The actual or potential effects of the activity on the values of the historic site.
- (iv) Methods to manage effects on the amenity and character of the area as a result of non-compliance with the duration permitted activity condition;
- (v) The actual and potential adverse effects on the safety and efficiency of the road network, as a result of additional traffic generation for a prolonged period of time; and
- (vi) The provision of safe and efficient vehicular access and on-site car parking to avoid, remedy or mitigate potential traffic effects.

18.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

- (a) Any relocated buildings which do not comply with any one or more of the Performance Standards in Section 18.2.1.

Matters to which the Council restricts its discretion:

- (i) External appearance of the building and site reinstatement
- (ii) Effects on amenity values
- (iii) Length of time taken to re-construct, repair or refurbish the building
- (iv) Performance bond.

- (b) Unless listed elsewhere in the District Plan, any permitted activity listed in Section 18.1.1, which does not meet one or more of the performance standards in Section 18.2.

Matters to which the Council restricts its discretion:

- (i) Avoiding, remedying or mitigating of actual or potential effects deriving from non-compliance with the particular performance standard(s) that is not met.

18.1.4 DISCRETIONARY ACTIVITIES

None.

18.1.5 NON-COMPLYING ACTIVITIES

None.

18.1.6 PROHIBITED ACTIVITIES

None.

18.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES

18.2.1 Relocated Buildings

1. All relocated buildings shall comply with the relevant rules and standards of the Zone into which the building is to be relocated or relevant Concept Plan.
2. Building Inspection Report
 - (i) Prior to the building being relocated onto a site, a building consent(s) shall be obtained that covers all of the matters listed below; and
 - (ii) A building inspection report prepared by a Council Building Officer or other Licensed Building Practitioner shall accompany the building consent application. The report is to identify all reinstatement work required to the exterior of the building and an estimate of the costs for the external refurbishment works after relocation (see District Wide Rule Appendix 1 for report contents); and
 - (iii) The building shall be placed on permanent foundations approved by the building consent, no later than two months from the date the building is moved to the site; and
 - (iv) All other work required to reinstate the exterior of any relocated building, including painting if required, shall be completed within twelve months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the piled foundations; and
 - (v) The owner of the site on which the relocated building is placed shall certify that the reinstatement work will be completed within the twelve month period. The site owner shall be responsible for ensuring this work is completed.
3. Previous Use

- (i) Any relocated building intended for use as a dwelling or for visitor accommodation must have previously been designed, built and used as a dwelling or for visitor accommodation.

4. Performance Bond

- (i) A bond of 125% in an amount equal to 125% of the cost of external reinstatement works identified in the Building Inspection Report under Performance Standard 18.2.1.2 shall be lodged with the Council along with the application for building consent, as security for completion of the external reinstatement works.
- (ii) The bond shall either be a cash bond deposited with the Council, or an on demand performance bond issued by a bank registered in New Zealand or another entity approved by the Council, and shall in either case be lodged in terms of the form of Deed annexed as District Wide Appendix 2 to the District Plan.
- (iii) Subject to the provisions of the Deed, the bond will be refunded or released, after the Council has inspected and confirmed compliance with external reinstatement requirements. The Council will consider a partial reduction in the quantum of the bond when the main components (i.e. roof, wall cladding, foundation cladding) of the external reinstatement work are completed. In considering any such partial reduction, the Council shall take into account the amount specified for the relevant completed works in the building inspection report.

18.2.2 Temporary buildings ancillary to a building or other construction project

1. All temporary buildings ancillary to a building or other construction project shall meet the following requirements:
 - (i) Maximum gross floor area: 50m² per site and
 - (ii) The duration of the temporary building shall not exceed the duration of the project, or 12 month period, whichever is the lesser.

18.2.3 Temporary carnivals, bazaars, markets, public meetings and private functions and associated ancillary temporary buildings or other structures including tents

1. The duration of any temporary event shall not exceed 10 consecutive days, except as provided for under Standard 18.2.3.2. For the purpose of this rule, 'day' means a whole day, or part of a day;
2. A temporary event can exceed the relevant noise standard in Section 11 by 15dBa for up to 2 days in any 12 month period per site. For the purpose of this rule, 'day' means a whole day, or part of a day;

Note: A temporary event provided in Rule 18.2.3.2 allows for one single event that operates for two consecutive days, or for two events that operate over one day each.

3. The duration of a series of temporary events shall not exceed a cumulative period of 31 days in any 12 month period per site. For the purpose of this rule, 'day' means a whole day, or part of a day;

4. Any temporary event shall setup and operate between the hours of 7.00am – 10.00pm;
5. All temporary buildings and structures shall comply with the maximum height standards for the zone in which the activity is located within.

18.2.4 Temporary Filming Activity

1. All temporary filming activities shall:
 - (i) Not occupy the site for filming activities for more than fourteen (14) consecutive days.
 - (ii) Ensure all temporary structures are removed within 30 days of the end of film capture.
 - (iii) Not be located within an area identified as a Historic Site or Site of Significance to Tangata Whenua in Schedule 1B, Significant Natural Area in Schedule 2, and/or Area of Outstanding Natural Character or Outstanding Natural Feature or Landscape in Schedule 8.
 - (iv) Not involve any earthworks or the clearance of vegetation which exceeds the standards for the Zone or Overlay Area in which the proposed filming is located.
2. All temporary buildings and structures are exempt from the maximum height and maximum building coverage standards for the zone in which the filming will occur.

Note: For the purpose of this rule, filming shall include the use of land and buildings for the purpose of commercial video and film production and includes the setting up and dismantling of film sets and associated facilities for staff.

18.2.5 Temporary Military Training Activities

1. No permanent structures shall be constructed.
2. No earthworks (permanent or mechanical) shall be carried out which exceeds the standards for the Zone or Overlay in which the proposed temporary military training activity is located within.
3. No temporary military training activities shall be located within an area identified as a Historic Site or Site of Significance to Tangata Whenua in Schedule 1B.
4. The duration of the activity must not exceed a period of thirty one (31) consecutive days.
5. All temporary military training activities shall comply with the noise standards in Section 11.2.10 of this Plan.

- D. The Owner and the Council have agreed that the performance by the Owner of the Owner's obligations under this Relocated Buildings Bond is to be secured by the provision of a Cash Deposit or Performance Bond on the terms and conditions set out herein.

NOW THIS DEED WITNESSES:

1. INTERPRETATION

1.1 Defined Terms

In this Deed unless the context otherwise requires:

"Act" means the Resource Management Act 1991 as amended from time to time, and includes any legislation enacted in substitution for that legislation;

"Bond" or "Relocated Buildings Bond" means the Bond created by this Deed;

"Building Inspection Report" means a report prepared by an appropriately qualified person in accordance with District Wide Rules Appendix 1 of the District Plan identifying the Reinstatement Works;

"Cash Deposit" means any sum or sums of money deposited in cleared funds with the Council from time to time by the Owner, any financial institution at the request of the Owner or other party at the request of the Owner, which have a value totalling the Quantum;

"Completion of the Reinstatement Works" means the date on which the Council confirms in writing to the Owner that the Reinstatement Works have been completed;

"Commencement Date" means the date on which the Relocated Building is placed on the site, whether on temporary supports or otherwise;

"Council" means the South Taranaki District Council and its successors and assigns;

"Monitoring Sum" means the Council's actual and reasonable costs for carrying out monitoring and administration in relation to the Reinstatement Works;

"Owner" means *[name of registered proprietor(s) of the land onto which the Relocated Building is to be placed and who is/are to be bound by this Bond]* together with successors and permitted assigns;

"Performance Bond" means an on demand performance bond in favour of the Council issued by the Owner and a bank registered in New Zealand, on a joint and several basis, under which the Owner and the bank unconditionally agree to pay the Quantum to the Council in the event that the Council confirms in writing that the Owner has defaulted on its obligations under this Deed, the Act or the District Plan.

"Performance Standards" mean the Performance Standards in Rule 18.2.1 of the South Taranaki District Plan;

"Plan" or "District Plan" means the South Taranaki District Plan;

"Quantum" means the sum as determined from time to time in accordance with clause 3.1;

“Reinstatement Works” means the extent of the work required to the exterior of the Relocated Building as specified in the Building Pre-Inspection Report for the purposes of the District Plan. The exterior reinstatement works will not include matters regulated by the building legislation such as re-joining of the roof; re-joining of the building (if shifted in more than one section) or connection to foundations; but may include matters required by the District Plan for work to be undertaken and completed to the exterior of the building to a workmanlike standard and to achieve a tidy appearance, including, without limitation:

- (a) Repair of broken windows and window frames;
- (b) Repair of rotten weatherboards or other damaged wall cladding;
- (c) Necessary replacement or repair of roof materials;
- (d) Cleaning and/or painting of the exterior where necessary e.g. roof, walls, window frames etc; and/or
- (e) Replacement and painting of baseboards or other foundation cladding.

“Relocated Building” shall have the same meaning as the definition of “Relocated Building” in Section 1 of the District Plan;

“Security” means the Cash Deposit or Performance Bond;

“Site” means the whole of the land onto which the Relocated Building is to be placed;

“Term” means the period from the Commencement Date to Completion of the Reinstatement Works.

1.2 Joint and Several

- 1.2.1 References in this Deed to the “Owner” are references to the parties (if more than one) named in this Deed as the Owner jointly and severally, and the representations, covenants and undertakings of the Owner in this Deed shall be deemed to be given jointly and by each of them severally.

2. THE BOND

2.1 Undertaking to Comply

The Owner undertakes to the Council to:

- (a) complete, at the expense of the Owner, the Reinstatement Works as set out in the Building Inspection Report within the timeframe specified by Rule 18.2.1 of the District Plan or within such reasonable timeframe otherwise agreed by the Owner and the Council in writing; and
- (b) promptly remedy any breach by the Owner of its obligations under this Deed within seven (7) days of a request in writing by the Council to do so, or within such reasonable timeframe otherwise agreed by the Owner and the Council in writing.

2.2 Council Right to Access

The Council may from time to time, under section 171 of the Local Government Act 2002, enter onto the Site to ascertain whether the Reinstatement Works have been completed to the satisfaction of the Council.

2.3 Council Right to Rectify

If the Owner fails to comply with the Owner's obligations, or any of them, referred to in clause 2.1 within seven (7) days of receipt of the notice in writing from the Council referred to in clause 2.1(b), or within such reasonable timeframe otherwise agreed by the Owner and the Council in writing, which notice shall refer to the failure and request the failure to be rectified, then:

- (a) the Council may (but shall not be under any obligation to) undertake, or procure that its contractors undertake, all or part of those obligations referred to in the notice;
- (b) for that purpose, the Council (including its contractors and assigns) may, at all reasonable times, enter the Site, including any Relocated Building on the Site; and
- (c) the Owner will pay to the Council upon demand the amount of all costs, expenses, liabilities and other amounts incurred by the Council under or in connection with the exercise by the Council of its rights under clause 2.3(a) and (b), less the amounts paid to the Council and which the Council is entitled to retain on its own behalf from the Security under clause 4.1 or otherwise.

2.4 Provision of Security

To better secure to the Council the completion by the Owner of its obligations under this Deed and the District Plan, the Owner undertakes on or before the date the Council issues a building consent to relocate the building to the Site, to either:

- (a) deposit into a bank account in the name of the Council, with a bank nominated by the Council in cleared funds, the Cash Deposit totalling the Quantum; or
- (b) provide a Performance Bond in favour of the Council.

2.5 Application of Security

- 2.5.1 The Council may, from time to time, apply all or part of the Cash Deposit or any proceeds from a demand under the Performance Bond for payment of the Monitoring Sum, which sum shall be deducted from the Cash Deposit or drawn under the Performance Bond before or on repayment of the balance of the Cash Deposit or the release of the Performance Bond upon Completion of the Reinstatement Works in accordance with clause 3.2.1.
- 2.5.2 If the Owner fails to comply with any of its obligations referred to in clause 2.1 within seven (7) days of receipt of a notice in writing from the Council, which refers to the failure and requests the failure to be rectified, or within such reasonable timeframe otherwise agreed by the Owner and the Council in writing, then the Council may, from time to time apply all or part of the Cash Deposit, or make a demand under the Performance Bond and apply all or part of the proceeds, towards the payment of any sum payable by the Owner to the Council under this Deed, the District Plan and/or the Act, including any sum incurred by the Council under clause 2.3 of this Deed, or draw and retain all or part of those proceeds to cover amounts as reasonably estimated by the Council to be incurred or which may (in the reasonable estimation of the Council) be incurred by the Council or its contractors under clause 2.3 or in respect of those matters.

3. QUANTUM PROVISION AND RELEASE OF THE SECURITY

3.1 Quantum and Provision of the Security

- 3.1.1 The Quantum of the Security as at the Commencement Date shall be one hundred twenty five (125) percent of the estimated cost of the Reinstatement Works as established by the Building Inspection Report. A loading of 25% of the estimated cost of remediation is added to protect the Council from price fluctuations.
- 3.1.2 For the avoidance of doubt, the Quantum of the Security does not include any bond required by the Council for the purposes of its Land Transport Bylaw.

3.2 Release of Owner of Security

- 3.2.1 Upon Completion of the Reinstatement Works, the Council shall release the Owner from the obligations under clause 2 of this Deed, and either repay the balance of the Cash Deposit or authorise the release of the Performance Bond remaining after application under clause 2.5 or clause 4.1, if any.

4. PAYMENT OF QUANTUM AND CALLS ON THE SECURITY

4.1 If the Owner:

- 4.1.1 Fails to comply with the Owner's obligations, referred to in clause 2;
- 4.1.2 Abandons the Site without taking adequate and proper measures to rehabilitate the Site to the reasonable satisfaction of the Council; and/or
- 4.1.3 Fails to comply with any of the obligations of the Owner under this Deed,
- the Council may, without notice and without limitation of its rights under clause 2, take such part of the Cash Deposit, or demand such amount under the Performance Bond, as it estimates will be the cost of carrying out remedial work (including the Reinstatement Works) or measures to rehabilitate the Site to a standard similar to surrounding properties (which costs may include any Monitoring Sum) and may call, apply or enforce, without further notice, on or exercise its rights in respect of the Security in that sum. The Council may at any reasonable time and from time to time enter the Site and take such steps and carry out such works as may be necessary to rehabilitate the Site;
- 4.1.4 Transfers ownership of the Site without the Council having received a bond from the Transferee containing the same terms and conditions as are set out in this Bond, then the Cash Deposit shall be forfeited to the Council or the Council shall be entitled to draw on the Performance Bond and retain the proceeds.

5. RESOURCE MANAGEMENT ACT 1991

The powers and remedies given to the Council in the Bond and the Security are in addition to all other powers and remedies conferred on it by the Resource Management Act 1991 and the exercise by the Council of any power or remedy under the Bond shall not prejudice its authority to exercise any other such power or remedy.

6. VARIATION AND RENEWAL

The Bond may be varied or renewed at any time by agreement in writing between the Owner and the Council.

7. ARBITRATION

In the event of any dispute or difference between the parties arising out of the Deed or the construction of interpretation thereof then the dispute or difference shall be referred to a sole arbitrator to be agreed upon between the parties or failing agreement, appointed in accordance with the provisions of the Arbitration Act 1996 and its amendments or any Act passed in substitution therefore.

8. NOTICES

All notices required or permitted to be given under or in connection with this Deed shall be in writing and be served on a person or on a body (whether incorporated or not) in accordance with the method of service of documents in section 352 of the Act or any section enacted in substitution thereof.

8.1 The Owner: If to the Owner to:

[add address]

8.2 The Council: If to the Council to:

The Chief Executive
South Taranaki District Council
105 – 111 Albion Street
Private Bag 902 HAWERA 4640

9. COSTS

9.1 Without prejudice to any other right of recovery or reimbursement of costs or expenses by the Council at law or otherwise, the Owner agrees to pay to the Council, promptly upon receiving a request in writing and an appropriate tax invoice, the Council's reasonable legal costs and disbursements incurred in connection with the preparation and engrossment of this Deed.

10. MISCELLANEOUS

10.1 All payments under this Deed will be made in cleared funds without deduction, withholding, set-off or counterclaim.

10.2 The entry into and performance of obligations under this Bond shall not merge with or release any rights or obligations under the District Plan, nor shall the provision of the Security merge with or release the Owner's covenants under this Deed.

10.3 The Owner undertakes that it shall not exercise its rights under a Building Consent to relocate a building unless and until the Owner has signed this Deed and has caused the Cash Deposit to be deposited in cleared funds with the Council or a Performance Bond to be issued in accordance with this Deed, in each case having a value not less than the Quantum.

10.4 The Owner acknowledges and agrees that all references to the approval, determination or satisfaction of the Council in this Deed shall be deemed to mean the approval, determination or satisfaction of the Council at its reasonable discretion.



In witness of which this Deed has been executed.

SIGNED by *[Owner]*

)
)
)
)

Director

Director

The Common Seal of

SOUTH TARANAKI DISTRICT COUNCIL was

affixed in the presence of:

)
)
)

Mayor

Chief Executive

SECTION 19: SIGN RULES

This part of the Plan contains rules and performance standards relating to signs. When signs are located within private property the provisions of the District Plan apply.

When signs are located within a rail corridor (designated by New Zealand Railways Corporation/KiwiRail) or on road reserve (designated by New Zealand Transport Agency (NZTA) or South Taranaki District Council) the provisions of the District Plan do not apply.

The South Taranaki Public Places Bylaw 2014 contains specifications for Footpath Signs, Flag Signs, Real Estate Signs and Flags, and Election Signs located in public places, which must be complied with, separate to the District Plan.

The New Zealand Transport Agency (Signs on State Highways) Bylaw 2010 contains specifications for signs on the state highway network.

For signs on road reserve or in the rail corridor, written approval from the requiring authority may be required under Section 176 of the Resource Management Act, in addition to the above bylaws.

For clarification, when there is conflict or perceived conflict between the provisions of this Plan and the South Taranaki Public Places Bylaw 2014 provisions, the most stringent provisions shall apply.

19.1 CATEGORIES OF ACTIVITIES

19.1.1 PERMITTED ACTIVITIES

The following activities are permitted in all zones, provided activities comply with the relevant Performance Standards in Section 19.2:

- (a) Except where specifically provided for as restricted discretionary or discretionary activities, the erection of signs in all zones.
- (b) Signs installed purely for health and safety reasons or to comply with legislative requirements (e.g. hazardous substances signage).

Note: Signs in 19.1.1(b) are not subject to any performance standards in Section 19.2.

19.1.2 CONTROLLED ACTIVITIES

None.

19.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

Except where specifically provided for as permitted or discretionary activities, the erection of the following signs are restricted discretionary activities.

- (a) Any sign listed as a permitted activity which does not comply with one or more of the performance standards in Section 19.2.

Matters to which the Council restricts its discretion:

- (i) The degree, extent and effects of the non-compliance with the Permitted Activity performance standards.
 - (ii) Effects on visual amenity or pedestrian and traffic safety.
 - (iii) Maintenance of the sign.
 - (iv) For signs attached to any heritage building listed in Schedule 1A, effects on historic heritage.
- (b) Within all zones except for the Residential zone, the following signs:
- (i) Illuminated signs.
 - (ii) Signs with lights or illumination which flashes, moves, rotates, varies in intensity, colour or size, and all other advertising devices of this nature.
 - (iii) Signs which visibly move, revolve, rotate, create an optical illusion of movement, or change colour, whether by electrical or other means, and all other advertising devices of this nature.

Matters to which the Council restricts its discretion:

- (i) Whether the sign will adversely affect road safety by creating a distraction to drivers.
- (ii) Whether the sign can be viewed from adjoining residential properties, particularly bedrooms and living areas and whether this will create a nuisance effect.
- (iii) The impact on anticipated amenity values such as the ability to view the night sky.
- (iv) The hours of operation of the sign.
- (v) Maintenance of the sign.

19.1.4 DISCRETIONARY ACTIVITIES

- (a) Within or on sites adjacent to the Residential Zone:
- (i) Illuminated signs.
 - (ii) Signs with lights or illumination which flashes, moves, rotates, varies in intensity, colour or size, and all other advertising devices of this nature.
 - (iii) Signs which visibly move, revolve, rotate, create an optical illusion of movement, or change colour, whether by electrical or other means, and all other advertising devices of this nature.
- (b) Any sign listed as a restricted discretionary activity which does not comply with one or more of the performance standards in Section 19.3.1.
- (c) Signs affixed to vehicles or trailers, and parked in a private property so as to be visible from a public place. This does not apply to advertising painted, or attached directly, onto vehicles or trailers and incidental to the primary use of that vehicle or trailer.

19.1.5 NON-COMPLYING ACTIVITIES

None.

19.1.6 PROHIBITED ACTIVITIES

None.

19.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

19.2.1 General

- (a) All signs shall be located wholly within a site and shall relate to or be associated with services, products or events available or occurring on the site on which the sign is located.

Except that:

This standard does not apply to community boards, signs regulated by the Public Places Bylaw 2014, or temporary signs which meet the performance standards 19.2.2.

- (b) All signs attached to buildings shall not project above the parapet level, or the highest part of that part of the building to which the sign is attached.
- (c) On any heritage building listed in Schedule 1A, signs shall not obscure architectural features, including but not limited to windows, columns, mouldings, cornices and balustrades, except that signs may be located on ground floor windows if contained within the frames of any windows and shall not cover any transoms (horizontal dividers) or mullions (vertical dividers).

Note: For the purposes of 19.2.1(c), architectural features does not include verandas.

Note: For buildings located within a Defined Pedestrian Frontage, Performance Standard 6.2.2.1(iv) also applies.

- (d) All signs intended to be viewed from a moving vehicle shall be located so they are fully visible to motorists for 180m in a 70 kph speed zone and 250m in a 100 kph speed zone.
- (e) No sign shall be erected adjacent to a road or rail corridor which will:
- (i) Obstruct the line of sight of any corner, bend, intersection or vehicle/railway crossing.
 - (ii) Obstruct, obscure or impair the view of any traffic sign or signal.
 - (iii) Physically obstruct or impede traffic or pedestrians.
 - (iv) Resemble or be likely to be confused with any traffic sign or signal.
 - (v) Use reflective materials that may interfere with a road user's vision.
 - (vi) Use support structures which are not frangible (meaning able to be broken into fragments; brittle or fragile).
- (f) For all signs located adjacent to a road, the minimum/maximum lettering sizes in Table 1 below shall apply:

Table 1: Lettering Size

Regulatory Speed Limit (km/h) of Adjoining Road	Main Message Name of Occupier/Property		Secondary Message
	Minimum Lettering Height (mm)	Maximum Lettering Height (mm)	Maximum Lettering Height (mm)
0-50	100	150	75
51-70	150	200	100
71-80	175	250	125
81-100	200	300	150

- (g) All obsolete signs, such as those advertising businesses that have closed, must be removed within 2 months of the business closing or the activity on the site ceasing to operate.

19.2.2 Temporary Signs

- (a) Temporary signs shall comply with Performance Standards 19.2.1(b) - (g).
- (b) Temporary signs for community, educational, election campaign, or recreational events and during building construction shall have a maximum face area of 6 m² and be limited to one sign per site.
- (c) Temporary signs shall be erected no earlier than 3 months before the election or event and shall be removed within 7 days of the event concluding, unless otherwise required by statute.

Note:

- (i) This activity is not subject to any other performance standard.
- (ii) For the purposes of measuring the face area of any sign, a double-sided sign shall be measured as the face area of one side only, being the largest of any one side.

19.2.3 Real Estate Signs and Signs identifying a contractor is working on the site

- (a) Signs shall be a maximum of 6m² in face area.
- (b) Free-standing signs shall not exceed 7m in height.
- (c) Signs shall be located on the property which is for sale/let/lease or on which the contractor is working, except as allowed by the South Taranaki Public Places Bylaw 2014.
- (d) Real Estate signs shall be removed from the premises within seven (7) days of the sale or lease of the real estate.
- (e) Signs identifying a contractor is working on a site shall be removed from the premises within three weeks of the contractor no longer working on the site.

Note:

- (i) This activity is not subject to any other performance standard.
- (ii) For the purposes of measuring the face area of any sign, a double-sided sign shall be measured as the face area of one side only, being the largest of any one side.

19.2.4 Commercial, Industrial, and Rural-Industrial Zones

(a) All signs, including under veranda signs, shall be a minimum of:

- (i) 2.5m above a footpath, and
- (ii) Setback 0.5m from the kerb of a road or road boundary.

Except where the sign is attached for its full length and width to the façade of a building or to a fence.

(b) The total face area of any sign shall not exceed 3m².

Except that:

- (i) Signs affixed to, and flush with a building within the Commercial Zone (Large Format Trade and Service), Industrial Zone and Rural Industrial Zone shall not exceed a maximum total face area of 25% of the building wall.
 - (ii) Free-standing signs with the Commercial Zone (Large Format Trade and Service) shall not exceed a face area of 4m².
- (c) Except on the state highway frontage between intersections with Fantham Street, Hawera and Ohangai Road, Normanby, all free standing signs on sites shall not exceed one per site for each road frontage, with a maximum height of 7m.
- (d) Freestanding signs adjacent to and visible from a road shall:
- (iii) Be placed at least 15m from any existing directional sign.
 - (iv) Be erected at right angles to the road.
- (e) Any sign attached to a veranda shall be contained within the limits of the veranda fascia.

Note:

- (i) For the purposes of measuring the face area of any sign, a double-sided sign shall be measured as the face area of one side only, being the largest of any one side.

19.2.5 Rural, Township and Residential Zones

- (a) All signs on sites along the road frontage shall not exceed one sign per site for each road frontage.
- (b) Except for signs attached to a fence, Signs shall be setback a minimum of 0.5m from a road boundary.
- (c) The maximum face area of any sign shall be as shown in Table 2 below:

Table 2: Maximum Sign Face Areas

Zone	Face area of sign
Residential Zone	1m ²
Township Zone	2m ²
Rural Zone	3m ²

For the purposes of measuring the face area of any sign, a double-sided sign shall be measured as the face area of one side only, being the largest of any one side.

- (d) Free-standing signs adjacent to and visible from road shall:
- (i) Be placed at least 15m from any existing directional sign.
 - (ii) Be erected at right angles to the road.
 - (iii) Not exceed 7m in height.
- (e) The minimum distance between successive signs, as read from one direction and measured parallel to the centre-line of the road, shall be as shown in the Table 3 below:

Table 3: Minimum Distance between Signs

Regulatory Speed Limit (km/hr)	Separation Distance (m)
0-70	60m
71-80	70m
81-100	80m

- (f) For signs located on sites within Rural Zones and where the sign is visible from a State Highway, the sign's message must be limited to a maximum of six words or a combination of words and symbols to be not more than seven.

Note: For any sign visible from the state highway network, consultation with the NZ Transport Agency is encouraged.

19.3 PERFORMANCE STANDARDS – RESTRICTED DISCRETIONARY ACTIVITIES

19.3.1 Illuminated, Flashing and Moving Signs in Commercial, Industrial, Rural-Industrial, Township and Rural Zones

- (a) All signs shall be:
- (i) Setback a minimum of 2m from the road boundary.
 - (ii) A minimum of 3m above natural ground level.
 - (iii) No more than 6 m² in face area.
- (b) Except for in the Commercial zone, any such sign shall be located at least 100m from any other existing flashing or moving sign.

SECTION 20: RESOURCE CONSENT INFORMATION REQUIREMENTS AND ASSESSMENT MATTERS

To enable the Council to process an application for resource consent, an applicant must provide adequate information in accordance with Section 88(3) of the RMA. The information should be appropriate to assess the environmental effects of the proposal in a professional and unbiased manner and if it does not have all the required information, the Council can return the application within 10 working days. Section 92 of the RMA also allows the Council to seek more information about an application. So that it can better understand the nature of the activity in respect of which the application is made, the effect it will have on the environment, or the ways in which any adverse effects may be mitigated. Compliance with the information requirements will speed up the consideration of applications and ensure the appropriate conditions are attached where these are necessary.

Forms and guidelines to assist in preparing an application can be obtained from the Council.

NOTE: This information complements the provisions of Section 88 and Schedule 4 of the Act.

The information requirement set out in this section will normally be required in consideration of a resource consent application.

20.1 LAND USE CONSENTS

An application for resource consent for an activity must include the following:

- (a) The full name and address of each owner or occupier of the site.
- (b) The location of the site, including the street address, rural number, legal description, and the name of the owner of the land (copies of the current certificate of title must be provided).
- (c) A full description of the activity for which the consent is sought:
- (d) Relevant objectives, policies and rules (including plan changes).
- (e) Relevant National Policy Statements, National Environmental Standards, Regional Plans and Iwi Management Plans.
- (f) Intended use of the land/or site.
- (g) A description of any other resource consent that may also be required and whether the applicant has applied for such consents.
- (h) Plans which sufficiently show:
 - (i) A north point and the address of the proposed development.
 - (ii) The location of all site boundaries and all existing and proposed buildings, fences, parking areas, accessways and vegetation on the site.
 - (iii) The location of any adjacent activities, particularly residential dwelling units.

- (iv) The location of nearby community uses, including community buildings, housing, schools, reserves, public transport services, and the public roading network.
 - (v) The location of utilities and services on or adjacent to the site, including the supply of water, electricity, gas, communication services, and the disposal of stormwater and of solid and liquid wastes, including hazardous wastes.
 - (vi) The location of electricity transmission lines.
 - (vii) The location of any designations, heritage items, sites of significance to tangata whenua, statutory acknowledgements areas, or other features of public interest on or in the immediate vicinity of the site.
 - (viii) Topography, noting significant landforms and natural features.
 - (ix) Watercourses and catchment orientation.
- (i) Other relevant information, including:
- (i) Details of the appearance of any building(s), elevations and relationship with surrounding area.
 - (ii) Floor plans, including height of floor levels.
 - (iii) Landscape design, site planting and fencing.
 - (iv) Location of vehicle parking, loading circulation and manoeuvring areas and accessways and anticipated transportation movements.
 - (v) Signs.
 - (vi) Hours of operation.
 - (vii) Lighting.
 - (viii) Earthworks, including excavation and fill.
 - (ix) Relocated buildings.
- (j) An assessment of environmental effects should accompany the plans which adequately describes the effects of the proposed activity. Every assessment should include:
- (i) A written description of the proposal.
 - (ii) An assessment of the actual or potential effect of the activity on the environment.
 - (iii) The estimated timing and duration of the proposed activity.
 - (iv) A description of the measures taken to avoid, remedy or mitigate the actual or potential effects and, where the activity includes risk from the use of hazardous substances, any contingency plans, safety programmes or management plans.
 - (v) A list of those persons potentially affected by the proposal as advised by the Council.
 - (vi) A description of how any effects of the proposed activity will be monitored.
 - (vii) A description of alternative locations that were considered for the proposed activity, and why they were rejected.
 - (viii) A description of the natural environment including (where relevant) plants and wildlife, historic, scenic, archaeological or scientific sites or buildings, local air quality, water quality (both surface and underground), noise, odour, dust, landslip, erosion, flooding and earthquakes. In certain circumstances an archaeological survey may be required.

- (ix) Effects of the proposed activity on the Coastal Protection Area or areas of Outstanding Natural Landscapes/Areas/Character.
 - (x) A description of the social, cultural and spiritual environment of local residents where relevant, especially that of the Maori in respect of Tāngata Whenua values, their traditions and relationship with ancestral lands, including identified sites of significance to Tāngata Whenua.
 - (xi) Comments of the New Zealand Transport Agency where the proposed activity takes access and frontage from a State highway, or where the activity will significantly increase the number of turning vehicles at an intersection with a State highway;
 - (xii) Comments of Transpower New Zealand Limited where the proposed activity is located within the National Grid Corridor. An electrical engineering assessment prepared by a suitably qualified person may be required.
 - (xiii) Comments of any other relevant network utility operator where the proposed activity could adversely affect the safety, efficiency, operation, maintenance or upgrading (including reverse sensitivity effects) of an existing network utility (Note: this includes telecommunications and gas and liquid petroleum pipelines).
 - (xiv) Evidence of consultation with the relevant Tāngata Whenua in respect of activities within or adjacent to any statutory acknowledgement areas attached to this plan.
 - (xv) A list of any rights or permits required for any proposed activity (if any) from the Council and other consent authorities.
- (k) Consultation with affected persons.

Applications should be discussed with neighbours or persons likely to be affected, or other organisations such as Transpower New Zealand, the New Zealand Transport Agency (NZTA), New Zealand Railway Corporation/KiwiRail, Heritage New Zealand, Vector Gas, and all Network Utility Operators or the Department of Conservation. Tangata Whenua may also need to be consulted.

The Council will also expect that, in the preparation of such an assessment of effects where significant impacts are anticipated, such as for a stand-alone industrial development in a rural setting, the applicant will undertake an extensive programme of information gathering and dissemination in the public arena to assure the Council that the views of the local community are understood and that, as far as possible, any concerns raised can be dealt with adequately.

20.2 SUBDIVISION CONSENTS

In addition to the information requirements stated above, subdivision applications must include the following information, as applicable:

- (a) The full name and address of the applicant.
- (b) The location of the site, including the street address, rural number, legal description, and the name of the owner of the land to be subdivided (copies of the current certificate of title must be provided).
- (c) Plans which sufficiently show:
 - (i) A scaled plan of the subdivision proposal showing position of all existing and new lot boundaries including adjoining titles

- (ii) The areas and net lot areas (where relevant) of all new lots created in square metres
 - (iii) The location and areas of reserves to be created, including the location of existing esplanade reserves, esplanade strips and access strips
 - (iv) The location and areas of land to be set aside as road
 - (v) The location of existing and proposed vehicle crossings and easements (including right of ways)
 - (vi) The location of areas of land below mean high water springs (MHWS) of the sea, or any part of the bed of any lake or river to be vested in the Crown
 - (vii) The location of rivers, streams, lakes, significant landscape features, areas of natural vegetation
 - (viii) The location of existing buildings excluding uncovered patios and porches
 - (ix) The location of known heritage and archaeological and waahi tapu sites (Maori and European), heritage areas and objects, and statutory acknowledgement areas.
 - (x) The location and extent of any contaminated land on the site (contaminated land may include areas that have been previously used for the storage or use of hazardous substances)
 - (xi) A north point, preferably orientated up the page but not rotated greater than 90° east or west to make the best use of the page. The scale of the drawing for A4 sheets shall be shown in written form only. For sheets greater than A4, a drawn scale shall also be shown.
 - (xii) Scales of 1:100, 1:120, 1:125, 1:150, 1:200, 1:300, 1:400, 1:500, 1:600, 1:750, 1:800 or multiples or divisions by 10 of these scales.
- (d) Natural hazards: A description of the lots to be created including legal description of the underlying land, description of soil type, slope, areas of flood potential or erosion, adjoining land uses and activities and where these are in close proximity to boundaries (e.g. within 1m); the location of buildings and structures on adjoining properties.
- (e) An assessment of effects appropriate to the subdivision. This should address the effects of the subdivision and any proposed methods to avoid, remedy or mitigate any adverse effects. Where appropriate, include provisions for the amalgamation of land and the setting aside of areas for protection.
- (f) Where access and frontage is proposed to a State Highway or where the activity will significantly increase the number of turning vehicles at an intersection with a state highway, the comments of the New Zealand Transport Agency are required.
- (g) Where access and frontage is proposed to a railway line, the comments of New Zealand Railway Corporation/KiwiRail are required.
- (h) Services: Advice of the availability of services to the lots such as power, telecommunications and gas after consultation with those utility operators. Note: telecommunications network utility operators shall be consulted where a subdivision creates more than 15 lots.
- (i) Iwi Consultation: Evidence of any consultation which has been undertaken by the applicant with iwi or hapu in respect of Tāngata Whenua values, their traditions and relationships with ancestral lands, including identified sites of significance to Tāngata Whenua (including those on the balance lot), and statutory acknowledgement areas.

- (j) Where a proposed subdivision is a Non-Complying Activity (i.e. subdivision in the Coastal Protection Area that results in any lot of less than 2000m² in area), a full Assessment of Environmental Effects is required.
- (k) A professional archaeological assessment/survey, and consultation with Heritage New Zealand – Pouhere Taonga is required when a proposed subdivision affects an archaeological site identified on the Planning Maps.
- (l) Where subdivision is proposed within a National Grid Subdivision Corridor, comments of Transpower New Zealand Limited. Note: an electrical engineering assessment prepared by a suitably qualified person may be required.

20.3 ADMINISTRATION REQUIREMENTS

Set fees must be paid at the time the application is lodged. Refer to the Council's resource consent fees schedule.

If the activity is within an area affected by overlay rules, professional reports from a suitably qualified person may be needed to properly assess the effect of the activity on the overlay's values or issue (e.g. landscape, natural character, archaeology, natural hazards (particularly a flood hazard risk assessment), biodiversity, historic heritage, significant trees).

Professional reports may be required if the activity's effects exceed, or there is uncertainty if they may exceed, Plan standards or thresholds, or if they need assessment as an assessment matter or policy.

20.4 CROSS BOUNDARY MATTERS

From time to time the Council will receive a resource consent application that may require input or feedback from other territorial authorities or the Regional Council. To ensure active discussion on resource management issues and information sharing between authorities is maintained, the Council will liaise with these other authorities as necessary.

Where a resource consent application requires the consent of two or more consent authorities and those authorities have decided to hear the applications, a joint hearing will be held, unless the consent authorities agree that the applications are sufficiently unrelated that a joint hearing is not necessary and the applicant agrees that a joint hearing need not be held. The Council will encourage practices which enable resource consent applications to be considered in a similar manner regardless of the locality.

The Council will liaise with Taranaki Regional Council where:

- The proposed activity involves the discharge of contaminants to air, water or land;
- The proposed activity involves the taking, use and damming or diversion of water;
- The proposed activity involves the reclamation or drainage of the bed of a river or lake;
- The proposed activity involves discharging water to any place other than a public sewerage system or stormwater system or private septic or sewage treatment system;
- The proposed activity involves any construction in, or within 50m of, a water body;

- The proposed activity involves disturbing the coastal environment below Mean High Water Spring (MHWS);
- The proposed activity involves activities on, in, under or over the bed of rivers and lakes;
- The proposed activity involves hazardous materials.

The Council will liaise with adjacent District Councils where:

- The proposed activity is situated on or adjacent to the Hangatahua (Stony) River;
- The proposed activity gains access from either Pakaraka or Rangitatau West Road;
- The proposed activity involves unusual heavy vehicle traffic which is likely to travel outside the district;
- The proposed activity adjacent to a District boundary is of such magnitude in terms of possible effects as to warrant an integrated inter-District approach.

20.5 ASSESSMENT MATTERS

The following assessment matters will be used in assessing resource consent applications.

20.5.1 Bulk and Location

The following assessment matters will be used in assessing land use applications relating to any proposed building or structure which cannot comply with the minimum setback from boundaries and/or maximum height limit for the zone it is located within. Note: network utility buildings and structures are exempt from these assessment matters, and will be assessed against the provisions in Section 14 of this Plan.

- Any effects on adjoining properties in terms of dominance of buildings, loss of access to sunlight, or loss of outlook.
- The degree of effects of increased height or reduced side yards on privacy levels enjoyed by adjoining properties.
- Any effects on the streetscape from increased height or reduced setback from the street such as shading and visual dominance, or loss of views.
- The ability to provide adequate opportunity for garden and tree planting around buildings to mitigate visual bulk and dominance effects.
- The ability to provide for vehicle manoeuvring within the site.
- The extent to which the shape of the site influences the layout and design of the proposed building.
- The extent to which increased height has been offset by reduced building coverage and thereby the site remains dominated by open space and planting.
- The extent to which the proposed building will be compatible with the overall character of the area.

- (i) The ability to provide for a vehicle to park in front of any garage without overhanging the road/footpath.
- (j) For industrial activities, the ability to landscape along the road boundary.
- (k) The extent to which any reduced setback between commercial or retail or community activities and residential activities will result in adverse noise effects and loss of privacy on adjoining residential sites.
- (l) The extent to which any reduced setback between industrial and residential activities is required to develop the site efficiently and any resulting potential adverse effects on adjoining sites.
- (m) The extent to which the use of the proposed building will detract from the pleasantness or amenity of adjoining sites, in terms of matters such as noise, smell, dust, glare or vibration.
- (n) Any adverse effects of the proximity of buildings housing animals in terms of noise, smell, flies or vermin on adjoining sites.

20.5.2 Home Occupations

The following assessment matters will be used in assessing land use applications relating to home occupations in the Rural, Residential, Township and Commercial Zones:

- (a) Any adverse effects of the scale of the activity, in terms of visual dominance by buildings of the outlook from adjoining sites and buildings.
- (b) The degree to which the activity would integrate with the character of the surrounding environment, including its proximity to neighbouring buildings, and whether this is consistent with the surrounding environment.
- (c) Any adverse effects on adjoining sites of the scale of the activity, including reduced privacy or outlook.
- (d) The extent to which the use of the proposed building will detract from the pleasantness or amenity of adjoining sites, in terms of such matters as noise, smell, dust, glare or vibration.
- (e) The need for any increase in size of building, hours of operation, noise and, the potential adverse effects in the surrounding environment, particularly adjoining residential properties.

20.5.3 Private Outdoor Living Area

The following assessment matters will be used in assessing land use applications relating to the minimum private outdoor living area per dwelling unit/s in the Residential, Township, Commercial and Industrial Zones:

- (a) The extent to which the reduction in outdoor living space and/or its location will adversely affect the ability of the site to provide for the outdoor living needs of likely future residents of the site.
- (b) Any alternative provision on, or in close proximity to the site for outdoor living space to meet the needs of likely future residents of the site.

- (c) The extent to which the reduction in outdoor living space or the lack of its access to sunlight is compensated for by alternative space within buildings with access to ample sunlight and fresh air.
- (d) Whether the residential units are to be used for elderly persons housing and the extent to which a reduced area of outdoor living space will adequately provide for the outdoor living needs of the likely residents of the site including future residents.

20.5.4 Number of Dwelling Units per Net Site Area

The following assessment matters will be used in assessing land use applications relating to the maximum number of dwelling units per site and/or minimum site area in the Residential, Township and Commercial Zones:

- (a) The extent to which the character of the site will retain its openness, permeable surfaces, and garden plantings, rather than buildings.
- (b) The ability to provide sufficient private outdoor living space on the site.
- (c) Whether the proposed dwelling unit would visually dominate the street.
- (d) Any effects on adjoining properties in terms of building dominance, access to sunlight and loss of privacy or outlook.
- (e) Whether the additional dwelling unit/s is suitable for housing for the elderly whilst still providing adequate outdoor living space.
- (f) Appropriateness of the intensity of dwelling units in relation to the surrounding environment.

20.5.5 Marae and Papakainga Development

The following assessment matters will be used in assessing land use applications for new Marae and/or Papakainga development and redevelopment:

- (a) Recognition of the relationship of Tāngata Whenua and their culture and traditions with land, water, sites and areas of cultural and spiritual significance, wāhi tapu and other taonga.
- (b) The potential economic, cultural and social benefits to Tāngata Whenua of the proposal.
- (c) Any potential effects of the proposal on the character and amenity values of the surrounding area.
- (d) Whether connections to available water, sewerage and/or drainage services are required, and the potential need to upgrade roads and access ways.
- (e) Consideration of the historical presence of papakainga housing and associated activities on the site.

20.5.6 Lighting

The following assessment matters will be used in assessing land use applications relating to the maximum light spill for the zone in which the activity is located within:

- (a) The ability/extent to which light spill may disturb sleep of residents on the adjoining site.

- (b) The nature of activities on the adjoining site and whether they are unlikely to be affected by the proposed light spill.
- (c) Effects on the use of private outdoor living areas.

20.5.7 Outdoor Storage

The following assessment matters will be used in assessing land use applications relating to the location or screening of outdoor storage for the zone in which the activity is located within:

- (a) The extent to which outdoor storage will be able to be viewed from adjoining properties, particularly private outdoor living areas and internal living areas.
- (b) The extent to which outdoor storage will be able to be viewed from the road and any effects on amenity values.
- (c) The extent to which the outdoor storage avoids adverse effects on water bodies (sources) where the water is used for potable human drinking water.

20.5.8 Hours of Operation

The following assessment matters will be used in assessing land use applications relating to the hours of operation of the proposed activity:

- (a) Any potential effects on the ability to fully utilise outdoor areas on the adjoining site(s).
- (b) Any potential effects on the ability to undertake activities in buildings on adjoining sites, particularly during the summer months when windows may be open.
- (c) The potential for the character of the area to alter with increased vehicle movements and long hours of operation.
- (d) Adverse effects of early morning and night-time deliveries.
- (e) Whether the increased hours of operation are related to staff activities and whether there are deliveries or visitors to the site after hours.

20.5.9 Parking and Transportation

The following assessment matters will be used in assessing land use applications relating to non-compliance with the parking and transportation rules and standards of the Plan.

Roading, Access and Intersections

- (a) The extent of non-compliance(s) and/or any worsening of existing non-compliances with the requirements and standards in the Plan.
- (b) The extent to which the safety and efficiency of the adjoining road/s would be compromised by intersections being located closer together, or with a lesser unobstructed sight distance or intersection visibility, than is permitted by the Plan.

Vehicle Crossings

- (c) The extent of non-compliance(s) and/or any worsening of existing non-compliances with the requirements and standards in the Plan.

- (d) The extent to which the safety and efficiency of the adjoining road/s would be compromised by vehicle crossings being located closer together, or with a lesser unobstructed sight distance or intersection visibility, than is permitted by the Plan.

Loading, Parking and Manoeuvring Spaces

- (e) The extent of non-compliance(s) and/or any worsening of existing non-compliances with the requirements and standards in the Plan.
- (f) The adequacy of on-site parking needed for the activity(s) and whether it can be demonstrated that less than normal demand is anticipated.
- (g) Whether there is an adequate alternative supply of alternative off-street parking or loading spaces in the immediate vicinity (in general, on-street parking is not considered an acceptable alternative).
- (h) Whether the Council may waiver or reduce the parking requirement in town centres where development or redevelopment of sites involves proposals which will result in the preservation of historic buildings, historic character, or the maintenance or enhancement of amenity.
- (i) The extent to which not providing the required parking or loading space/s on the site will result in:
 - (i) An adverse effect on the character and amenity of the surrounding area, particularly neighbouring properties and public areas.
 - (ii) Cumulative effect in conjunction with other activities in the vicinity, especially those not providing the required number of parking or loading spaces.
 - (iii) Adverse effects on the safety of pedestrians and other road transport network users by the need for crossing of roads or set-down on the street resulting from off-site parking provisions.
 - (iv) Adverse effects on the safety and efficiency of the surrounding roading network because of vehicles parking or manoeuvring on the road/s.

Railway Level Crossings

- (j) Whether vehicles can safely and efficiently enter and exit a site without resulting in the queuing of vehicles blocking the railway corridor.
- (k) The extent to which the nature, location, scale, and height of any obstruction will obstruct visibility along the railway and adversely affect road and rail safety, having regard to the geometry and orientation of the intersection and the speed and volume of traffic on the road.

Tree Planting

- (l) The extent to which tree location, species, maximum height and spread of the proposed tree will obstruct visibility from the intersection of approaching traffic, and adversely affect road safety having regard to the geometry and orientation of the intersection and the speed and volume of vehicles on the road.
- (m) The extent to which planting is unnecessary or inappropriate due to the nature and location of the car-park, the nature of any fencing around the car-park, or the nature and amount of planting on adjoining sites in the vicinity.

20.5.10 Significant Hazardous Facilities

The following assessment matters will be used in assessing land use applications relating to significant hazardous facilities, including non-compliance with the significant hazardous facilities standards of the Plan:

- (a) The extent to which the location of the significant hazardous facility:
 - (i) Avoids adverse effects on the environment, human health and amenity values, particularly on sensitive activities.
 - (ii) Avoids the risk posed by the occurrence of natural hazards or that alternatively the potential adverse effects resulting from a natural hazard event have been avoided or mitigated.
 - (iii) Is consistent with the policies supporting the zone in which the activity is to occur.
- (b) The extent to which the design, construction and management of the significant hazardous facility avoids or mitigates adverse effects, including risks, to people, property and the environment, including:
 - (i) Site drainage, spill containment systems, site layout and waste processes.
 - (ii) Minimising any adverse effects associated with the transport of a hazardous substance on road infrastructure or on other land use activities along a transport route.
 - (iii) Minimising the risks to sensitive aquifers or surface water bodies associated with the potential for unintended leaks or spills resulting from the activity.
- (c) Whether the individual and cumulative effects of the significant hazardous facility have been identified, assessed and managed so they do not pose significant residual risks to people, property and the environment.
- (d) The extent to which measures have been proposed to manage the transport of hazardous substances associated with the significant hazardous facility to minimise adverse effects on road infrastructure and potentially affected land use activities along the transport route.
- (e) Whether the risk assessment submitted with the proposal adequately address:
 - (i) An assessment of the sensitivity of the receiving environment to any potential risks
 - (ii) A hazard identification and risk management response
 - (iii) A quantitative risk assessment for all significant hazardous facilities
 - (iv) Whether there is a practicable alternative method of risk management that would present less risk
 - (v) Whether the proposal will avoid or adequately mitigate cumulative adverse effects with respect to other hazardous facilities in the area
 - (vi) Whether adequate setback is proposed to address the potential risks in the following situations:
 - Proximity to sensitive activities, including residential zones activities, educational facilities, and community facilities and recreational areas;
 - Significant areas of indigenous vegetation and habitats of indigenous fauna;
 - Adjacent waterbodies;

- Adjacent Sites of Significance to Tāngata Whenua, or sites of historical or archaeological significance.
- (f) Emergency management planning and response.
- (g) The extent of any consultation with the appropriate iwi having regard to Kaitiakitanga, and taking into account the principles of the Treaty of Waitangi, including:
- (i) Whether the applicant has had regard to the matters raised by the relevant iwi during consultation.
 - (ii) Whether the applicant has addressed any adverse effects raised by the relevant iwi through consultation.
 - (iii) Whether the relevant iwi has had the opportunity to visit the proposed development site prior to lodgement of the resource consent application.

20.5.11 Petroleum Exploration and Production Activities

The following assessment matters will be used in assessing land use applications relating to Petroleum Exploration and Production activities:

- (a) The local, regional and national benefits to be derived from the use and development of energy.
- (b) The landscape and visual effects of the proposal, including:
 - (i) The extent to which the proposal will impact on the natural character of the coastal environment, waterbodies and rural environment;
 - (ii) The extent to which the proposal will adversely impact on dwelling units, sensitive activities, key public places including major roads and recreation areas;
 - (iii) The extent to which any aspects of the proposal can be sited or designed to reduce the visibility of any structures, including the potential to locate facilities underground.
- (c) The extent of the ecological effects of the proposal, including:
 - (i) The extent to which significant indigenous vegetation and significant habitats of indigenous fauna are affected;
 - (ii) The potential effects on birds or other fauna, either migratory species or resident populations on site;
 - (iii) The sensitivity of the site to disturbance;
 - (iv) The extent of any proposed earthworks and their potential impact on natural landforms;
 - (v) The degree to which stormwater runoff and the effects on local catchments can be managed.
- (d) The effects of the use, storage, transport and disposal of hazardous substances.
- (e) The actual and potential noise effects of the proposal.
- (f) The effect of the location, scale and design of the proposed development, including the number of structures, their height, the visual effect of the development as a whole, staging of the development and temporary effects as a result of construction.

- (g) The extent to which the proposal will affect amenity values of the surrounding environment with particular regard being given to the impact of the proposal on existing residential dwellings, other sensitive activities and recreation areas, including consideration of any potential adverse effects on amenity and recreation values.
- (h) The proximity of the proposal to dwelling units and sensitive activities, and existing and future residential urban growth areas.
- (i) The effects of artificial lighting and flaring, particularly on nearby residential dwellings, sensitive activities and the night sky.
- (j) The effects on archaeological and sites of significance to tangata whenua, heritage and cultural values, including understanding of accidental discovery protocol, and the need for archaeological authorities under the Heritage New Zealand Pouhere Taonga Act.
- (k) The extent of any consultation with the appropriate iwi having regard to Kaitiakitanga, and taking into account the principles of the Treaty of Waitangi, including:
 - (i) Whether the applicant has had regard to the matters raised by the relevant iwi during consultation.
 - (ii) Whether the applicant has addressed any adverse effects raised by the relevant iwi through consultation.
 - (iii) Whether the relevant iwi has had the opportunity to visit the proposed development site prior to lodgement of the resource consent application.
- (l) An assessment of the impact of traffic movements on road pavement life where unusual heavy vehicle movements are generated.
- (m) The extent to which management of traffic movements and their adverse effects will affect residents on the road.
- (n) An assessment of the effects of traffic on the safety and efficiency of the transport network, taking into account consistency with the transport standards.
- (o) The effects of traffic and vehicle movements as a result of the proposal and the extent that traffic or site management plans can be implemented to mitigate effects.
- (p) The extent to which the activity may exacerbate or be adversely affected by natural hazards.
- (q) The extent of any required earthworks, including access tracks, roads and building platforms and the rehabilitation proposed.
- (r) The nature and details of any proposed mitigation, remediation and rehabilitation works.
- (s) Cumulative effects of the proposal, in the context of wider and ongoing energy resource development, and the utility of review conditions to manage these effects.
- (t) Where the adverse effects on the environment are significant due to practical constraints of the activity, the suitability of the site and the extent to which alternative locations or methods have been considered.
- (u) The actual and potential adverse effects on water bodies (sources) where the water is used for potable human drinking water.

20.5.12 Large-Scale Renewable Electricity Generation Activities

The following assessment matters will be used in assessing land use applications relating to Large-Scale Renewable Electricity Generation Activities:

- (a) The local, regional and national benefits to be derived from the use and development of renewable energy resources, including the contributions the proposal will make to:
 - (i) Achieving energy policy objectives and/or renewable electricity generation targets of the New Zealand Government;
 - (ii) Securing electricity supply for current and future generations;
 - (iii) Increasing energy independence for the communities of South Taranaki;
 - (iv) Reducing dependency on imported energy sources; and
 - (v) Reducing greenhouse gases.
- (b) The landscape and visual effects of the proposal, including:
 - (i) The extent to which the proposal will impact on the natural character of the coastal environment, waterbodies and rural environment;
 - (ii) The extent to which the proposal will adversely impact on dwellings, sensitive activities, key public places including major roads and recreation areas;
 - (iii) The extent to which any aspects of the proposal can be sited or designed to reduce the visibility of any structures, including the potential to locate facilities underground.
- (c) The extent of the ecological effects of the proposal, including:
 - (i) The extent to which significant indigenous vegetation and significant habitats of indigenous fauna are affected;
 - (ii) The potential effects on birds or other fauna, either migratory species or resident populations on site;
 - (iii) The sensitivity of the site to disturbance;
 - (iv) The extent of any proposed earthworks and their potential impact on natural landforms;
 - (v) The degree to which stormwater runoff and the effects on local catchments can be managed.
- (d) The actual and potential noise effects of the proposal, and the ability (if relevant) to meet NZS 6808:2010 "Acoustics Wind Farm Noise," and other relevant standards such as NZS 6802: 2008 "Assessment of Environmental Sound."
- (e) The effect of the location, scale and design of the proposed development, including the number of structures, their height, the visual effect of the development as a whole, staging of the development and temporary effects as a result of construction.
- (f) The practical constraints associated with the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities.
- (g) The extent to which the proposal will affect amenity values of the surrounding environment with particular regard being had to the impact of the proposal on existing residential dwellings and other sensitive activities.

- (h) The proximity of the proposal to dwellings and sensitive activities, and existing and future residential urban growth areas.
- (i) The effects on archaeological and sites of significance to tangata whenua, heritage and cultural values, including understanding of accidental discovery protocol, and the need for archaeological authorities under the Heritage New Zealand Pouhere Taonga Act.
- (j) The extent of any consultation with the appropriate iwi having regard to Kaitiakitanga, and taking into account the principles of the Treaty of Waitangi, including:
 - (i) Whether the applicant has had regard to the matters raised by the relevant iwi during consultation.
 - (ii) Whether the applicant has addressed any adverse effects raised by the relevant iwi through consultation.
 - (iii) Whether the relevant iwi has had the opportunity to visit the proposed development site prior to lodgement of the resource consent application.
- (k) The effects of the proposal on traffic safety-
- (l) The assessment of the effects of traffic on the safety and efficiency of the transport network, taking into account consistency with the transport standards.
- (m) The effects of traffic and vehicle movements as a result of the proposal and the extent that traffic or site management plans can be implemented to mitigate effects.
- (n) The extent to which the activity may exacerbate or be adversely affected by natural hazards.
- (o) The extent of any required earthworks, including access tracks, roads and building platforms and the rehabilitation proposed.
- (p) The nature and details of any proposed mitigation and rehabilitation works.
- (q) Cumulative effects of the proposal in the context of wider and ongoing renewable energy development, and the utility of review conditions to manage these effects.
- (r) Where the adverse effects on the environment are significant due to practical constraints of the activity, the suitability of the site and the extent to which alternative locations or methods have been considered.
- (s) Where the adverse effects of renewable energy activities cannot be practically avoided, remedied or mitigated, the relevance and appropriateness of any offset measures and/or environmental compensation that is of benefit to the local environment and affected community.
- (t) Where particular adverse effects of renewable energy are not fully known or are uncertain, the relevance and appropriateness of any adaptive management measures to avoid, remedy or mitigate any such effects.

20.5.13 Wind Farms

In addition to the assessment matters in 20.5.12, the following assessment matters will be used in assessing land use applications for wind farms:

- (a) The provisions for safeguards and contingencies in relation to noise effects, particularly concerning:

- (i) The confirmation of the manufacturer's noise emission levels for the actual turbines to be used at the wind farm when these have been determined;
 - (ii) The early identification and remedy of any special audible characteristics present when the wind turbines commence operation;
 - (iii) Changes to background sound levels that may occur between the time consent is granted and when the wind farm is constructed;
 - (iv) Effective noise monitoring programmes to demonstrate compliance, beyond the commissioning stage;
 - (v) Procedures for addressing turbine malfunctions;
 - (vi) Community liaison and methods of dealing with complaints;
 - (vii) Reporting these matters to the Council.
- (b) The ability to manage and control construction noise using the provisions of NZS 6803:1999 Acoustics – Construction noise.
- (c) The extent of any consultation with the appropriate iwi having regard to Kaitiakitanga, and taking into account the principles of the Treaty of Waitangi, including:
- (i) Whether the applicant has had regard to the matters raised by the relevant iwi during consultation.
 - (ii) Whether the applicant has addressed any adverse effects raised by the relevant iwi through consultation.
 - (iii) Whether the relevant iwi has had the opportunity to visit the proposed development site prior to lodgement of the resource consent application.

20.5.14 Network Utilities

The following assessment matters will be used in assessing land use applications for network utilities:

- (a) The degree, extent and effects of the non-compliance with the requirements and standards in the Plan.
- (b) Risks to public health and safety.
- (c) Visual and amenity effects, including:
 - (i) Landscape and streetscape values.
 - (ii) Adjacent land-use.
 - (iii) The extent to which the proposal will be visible from residences, key public places, public viewing points and the Coastal Protection Area.
 - (iv) Design and external appearance.
 - (v) Size and scale compatibility with other development in the area, including measures to mitigate the bulk and scale of the activity (e.g. through screening, recessive colours and sensitive design).
- (d) Noise, odour, vibration, dust, earthworks and lighting effects.
- (e) Adverse effects on vegetation.

- (f) Traffic and pedestrian safety effects.
- (g) Consideration of alternative locations and options.
- (h) The extent to which the utility provider has investigated the potential to co-site utility facilities with similar structures or buildings, where practicable
- (i) Locational, operational or technical constraints.
- (j) Cumulative effects.
- (k) Reinstatement of the site at completion of construction.
- (l) The duration, timing and frequency of adverse effects.
- (m) The need for the work and impact on the network levels of service if the work is not undertaken.
- (n) The benefits of the work (nationally, regionally and locally).
- (o) Where appropriate, the extent of any consultation with the appropriate iwi having regard to Kaitiakitanga, and taking into account the principles of the Treaty of Waitangi, including:
 - (i) Whether the applicant has had regard to the matters raised by the relevant iwi during consultation.
 - (ii) Whether the applicant has addressed any adverse effects raised by the relevant iwi through consultation.
 - (iii) Whether the relevant iwi has had the opportunity to visit the proposed development site prior to lodgement of the resource consent application.

20.5.15 Activities within the National Grid Yard or National Grid Subdivision Corridor

The following assessment matters will be used in assessing land use and subdivision applications for earthworks and buildings within the National Grid Yard, or subdivision within the National Grid Subdivision Corridor.

Subdivision within the National Grid Subdivision Corridor:

- (a) The effects on the ability of Transpower to operate, maintain, upgrade and develop the National Grid, including access to the line.
- (b) The extent to which the design and construction of the subdivision allows for earthworks, building and structures to comply with NZECP34:2001.
- (c) Technical advice provided by Transpower.
- (d) The ability to provide a complying building platform.
- (e) Location, height, scale, orientation and use of the proposed building platform or structure as it relates to the National Grid.
- (f) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity (including amenity and nuisance) effects on the National Grid,

including the nature and location of any vegetation to be planted in the vicinity of the National Grid.

Earthworks within 12m of the National Grid Support Structure:

- (g) The effects on the ability of Transpower to operate, maintain, upgrade and develop the National Grid, including access to the line.
- (h) Compliance with NZECP34:2001.
- (i) Technical advice provided by Transpower.
- (j) The risk to the structural integrity of the National Grid.
- (k) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.

Building within 20m of the secured yard of a National Grid Substation:

- (l) The effects on the ability of Transpower to operate, maintain, upgrade and develop the transmission network, including access to the National Grid Infrastructure.
- (m) The extent to which the development would minimise the potential reverse sensitivity (including amenity and nuisance) effects on the National Grid.
- (n) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.

20.5.16 Historic Heritage Buildings and Objects

The following assessment matters will be used in assessing land use applications for identified historic heritage buildings and objects listed in Schedule 1A:

- (a) The impact the proposal has on the integrity/values of the heritage building or object.
- (b) The importance attributed to the heritage item by the wider community and Heritage New Zealand.
- (c) The nature, form and extent of development, alteration or change, and degree to which the proposal is consistent with any relevant conservation plan, recommendation, heritage inventory and/or reason for listing by Heritage New Zealand.
- (d) Conservation of the original building/object fabric, including the placement of limitations or restrictions on replacement materials, fittings and fixtures, architectural design and appearances of alterations and additions.
- (e) Provisions of the International Council on Monuments and Sites (ICOMOS) New Zealand Charter where appropriate.
- (f) For additions or alterations, the degree to which the additions or alterations are the minimum necessary to accommodate the continued use of the heritage place.
- (g) For additions and alterations, the degree to which the additions or alterations are compatible with the heritage fabric of the place yet are sufficiently distinct that they can, on inspection, be read as new work.

- (h) For earthworks or new buildings within the heritage setting, the extent to which the existing topography or vegetation will mitigate effects of the proposal on the setting of the heritage building or object.
- (i) Whether the proposed activity is necessary and the minimum necessary to provide for building safety, the adaptive reuse for the ongoing viability and protection of the heritage building or object.
- (j) The extent of any consultation with the appropriate Iwi having regard to Kaitiakitanga, and taking into account the principles of the Treaty of Waitangi, including:
 - (i) Whether the applicant has had regard to the matters raised by the relevant Iwi during consultation.
 - (ii) Whether the applicant has addressed any adverse effects raised by the relevant Iwi through consultation.
 - (iii) Where appropriate, whether the relevant Iwi has had the opportunity to produce a Cultural Impact Assessment and/or visit the proposed site prior to lodgement of the resource consent application.

20.5.17 Historic Sites and/or Sites of Significance to Tangata Whenua

The following assessment matters will be used in assessing land use applications for identified historic sites or sites of significance to tangata whenua listed in Schedule 1B:

- (a) The impact the proposal has on the integrity/values of the historic site or site of significance to tangata whenua.
- (b) The importance attributed to the item by Heritage New Zealand, tangata whenua and the wider community.
- (c) Whether the applicant has considered alternative development options and provision of protective buffer areas, and whether the proposed activity is designed and located in an area so as to avoid all known historic and archaeological sites.
- (d) Whether the proposed activity avoids affecting a place or area of significance to tangata whenua.
- (e) In relation to an archaeological site, whether the proposed activity or site has been the subject of an archaeological assessment prepared by a professional archaeologist according to Heritage New Zealand guidelines.
- (f) In relation to a historic site that is not an archaeological site, whether the proposed activity has been subject to a heritage or cultural impact assessment.
- (g) The extent to which the proposed activity achieves positive heritage or cultural outcomes by the provision for ongoing physical management including the use of a covenant (e.g. through control of stock, vegetation and soil erosion as guided by expert advice and a conservation plan).
- (h) The extent of any consultation with the appropriate Iwi having regard to Kaitiakitanga, and taking into account the principles of the Treaty of Waitangi, including:
 - (i) Whether the applicant has had regard to the matters raised by the relevant Iwi during consultation.

- (ii) Whether the applicant has addressed any adverse effects raised by the relevant iwi through consultation.
- (iii) Where appropriate, whether the relevant iwi has had the opportunity to produce a Cultural Impact Assessment and/or visit the proposed site prior to lodgement of the resource consent application.

20.5.18 Notable Trees

The following assessment matters will be used in assessing land use applications for identified notable trees listed on Schedule 4 – Notable Trees.

- (a) The impact the proposal has on the integrity/value of the Notable Tree;
- (b) The importance attributed to the notable tree by the wider community.
- (c) The nature, form and extent of development, alteration or change, and degree to which the proposal is consistent with any relevant Tree Management or Protection Plan, arboricultural recommendation, heritage inventory and/or reason for scheduling of the Notable Tree.
- (d) The extent to which the Notable Tree is conserved as much as practicable, in accordance with arboricultural best practice.
- (e) For partial removal, the degree to which the removal is the minimum necessary to accommodate the ongoing viability, wellbeing and protection of the Notable Tree.
- (f) For earthworks, new buildings or structures within the dripline of a Notable Tree, the extent to which the effects on the notable tree, including potential root damage, will be mitigated.

20.5.19 Remission or Waiver of Financial Contributions

The following assessment matters will be used in assessing whether to grant a remission or waiver of any financial contributions as set out in Section 16:

- (a) Whether the proposal will be of local benefit, either to the physical environment or the local and/or wider community; and
- (b) The activity's impacts on the reserve network and the cost to the Council to avoid, remedy or mitigate these impacts.
- (c) Measures proposed by the developer to enhance an existing reserve or the open space of the locality.
- (d) Other methods proposed by the development to avoid, remedy or mitigate any adverse effects on the reserve network.
- (e) Whether any site of natural, cultural or historic heritage significance can and should be enhanced or protected.
- (f) Whether any allotment or any part of the development is proposed to be connected to the public infrastructure and services.
- (g) The effect of the proposed subdivision or development on the infrastructure and the cost to the Council to avoid, remedy or mitigate these impacts.
- (h) Measures proposed by the developer to upgrade any existing infrastructure.

- (i) Whether any contribution had been previously made towards the establishment or upgrade of the infrastructure.

20.5.20 Indigenous Biodiversity

The following assessment matters will be used in assessing land use applications for the modification, damage, or destruction of indigenous vegetation:

- (a) Actual or potential impacts on the significance of the affected area and on ecological values (including habitat, vegetation and fauna), and cultural, intrinsic and/or amenity values.
- (b) The sustainability of the habitat or area of vegetation proposed to be modified or damaged or any adjoining habitat or area of vegetation to an area proposed to be affected.
- (c) The representativeness of the affected vegetation or habitat and impact on its inter-relationship or continuity with other habitats or areas of indigenous vegetation.
- (d) Whether the affected area retains the presence of rare or distinctive, or threatened or at risk indigenous flora or fauna species.
- (e) Whether the extent of the proposed indigenous vegetation clearance or modification is necessary for the proposed activity.
- (f) Whether the applicant has considered the use of voluntary covenants and protection mechanisms under other legislation.
- (g) Whether the proposed activity would result in a loss of indigenous biodiversity, and the extent to which the proposal remedies, mitigates the loss and where appropriate, offsets residual significant adverse effects within the same ecological context.
- (h) Whether the applicant has applied any nationally accepted guidance on biodiversity offsetting to achieve 'no net loss' or a net gain of indigenous biodiversity where significant adverse effects cannot be avoided, remedied and mitigated.
- (i) The extent of any consultation with the appropriate iwi having regard to Kaitiakitanga, and taking into account the principles of the Treaty of Waitangi, including:
 - (i) Whether the applicant has had regard to the matters raised by the relevant iwi during consultation.
 - (ii) Whether the applicant has addressed any adverse effects raised by the relevant iwi through consultation.
 - (iii) Whether the relevant iwi has had the opportunity to visit the proposed development site prior to lodgement of the resource consent application.

20.5.21 Coastal Environment

The following assessment matters will be used in assessing land use applications for activities in or affecting the Coastal Protection Area:

- (a) Compatibility with the existing level of modification of the natural character of the coastal environment.

- (b) Whether the scale, location and design of subdivision, use and development in the coastal environment preserves natural character values and sustains open space, public access and amenity values of the coastal environment.
- (c) The degree to which the activity will disrupt biological and physical processes.
- (d) The presence of significant indigenous vegetation or significant habitats of indigenous fauna.
- (e) Whether the proposed activity affects cultural landscapes and/or sites of significance to tangata whenua.
- (f) The extent to which the activity recognises and provides for the relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.
- (g) Provision of public amenity and access to land acquired by the Council for reserve purposes.
- (h) The degree to which indigenous biodiversity offsetting can be used to offset potential or actual unavoidable adverse effects.
- (i) The functional requirements for some activities to be located in the coastal environment, such as network utilities, gas and liquid petroleum pipelines, and community infrastructure (e.g. surf clubs, boat sheds, and services for existing coastal settlements).
- (j) The presence of identified areas of outstanding natural character or outstanding natural landscapes/features.
- (k) Whether the activity maintains or enhances public access and recreational opportunities (e.g. through the provision of esplanade reserves or strips adjacent to the coastal marine area).
- (l) The extent of any consultation with the appropriate iwi having regard to Kaitiakitanga, and taking into account the principles of the Treaty of Waitangi, including:
 - (i) Whether the applicant has had regard to the matters raised by the relevant iwi during consultation.
 - (ii) Whether the applicant has addressed any adverse effects raised by the relevant iwi through consultation.
 - (iii) Whether the relevant iwi has had the opportunity to visit the proposed development site prior to lodgement of the resource consent application.

20.5.22 Outstanding Natural Features and Landscapes

The following assessment matters will be used in assessing land use applications for activities in or affecting Outstanding Natural Features or Landscapes:

- (a) The value, importance or significance of the natural feature or landscape at the local, regional or national level.
- (b) The degree and significance of actual or potential adverse effects (including cumulative effects) on Outstanding Natural Features/Landscapes and the efficacy of measures to avoid, remedy or mitigate such effects.
- (c) The benefits derived from the proposed activity at the local, regional and national level.

- (d) The extent to which the proposed activity recognises and provides for the relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.
- (e) The need for the proposed activity to occur in the particular location.
- (f) The degree of modification of the existing Outstanding Natural Feature/Landscape, its sensitivity or vulnerability to change, or capacity to accommodate change without compromising the values of the feature or landscape.
- (g) The extent of any consultation with the appropriate iwi having regard to Kaitiakitanga, and taking into account the principles of the Treaty of Waitangi, including:
 - (i) Whether the applicant has had regard to the matters raised by the relevant iwi during consultation.
 - (ii) Whether the applicant has addressed any adverse effects raised by the relevant iwi through consultation.
 - (iii) Whether the relevant iwi has had the opportunity to visit the proposed development site prior to lodgement of the resource consent application.

20.5.23 Temporary Military Training Activities

The following assessment matters will be used in assessing land use applications for temporary military training activities:

- (a) The noise impact on noise sensitive activities, stock and wildlife, including the peak sound levels resulting from impulsive noise.
- (b) The provision of a noise management plan that specifically identifies the likely noise impacts for the activity and describes the measures to avoid, remedy or mitigate these.
- (c) The programme for notification and communication with occupiers and owners of affected sites prior to the activities commencing, including updates during the event.
- (d) The method for following up any complaints received during or after the event, including communications with the Council.

20.5.24 Temporary Activities

The following assessment matters will be used in assessing land use applications for temporary activities:

1. Temporary Activities carnivals, bazaars, markets, public meetings and private functions and associated ancillary temporary buildings or other structures including tents:
 - (a) Adverse effects on the amenities of the neighbourhood, which may relate to the nature, duration, hours of operation and frequency of the activity.
 - (b) Adverse effects on adjoining properties from noise, overshadowing, privacy or loss of visual amenity.
 - (c) The impact on the road network and traffic safety in the vicinity of the site.
 - (d) Whether the building can comply with other standards for buildings in the relevant zone.

2. Temporary Filming Activities

- (a) Adverse effects associated with non-compliance with noise, hours of operation, lighting, building location or scale, vegetation clearance or earthworks rules in the zone in which the filming is to take place.
- (b) Adverse effects on sensitive sites and values, including Heritage Site or Site of Significance to Tangata Whenua in Schedule 1B, Significant Natural Areas in Schedule 2, and/or an Area of Outstanding Natural Character/Features and Landscapes in Schedule 8.
- (c) The duration and hours of operation of the temporary filming activity.
- (d) The size and positioning of temporary buildings and structures.
- (e) The provisions of safe and efficient vehicular access and carparking for staff, service delivery and customers or the public.
- (f) Where appropriate, the provision of safe pedestrian entry and exit.
- (g) The provision for waste collection, storage and site clean-up.
- (h) The actual and potential adverse effects on the amenity of the surrounding environment, and any measures to avoid, remedy or mitigate these effects.
- (i) The actual and potential adverse effects on the safety and efficiency of the road network, and any measures to avoid, remedy or mitigate these effects.
- (j) The actual and potential adverse effects on recreation, heritage or cultural values, and any measures to avoid, remedy or mitigate these effects.

20.5.25 Relocated Buildings

The following assessment matters will be used in assessing land use applications for relocated buildings:

- (a) The extent of work to the exterior of the relocated building to bring the building up to a standard similar to surrounding buildings. In addition, where there is historical damage or damage caused by transportation, it is expected that such damage will be repaired. It is not necessary for the building to be renovated to a standard equivalent to a new building.
- (b) Whether the proposed work on the exterior of the building includes some or all of the following.
 - (i) Repair and replacement of broken windows and window frames.
 - (ii) Repair of rotten weatherboards or other damaged wall cladding.
 - (iii) Necessary replacement or repair of roof materials.
 - (iv) Cleaning and/or painting of the exterior e.g. roof, walls, window frames etc.
 - (v) Replacement and painting of baseboards or other foundation cladding.
 - (vi) Installation, repair or replacement of spouting or down pipes.
 - (vii) Replacement of steps, porches and chimneys.
- (c) The ability of any works to the exterior of the relocated building to be completed within a reasonable timeframe. The timeframe shall be dependent upon the scale of works required.

- (d) Whether the site and access to the site will be constructed and reinstated so there are no adverse visual effects of the relocation of the building.
- (e) The environmental benefits of the re-use of buildings.
- (f) Site layout and topography.
- (g) Final design and appearance of the relocated building.
- (h) Whether a performance bond should be required as a guarantee that external reinstatement works are completed.

20.5.26 Signs

The following assessment matters will be used in assessing land use applications for signage:

1. Visual Amenity
 - (a) The extent to which the sign will have any adverse effects on the visual amenities and character of the locality, site or structure to which the sign will be attached.
 - (b) For signs attached to, or located in the same site as, any heritage building listed on Schedule 1A, effects on historic heritage values.
 - (c) The need for any extra signage in addition to the permitted signage for the zone.
 - (d) Any likely cumulative effects of allowing the sign to be erected.
 - (e) The need to impose conditions relating to the location, design and appearance of the sign and the period for which it may be erected, or operated.
2. Traffic and Pedestrian Safety
 - (a) The extent to which the sign may be an obstruction to sight distances, traffic signs or signals, or unnecessarily intrude into a driver's field of vision or cause a distraction that affects safety for road users.
 - (b) The extent to which the sign may physically obstruct vehicles or pedestrians.
 - (c) The potential to affect public safety at railway crossings and along the rail corridor.
 - (d) The potential adverse effects of the proposed sign on drivers' concentration under all possible weather conditions.
 - (e) The potential adverse effect of the sign on drivers who may have medical conditions or impairments which may reduce or affect safety.
 - (f) The extent that any sign resembles a traffic control sign, warning device, or signal, or may make a traffic control sign or signal difficult to discern, with respect to both colour and shape, when considered from all possible driving angles.

This includes signs which:

- (i) Provide a confusing or dominating background, which could reduce the clarity or effectiveness of a traffic sign or signal;
- (ii) Invite drivers to turn, but are sited in such proximity to the vehicle entrance that there is no time to signal, slow down and turn safely;

- (iii) Contain reflectors or flashing lights and therefore have the potential to be confused with traffic control signs or signals at night.
- (g) Proximity to other signs and intersections and potential adverse effects on the safety of road users including pedestrians.
- (h) The effect on driver safety and concentration as a result of reduced lettering sizes or more than the permitted number of words and symbols, or the nature of the text, lettering, and fonts and images that could make interpretation of the sign difficult while driving.

20.5.27 Sensitive Activities on Sites Near Other Activities and Infrastructure

An assessment of the reverse sensitivity effects arising from a sensitive activity being located near an existing other activity or infrastructure shall be made that includes consideration of the following:

- (a) The frequency, character and intensity of the relevant adverse effect
- (b) The degree of effect on the relevant existing activity in its particular environment having regard to such factors as noise and visual amenity; and
- (c) Whether the potential reverse sensitivity effects can be mitigated by way of conditions including but not limited to design, building orientation and insulation, earthworks, planting or moving the proposal (either by increasing the separation from the relevant existing or consenting activity, or by changing the orientation of the relevant existing activity).

20.5.28 Sensitive Activities Near Petroleum Exploration or Petroleum Production Activity

An assessment of the risks to human health and risks of reverse sensitivity where a new sensitive activity is proposed within a Petroleum Activity Risk Contour or the additional setbacks/requirements from a petroleum exploration or petroleum production activity, the following information will be required:

- (a) The nature, magnitude and extent of risks of an emergency event from the petroleum exploration or petroleum production activity, including whether the proposed new sensitive activity is sited outside the area of unacceptable risk (1×10^{-6});
- (b) Consultation with the operator of the existing petroleum exploration or petroleum production activity, and their view on the nature and location of the proposed new sensitive activity in terms of level of risk and potential reverse sensitivity effects.

SCHEDULE 1: HISTORIC HERITAGE & SITES OF SIGNIFICANCE TO TANGATA WHENUA

1A: Buildings and Objects

Ref	Name	Address	Heritage New Zealand Category and Listing number	Category	Valuation Number	Inventory: Item No	Urban Map	Rural Map
H1	Hawera Water Tower	Albion Street, Hawera	Category 1 (Reg. 143)	1	12340 41400	C Hawera: A3	12i	10
H2	Public Library	High Street, Hawera	Category 2 (List. 841)	2	12340 21400	C Hawera: HiN2	12i	10
H3	National Bank	Cnr High & Princes Streets, Hawera	Category 2 (List. 856)	2	12340 21700	C Hawera: HiN3	12i	10
H4	White Hart Hotel	Cnr High & Princes Streets, Hawera	Category 2 (List. 867)	2	12340 17800	C Hawera: HiN4	12i	10
H5	Post Box	Cnr High & Victoria Streets, Hawera	Category 2 (List. 864)	2	1234031600	C Hawera: HiS13	12i	10
H6	The Warehouse	Cnr High & Regent Streets, Hawera	Category 2 (List. 850)	2	12340 36900	C Hawera: HiS5	12i	10
H7	Bob Thomas Pharmacy	131-133 High Street, Hawera		2	12340 33400	C Hawera: HiS6	12i	10
H8	Patterson's Building	High Street, Hawera	Category 2 Proposal (List. 858)	2	12340 32900	C Hawera: HiS8	12i	10
H9	Hawera Courthouse	Princes Street, Hawera	Category 2 (List. 839)	2	12340 40900	C Hawera: PE4	12i	10
H10	War Memorial Arch	Princes Street, Hawera	Category 2 (List. 5423)	2	1234020700B	C Hawera: PE8	12i	10

Ref	Name	Address	Heritage New Zealand Category and Listing number	Category	Valuation Number	Inventory: Item No	Urban Map	Rural Map
H11	County Council Offices	33 Princes Street, Hawera	Category 2 (List. 862)	2	12340 38600	C Hawera: PW2	12i	10
H12	Wing Wah Restaurant (old Bank of New South Wales)	69-71 Princes Street, Hawera	Category 2 (List. 866)	2	12340 38200	C Hawera: PW3	12i	10
H13	Bank of New Zealand	Princes Street, Hawera	Category 2 (List. 7100)	2	12340 38100	C Hawera: PW4	12i	10
H14	Filbee/McNair Building (Charles Major's office)	79 Princes Street, Hawera	Category 2 (List. 838)	2	12340 38000	C Hawera: PW5	12i	10
H15	Caplen Building	81 Princes Street, Hawera	Category 2 Proposal (List. 837)	2	12340 37900	C Hawera: PW6	12i	10
H16	Edmondston Building	Cnr Princes & Riddiford Streets, Hawera		2	12340 37800	C Hawera: PW7	12i	10
H17	Wesley Methodist Church	Regent Street, Hawera	Category 2 (List. 865)	2	12340 35000	C Hawera: RW1	12i	10
H18	Hawera Star building (facade only)	Regent Street, Hawera		2	12340 34800	C Hawera: RW2	12i	10
H19	St Mary's Anglican Church	Cnr Collins & Princes Streets, Hawera	Category 2 (List. 861)	2	12340 09100	O Hawera: C3	12j	10
H20	Latham House	58 Collins Street, Hawera	Category 2 (List. 854)	2	12340 27900	O Hawera: C2	12j	10
H21	Atkinson House	76 Glover Road, Hawera	Category 2 (List. 2723)	2	12321 01400	O Hawera: G1	12f	10
H22	Dr Buist's House	24 High Street, Hawera	Category 2 (List. 853)	2	12340 25000	O Hawera: Hi1	12j	10
H23	Hawera Club	38 High Street, Hawera	Category 2 (List. 852)	2	12340 25600	O Hawera: Hi2	12i	10

Ref	Name	Address	Heritage New Zealand Category and Listing number	Category	Valuation Number	Inventory: Item No	Urban Map	Rural Map
H24	King Edward Park Gates	High Street, Hawera	Category 2 (List. 855)	2	12330 43700	O Hawera: Hi3	12i	10
H25	Albert Fantham Statue	High Street, Hawera	Category 2 (List. 844)	2	12330 43700	O Hawera: Hi4	12i	10
H26	Wendy Statue	King Edward Park, High Street, Hawera	Category 2 (List. 7469)	2	12330 43700	O Hawera: Hi7	12i	10
H27	Fountain	New Hawera Hospital, 37 Hunter Street, Hawera	Category 2 (List. 849)	2	12321-36500	O Hawera: Hu2	12h	10
H28	Te Ngutu Grain Store	Katene Road, Normanby	Category 2 (List. 851)	2	12270 06600	O Hawera: Ka1		09
H29	Finlay House	151b Ohawe Road, Ohawe Beach	Category 2 Proposal (List. 2724)	2	12270 61100	O Hawera: O1		10
H30	VS Young House	239 South Road, Hawera		2	12321 52100	O Hawera: So4	12l	10
H31	Wilkie House	76 Turuturu Road, Hawera		2	12290 01500	O Hawera: T1	12f	10
H32	Eltham Historical Society Building (Westpac Trust Building)	71 Bridge Street, Eltham	Category 2 (List. 834)	2	12200 38800	Eltham: Br10	07b	11
H33	David Syme's Office	79 Bridge Street, Eltham		2	12200 38600	Eltham: Br12	07b	11
H34	Mr TB Crump's Legal Office	123 Bridge Street, Eltham	Category 2 (List. 832)	2	12200 37200	Eltham: Br14	07b	11
H35	Shop	125 Bridge Street, Eltham	Category 2 (List. 833)	2	12200 37100	Eltham: Br15	07b	11
H36	Post Office	45 Bridge Street, Eltham	Category 2 (List. 830)	2	12200 44400	Eltham: Br4	07d	11
H37	Bank of New Zealand (BNZ)	49 Bridge Street, Eltham	Category 2 (List. 826)	2	12200 44300	Eltham: Br6	07d	11
H38	Coronation Hotel	67 Bridge Street, Eltham		2	12200 44100	Eltham: Br8	07d	11
H39	Wilkinson's Building	150 High Street, Eltham		2	12200 47600	Eltham: H1	07b	11

Ref	Name	Address	Heritage New Zealand Category and Listing number	Category	Valuation Number	Inventory: Item No	Urban Map	Rural Map
H40	Eltham Veterinary Group (former Courthouse)	48 Railway Street, Eltham	Category 2 (List. 827)	2	12200 08401	Eltham: R2	07a	11
H41	Municipal Building	3 Stanners Street, Eltham	Category 2 (List. 828)	2	12200 13200	Eltham: S1	07b	11
H42	Eltham Town Hall	Stanners Street, Eltham	Category 2 (List. 7127)	2	12200 13200	Eltham: S2	07b	11
H43	St Joseph's Hall	35 Stanners Street, Eltham	Category 2 (List. 831)	2	12200 13400C	Eltham: S5	07b	11
H44	St Joseph's Convent School	35 Stanners Street, Eltham	Category 2 (List. 2719)	2	12200 13400C	Eltham: S7	07b	11
H45	St Mark's Anglican Church Sunday School Hall	36 Egmont Street, Kaponga	Category 2 (List. 2722)	2	12190 05000	Kaponga: E2	06	08
H46	Old Library and Central Information Centre	Victoria Street, Kaponga	Category 2 (List. 835)	2	12190 12800	Kaponga: V2	06	08
H47	St John's Methodist Church	57 Victoria Street, Kaponga	Category 2 (List. 2720)	2	12190 01400	Kaponga: W1	06	08
H48	Manaia Redoubt Blockhouses	Bennett Drive (Manaia Golf Course)		2	12260 37100	Manaia: B2		07, 09, 10
H49	Memorial Obelisk	South Road, Manaia	Category 2 (List. 937)	2	N/A	Manaia: S9	08	07, 09
H50	Memorial Obelisk	South Road, Manaia	Category 2 (List. 938)	2	N/A	Manaia: S10	08	07, 09
H51	World War I Memorial Band Rotunda	South Road, Manaia	Category 2 (List. 940)	2	N/A	Manaia: S11	08	07, 09
H52	Post Office	47 South Road, Manaia		2	12260 15600	Manaia: S7	08	07, 09
H53	Otakeho Anglican Church (St John the Devine)	4 Campbell Road, Otakeho	Category 2 (List. 7272)	2	12241 18200	Opunake: Cm1		07
H54	Lighthouse	472 Cape Road, Pungarehu	Category 2 (List. 820)	2	11920 19401	Opunake: Cp1		02
H55	Pungarehu Blockhouse	9 Pungarehu Road, Pungarehu	Category 2 (List. 818)	2	11920 23902	Opunake: Pun1	02	02
H56	Rahotu Memorial Gates	Main South Road, Rahotu	Category 2 (List. 823)	2	11930 02200A/B	Opunake: Su10	03	02

Ref	Name	Address	Heritage New Zealand Category and Listing number	Category	Valuation Number	Inventory: Item No	Urban Map	Rural Map
H57	Wright House	5985 & 5993 South Road, Rahotu	Category 2 Proposal (List. 2717)	2	11920 22300	Opunake: Su11		02
H58	Pihama Cenotaph	South Road, Pihama		2	1194031400	Opunake: Su3	05	04
H59	Original Rahotu School	Main South Road, Rahotu	Category 2 (List. 821)	2	11930 00200B	Opunake: Su9	03	02
H60	Old Courthouse	Tasman Street, Opunake	Category 2 (List. 4953)	2	11970 28500	Opunake: T6	04a	03, 04
H61	St Barnabas Anglican Church and Hall	Tasman Street, Opunake	Category 2 (List. 822)	2	11970 03100	Opunake: T8	04a	03
H62	The Pah	170 Egmont Street, Patea	Category 2 (List. 5422)	2	12440 07800	Patea: E1	15a	14
H63	Library and Plunket Rooms	Egmont Street, Patea	Category 2 (List. 7480)	2	12440 17200	Patea: E2	15a	14
H64	Aotea Memorial Canoe	Egmont Street, Patea		2	12440 17200	Patea: E3	15b	14
H65	Albion Hotel	Egmont Street, Patea		2	12440 21400	Patea: E5	15b	14
H66	St George's Anglican Church	31 Egmont Street, Patea	Category 1 (List. 150)	1	12440 49600A	Patea: E7	15b	14
H67	Old Post Office	Stafford Street, Patea		2	12440 10400	Patea: S1	15b	14
H68	Town Hall	Bear Street, Waverley	Category 2 (List. 944)	2	12470 22900	Waverley: B1	16b	17
H69	St Mark's Church	Kaipo Street, Waitotara	Category 2 (List. 955)	2	12400 02100	Waverley: K1	17	22
H70	Rewi Alley's House	Moeawatea Valley, Waitotara	Category 2 (List. 5448)	2	12450 09700	Waverley: M1		16
H71	Waverley Railway Station	Oturi Road, Waverley	Category 1 (List. 5109)	1	12390 00908	Waverley: O1	16b	17
H72	Tutahi Church	3165 State Highway 3		2	12420 11700	Waverley: Sh3		22
H73	War Memorial Clock Tower	Weraroa Road, Waverley		2	12470 24800	Waverley: W10	16b	17

Ref	Name	Address	Heritage New Zealand Category and Listing number	Category	Valuation Number	Inventory: Item No	Urban Map	Rural Map
H74	Post Office	Cnr Werarua Road and Chester Street, Waverley		2	12470 24700	Waverley: W11	16b	17
H75	Normanby Redoubt and Memorial	Ketemarae Road, Normanby		2	1237000200	Outer Hawera: Ke2	11a	09, 10
H76	Te Ngutu O Te Manu Memorial	914 Ahipaipa Road, Okaiawa		2	1227017100A/B	Outer Hawera: A1		09
H77	Kaponga Centennial Memorial Plunket Rooms	46 Egmont Street, Kaponga		2	1219013800	Kaponga: E3	06	08
H78	Turuturu Mokai Redoubt Memorial	205 Turuturu Road, Hawera		2	1229006200	Outer Hawera: T2	12d	10, 13
H79	Otakeho School (Front Gate and Fence only)	2121 South Road, Otakeho		2	1224116600A/B	Opunake: Su2		07
H80	Wilkinson's Homestead	214A High Street, Eltham	Category 2 Proposal (List. 9030)	2	1220023700	Eltham	07b	11
H81	Hitching Post	Road Reserve on Grey Street, Hawera		2	N/A	2015: 1	12i	10
H82	Patea Power Station	Manawapou Road, Patea		2	N/A	2015: 2	12i	14
H83	Hawera Public Toilet Building	Albion Street, Hawera		2	1234041400	2015: 3	12i	10
H84	Moturoa Memorial	Road Reserve adjacent to 127 Braemore Road, Waverley.		2	N/A	2015: 4		17
H85	Heretua Mission Station Memorial	136 Rainie Road, Hawera		2	1227055800	2015: 5		10

1B: Historic Sites and Sites of Significance to Tangata Whenua

Ref	Name	Address	Heritage New Zealand Category and Listing Number	Legal Description	Valuation Number	Urban Map	Rural Map
HS1	A C Cemetery, Opunake	Parris Street, Opunake		BLK XVII Town Opunake	1197025000	04c	03, 04
HS2	Warea Redoubt	Stent Road, Warea		LOT 4 DP 7341 and road reserve	1192007901		01
HS3	Pungarehu Blockhouse and Military camp	9 Pungarehu Road, Pungarehu	Category 2 (List. 818)	LOT 1 DP 13833	1192023902	02	02
HS4	Pihama Cemetery	Puketapu Road, Pihama		SECT 74 SURD OEO I	1194032900		04
HS5	Manawapou - Thacker's Redoubt	Manawapou Road		Lot 2 DP 7324	1236004500A		13, 14
HS6	Cameron's Redoubt	Egmont Street, Patea		Pt LOT 8 DP 648	1244057900	16	14, 17
HS7	Wairoa Redoubt	Waverley Memorial Park, Weraroa Road, Waverley		SECT 147 Town WAVERLEY	1247024800	17b	17
HS8	Weraroa Redoubt & surrounding Pa	2825 South Road (SH 3), Waitotora		Part Lot 1 DP 11029	1242004800		21, 22
HS9	Inman's Redoubt	49 Mokoia Road, Mokoia		Pt SECT 586 District PATEA	1230023700A		09, 10
HS10	Mangamana Redoubt	Ohangai Road		LOT 5 DP 14997	1227008203		09, 10
HS11	Waihi Historic Cemetery	Pikituroa Road, Normanby		Sec 722 District PATEA	1227046500		09, 10
HS12	Pikituroa Pa	Pikituroa Road, Normanby	Category 2 (List. 6044)	Sec 722 District PATEA	1227046500		09, 10
HS13	Waihi Redoubt	Pikituroa Road, Normanby		SECT 722 Patea District and Subdivision 5 SECT 45 Patea District	1227046703		09, 10
HS14	Ohawe (Military Cemetery)	Hoka Street, Ohawe Beach		Pt SECT 322 Town OHAWA, SECT 323 Town OHAWA	1227039900	10	10
HS15	Kaupokonui Archaic Camp	Rama Road, Manaia	Category 2 (List. 5976)	Blk Otamare	1224118900		07
HS16	Turuturumokai Pa (includes 10m buffer)	205 Turuturu Road, Hawera	Category 2 (List. 6042)	LOT 1 DP 2257	1229006200	12d	10, 13

Ref	Name	Address	Heritage New Zealand Category and Listing Number	Legal Description	Valuation Number	Urban Map	Rural Map
				Within 10m Buffer: Lots 1 and 2 DP 416451, Lot 2 DP 386875, Lot 9 DP 19958			
HS17	Turuturu Mokai Redoubt (includes 10m buffer)	205 Turuturu Road, Hawera	Category 2 (List. 6042)	SECT 329 District PATEA Within 10m Buffer: Part Sect 177 District Patea, Lot 2 DP 386875	1229006200	12d	10, 13
HS18	Pukakakiri/ Te Umu A Tongahake (includes 10m buffer)	205 Turuturu Road, Hawera	Category 2 (List. 6043)	Pt SECT 177 District PATEA Within 10m Buffer: Lot 9 DP 19958, Sect 720 Patea District	1229006200	12d	10
HS19	Manaia Redoubt and Parara Pa	Manaia Domain, Hassard Street, Manaia		SECT 109 SURD WAIMATE VII	1226037100		07, 09, 10
HS20	Te Ngutu O Te Manu Pa/Battleground	Ahipaipa Road, Okaiawa		SECT 40 SURD KAUPOKONUI XVI	1227017100		09
HS21	Tapuinikau Pa	Newall Road, (off Warea Road)	Category 2 (List. 5973 & 5974)	Tapuinikau A & LOT 1 DP 12237	1192011800		02
HS22	Te Ruaki Pa	28 Tiwhaiti Road, (also Ohangai and Davidson Roads) Ohangai	Wāhi Tapu (List. 9576)	Part Taiporohenui Block DP 193	1229012300		13
HS23	Oika Pa	857 South Road (SH 3), Waverley	Wāhi Tapu (List. 7363)	Pt LOT 1 DP 5724	1245004200		17
HS24	Pamatangi	857 South Road (SH 3), Waverley	Wāhi Tapu (List. 7413)	Pt LOT 1 DP 5724	1245004200		17
HS25	Ahikuku	Otakeho Stream Mouth, Manaia	Wāhi Tapu (List. 6701)	SECT 100 SURD WAIMATE V	1224117300		07
HS26	Ohunuku	2453 South Road, Otakeho	Wāhi Tapu Area (List. 9576)	Pt Ohunuku Blk; Pt Crown Land SO 406; Pt seabed, Taranaki Land District	1224115900		07

Ref	Name	Address	Heritage New Zealand Category and Listing Number	Legal Description	Valuation Number	Urban Map	Rural Map
HS27	Manaia Flour Mill Remains	1250 A South Road (SH 45), Manaia	Category 2 Proposal (List. 9026)	Pt SECT 110 SURD WAIMATE VII	1224145900		07, 09, 10
HS28	Kakaramea Redoubt	25 a McKenna Road, Kakaramea		LOT 3 DP 9129	1236017500		14
HS29	Rahotu Stockade	Rahotu Domain, 54 Rahotu Road, Rahotu		Pt SECT 105 SURD OPUNAKE I	1193007000	03	02
HS30	Warea Soldier's Cemetery	247 Stent Road, Warea		LOT 2 DP 7341	1192007902		01
HS31	Wai O Turi Redoubt/Patea Imperial Soldier's Cemetery	250 Pilot Station Road		Wai O Turi Maori Reserve	1238000600	16	14, 17
HS32	Patea A/C Soldiers' Cemetery	Patea Golf Course, Egmont Street, Patea		Urupa DP 648	1244057900	15b	14, 17
HS33	Old Patea Cemetery	Egmont Street, Patea		Pt SECT 8 SUBN PATEA and LOT 1 DP 20064	1244000300	15a	14
HS34	Te Nuku a Mara Urupa/Burial Ground	State Highway 3, Nukumarū	Wāhi Tapu (List. 7412)	Pt Nukumarū 1A (CT 469357) Wellington Land District	N/A		22
HS35	Lake Kaikoura	Manawapou Road, Manutahi	N/A	N/A	N/A	N/A	14

SCHEDULE 2: SIGNIFICANT NATURAL AREAS

Ref	Name	Description	Area (ha)	Rural Map
SNA1	Waikirikiri (Komene) Lagoon	Freshwater dune lake with fluctuating water table. Important for migratory birds. Protected by Taranaki Regional Council through a Memorandum of Encumbrance. Fenced and planted.	5.4	01
SNA2	Swampy Bush	Semi-coastal swamp forest, a type underrepresented in protected areas. Fully fenced.	20.8	03
SNA3	Taungatara (now Crown-owned)	Semi-coastal forest, a type under-represented in protected areas. Purchased by Department of Conservation and protected.	10.4	03, 04
SNA4	Kaweora	Lowland kahikatea and swamp maire forest on debris flow. Part of the SNA protected by Queen Elizabeth II National Trust Open Space Covenant.	83.7	06
SNA5	Oaonui Beach	Coastal sand dunes and Coastal herbfield. Urupa. Important shore bird habitat. Partially protected by DOC.	29.6	03
SNA6	Kahui Road	Kahikatea forest, manuka scrub adjoining Egmont National Park. Protected by Queen Elizabeth II National Trust Open Space Covenant.	7.4	05
SNA7	Stent Road Bush	Coastal – semi-coastal forest, vegetation type now rare in region. Protected by QEII Covenant.	2.6	01
SNA8	Rowan Road	Lowland tawa forest with pukatea and mahoe on Opunake Formation. Under-represented forest type and very little vegetation on Opunake Formation remaining.	1.7	09
SNA9	Mudfish 2	Raupo flax wetland	0.2	07
SNA10	Ngaere Swamp Forest	5 small patches of rare forest remaining on Ngaere Peat. Tawa pukatea forest and tawa forest. Brown mudfish in 2 areas. Protected by QEII Covenant.	8.3	11
SNA11	Ngaere Peat Bog (also known as Ngaere Scrub)	Manuka scrub with rare species in drains that traverse the area including orchids and sedges.	14.7	11
SNA12	Eltham Mudfish	Small forest and wetland remnant on Eltham Peat. Brown mudfish.	2.1	11
SNA13	Matuku Bush Remnant	Forest and scrub. North Island Brown Kiwi.	95.5	17
SNA14	Nowells Lakes (Rifle Range Road Lakes)	Two freshwater coastal lagoons. Important for migratory birds and waders. Australasian bittern. Protected by the Taranaki Regional Council through a Memorandum of Encumbrance.	15.4	10
SNA15	Fraser Road	Lowland tawa forest. Under-represented in protected areas.	6.8	12

Ref	Name	Description	Area (ha)	Rural Map
SNA16	Ararata Road	Raupo swamp and small lake in dammed gully. Spotless crake. Protected by the Taranaki Regional Council through a Memorandum of Encumbrance.	2.9	12
SNA17	Lake Kaukura	Freshwater coastal lake with swampy gullies of flax and toi toi. Spotless crake and Australasian bittern. Protected by the Taranaki Regional Council through a Memorandum of Encumbrance.	41	14
SNA18	Ngakotana Gorge	Forest and scrub in incised gorges. Approx 100ha. Partly protected by QEII Covenant.	413.2	13, 14, 16, 17
SNA19	Tarere Forest Extension	Forest and scrub in deep gorge system.	634.8	13, 16
SNA20	Lake Oturi	Freshwater lake with 2 hectares of swamp on margins. Mostly fenced.	34.6	17, 18
SNA21	Waipipi Dunes	Sand dune and ephemeral wetland system, highly dynamic. Rare plants.	36.3	18
SNA22	Patea Ephemeral Wetland	Ephemeral coastal wetland covered in pasture and rushes. Tadpole shrimp. Wading and migratory birds.	1.7	14
SNA23	Moumahaki Lake Catchments	Forested catchment around freshwater lakes of Moumahaki Stream. Lake beds owned by Crown and surrounded by paper road (STDC).	322.8	16
SNA24	Rotokohu	Freshwater lakes, swamp and forest remnant.	77.43	19, 20
SNA25	Nukuhau Ponds and Catchment	Small ponds in catchment of forest and scrub.	287	16
SNA26	Mataimoana Pond 1	Small natural pond and wetland. Spotless crake.	10.7	16
SNA27	Lake Waikare and Lower Waikare	Freshwater land and wetland. Surrounding land use pines. Spotless crake, fernbird.	112.3	20
SNA28	Puketoro Ponds	Series of small slump lakes in developed hill country. Swampy margins on some. Spotless crake.	15.1	20
SNA29	Makakaho Ponds	Adjacent to Puketoro Ponds. Similar habitat.	4.9	20
SNA30	Condon's Bush	Diverse landforms and vegetation types including seral communities.	88	17, 21
SNA31	Lake Waikato	Freshwater lake and swamp but margins mostly modified. Australasian bittern and dabchick. Island is RAP – karaka forest. Protected by a Taranaki Regional Council Memorandum of Encumbrance.	14.3	22
SNA32	Waitotara Lagoon	Oxbow lake. Raupo reedland on margins. Spotless crake. Australasian bittern.	8	22
SNA33	Hawkens Swamp	Raupo toi toi swamp.	3.3	22
SNA34	Waitotara Wharangi Block	Forest remnant on terrace riser. Unusual coastal element at inland site. Key Native Ecosystem.	3.4	21, 22

SCHEDULE 3: DESIGNATIONS

Minister of Education							
Ref	Designation Name	Designation Purpose	Urban Map	Rural Map	Road Name	Area	Legal Description
D1	Whenuakura School	Educational purposes		14, 17	28-52 Kaharoa Road	Whenuakura	Pt Sec 67 DP 383 Whenuakura District
D2	Mokoia Primary School	Educational Purposes		13	969 ^A Main South Road	Mokoia	Pt Lot 8 DP 2214 and Subdivision 3 of section 534 Patea District Blk XI Hawera SD
D3	Matapu School and Residence	Educational Purposes		09	495 Hastings Road	Matapu	Pt Sec 32 Blk XVI_Kaupokonui SD
D4	Auroa Primary School	Educational Purposes		07	734 Auroa Road	Auroa	Pt Sec 10 Blk XIV Kaupokonui SD
D5	Hurleyville School	Educational Purposes		16	941 Ball Road	Hurleyville	Pt Sec 7 Blk XIII Opaku SD
D6	Eltham Primary School	Educational Purposes	07d	11	69 Conway Road	Eltham	Lot 2 DP 4178
D7	Koromiko Kindergarten	Educational Purposes	12f	10	26–28 Koromiko Avenue	Hawera	Lots 28 and 29 DP 11684
D8	Hawera Primary and Intermediate School and Playground	Educational Purposes	12i, 12l	10	245-261 South Road	Hawera	Lot 2 DP 18284, PT SECT 189, Patea DIST, PT SBDN 58 – 61 Patea DIST of Section 189 Patea District. SBDN 62–68 Patea DIST of Section 189 Patea District, PT SBDN 42-46 Patea DIST of Section 189 Patea District, SBDN 47-57 Patea DIST of Section 189 Patea District, Closed Street Survey Office Plan 10258
D9	Hawera Secondary School	Educational Purposes	12i	10	Camberwell Road	Hawera	Lots 3 and 4 DP 3098, Lot 1 DP 20896, PT Lot 2 DP 39, Lots 1-2 DP 7126, PT Lot 14 DP 76, Lots 9-13 DP 76, PT

							Lots 1-2 DP 6324, PT Lots 1and 3 DP 6548, Lot 2 DP 6548, Lots 1-7 DP 4966
D10	Tawhiti Primary School	Educational Purposes	12g, 12j	10	16 Galt Street	Hawera	Lots 29-40, 44 and 45, DP 3600, Pt Lots 41 and 42 DP 3600
D11	Turuturu School	Educational Purposes	12b, 12c, 12e, 12f	10	194 Glover Road	Hawera	Lot 1 DP 6272, Pt Sec 557 District Patea
D12	Kakaramea School	Educational Purposes	14	14	2193A South Road	Kakaramea	Sec 711 District Patea DIST and PT SECT 475 Patea DIST
D13	Kaponga School and Residence	Educational Purposes	06	08	30 Egmont Street	Kaponga	Sec 49 BLK XI-Kaupokonui SD and Lot 2 DP 390048
D14	Manaia Primary School	Educational Purposes	08	07, 09	2-38 Karaka Street	Manaia	Sec 3-10, 13 – 21 Block I Town Manaia I, Secs 1-7, 12-18 Block II Town of Manaia.
D15	Normanby Primary School	Educational Purposes	11a, 11b	09, 10	3 Hunter Street	Normanby	Lots 250-254, 278-291, DP 4, Secs 707 738 739 District Patea
D16	Opunake Secondary School and Sports Ground	Educational Purposes	04a	03, 04	Heaphy and Whitcombe Road	Opunake	Sec 3-4 Town Opunake, Secs 37-39 Town Opunake
D17	Opunake Primary School	Educational Purposes	04a	03, 04	Longfellow Road	Opunake	Sec 51 Town Opunake
D18	Patea Kindergarten	Educational Purposes	15a	14	4 Derby Street	Patea	Sec 4 and 9 Block XXXVII Town of Patea
D19	Patea Area School	Educational Purposes	15c, 16	14, 17	Kent Street	Patea	Pt Lot 1 DP 11, Pt Lot 3 DP 648, Sec 67 Subn Patea Blk VII Carlyle SD, Street closed adjoining Sec 67 Patea suburban Blk VII Carlyle SD.
D20	Teacher's Residence	Educational Purposes	15b	14	29 Chester Street	Patea	Lot 3 DP 9169
D21	Rahotu School	Educational Purposes	03	02	5825 South Road	Rahotu	Lot 2 20895 Section 53 Blk I Opunake SD

D22	Waitotara School	Educational Purposes	17 19	22	Trent Street	Waitotara	Sec 505-515 Okotuku District
D23	Rawhitiroa School and Residence	Educational Purposes		11	596 Rawhitiroa Road	Rawhitiroa	Pt Sec 9 Blk XI Ngaere SD
D24	Ramanui Primary School	Educational Purposes	12l	10	85 Fairfield Road	Hawera	Pt Lot 3 DP 590, Blk IX Hawera SD
D25	Waverley Primary School	Educational Purposes	17b	17	1 Gloag Street	Waverley	Sec 136, Sec 117 & 118, Section 134/135, Town of Waverley
D26	State School – Kura Kaupapa (TKKM o Ngati Ruanui)	Educational Purposes	12i, 12l	10	2 Manawapou Road	Hawera	Lot 1 DP 18010
D27	Ngamatapouri Primary School	Educational Purposes		20	4301-4323 Waitotara Valley Road	Waitotara	Pt Sec 5 Blk V Moumahaki SD
D28	St Joseph's School	Educational Purposes	04b	03, 04	Allison Street	Opunake	Pt Sec 26 Blk IX Opunake Survey District
D29	St Joseph's School	Educational Purposes	12i	10	32 Victoria Street	Hawera	Pt Lot 10-11, Pt Lot 15, Pt Lot 17, Lot 21 , Pt Lot 22-23, DP 12 Lots 2-3, 4 and 5 DP 2528,
D30	St Joseph's School	Educational Purposes	15b	14, 17	15 Suffolk Street	Patea	Sec 1-2, Sec 3, 5 and 6, Blk XXXI Town of Patea
D31	St Patrick's School	Educational Purposes	06	08	71 Victoria Street	Kaponga	Pt Lot 2-3 DP 2528

The Radio Network Limited

Ref	Designation Name	Designation Purpose	Urban Map	Rural Map	Road Name	Area	Legal Description
D32	Eltham Radio Transmitter	Radio Transmission Facility		12	5109 Mountain Road	Eltham	Sect 27 and Pt Sect 26 Blk XIV Ngaere SD

Minister of Police

Ref	Designation Name	Designation Purpose	Urban Map	Rural Map	Road Name	Area	Legal Description
D33	Patea Police Station and Residence	Police Purposes	15a, 15b	14	27 Victoria Street	Patea	Sect 6 Blk XXXVII Tn of Patea
D34	Hawera Police Station	Police Purposes	12i	10	128 Princes Street	Hawera	Sec 50 Tn of Hawera

South Taranaki District Council/Powerco/Minister of Police

Ref	Designation Name	Designation Purpose	Urban Map	Rural Map	Road Name	Area	Legal Description
D35	Ball Road Radio Repeater	Radio Repeater		16	Ball Road	Hurleyville	Lot 2 DP 443887

Powerco

Ref	Designation Name	Designation Purpose	Urban Map	Rural Map	Road Name	Area	Legal Description
D36	Kapuni Electricity Substation	Electricity Substation		09	Palmer Road	Manaia	Sect 1 SO 11754
D37	Electricity Substation	Electricity Substation	12i	10	Nelson Street	Hawera	Lot 1 DP 14931
D38	Cambria Electricity Substation	Electricity Substation	12i	10	Cambria Street	Hawera	Lot 2 DP 17769
D39	Chiselhurst Electricity Substation	Electricity Substation		08	Templer Street	Eltham	Lot 1 DP 11120
D40	Eltham Electricity Substation	Electricity Substation	07b	11	4 King Edward Street	Eltham	Lots 15-16, Lots 18-19, and Lot 21 DP 2966
D41	Kaponga Electricity Substation	Electricity Substation	06	08	Swadling Street	Kaponga	Pt Lot 1 DP 9225
D42	Manaia Electricity Substation	Electricity Substation		07, 09	Manaia Road	Manaia	Lot 2 DP 9542

D43	Pungarehu Electricity Substation	Electricity Substation	02	02	Pungarehu Road	Pungarehu	Lot 1 DP 8566
D44	Ngariki Electricity Substation	Electricity Substation		02	Ngariki Road	Rahotu	Lot 1 SP 16748
D45	Tasman Electricity Substation	Electricity substation	04a	03, 04	Tasman Street	Opunake	Lot 1 DP 11426
D46	Yarrows Electricity Substation	Electricity substation	08	07, 09	Riemenschneider Street	Manaia	Lot 1 DP 6524
D47	Livingstone Electricity Substation	Electricity substation		14	Livingstone Lane	Patea	Lot 1 DP 8157
D48	Albion Electricity Substation	Electricity substation	12i	10	Albion Street	Hawera	Lot 2 DP 6743
D49	Tawhiti Electricity Substation	Electricity Substation		10, 13	Tawhiti Road	Hawera	Lot 2 DP 17756
D50	Ramanui District Regulator Station	Gas District Regulator Station	12l	10	88 Fairfield Road	Hawera	Lot 2 DP 3324

Chorus New Zealand Limited							
Ref	Designation Name	Designation Purpose	Urban Map	Rural Map	Road Name	Area	Legal Description
D51	Normanby Exchange	Telecommunications and Radio Communications and Ancillary Purposes.	11a	09, 10	Fitzroy Street	Normanby	Lot 2 DP 17993 Computer Freehold Register identifier TNJ4/336.
D52	Eltham Exchange	Telecommunications and Radio Communications and Ancillary Purposes.	07d	11	High Street	Eltham	Lot 3 DP 940, Lot 4 DP 1146, Pt Lot 2 DP 847, Pt Sec 51 Vist Eltham Computer Freehold Register identifier WN39D/886.
D53	Kohi Road Radio Site	Telecommunications and Radio Communications and Ancillary Purposes.		17	Kohi Road	Kohi	Lot 1 DP 77539 Computer Freehold Register identifier WN44C/552.
D54	Waverley Exchange	Telecommunications and Radio Communications and Ancillary Purposes.	17b	17	Chester Street	Waverley	Lot 2 DP 71655 Computer Freehold Register identifier WN39D/886

D55	Hawera Exchange	Telecommunications and Radio Communications and Ancillary Purposes	12i	10	Princes Street	Hawera	Subdivision 10 Sec 19 Town of Hawera Computer Freehold Register identifier TNH4/951
D56	Opunake Exchange	Telecommunications and Radio Communications and Ancillary Purposes.	04a, 04b	03, 04	Cnr Tasman and Havelock Streets	Opunake	Section 2 Blk XXXVIII Town of Opunake XXXVIII Computer Freehold Register identifier TNH4/705
D57	Rahotu Exchange	Telecommunications and Radio Communications and Ancillary Purposes.	03	02	South Road	Rahotu	Sec 2 SO 12929 Computer Freehold Register identifier 66819
D58	Hurleyville Radio Site	Telecommunications and Radio Communications and Ancillary Purposes.		16	Ball Road	Hurleyville	Pt Sec 633 Patea District Computer Freehold Register identifier TNH4/703
D59	Kaponga Exchange	Telecommunications and Radio Communications and Ancillary Purposes.	06	08	Egmont Street	Kaponga	Sec 3 SO 12957 Computer Freehold Register identifier TNH/947
D60	Auroa Exchange	Telecommunications and Radio Communications and Ancillary Purposes.		07	2162 Skeet Road	Kapuni	Pt Sec 10 Blk XIV Kaupokonui SD
D61	Kuranui Microwave Site	Telecommunications and Radio Communications and Ancillary Purposes.		23	503-507 Rangitatau West Road	Maxwell	Sec 1 SO 24191
D62	Manaia Exchange	Telecommunications and Radio Communications and Ancillary Purposes.	08	07, 09	45 South Road	Manaia	Blk VII Waimate SD being Sec 1 SO 12958
D63	Manutahi Exchange	Telecommunications and Radio Communications and Ancillary Purposes.		13, 14	2 Upper Taumaha Road	Manutahi	Blk XV Hawera SD being Pt Lot B Patea Dist being Pt Sec 366 Patea District.
D64	Okaiawa Exchange	Telecommunications and Radio Communications and Ancillary Purposes.		09	Corner of Tempsky and Ahipaipa Road	Okaiawa	Sec 125 Blk IV Waimate SD

D65	Patea Exchange	Telecommunications and Radio Communications and Ancillary Purposes.	15b	14	38A Stafford Street	Patea	Blk VII Carlyle SD being Sec 3 SO 12981
D66	Warea Exchange	Telecommunications and Radio Communications and Ancillary Purposes.		01	7136 South Road	Warea	Blk V Cape SD being PT Paora Aneti 11 Blk

Spark New Zealand Trading Limited

Ref	Designation Name	Designation Purpose	Urban Map	Rural Map	Road Name	Area	Legal Description
D67	Telecommunications and Radio Communications and Ancillary Purposes.	Telecommunications and Radio Communications and Ancillary Purposes.		05	Kahui Trig, Kahui	National Park	Lot 8 DP 17645 Computer Freehold Register identifier TNJ3/465

KiwiRail Holdings Limited

Ref	Designation Name	Designation Purpose	Urban Map	Rural Map	Road Name	Area	Legal Description
D68	Marton – New Plymouth Line	Railway Purposes (Marton – New Plymouth Line)	Various	Various	N/A	Eltham-Nukumarū	Various
D69	Kapuni Branch Line	Railway Purposes (Kapuni Branch Line)	Various	Various	N/A	Te Roti – Kapuni	Various

Transpower NZ Limited

Ref	Designation Name	Designation Purpose	Urban Map	Rural Map	Road Name	Area	Legal Description
D70	Opunake Electricity Substation	National Grid (including Electricity Substation and associated ancillary infrastructure).		03	909 Ihaia Road	Opunake	Lot 1 DP 4890

D71	Hawera Electricity Substation	National Grid (including Electricity Substation and associated ancillary infrastructure).		10, 13	Ararata Road	Hawera	Pt Sec 173 Patea District
D72	Waverley Electricity Substation	National Grid (including Electricity Substation and associated ancillary infrastructure).	17a	17	36 Mangatangi Road	Waverley	Section 1 SO 21572

Minister of Corrections

Ref	Designation Name	Designation Purpose	Urban Map	Rural Map	Road Name	Area	Legal Description
D73	Community Corrections Site (Periodic Detention Centre)	Corrections Purposes	12i	10	Furlong Street (33 Princes Street)	Hawera	Lot 1 DP 6158, Subdn 2 Lot 61 DP 32

Minister of Justice

Ref	Designation Name	Designation Purpose	Urban Map	Rural Map	Road Name	Area	Legal Description
D74	Hawera Courthouse	Hawera Courthouse	12i	10	64-68 Princes Street	Hawera	Sbdn 9 Town Hawera Section 19

New Zealand Transport Agency

Ref	Designation Name	Designation Purpose	Urban Map	Rural Map	Road Name	Area	Legal Description
D75	State Highway 3	Maintenance, improvements, operation and use of the State Highway network.	Various	Various	State Highway 3	Various	N/A
D76	State Highway 45	Maintenance, improvements, operation and use of the State Highway network.	Various	Various	State Highway 45	Various	N/A

South Taranaki District Council							
Ref	Designation Name	Designation Purpose	Urban Map	Rural Map	Road Name	Area	Legal Description
D77	Arterial, Collector and Paper Roads	Provide for roading network	Various	Various	N/A	N/A	N/A
D78	Waimate West-Water Treatment Plant	Establishment and operation of water treatment facilities		06, 08	791 Rowan Road	Kaponga	Pt Sec 79 Blk X Kaupokonui and Part Sections 1 and 2 SO 326253
D79	Waimate West Water Reservoir	Establishment and operation of water treatment facilities		08	769 Rowan Road	Kaponga	Pt Sec 81 Blk X Kaupokonui SD
D80	Waimate West Mangawhero-iti Stream Water Intake	Establishment and operation of water treatment facilities		06	1850-1872 Oponake Road	Oponake	PT Stream Bed Block VI Kaupokonui Survey District x2, PT SECT 1 BLK VI Kaupokonui SD, PT Stream Bed Block X Kaupokonui Survey District x2, PT SECT 79 BLK X Kaupokonui SD, and PT SECT 2 BLK VI Kaupokonui SD
D81	Eltham Drain Reserve	Provide for stormwater drainage and for recreational use	07d	11	95 Conway Road	Eltham	SBDN 1 Sect 35 Blk X Ngaere SD
D82	Ropata Street Closed Landfill & Civil Defence	Rehabilitation of closed landfill / Civil Defence purposes	12j	10, 13	105 Gladstone Street	Hawera	Lot 2 DP 20819 and Lot 2 DP 20819
D83	Kaponga Wastewater Treatment Plant	Provide for the operation, maintenance, repair and upgrade of the Wastewater Treatment Plant		08	Egmont Street	Kaponga	Sec 133 Blk XI Kaupokonui SD and Part Section 69 Block XI Kaupokonui SD
D84	Hawera Wastewater Treatment Plant	Provide for the operation, maintenance, repair and upgrade of the Wastewater Treatment Plant		10	24-62 Beach Road	Hawera	Lot 1 DP 16178 and Lot 1 DP 382332
D85	Eltham Wastewater Treatment Plant	Provide for the operation, maintenance, repair and upgrade of the Wastewater Treatment Plant	07d	11	10 Castle Street	Eltham	Lot 9 DP 2321, Pt Lot 3 DP 1564, Lot 1 DP 7101

D86	Patea Closed Landfill and Transfer Station	Rehabilitation of closed landfill / Civil Defence purposes	15a	14	Scotland Street	Patea	Lot 1 DP 3495
D87	Waverley Wastewater Treatment Plant	Provide for the operation, maintenance, repair and upgrade of the Wastewater Treatment Plant	17b	17, 18	Waverley Beach Road	Waverley	Lot 1 DP 52227
D88	Otakeho Cemetery	Operation and maintenance of cemetery.		07	State Highway 45	Otakeho	Part Section 12 SURD WAIMATE V
D89	Manaia Cemetery	Operation and maintenance of cemetery.		07, 09, 10	Cemetery Road, Manaia	Manaia	Pt Section 23 Survey District Waimate VII
D90	Park Lane Cemetery	Operation and maintenance of cemetery.	06	08	39 Park Lane	Kaponga	Pt Section 75 Block XI Kaupokonui SD
D91	Hawera Cemetery	Operation and maintenance of cemetery.	12j	10, 13	66 Gladstone Street	Hawera	Lots 1 & 2 DP 279, Lot 1 DP 5341, Section 1 SO 13627, Sections 714 & 717 District Patea and Section 47 Town Hawera
D92	Opunake Cemetery	Operation and maintenance of cemetery.	04a	03, 04	Wilson Road	Opunake	Section 2 Opunake SBRN
D93	Okaiawa Cemetery	Operation and maintenance of cemetery.	09	09	2 Tito Road	Okaiawa	Pt Section 56 Blk Waimate SD
D94	Eltham Cemetery	Operation and maintenance of cemetery.		11	206 Anderson Road	Eltham	Pt Section 84 Blk X Ngaere SD
D95	Patea Cemetery	Operation and maintenance of cemetery.	15a	14	Scotland Street	Patea	Pt Sect Patea SBRN, Lot 1 DP 20064
D96	Manaia Wastewater Treatment Plant	Provide for the operation, maintenance, repair and upgrade of the Wastewater Treatment Plant		07	Sutherland Road	Manaia	Lot 1 DP 20670, Lot 1 DP 409685
D97	Opunake Wastewater Treatment Plant	Provide for the operation, maintenance, repair and upgrade of the Wastewater Treatment Plant		03, 04	State Highway 45	Opunake	Blockk 21, 22A, 22B Ngatitamarongo and Section 1 SO 365997
D98	Patea Wastewater Treatment Plant	Provide for the operation, maintenance, repair and upgrade of the Wastewater Treatment Plant	15c	14, 17	Eastern side of Taranaki Road	Patea	Lots 4 & 4A DP 1017, Part Lot 3 DP 648, Section 72 Patea Suburban, Block XXXIV Town of Patea, Part Lot 1 DP 11, part York Street (legal

							road) and other unnamed road reserves
D99	Waiinu Beach Water Treatment Plant	Establishment and Operation of Water Treatment Facilities	20	22	373 Waiinu Beach Road.	Waiinu Beach	Section 151 Waitotara District
D100	Hawera Water Reservoir	Operation and maintenance of water reservoir, pumps and access.	12i	10	Scott Street	Hawera	Lot 1 DP 19937
D101	Eltham Water Reservoir	Operation and maintenance of water reservoir, pumps and access.	07b	11	Anderson Road	Eltham	Section 1 SO 457897 and Section 3 SO 457897
D102	Waverley Water Reservoir with Bores	Operation and maintenance of water reservoir, pumps and access.		18	Waverley Beach Road Reserve	Waverley Beach	Pt Sect 416 Okotuku District (Water Reservoir), Road Reserve (water bores), and Part Run 2 SO 10554
D103	Mangatoki Water Intake	Operation and maintenance of infrastructure for water take and piping to Water Treatment Plant		09	Palmer Road/141 Lower Duthir Road	Mangatoki	Lot 3 DP 10570
D104	Riverlea Water Intake	Operation and maintenance of infrastructure for water take and piping to Water Treatment Plant		06	1100A and B Mangawhero Road	Riverlea	Sec 11 Blk VI Kaupokonui SD
D105	Waiinu Wastewater Treatment Plant	Provide for the operation, maintenance, repair and upgrade of the Wastewater Treatment Plant		22	Nukumaru Parade	Waiinu	Lots 55 and 57 DP 63012 and part road reserve (Nukumaru Parade).
D106	Patea Domain	Operation, maintenance and upgrade of the reserve and public facilities for recreational purposes		14, 17	Egmont Street	Patea	Sec 2 Blk XLV Tn of Patea
D107	King Edward Park/Hawera Holiday Park & Powerco Aquatic Centre	Operation, maintenance and upgrade of the reserve and public facilities for recreational purposes	15b, 15c	10	Waihi Road	Hawera	Lot 1 DP 39

D108	Aotea Community Park	Operation, maintenance and upgrade of the reserve and public facilities for recreational purposes	12i	17	Chester Street	Waverley	Sec 27 Waverley Town Belt
D109	Waihi Cemetery	Operation and maintenance of cemetery.	17b	09, 10	Pikitoroa Road	Normanby	SECT 722 Patea DIST
D110	Waverley Water Treatment Plant	Establishment and Operation of Water Treatment Facilities		17	50 Mangatangi Road	Waverley and Dallison Park	Section 105 Okotuku District and Section 30 Waverley Town Belt
D111	Patea Water Treatment Plant with Reservoir and Bore	Establishment and Operation of Water Treatment Facilities		14	Egmont Street	Patea	Section 2 SO 485033 and Section 3 SO 485033
D112	Opunake Water Treatment Plant	Establishment and Operation of Water Treatment Facilities	15a	03	572 and 470 Ihaia Rd	Opunake	Section 4 Block XI Opunake Survey District
D113	Riverlea Water Treatment Plant	Establishment and Operation of Water Treatment Facilities		06	950 Mangawhero Road	Riverlea	Lot 1 DP 19801
D114	Kapuni Water Treatment Plant	Establishment and Operation of Water Treatment Facilities		09	1022 Skeet Road	Kapuni	Lot 1 DP 417767
D115	Rahotu Water Treatment Plant	Establishment and Operation of Water Treatment Facilities		02	Corner South Road (SH45) and Greens Lane	Rahotu	Lot 1 DP 15882 and Lot DP 15421
D116	Central Landfill, Eltham	Discharge of waste from the Taranaki Region	03	12	5109 Mountain Road	Eltham	Part Section 26 Block XIV, Section 27 Block XIV
D117	Kaponga Water Reservoir	Operation and maintenance of water reservoir, bore, pumps and access.		08	782 Rowan Road	Kaponga	Lot 1 DP 16295

Designation Conditions

D78 Waimate-West Water Treatment Plant Conditions

1. That the storage and use of hazardous substances are in accordance with the Hazardous Substances and Organisms Act 2001 and the Hazardous Substance Management Plan.
2. That access to the Water Treatment Plant is restricted at all times.

D79 Waimate West Water Reservoir Conditions

1. That the storage and use of hazardous substances are in accordance with the Hazardous Substances and Organisms Act 2001 and the Hazardous Substance Management Plan.
2. That access to the Water Treatment Plant is restricted at all times.

D81 Waimate West Mangawhero-iti Stream Water Intake Conditions

1. That a Hazardous Substance Management Plan is provided and approved by the Group Manager Environmental Services.
2. That the storage and use of hazardous substances are in accordance with the Hazardous Substances and Organisms Act 2001 and the Hazardous Substance Management Plan.
3. That access to the Water Treatment Plant is restricted at all times.

D92 Opunake Cemetery Conditions

1. That the Opunake Cemetery and any related future structures are positioned no closer than 10 metres from the south western boundary where it abuts the cliff edge.

D95 Patea Cemetery Conditions

1. That planting of trees or shrubs of over one metre high is not permitted along the western side boundary of Lot 1 DP 20064.
2. No earthworks are to be undertaken within the area identified as “HS33 – Old Patea Cemetery” on the District Plan maps.
3. That the notable trees within the property are maintained and protected.
4. That fencing surrounding the heritage site is maintained.

D97 Opunake Wastewater Treatment Plant Conditions

1. An outline plan shall be required for any works over and above that described in Notice of requirement.
2. All of the operations and equipment of the wastewater treatment plant (including treatment ponds and wetland areas) except its underground disposal field shall remain screened from view, from neighbouring dwellings (including those across State Highway 45) by mounded earth and vegetation.
3. There shall be no pond or wetland areas within 350 metres of the intersection of Namu Road and South Road (State Highway 45), without the written consent of owners and occupiers of neighbouring dwellings (including those across State Highway 45).
4. Foot access to the coast near the south-eastern property boundary shall be marked and signposted, a style over the fence constructed and the riparian margins of the stream in this area planted in flax and other suitable native vegetation.
5. During the operation of the plant, noise levels measured at the boundary of the site shall not exceed the following:
 - (i) 7.00am-9.00pm: 50dBA L10 45dBA L95
 - (ii) 9.00pm-7.00am: 40dBA L10 35dBA L95
6. The South Taranaki District Council shall prepare, implement and maintain a System Management Plan which shall include operational procedures which avoid, remedy or mitigate against adverse effects arising from plant operation, plant failure, or pipeline collapse and in particular procedures which avoid, remedy or mitigate against adverse effects arising from insect nuisance, the discharge of odour, discharge of raw effluent as the result of wet weather flows, and the discharge of noise in excess of the performances standards specified in condition 6.
7. Further, the Systems Management Plan shall contain provisions to the effect that:
 - (i) Adjacent landowners and occupiers may initiate a formal meeting with Council representatives to discuss any adverse effect arising from plant operation, plant failure or pipeline collapse.
 - (ii) If insect nuisance is evident, the occupier of Ngatitamarongo 12 Block, Blk IX Opunake Survey District may require the Council to spray the oxidation pond to avoid any adverse effects arising out of insect nuisance;
 - (iii) The Plant shall be operated in such a manner, and any necessary works undertaken, so as to prevent any scum, foam, floatables or flotsam generated on the surface of the pond being blown on to adjacent properties.
 - (iv) Any industrial or commercial activity which intends to connect to the system shall treat on its own site any effluent to an equivalent strength to municipal sewage.
8. The South Taranaki District Council prepares, implements and maintains a site Management Plan for the balance of the site not occupied by the treatment plant, which shall include provisions relating to:
 - (i) reinstatement and retention of pasture cover;
 - (ii) retention of all existing shelter;
 - (iii) the maintenance of all boxthorn hedges and the removal or replacement of dead and unhealthy boxthorn hedges, while retaining and replacing where necessary (with a suitable species capable of providing screening to a similar level) property boundary hedges for screening of trench disposal area and treatment plant area.
 - (iv) maintenance of all internal and boundary fences;

- (v) protection of the modified sandhill located between the treatment plant and Ngatitamarongo 12 Block, Blk IX Opunake SD to provide for site screening, visual aesthetics, contribution to amenity values and to preserve the hilltop as a look out, and to retain the fence around the area of sandhill to the north-east of wetland 2 to minimise erosion;
- (vi) maintenance of pedestrian access through the site to the existing gully at the south eastern end of the site so as to permit access to the historic site of the wreck of the “Lord Worsley”.

D98 Patea Wastewater Treatment Plant Conditions

1. An outline plan shall be required for any works over and above that described in Notice of requirement.
2. The Requiring Authority shall prepare, implement and maintain a System and Site Management Plan which shall include operational procedures which avoid, remedy or mitigate against adverse effects arising from plant operation, plant failure, or pipeline collapse and in particular procedures which avoid, remedy or mitigate against adverse effects arising from insect nuisance, the discharge of odour, discharge of raw effluent as the result of wet weather flows, and the discharge of noise in excess of the performances standards specified in condition 4.
3. Public access along the true right bank of the Patea River shall be provided for, unless it is inconsistent with the health and safety of the public, or the security of the Plant, to do so.
4. During the operation of the plant, noise levels shall not exceed the following limits when measured at or within the boundary of:
 - (i) any Rural Zoned site:
 - 7am to 10pm 55dBA L10
 - 10pm to 7am 45dBA L10
 - 10pm to 7am 75dBA Lmax
 - (ii) any Residential Zoned site:
 - 7am to 10pm 50dBA L10
 - 10pm to 7am 40dBA L10
 - 10pm to 7am 70dBA Lmax
5. A level of vegetation shall be maintained around the site to aid in reducing the visual impact of the Plant. Where existing vegetation is removed, careful consideration shall be given to its appropriate replacement.
6. As required under Section 11 of the Historic Places Act 1993, any modifications of the site that involves land beyond that currently occupied by the Patea Wastewater Treatment Plant (which includes the existing access roads, oxidation ponds, pump stations, outfall and discharges to the Patea River and all existing ancillary pipes and structures) shall require an application to the Historic Places Trust.

D105 Waiinu Wastewater Treatment Plant Conditions

1. An outline plan shall be required for any works over and above that described in Notice of requirement.
2. The Requiring Authority shall prepare, implement and maintain a System and Site Management Plan which shall include operational procedures which avoid, remedy or mitigate against adverse effects arising from plant operation, plant failure, or pipeline collapse and in particular procedures which avoid, remedy or mitigate against adverse effects arising from insect nuisance, the discharge of odour, discharge of raw effluent as the result of wet weather flows, and the discharge of noise in excess of the performances standards specified in condition 3.
3. During the operation of the plant, noise levels shall not exceed the following limits when measured at or within the boundary of:
 - (i) any Rural Zoned site:
 - 7am to 10pm 55dBA L10
 - 10pm to 7am 45dBA L10
 - 10pm to 7am 75dBA Lmax
 - (ii) any Residential Zoned site:
 - 7am to 10pm 50dBA L10 and 45dBA L95
 - 10pm to 7am 40dBA L10 and 70dBA Lmax

D107 King Edward Park Conditions

1. The designation does not allow for the demolition or partial demolition of heritage items: H24 – King Edward Park Gates and H26 – Wendy Statue.

D109 Waihi Cemetery

1. No earthworks are to be undertaken within the area identified as “HS11 – Waihi Historic Cemetery” on the District Plan map.
2. That the fence surrounding the historic site is maintained.

D112 Opunake Water Treatment Plant Conditions

1. That the storage and use of hazardous substances are in accordance with the Hazardous Substances and Organisms Act 2001 and the Hazardous Substance Management Plan.
2. That access to the Water Treatment Plant is restricted at all times.

D116 Central Landfill, Eltham Conditions

1. (a) The Neighbourhood Liaison Group shall, for the purposes of this designation, be the property owners from time to time of those properties depicted in figure 12 of the Assessment of Environmental Effects dated May 1998 and otherwise at the discretion of the Chief Executive, South Taranaki District Council.
 (b) The requiring authority will call meetings at the times set out below of the Neighbourhood Liaison Group, and shall take note of any comments of the group when monitoring conditions or otherwise implementing matters arising at the meetings as per the Management Plan:
 Meetings shall be called:
 - (i) One month prior to the exercise of the designation;
 - (ii) Thereafter at intervals of three months for the first eighteen months after the date of exercising.
 - (iii) Thereafter at one interval of not more than six months.
 - (iv) Thereafter at intervals of no more than twelve months unless all parties agree that changes to the intervals are acceptable.
2. That the requiring authority will not apply for any further variation seeking to permit the discharge of waste into the Eltham landfill from beyond Taranaki region (i.e. beyond the waste-stream presently accepted by New Plymouth, South Taranaki and Stratford District Councils) and for the avoidance of doubt includes the peripheral townships of Awakino and Mokau. Any further variations will be restricted to health and safety and/or applications to enhance the environmental performance of Eltham landfill due to improvements in engineering methods and available technology relevant to landfill construction and operation or as a result of monitoring.
3. The site will not be open to the general public. Refuse may only be delivered to the site by persons or class of persons authorised by the requiring authority.
4. Vehicles delivering refuse to the site shall be suitably constructed for the type of refuse being carried, and shall be capable of operating without risk of pillage or causing a nuisance.
5. (a) The site be constructed in accordance with the plans submitted with the resource consent application RM980102 and operated in accordance with the Management Plan [or any amendments to the Management Plan that is approved by South Taranaki District Council's planning manager]. Where the Management Plan and these conditions are in conflict, the conditions shall prevail.
 (b) The requiring authority shall at all times ensure that site staff are adequately and appropriately trained to ensure that the conditions of this designation are met.
6. Screen planting and landscape planting shall be carried out for or on behalf of the requiring authority. The programme shall be in general accordance with the plan submitted with the resource consent application shown pm drawings landscape plan figures 5a-5d and implemented in consultation with the Neighbourhood Liaison Group. Such consultation shall involve agreement on species and timing of planting.
7. The site shall only operate during the hours of 7.30am to 6.00pm, on any day except for Sundays, Christmas Day, Good Friday and Anzac Day morning, except in emergencies provided for in the Management Plan. Such emergencies shall be reported to the South Taranaki District Council consents department and the Neighbourhood Liaison Group as soon as possible. Operating shall mean carrying out any operation involving machinery or the delivering and placing of refuse.
8. The junction of Rotokare Road with State Highway 3 shall be relocated, designed and constructed in accordance with the standards and specifications required for the side road junction on a state highway. The new intersection shall include a right turn bay, deceleration lanes, 1.5 metre wide sealed shoulders, and sight benching to provide minimum sight line standards for an intersection with a state highway in both the horizontal and vertical planes. At least two years lead time for the reconstruction of the intersection shall be given for New Zealand Transport Agency to seek project funding from Transfund for its contribution to the

upgrade of the intersection and relocation of the merge area of the passing lane located south of Rotokare Road. All; such reconstruction works shall be completed prior to landfill operations commencing in accordance with the Management Plan.

9. (a) The vehicle access from the public road to the landfill shall be formed to a suitable standard for the type and quality of vehicles that will use it. The surface shall be sealed and maintained in a dust free condition.
 - (b) All other access roads and tracks shall be formed to an appropriate standard for the type and period of use, in the manner set out in the Management Plan. Any necessary action to reduce dust shall be taken as and when necessary.
 - (c) This condition shall not apply to any tracks used only in connection with the farming operations on the site.
10. The best practical means shall be used to control any nuisances arising on the site and all neighbouring properties, including land in which the Neighbourhood Liaison Group members have an interest. Such means shall include, but not be limited to those outlines in the Management Plan, and in particular:
 - (a) The requiring authority shall take such action as necessary to ensure that vermin and their nesting sites and food supplies are kept to a minimum;
 - (b) The requiring authority shall take such action as necessary to ensure that any birds, including seagulls attracted by landfill operations are kept to a minimum.
 - (c) Fires shall be extinguished as quickly as possible as soon as discovered.
11. The requiring authority shall implement a Noise Level Monitoring Programme which shall meet the following:
 - (a) The noise readings shall be taken within the first month of placing waste on the site. Once every six months thereafter for a period of twelve months and then once every twelve months;
 - (b) The noise level shall be measured in accordance with the provisions of the South Taranaki District Plan;
 - (c) The noise levels shall be measured at points A, B, C as shown on Figure 6 of the Noise Assessment Report prepared by Malcolm Hunt Associates and submitted to the Council as part of the Assessment of Environmental Effects for resource consent RM980102.
 - (d) The results of the Monitoring Programme shall be forwarded to the South Taranaki District Council's planning manager within 10 working days of completion of the monitoring.
 - (e) All measurements shall be taken by a person with appropriate qualifications and training in acoustic measurement.
12. Noise generated by any activity on the site (being all that land included in Section 27, Part Section 26 Block XIV Ngaere Survey District) following the initial construction period (except those that are exempt under Section 10.01.4 of the Operative South Taranaki District Plan 2004 in the Rural Zone) shall not exceed the following limits when measured at or within the boundary of any rurally zoned site, other than the site on which the activities take place:

7.00am to 10.00pm	55dBA L ₁₀
10.00pm to 7.00am	45dBA L ₁₀
10.00pm to 7.00am	75 dBA L ₁₀

Noise levels shall be measured in accordance with NZS6801:1991 Measurement of Sound and assessment in accordance with NZS6802:1991 Assessment of Environmental Sound.

Noise exempt under Section 10.01.4 of the Operative District Plan 2004 shall be measured and assessed in accordance with NZS6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work and shall comply with the noise limits set out in Table 1 of the that Standard "Recommended Upper Limits for Levels of Construction Work Noise received in Residential Areas".

For the avoidance of doubt and notwithstanding the above terms of this condition, construction work is limited to initial construction before refuse is first brought to the site and subsequent work such as road building, well boring or drain laying, but does not include excavations required to prepare each stage of the landfill ready for filling.

13. The area of the active tipping face shall be kept to a minimum.
14. Adequate and sufficient permanent and movable fences shall be erected and maintained to collect blown material. The requiring authority shall mitigate and remedy any littering cause to all properties as a result of landfill operations.
15. If at any time the weather conditions are such as to prevent the operation of the site without undue risk of nuisance to adjoining property, the requiring authority shall close the site; and shall do so if required by the South Taranaki District Council or any officer delegated by the South Taranaki District Council.
16. At the completion of operations, the site shall be covered with topsoil, in accordance with the resource consent application, or to such higher standard as is considered good practice at that time.
17. Charges set in accordance with Section 36(1)(d) of the Resource Management Act 1991, shall be paid to the South Taranaki District Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this activity.
18. The requiring authority shall keep a record of any complaints received with respect to the landfill operation. The complaints record shall include the following:
 - (a) Name and address of complainant;
 - (b) Nature of complaint
 - (c) Date and time of the complaint and the alleged event
 - (d) Weather conditions at the time of the event
 - (e) Action taken by the requiring authority in response to the complaint.

The requiring authority shall make available to the Neighbourhood Liaison Group a summary of the record of all complaints for the purposes of the meetings referred to in special condition 1(b).

19. That the word Rotokare is not used in the name of the Refuse Disposal Site.
20. That this designation shall lapse on 21 December 2025.

SCHEDULE 4: NOTABLE TREES

Ref	Species	Address	Legal Description	Valuation Number	Inventory Item Number	Evaluation Score	Urban Map	Rural Map
NT1	1 x Oak (Quercus robur)	State Highway 3, Eltham	Road reserve	Road reserve	156	168		12
NT2	1 x Oak (Quercus robur)	State Highway 3, Eltham	Road reserve	Road reserve	157	168		12
NT3	1 x Pohutukawa (Metrosideros excelsa)	Waihi Road, Hawera	Lot 3 DP 18981	12321 35501	81	168	12i	10
NT4	1 x Pohutukawa (Metrosiderous excelsa)	165 South Road, Hawera	Lot 2 DP 306557	1230001503	9	177	12m	10
NT5	1 x Pohutukawa (Metrosideros excelsa)	Albion & High Streets, Hawera (car park)	Sub 23 and 24 SO 7705	12340 25800	2	162	12i	10
NT6	1 x Yellow Pohutukawa (Metrosideros excels)	Albion Street, Hawera	Road reserve	Road reserve	13	168	12i	10
NT7	1 x Yellow Pohutukawa (Metrosideros excelsa)	Albion Street, Hawera	Road reserve	Road reserve	14	156	12i	10
NT8	1 x Pohutukawa (Metrosideros excelsa)	Corner of Furlong and Milmoie Streets	Road Reserve	Road Reserve	10	174	12i	10
NT9	1 x Evergreen Oak (Quercus ilex)	Camberwell Road, Hawera	Pt Lot 2 DP 39 and DP 3595	12330 43600	17	162	12i	10
NT10	1 x Pohutukawa (Metrosideros excelsa)	Camberwell Road & Wilson Street, Hawera (corner)	Road reserve	Road reserve	19	210	12f	10
NT11	1 x Pohutukawa (Metrosideros excelsa)	Camberwell Road, Hawera (Hawera High School)	Pt Lot 2 DP 39 and DP 3595	12330 43600	16	156	12i	10
NT12	1 x Pohutukawa (Metrosideros excelsa)	Cameron & High Streets, Hawera (Goodson Dell)	Lot 3 DP 11045	12340 46201	21	171	12j	10
NT13	1 x Red Flowering Gum (Corymbia ficifolia)	43 Cameron Street, Hawera	Lot 1 DP 9342	12340 46301	29	162	12j	10
NT14	1 x Yellow Pohutukawa (Metrosideros excelsa)	Fairfield and Manawapou Roads, Hawera (Ramanui School)	Pt Lot 3 DP 590	12321 81300	32	180	12l	10

Ref	Species	Address	Legal Description	Valuation Number	Inventory Item Number	Evaluation Score	Urban Map	Rural Map
NT15	1 x Yellow Pohutukawa (Metrosideros excelsa)	Fairfield and Manawapou Roads, Hawera (Ramanui School)	Pt Lot 3 DP 590	12321 81300	33	180	12l	10
NT16	1 x Pohutukawa (Metrosideros excelsa)	Glover and Waihi Roads, Hawera	Road reserve	Road reserve	36a	159	12f	10
NT17	1 x Pohutukawa (Metrosideros excelsa)	Glover and Waihi Roads, Hawera	Road reserve	Road reserve	36c	159	12f	10
NT18	1 x Pohutukawa (Metrosideros excelsa)	Glover and Waihi Roads, Hawera	Road reserve	Road reserve	36b	159	12f	10
NT19	1 x Pohutukawa (Metrosideros excelsa)	30 High Street, Hawera	Lot 5 DP 1626	12340 25100	37	153	12i	10
NT20	1 x Pohutukawa (Metrosideros excelsa)	251-253 High Street, Hawera (St John's Church)	Part Section 8 DP 29	12330 81500	39	159	12i	10
NT21	1 x Kauri (Agathis australis)	26 Mills Street, Eltham	Lot 1 DP 11200	1220030900	89	153	07b	11
NT22	1 x Oak (Quercus robur)	78 Manawapou Road, Hawera	Lot 1 DP 6405	12270 72300	44	159	12l	10
NT23	1 x Norfolk Island Pine	Napier Street (Opunake Beach Holiday park)	Road reserve	Recreation Reserve	11	150	04c	03, 04
NT24	1 x Norfolk Island Pine	Beach Road (Opunake Beach Holiday Park)	Road reserve	Recreation Reserve	12	150	04a	03, 04
NT25	1 x Red Flowering Gum (Corymbia ficifolia)	78 Manawapou Road, Hawera	Lot 1 DP 6405	12270 72300	43	153	12l	10
NT26	1 x Norfolk Island Pine (Araucaria heterophylla)	Cameron & High Street, Hawera (Goodson Dell)	Lot 3 DP 11045	1234025800	15	153	12j	10
NT27	1 x Pohutukawa (Metrosideros excelsa)	64-68 Princes Street, Hawera (Hawera Courthouse)	Lot 9 DP 52	12340 40900	59	183	12i	10
NT28	1 x Pohutukawa (Metrosideros excelsa)	64-68 Princes Street, Hawera (Hawera Courthouse)	Lot 9 DP 52	12340 40900	58	177	12i	10
NT29	1 x Puriri (Vitex lucens)	64-68 Princes Street, Hawera (Hawera Courthouse)	Lot 9 DP 52	12340 40900	56	168	12i	10

Ref	Species	Address	Legal Description	Valuation Number	Inventory Item Number	Evaluation Score	Urban Map	Rural Map
NT30	1 x Puriri (<i>Vitex lucens</i>)	64-68 Princes Street, Hawera (Hawera Courthouse)	Lot 9 DP 52	12340 40900	57	168	12i	10
NT31	1 x Canary Island Date Palm (<i>Phoenix canariensis</i>)	124 Princes Street, Hawera (RSA)	Pt Lot 1 DP 15211	12340 20700A	62	168	12i	10
NT32	1 x Canary Island Date Palm (<i>Phoenix canariensis</i>)	124 Princes Street, Hawera (RSA)	Pt Lot 1 DP 15211	12340 20700A	61	156	12i	10
NT33	1 x Pohutukawa (<i>Metrosideros</i> species)	47-61 Puriri Street, Hawera (Trinity Home and Hospital)	Lots 49-54 DP 1464	12321 63200	64	192	12l	10
NT34	1 x Red Flowering Gum (<i>Corymbia ficifolia</i>)	47-61 Puriri Street, Hawera (Trinity Home and Hospital)	Lots 49-54 DP 1464	12321 63200	65	159	12l	10
NT35	1 x Canary Island Date Palm (<i>Phoenix canariensis</i>)	231 South Road, Hawera ("Stonehaven")	Lot 1 DP 12620	12321 52600	79	171	12l	10
NT36	1 x Canary Island Date Palm (<i>Phoenix canariensis</i>)	231 South Road, Hawera ("Stonehaven")	Lot 1 DP 12620	12321 52600	78	159	12l	10
NT37	1 x Pohutukawa (<i>Metrosideros</i> <i>excelsa</i> (x <i>Kermadecensis</i> ?)	South Road & Vogel Street, Hawera	Road Reserve	Road reserve	80	192	12l	10
NT38	3 x Pohutukawa (<i>Metrosideros</i> species) growing as one canopy	Patukukupa Street, Manaia (Manaia School)	Sec 21 Blk 1 Twn of Manaia	12260 00500 Manaia School	102	213	08	07, 09
NT39	1 x Cabbage Tree (<i>Cordyline</i> <i>australis</i>)	Patukukupa Street, Manaia (Manaia School)	Sec 21 Blk 1 Twn of Manaia	12260 00500 Manaia School	101	153	08	07, 09
NT40	1 x Cabbage Tree (<i>Cordyline</i> <i>australis</i>)	28 Atkinson Street, Normanby	Lot 458 DP 22	12370 13001	103	159	11a, 11b	09, 10
NT41	1 x Pohutukawa (<i>Metrosideros</i> <i>excelsa</i>)	Tasman Street, Opunake (Opunake Domain)	Sec 68 Opunake Twn Belt	11970 46200	117	186	04a	03, 04
NT42	1 x Evergreen Oak (<i>Quercus</i> <i>ilex</i>)	Tasman Street, Opunake (Opunake Domain)	Sec 68 Opunake Twn Belt	11970 46200	121	186	04a	03, 04
NT43	1 x Pohutukawa (<i>Metrosideros</i> <i>excelsa</i>)	Tasman Street, Opunake (Opunake Domain)	Sec 68 Opunake Twn Belt	11970 46200	116	174	04a	03, 04
NT44	1 x Pohutukawa (<i>Metrosideros</i> <i>excelsa</i>)	8 Hadfield Street, Patea	Pt Sec 32 Patea Sbdn	12440 05800	142	195	15a	14

Ref	Species	Address	Legal Description	Valuation Number	Inventory Item Number	Evaluation Score	Urban Map	Rural Map
NT45	1 x Oak (Quercus robur)	1130 Ohangai Road, Ohangai (Ohangai School)	Pt Mokoia 7A	12300 28500	84	159		13
NT46	1 x Oak (Quercus robur)	26 Mills Street, Eltham	Lot 1 DP 11200	1220030900	96	150	07b	11
NT47	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	12440 01300	123	177	15a	14
NT48	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	12440 01300	124	177	15a	14
NT49	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	12440 01300	128	177	15a	14
NT50	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	12440 01300	129	177	15a	14
NT51	1 x Phoenix Palm (Phoenix canariensis)	10 Layard Street, Opunake	Sect 10 Block XXII Town of Opunake	1197041100	113	150	04c	03, 04
NT52	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	12440 01300	139	177	15a	14
NT53	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Part Section 8 Patea Suburban	1244001300	132	155	15a	14
NT54	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	124400 01300	138	171	15a	14
NT55	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	12440 01300	136	168	15a	14
NT56	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	12440 01300	126	165	15a	14
NT57	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	12440 01300	127	165	15a	14
NT58	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	12440 01300	130	165	15a	14
NT59	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	12440 01300	140	156	15a	14

Ref	Species	Address	Legal Description	Valuation Number	Inventory Item Number	Evaluation Score	Urban Map	Rural Map
NT60	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	12440 01300	141	156	15a	14
NT61	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	12440 01300	134	150	15a	14
NT62	1 x Norfolk Island Pine (Araucaria heterophylla)	Scotland Street, Patea (Cemetery)	Pt Sec 8 Patea Subdn	12440 01300	137	150	15a	14
NT63	1 x Norfolk Island Pine (Araucaria heterophylla)	941 Ball Road, RD 2 Patea (Hurleyville School)	Bal of Hurleyville School	12360 24700	122	195		16
NT64	1 x Norfolk Island Pine (Araucaria heterophylla)	Chester Street, Waverley (Dallison Park)	Sec 28 Waverley Twn Belt	1247000100	146	183	17a	17
NT65	1 x Norfolk Island Pine (Araucaria heterophylla)	Chester Street, Waverley (Dallison Park)	Section 28 Waverley Town Belt	1247000100	TBC	164	17a	17
NT66	1 x Norfolk Island Pine (Araucaria heterophylla)	Chester Street, Waverley (Dallison Park)	Sec 28 Waverley Twn Belt	1247000100	152	177	17a	17
NT67	1 x Norfolk Island Pine (Araucaria heterophylla)	Chester Street, Waverley (Dallison Park)	Sec 28 Waverley Twn Belt	1247000100	148	168	17a	17
NT68	1 x Norfolk Island Pine (Araucaria heterophylla)	Chester Street, Waverley (Dallison Park)	Sec 28 Waverley Twn Belt	1247000100	151	168	17a	17
NT69	1 x Norfolk Island Pine (Araucaria heterophylla)	Chester Street, Waverley (Dallison Park)	Sec 28 Waverley Twn Belt	1247000100	149	156	17a	17
NT70	1 x Pohutukawa (Metrosideros excelsa)	Weraroa Road, Waverley (Waverley War Memorial Clock Tower Grounds)	Sec 147 Twn of Waverley	12470 24800	154	177		17
NT71	1 x Pohutukawa (Metrosideros excelsa)	Albion & High Street, Hawera (Community Centre carpark)	Subdivision 23 and 24 Town of Hawera	1234025800	1	129	12i	10
NT72	1 x Pohutukawa (Metrosideros excelsa)	Albion & High Street, Hawera (Community Centre carpark)	Subdivision 23 and 24 Town of Hawera	1234025800	3	129	12i	10
NT73	1 x Pohutukawa (Metrosideros excelsa)	Albion & High Street, Hawera (Community Centre carpark)	Subdivision 23 and 24 Town of Hawera	1234025800	4	132	12i	10

Ref	Species	Address	Legal Description	Valuation Number	Inventory Item Number	Evaluation Score	Urban Map	Rural Map
NT74	1 x Pohutukawa (Metrosideros excelsa)	Albion & High Street, Hawera (Community Centre carpark)	Subdivision 23 and 24 Town of Hawera	1234025800	5	135	12i	10
NT75	1 x Oak (Querus robur)	Albion & High Street, Hawera (Tower Grounds)	Subdivision 23 and 24 Town of Hawera	1234025800	6	150	12i	10
NT76	1 x Oak (Querus robur)	Albion & High Street, Hawera (Tower Grounds)	Subdivision 23 and 24 Town of Hawera	1234025800	7	150	12i	10
NT77	1 x Oak (Querus robur)	Albion & High Street, Hawera (Tower Grounds)	Subdivision 23 and 24 Town of Hawera	1234025800	8	150	12i	10
NT78	1 x Phoenix Palm (Phoenix canariensis)	10 Layard Street, Opunake	Sect 10 Block XXII Town of Opunake	1197041100	107	150	04c	03, 04
NT79	1 x Phoenix Palm (Phoenix canariensis)	10 Layard Street, Opunake	Sect 10 Block XXII Town of Opunake	1197041100	108	150	04c	03, 04
NT80	1 x Phoenix Palm (Phoenix canariensis)	10 Layard Street, Opunake	Sect 10 Block XXII Town of Opunake	1197041100	109	150	04c	03, 04
NT81	1 x Phoenix Palm (Phoenix canariensis)	10 Layard Street, Opunake	Sect 10 Block XXII Town of Opunake	1197041100	110	150	04c	03, 04
NT82	1 x Phoenix Palm (Phoenix canariensis)	10 Layard Street, Opunake	Sect 10 Block XXII Town of Opunake	1197041100	111	150	04c	03, 04
NT83	1 x Phoenix Palm (Phoenix canariensis)	10 Layard Street, Opunake	Sect 10 Block XXII Town of Opunake	1197041100	112	150	04c	03, 04
NT84	1 x Norfolk Island Pine (Araucaria heterophylla)	Weraroa Road, Waverley (War Memorial Clock Tower Grounds)	Section 147 Town of Waverley	1247024800	113	144	17b	17
NT85	1 x Norfolk Island Pine (Araucaria heterophylla)	Former Warea School Site	Section 61 Blk VIII Cape Surd	1192007800	114	150		02
NT86	1 x Norfolk Island Pine (Araucaria heterophylla)	Former Warea School Site	Section 61 Blk VIII Cape Surd	1192007800	115	166		02
NT87	1 x Norfolk Island Pine (Araucaria heterophylla)	Former Warea School Site	Section 61 Blk VIII Cape Surd	1192007800	116	150		02

SCHEDULE 5: SIGNIFICANT WATERBODIES

The following criteria have been used in identifying and assessing the significant water bodies. A water body is “significant” if one or more of the following criteria apply:

- Natural/Conservation values - The natural character of the water body and its margins, the presence and abundance of rare and threatened indigenous species, the nature and quality of aquatic habitats and natural values.
- Natural hazards – The nature and magnitude of natural hazards.
- Recreational/Access - The nature and use of the waterbody for recreational purposes, including surface water activities, fishing, hunting and tramping. The importance of the waterbody in providing access and connections to areas of recreational use.
- Heritage/Cultural - Presence of historic heritage in or adjacent to the water body, and the relationship of Maori with the water body and ability to undertake customary activities.
- Water quality – The quality of water, including whether it is used for urban water supplies or other purposes, such as irrigation.

Esplanade Reserves or Strips may be required to be set aside where land includes or abuts the following scheduled waterbodies as Financial Contributions or as a condition of a resource consent for subdivision or land use (see section 16).

Significant Waterbody	Natural/Conservation values	Natural hazards	Recreational/Access	Heritage/Cultural	Water Quality	Urban Map	Rural Map
Kapoaiaia Stream	✓			✓		02	02, 05
Manawapou River (from Sea to South Road)		✓	✓	✓			13
Mangatoki Stream	✓		✓	✓	✓		08, 09
Oaonui Stream	✓		✓				03, 05, 06
Okahu Stream	✓		✓				02, 03, 05
Otakeho Stream	✓		✓	✓	✓		05, 06, 07
Ouri Stream	✓		✓	✓		05	04, 06
Punehu Stream				✓			04, 05, 06

Significant Waterbody	Natural/Conservation values	Natural hazards	Recreational/Access	Heritage/Cultural	Water Quality	Urban Map	Rural Map
Pungareere Stream (from Sea to Forest Road)	✓					03	02, 05
Hangatahua (Stony) River	✓	✓	✓		✓		01, 02, 05
Waiaua River	✓	✓	✓		✓	04b, 04c	03, 04, 05, 06
Mangahume Stream			✓				03, 04, 05, 06
Kapuni Stream	✓		✓	✓	✓		07, 08, 09, 10
Tawhiti Stream			✓	✓	✓	11b, 12g, 12j, 12a, 12d	09, 10, 12, 13
Waingongoro River	✓	✓	✓	✓	✓	07a, 10, 07c	08, 09, 10, 11
Warea River	✓		✓				01, 02, 05
Taungatara Stream	✓		✓	✓	✓		03, 04, 06
Whenuakura River	✓	✓	✓	✓			15, 16, 17, 18
Kaupokonui River	✓		✓	✓	✓	06	07, 08, 09
Waitotara River	✓	✓	✓	✓		17	15, 16, 19, 20, 21, 22, 23
Patea River (including Lake Rotorangi)	✓	✓	✓	✓	✓	15a, 15c	11, 12, 14, 15, 16, 17, 18
Tangahoe River	✓	✓	✓	✓			12, 13
Mangaone Stream	✓		✓		✓		02
Mangawhero Stream	✓		✓	✓	✓		05, 06, 07
Waiweranui Stream	✓		✓		✓	01	01, 02, 05
Lake Opunake	✓		✓			04c	03, 04
Dunns Creek	✓		✓				09

SCHEDULE 6: REGIONALLY SIGNIFICANT WETLANDS

6A: Wetland habitat types identified to be ‘Regionally Significant’ in Taranaki

Wetland Type	Defined as	Further Description
Dune slack wetland	Dune slack wetlands support low growing indigenous herbfield and occur in topographically low sites where wind has eroded hollows or depressions in raw sand, or where water is permanently or seasonally ponded.	Dune slack wetlands are found close to the sea on sand country, and can comprise a mosaic of indigenous vegetation and bare sand. Exotic species are frequently present.
Ephemeral wetlands	Ephemeral wetlands support indigenous turf (<3 cm tall) species, indigenous rushland and indigenous scrub, are most frequently found in depressions lacking a surface outlet, and are characterised by a marked seasonal ponding and drying.	Ephemeral wetlands are of moderate fertility, neutral pH and fed by groundwater or an adjacent water body. Seasonal variations in rainfall and evaporation result in seasonal variation in water level. Ephemeral wetlands may experience complete drying in summer months or dry years. Ephemeral wetlands are found on sand country (although they also occur elsewhere), and may comprise a mosaic of indigenous vegetation and bare sand. Fluctuations between aquatic and terrestrial plant species often occur and exotic species are frequently present.
Bog and fen wetland	Bog wetlands support indigenous mosses, lichens, cushion plants, sedges, grasses, restiads, ferns, shrubs and trees and are formed on peat with rainwater the only source of water. Fen wetlands support indigenous restiads, sedges, ferns, tall herbs, tussock grasses and scrub and are on predominantly peat. Fen wetlands receive inputs from groundwater and nutrients from adjacent mineral soils.	Bog wetlands can be found on relatively level or gently sloping ground including hill crests, basins, terraces and within other wetland classes. Bog wetlands are nutrient poor, poorly drained and aerated, and usually acid. The water table is often close to or just above the ground surface. Fen wetlands can be found on slight slopes (e.g. fans), toes of hillsides, or on level ground without much accumulation of peat. Fen wetlands can grade into swamp wetland. Fen wetlands are of low to moderate acidity and fertility and the water table is usually close to or just below the surface. Bog wetlands and fen wetlands are often found in association with each other and are dominated by indigenous species, but exotic species can also be present.
Seepage and spring wetland	Seepage wetlands support indigenous sedgeland, cushionfield, mossfield or scrub, occur on slopes, and are fed by groundwater.	Seepage and spring wetlands can be found at the point of change of slopes and places where the water table is raised. Seepage wetlands are often also fed by surface water including

	<p>A spring wetland occurs at the point that an underground stream emerges at a point source.</p>	<p>where groundwater has percolated to the surface. Substrates (ranging from raw or well-developed mineral soil to peat), nutrient levels and pH vary from site to site.</p> <p>Seepage and spring wetlands are often small and can occur as isolated systems or in association with other wetland types. The volume of water within a seepage system is less than that within a spring system. Seepage and spring wetlands are dominated by indigenous species but exotic species can also be present.</p>
Swamp and marsh wetland	<p>Swamp and marsh wetlands support indigenous sedges, rushes, reeds, flaxland, tall herbs, herbfield, shrubs, scrub and forest.</p> <p>Swamp wetlands are generally of high fertility, receiving nutrients and sediment from surface run-off and groundwater.</p> <p>Marsh wetlands are mineral wetlands with good to moderate drainage that are mainly groundwater or surface water fed and characterised by fluctuation of the water table.</p>	<p>Substrates within swamp and marsh wetlands are generally a combination of peat and mineral substrates. Standing water and surface channels are often present, with the water table either permanently, or periodically, above much of the ground surface.</p> <p>Swamp and marsh wetlands can usually be found on plains, valley floors and basins. Marsh wetlands can be differentiated from swamp wetlands by having better drainage, generally a lower water table and usually a more mineral substrate and higher pH. Exotic species are frequently present in both wetland types.</p>
Saltmarsh wetland	<p>Saltmarsh wetlands support herbfield, rushland and scrub, form within areas of tidal intertidal zones, and are fed from groundwater and estuary waters. Saltmarsh wetlands occur in association with mudflats.</p>	<p>Water within a saltmarsh wetland can be saline or brackish. Substrates are typically mineral. Saltmarsh wetland can comprise a mosaic of indigenous species and bare substrate (mudflats). Exotic species can be present. In some places the mudflats can be extensive and are characteristic of estuarine wetland systems.</p>
Lakes and lagoons and their margins	<p>Lakes and lagoons support indigenous aquatic plants (emergent, floating, submerged or rafted), and indigenous rushes, reeds, sedges, sedgeland, flaxland, reedland turf (<3 cm tall), herbfield, scrub and shrubs on the margins. Indigenous terrestrial vegetation (such as scrub, shrub species, shrubland, treeland and forest) can also be found in association with lake and lagoon margins.</p> <p>Lakes are areas of standing (non-flowing) water.</p> <p>Lagoons are shallow lakes, connected to, or independent of, a river, lake or the sea.</p>	<p>Lakes and lagoons in the region are associated with dune, river, and volcanic landforms and include dune lakes, ox-bow lakes and tarns.</p> <p>Lakes and lagoons can exist in isolation, be entirely within, or have elements of, other wetland habitat types. Exotic species (aquatic, wetland or terrestrial) may also be present.</p>

6B: Nationally threatened or regionally distinctive species present in wetland habitats in Taranaki

Indigenous Species (Fauna)		Significance/Threat classification
Common Name	Scientific Name	
Australasian bittern	<i>Botaurus poiciloptilus</i>	Regionally distinctive, Threatened (Nationally endangered)
Banded dotterel	<i>Charadrius bicinctus bicinctus</i>	Threatened (Nationally vulnerable)
Banded kokopu	<i>Galaxias fasciatus</i>	Regionally distinctive
Banded rail	<i>Gallirallus philippensis assimilis</i>	Regionally distinctive, At Risk (Naturally uncommon)
Brown mudfish	<i>Neochanna apoda</i>	Regionally distinctive, At Risk (Declining)
Giant diving beetle	<i>Onychohydus hookeri</i>	Regionally distinctive
Giant kokopu	<i>Galaxias argenteus</i>	Regionally distinctive, At Risk (Declining)
Goldstripe gecko	<i>Woodworthia chrysosireticus</i>	Regionally distinctive, At Risk (Relict)
Grey duck	<i>Anas supercilliosa supercilliosa</i>	Threatened (Nationally critical)
<u>Inanga</u>	<u><i>Galaxis maculatus</i></u>	<u>At Risk (Nationally declining)</u>
<u>Longfin eel</u>	<u><i>Anquilla dieffenbachia</i></u>	<u>At Risk (Nationally declining)</u>
New Zealand dabchick	<i>Poliocephalus rufopectus</i>	Regionally distinctive, Threatened (Nationally vulnerable)
North Island fernbird	<i>Bowdleria punctata vealeae</i>	Regionally distinctive, At Risk (Declining)
Pied shag*	<i>Phalacrocorax varius varius</i>	Threatened (Nationally vulnerable)
Royal spoonbill	<i>Platalea regia</i>	Regionally distinctive, At Risk (Naturally uncommon)
Spotless crake	<i>Porzana tabuensis plumbea</i>	Regionally distinctive, At Risk (Relict)
Tadpole shrimp	<i>Lepidurus apus</i>	Regionally distinctive

Indigenous Species (Flora)		Significance/Threat classification
Common Name	Scientific Name	
Bladderwort	<i>Utricularia dichotoma</i>	Regionally distinctive
Dwarf buttercup	<i>Ranunculus recens</i>	Threatened (Nationally vulnerable)
Dwarf musk	<i>Mazus novaezeelandiae</i> subsp.	Threatened (Nationally vulnerable)
Grass/flat leaved rush	<i>Juncus caespiticius</i>	Regionally distinctive
Jointed twig rush	<i>Machaerina articulata</i>	Regionally distinctive
Leafless rush	<i>Juncus pauciflorus</i>	Threatened (Nationally vulnerable)
Pakihi sedge / peat bog sedge	<i>Machaerina teretifolia</i>	Regionally distinctive
Saltmarsh ribbonwood	<i>Plagianthus divaricatus</i>	Regionally distinctive
Shore stonecrop	<i>Crassula peduncularis</i>	Threatened (Nationally critical)
Sneezeweed	<i>Centipeda minima</i> var. <i>minima</i>	Regionally distinctive, Threatened (Nationally endangered)
Stout water milfoil	<i>Myriophyllum robustum</i>	Regionally distinctive (At Risk declining)
Swamp buttercup	<i>Ranunculus macropus</i>	Data deficient
Swamp greenhood orchid	<i>Pterostylis micromega</i> (Hook f.)	Threatened (Nationally critical)
Swamp maire	<i>Syzygium maire</i>	Regionally distinctive
Swamp millet	<i>Isachne globosa</i>	Regionally distinctive
Tussock sedge	<i>Schoenus carsei</i>	Threatened (Nationally endangered)
Water brome	<i>Amphibromus fluitans</i>	Threatened (Nationally vulnerable)
Fern	<i>Deparia petersenii</i>	Regionally distinctive
Dicot herb	<i>Forstera tenella</i>	Regionally distinctive
Dicot herb	<i>Gratiola concinna</i>	Threatened (Nationally vulnerable)
Dicot herb	<i>Limosella</i> "Manutahi"	Threatened (Nationally critical)

SCHEDULE 7: MARAE

Taranaki					
Marae Name	Area	Legal Description	Valuation Number	Urban Map	Rural Map
Tarawainuku Marae (Pūniho Pa)	Puniho/Warea	Part Paora Aneti 17 Block	1192005300		01
Toroānui Marae (Parihaka Pa)	Pungarehu	Parihaka Papakainga Block	1192030000		02
Te Pōtaka Marae	Oaonui	Part Lot 1 DP 7577	1193021200		03
Ōrimupiko Marae	Opunake	Part Orimupiko 12 Block	1194019200		03, 04

Ngāruahine					
Marae Name	Area	Legal Description	Valuation Number	Urban Map	Rural Map
Ōeo Marae	Pihama/Oeo	Oeo Kainga Reserve Block	1194034500		04
Tawhitinui (O-kare-ki-Tai) Marae	Oeo/Otakeho	Ohunuku Block	1224115800		07
Waiokura Marae	Manaia	Waiokura A Block	1224146000A		07, 09, 10
Māwhitiwhiti Marae (Aotearoa Pa)	Okaiawa	Inuawai Subsections 2 (Hokorima Pa), 4 (Weriweri Pa), 146A, 5C 6F Blk IV Maimate SD and section 70 Blk I Hawera SD	1227027300		09
Te Aroha o Titokowaru (Ōkaiawa) Marae	Okaiawa	Ngatimanuhiakai No. 5B and 9 Block	1227032500		09
Te Rangatapu Marae	Ohawe	Section 3 Ohawe TN BELT	1227045300	10	10
Kanihi (Māwhitiwhiti) Marae	Okaiawa	Umutahi 11 Block	1227015900		09
Okare ki Uta (Taikatū ki Uta) Marae	Otakeho	Subn 16 Ngatihaua	1224108300		7

Ngāti Ruanui

Marae Name	Area	Legal Description	Valuation Number	Urban Map	Rural Map
Meremere Marae (Pukomoko Pa)	Ohangai	Part Mokoia Block	1230029000		13
Ngārongo Marae (Ketemarae Pa)	Normanby	Araukuku 15	1229011300		09
Ngātiki Marae	Tawhiti	Hamua 6B Block	1229013000		10, 13
Taiporohenui Marae	Tawhiti	Part Hamua 13 Block	1230015400		13
Wharepuni Marae	Normanby	Ngatitanewai 6A Block	1229018900		12
Te Takere Marae	Manutahi	Part Tamahere 1 Block	1236006200		13
Pariroa Marae	Kakaramea	Pariroa A Block	1236017700		14
Mokoia Marae	Mokoia	Section 537A Patea DIST	1230022400		13
Waioturi Marae	Patea	Part Section 84 Whenuakura DIST	1238000600	16	14, 17

Ngā Rauru

Marae Name	Area	Legal Description	Valuation Number	Urban Map	Rural Map
Waipapa (Moumahaki) Marae	Ngutuwera	Papatupu 3B2B2A Block	1240016401		21
Takirau Marae	Orangimea	Part Rangitatau 1D5A1 Block	1241016400		20
Te Ihupuku Marae	Waitotara	Ihupuku G Block	1240012600		22
Kaipō (Wharetapapa) Marae	Waitotara	Kaipo A4 Block	1242005300	19	22
Te Waiora-iti Marae	Waverley	Part Section 8 TN OF Waverley	1247016901	17a	17
Whenuakura Marae	Patea/Waverley	Oika 1A2 Block	1238021100		17
Tauranga-a-Ika Marae	Nukumarū	Nukumarū 1BE Block	1242011800		22
Ohinemutu Marae	Otautu/Whenuakura	Part Otautu 18A Block	1238007900		14, 17

SCHEDULE 8: OUTSTANDING NATURAL FEATURES/LANDSCAPES AND AREAS OF OUTSTANDING NATURAL CHARACTER

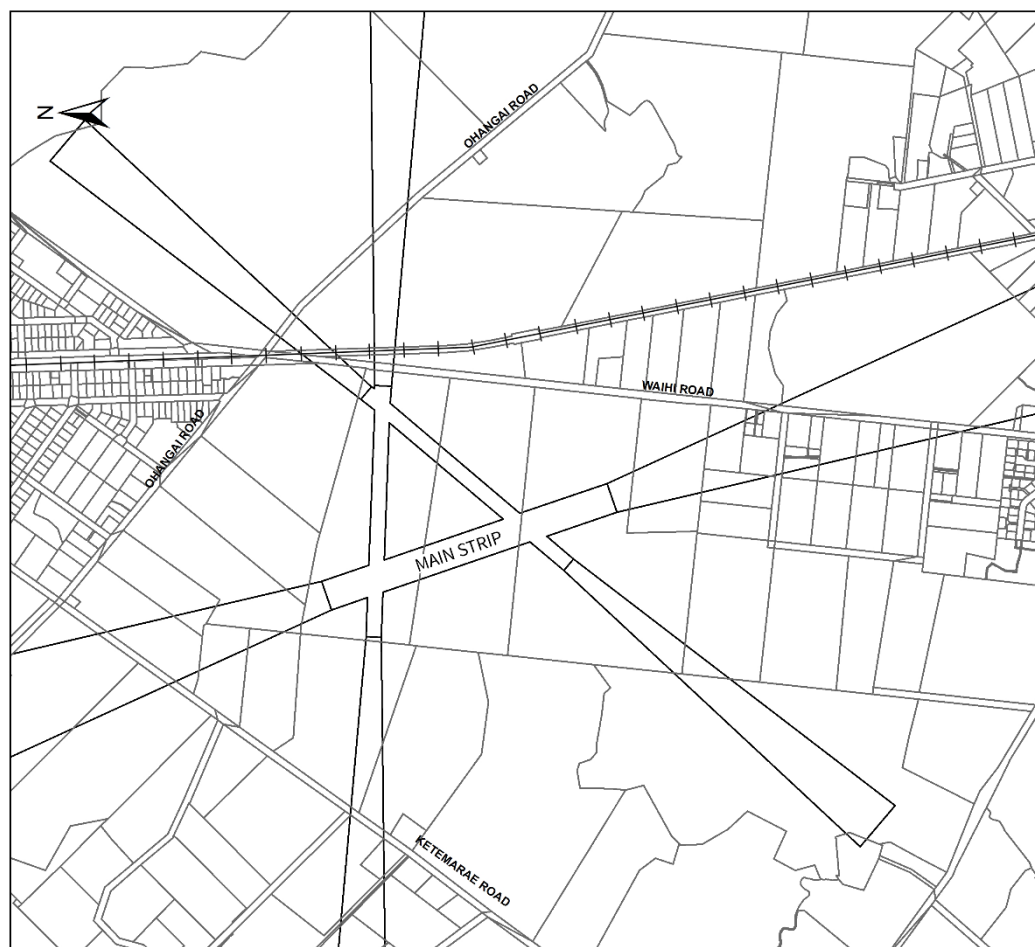
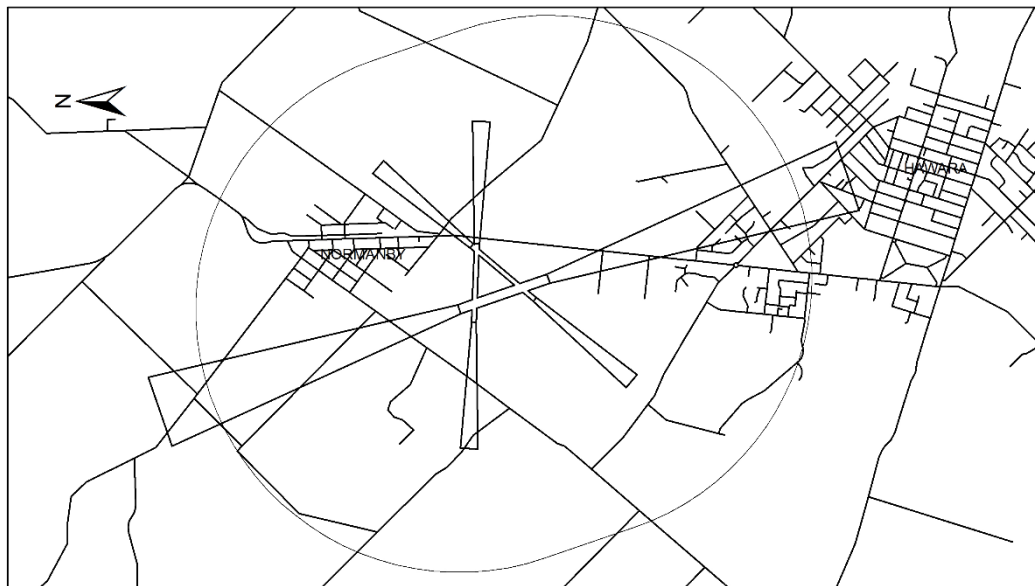
8A: Outstanding Natural Features/Landscapes

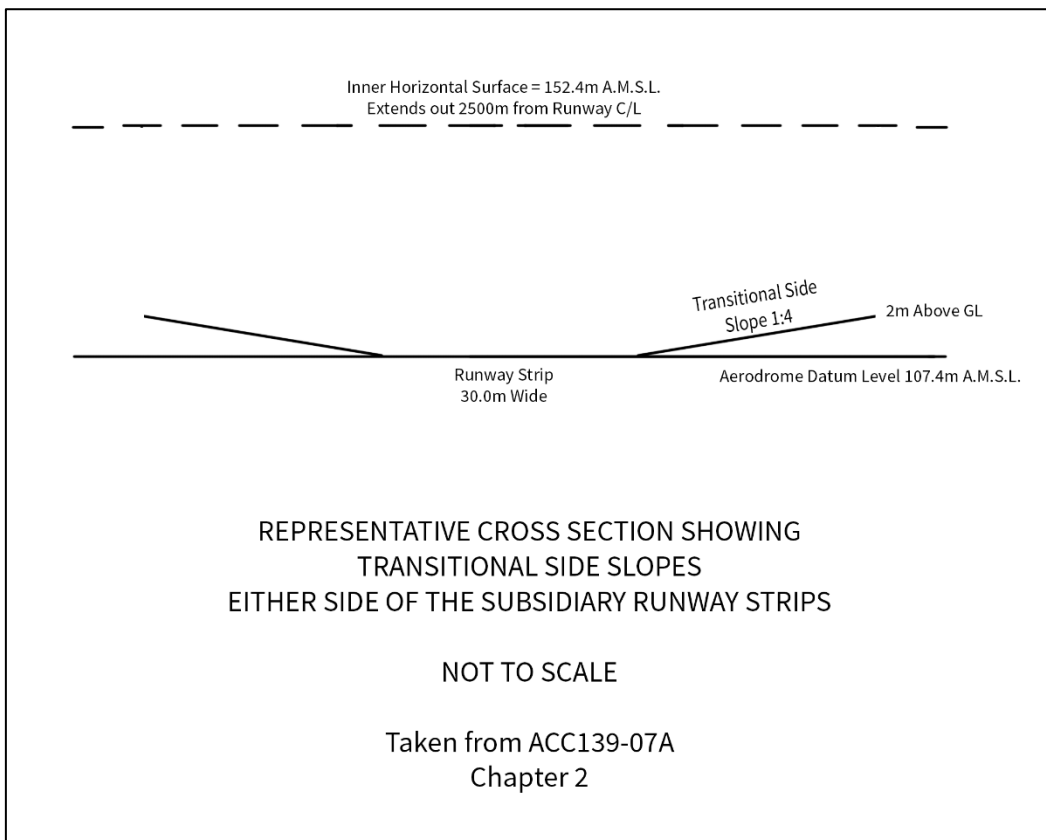
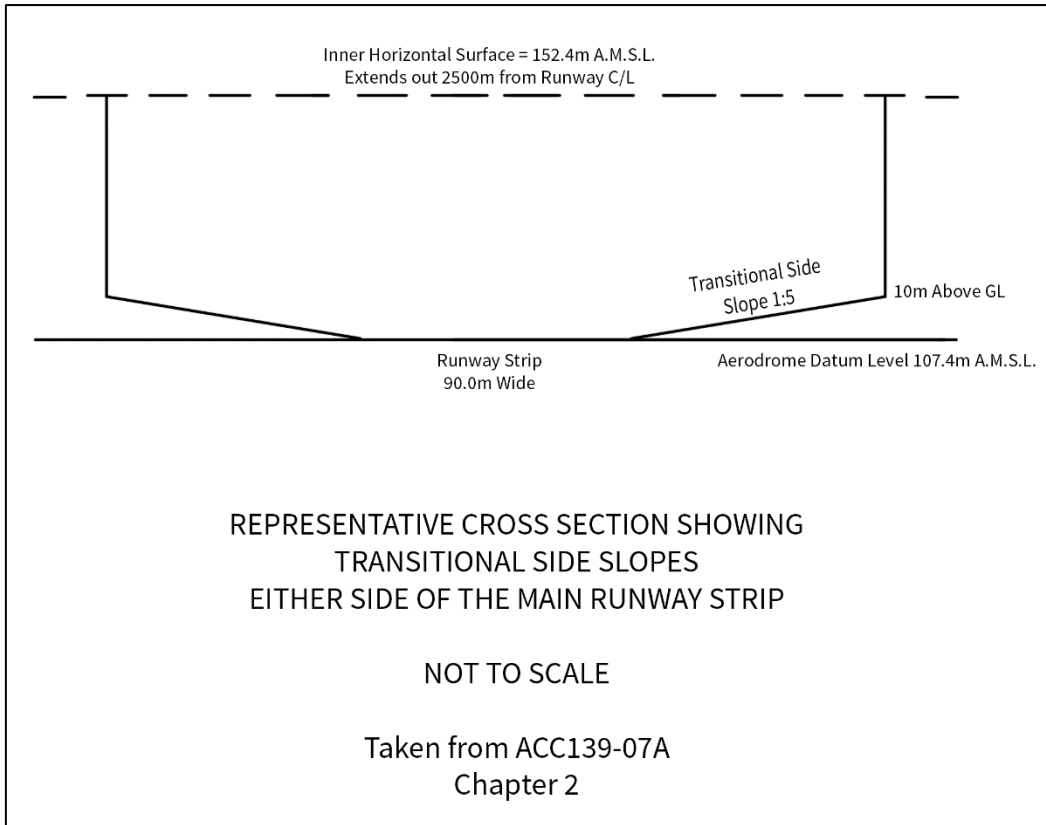
Ref	Name	Description	Landscape Value	Rural Map
ONFL1	Mount Taranaki	Defined along the historically significant line which forms the original boundary of Egmont National Park (9.6 km radius around its summit).	Outstanding	05, 06
ONFL2	Hangatahua (Stony River)	Defined along the tree left bank of the river separated from adjoining agricultural land and includes indigenous riparian vegetation.	Outstanding	01, 02, 05
ONFL3	Oaonui (Sandy Bay)	Defined along the boundary which follows exposed sand and indigenous vegetation established within the back dunes identified as a key native ecosystem.	Outstanding	03
ONFL4	Kaupokonui	Defined along the escarpment edge which steps below the modified ring plain and encompasses the adjoining walls between the Kaupokonui and Otakeho Streams along the coastal edge.	Outstanding	07
ONFL5	Kapuni Stream Mouth	Defined along the escarpment edge encompassing the mouth of the Kapuni Stream, Waimate Island and Oranituapeka Penninsula together with adjoining headlands defined along lowered terraces identified along the river corridor.	Outstanding	07, 10
ONFL6	Waverley Beach	Coastal cliffs which encompass Waverley Beach south of the township and includes Cave Bay along the varied coastal cliff landforms, included as a key native ecosystem.	Outstanding	18
ONFL7	Waitotara	Defined to include coastal edge including much of the land identified as a Key Native ecosystem at the mouth of the Waitotara River and extending into adjacent dune land. Also includes geopreservation sites at Wilkies Bluff, fossilised totara stumps and the location where ventifacts naturally occur.	Outstanding	18, 22
ONFL8	Lake Rotokare	Area identified as a key native ecosystem and defined by the subsequent construction of a predator proof fence.	Outstanding	11, 12
ONFL9	Whanganui National Park	Area of Whanganui National Park which extends south of the Matemateonga Range into South Taranaki and includes the bed of Omaru Stream	Outstanding	19

8B: Areas of Outstanding Natural Character

Ref	Name	Description	Degree of Natural Character	Rural Map
ONC1	Whenuakura Estuary	Whenuakura Estuary expresses a relatively unmodified estuary which provides exceptional coastal habitat with significant areas of native vegetation and wildlife	Outstanding	17, 18
ONC2	Waipipi Dunes	Waipipi Dunes express a relatively intact coastal dune system which includes significant areas of native vegetation and wildlife	Outstanding	17, 18
ONC3	Waitotara	Waitotara contains exceptional biophysical values along an unmodified coastal edge which retains very high wild and scenic associations.	Outstanding	18, 22

APPENDIX 1: HAWERA AERODROME PROTECTION AREA





APPENDIX 2: NGATI RUANUI STATUTORY ACKNOWLEDGEMENT

STATUTORY AREAS

NGATI RUANUI CLAIMS SETTLEMENT ACT 2003

88. Statutory acknowledgements by the Crown—

The Crown acknowledges the statements made by Ngati Ruanui of the particular cultural, spiritual, historical, and traditional association of Ngati Ruanui with the statutory areas listed in Part 1 of Schedule 4, the texts of which are set out in Schedules 5 to 9.

89. Purposes of statutory acknowledgements—

- (1) The only purposes of the statutory acknowledgements are—
 - (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to the statutory acknowledgements in relation to the statutory areas, as provided for in sections 90 to 92:
 - (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94:
 - (c) to enable the governance entity and a member of Ngati Ruanui to cite the statutory acknowledgements as evidence of the association of Ngati Ruanui with the statutory areas, as provided for in section 95:
 - (d) to enable the Minister of the Crown responsible for the management of the statutory areas, or the Commissioner of Crown Lands, to enter into deeds of recognition, as provided for in section 96.
- (2) This section does not limit the operation of sections 103 to 106.

90. Consent authorities must have regard to statutory acknowledgments—

From the effective date, and without limiting its obligations under Part 2 of the Resource Management Act 1991, a consent authority must have regard to the statutory acknowledgement relating to a statutory area in forming an opinion in accordance with sections 93 to 94C of that Act as to whether the governance entity is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on, the statutory area.]

91. Environment Court must have regard to statutory acknowledgements—

- (1) From the effective date, the Environment Court must have regard to a statutory acknowledgement relating to a statutory area in determining, under section 274 of the Resource Management Act 1991, whether the governance entity is a person having an interest in the proceedings greater than the public generally in respect of an application for a resource consent for activities within, adjacent to, or impacting directly on the statutory area.
- (2) Subsection (1) does not limit the obligations of the Environment Court under Part 2 of the Resource Management Act 1991.

92. New Zealand Historic Places Trust and Environment Court must have regard to statutory acknowledgements—

From the effective date, the New Zealand Historic Places Trust and the Environment Court must have regard to the statutory acknowledgement relating to a statutory area in forming an opinion under section 14(6)(a) or section 20(1) of the Historic Places Act 1993, as the case may be, as to whether the governance entity is a person directly affected in relation to an archaeological site within the statutory area.

93. Recording of statutory acknowledgements on statutory plans—

- (1) Local authorities with jurisdiction in an area that includes a statutory area must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover the statutory area.
- (2) The attachment of information under subsection (1) to a statutory plan—
 - (a) may be by reference to this subpart or by setting out the statutory acknowledgement in full; and
 - (b) is for the purpose of public information only, and the information is not—
 - (i) part of the statutory plan (unless adopted by the relevant regional council or district council); or
 - (ii) subject to the provisions of Schedule 1 of the Resource Management Act 1991.
- (3) In this section, statutory plans means regional policy statements, regional coastal plans, district plans, regional plans, and proposed plans as defined in section 2(1) of the Resource Management Act 1991; and includes proposed policy statements referred to in Schedule 1 of the Resource Management Act 1991.

94. Distribution of resource consent applications to governance entity—

- (1) A relevant consent authority must, for a period of 20 years from the effective date, forward to the governance entity a summary of resource consent applications for activities within, adjacent to, or impacting directly on a statutory area.
- (2) The information provided under subsection (1) must be—

- (a) the same as would be given under section 93 of the Resource Management Act 1991 to persons likely to be [adversely] affected, or as may be agreed between the governance entity and the relevant consent authority; and
 - (b) provided as soon as reasonably practicable after the application is received and before a determination is made under [sections 93 to 94C] of the Resource Management Act 1991.
- (3) The governance entity may, by notice in writing to a relevant consent authority,—
- (a) waive its rights to be notified under this section; and
 - (b) state the scope of any waiver that is given.
- (4) This section does not affect the discretion of a relevant consent authority as to whether—
- (a) to notify an application under sections 93 [to 94C] of the Resource Management Act 1991; or
 - (b) the governance entity is a person who is likely to be [adversely] affected under those sections.
- (5) In this section, relevant consent authority means a consent authority of the region or district that contains, or is adjacent to, a statutory area.

95. Use of statutory acknowledgement—

- (1) The governance entity and a member of Ngati Ruanui may, as evidence of the association of Ngati Ruanui with a statutory area, cite the relevant statutory acknowledgement in submissions to, and in proceedings before, a consent authority, the Environment Court, or the New Zealand Historic Places Trust concerning activities within, adjacent to, or impacting directly on the statutory area.
- (2) The content of the statement of association, as recorded in the statutory acknowledgement, is not, by virtue of the statutory acknowledgement, binding as deemed fact on—
 - (a) consent authorities:
 - (b) the Environment Court:
 - (c) the New Zealand Historic Places Trust
 - (d) parties to proceedings before those bodies:
 - (e) any other person able to participate in those proceedings.
- (3) Despite subsection (2), the statutory acknowledgement may be taken into account by the bodies and persons specified in that subsection.
- (4) Neither the governance entity nor a member of Ngati Ruanui is precluded from stating that Ngati Ruanui have an association with a statutory area that is not described in the statutory acknowledgement.
- (5) The content and existence of the statutory acknowledgement do not limit a statement made under subsection (4).

SCHEDULE 4

ss 12, 88, 96

STATUTORY ACKNOWLEDGEMENTS AND DEEDS OF RECOGNITION

PART 1

STATUTORY AREAS FOR STATUTORY ACKNOWLEDGEMENTS

Taranaki Land District

Area	Location
Otoki Gorge Scenic Reserve	As shown on SO 14738
Te Moananui A Kupe O Ngati Ruanui (Coastal Area)	As shown on SO 14739
Tangahoe River	As shown on SO 14740
Whenuakura River	As shown on SO 14741
Patea River	As shown on SO 14742

SCHEDULE 5

s 88

STATUTORY ACKNOWLEDGEMENT FOR OTOKI GORGE SCENIC RESERVE

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Otoki Gorge scenic reserve, as shown on SO 14738.

Preamble

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Otoki Gorge scenic reserve as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Otoki Gorge scenic reserve.

The Pukemoko Pa site is located within the Otoki Gorge scenic reserve, which can be found within the area of Whakamara. It was within this pa that Wharematangi, a Rangatira of Ngati Hine (a close fighting ally of Hanataua of Tangahoe), resided before joining Hanataua in his battles with Waikato and Te Rauparaha of Ngati Raukawa.

The pa was a large ridge pa, which had general usage. Its strategic geographical position made it ideal as a fortified village. During the time of warfare, sharp contoured hills, thick underbrush, hidden man-made traps, and skilled warriors knowledgeable in the surrounding rugged terrain made life a misery for those who attempted to conquer the pa. In modern times, this manner of warfare is commonly recognised as "guerrilla tactics".

Within the surrounding valleys, the richness of the soil and waterways provided an abundance of food (birds, animals, fish), building materials, and materials for clothing, gardening, and warfare. Otoki was also used as one of the sites for gathering in times of peace.

The pa remains one of the areas where the footsteps of our Tupuna remain pristine. The area remains uncut, uncultivated, and in its unspoiled state. It is a remote place where the people would be able to sit and reflect on the life of their ancestors sensing the Ihi (power), Wehi (fear), and the Mauri (life force) emanating from the land.

Purposes of statutory acknowledgement

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to this statutory acknowledgement in relation to the Otoki Gorge scenic reserve, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and

- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with the Otoki Gorge scenic reserve, as provided for in section 95; and
- (d) to provide a statement by Ngati Ruanui of the association of Ngati Ruanui with the Otoki Gorge scenic reserve for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

- (1) Except as expressly provided in sections 89 to 92 and 95,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
 - (b) No person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with the Otoki Gorge scenic reserve described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Otoki Gorge scenic reserve.
- (2) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (3) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, the Otoki Gorge scenic reserve.
- (4) Clause (1)(b) does not limit clause (1)(a)

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui in respect of the Otoki Gorge scenic reserve.

SCHEDULE 6

S88

STATUTORY ACKNOWLEDGEMENT FOR TE MOANANUI A KUPE O NGATI RUANUI

Statutory area

The area to which this statutory acknowledgement applies is the area known as Te Moananui A Kupe O Ngati Ruanui (coastal area) as shown on SO 14739.

Preamble

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with Te Moananui A Kupe O Ngati Ruanui (coastal area) as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Ruanui with Te Moananui A Kupe O Ngati Ruanui.

The resources found within Te Moananui A Kupe have, since time immemorial, provided the people of Ngati Ruanui with a constant supply of food resources. The hidden reefs provided koura, paua, kina, pupu, papaka, pipi, tuatua, and many other species of reef inhabitants. Hapuka, moki, kanae, mako, and patiki swim freely between the many reefs that can be found stretching out into the spiritual waters of Te Moananui A Kupe and along the Ngati Ruanui coastline.

Names such as Rangatapu, Ohawe Tokotoko, Waihi, Waokena, Tangahoe, Manawapou, Taumaha, Manutahi, Pipiri, Kaikura, Whiti kau, Kenepuru, Te Pou a Turi, Rangitawhi, and Whenuakura depict the whereabouts of either a fishing ground or fishing reef.

All along the shoreline from Rangatapu to Whenuakura food can be gathered, depending on the tides, weather, and time of year.

Tragedies of the sea are also linked to these reefs. Ngati Ruanui oral history records the sinking off Tangahoe of a Chinese trade ship that had just been loaded with a cargo of flax. When the bodies were recovered and brought to shore, none of them had any eyes.

The people of Ngati Hine believe that they did something wrong and in turn were punished by the Ngati Ruanui taniwha named Toi, kaitiaki (guardian) of the fishing reefs and grounds, who is renowned to this day to eat the eyes of his victims.

Purposes of statutory acknowledgement

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to this statutory acknowledgement in relation to Te Moananui A Kupe O Ngati Ruanui, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with Te Moananui A Kupe O Ngati Ruanui, as provided for in section 95.

Limitations on effect of statutory acknowledgement

- (1) Except as expressly provided in sections 89 to 92 and 95,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
 - (b) No person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association

of Ngati Ruanui with Te Moananui A Kupe O Ngati Ruanui described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of Te Moananui A Kupe O Ngati Ruanui.

- (2) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (3) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, Te Moananui A Kupe O Ngati Ruanui.
- (4) Clause (1)(b) does not limit clause (1)(a)

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui in respect of Te Moananui A Kupe O Ngati Ruanui.

SCHEDULE 7

s 88

STATUTORY ACKNOWLEDGEMENT FOR TANGAHOE RIVER

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Tangahoe River, as shown on SO 14740.

Preamble

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Tangahoe River as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Tangahoe River

Ngati Ruanui history informs us that the people of the Kahui Maunga (mountain people of the highest rank) inhabited the South Taranaki area prior to the arrival of the Aotea Waka. They in turn were vanquished and enveloped through warfare and intermarriage into the Aotea, Ruanui-a Pokiwa history. One of the areas in which these people were renowned to have flourished is known as the Tangahoe River and valley.

The late Ueroa (Charlie) Ngarewa, an elder of both Tangahoe and Ngati Hine descent, gave one version of the origin of the name Tangahoe. He said the name Tangahoe was given to the river because of an incident that occurred, in which the steering oar was lost from a large deep-sea fishing waka as it attempted to return to the Tauranga waka. The comment was made that ``if there were 2 steering oars

like that of the Waka Tipua of Turi Ariki, then the flight to its resting place would remain true." Turi was the Ariki (Rangatira of highest rank) of the Aotea Waka.

the steering oars of Turi Ariki

Tangahoe:

The Tangahoe River has been a major supply of food and water resources to its people both prior to, and since, the arrival of the Aotea Waka. The valley, like the rest of the southern lands, was a fertile paradise. Because of the mild temperatures, it was without extremes and promoted lush vegetation that was checked only by the occasional equinoctial weather patterns. Birds such as manunui (which made its nests amongst the koromiko bushes), kereru (the food of nga Ariki), pukeko (the treasured species brought on the Aotea Waka), tiwaiwaka (the guardian left by Kupe), kahu (the sentinel), kakapo, kiwi, korimako, miromiro (the custodians of the forest), and pipiwharau (the herald of the new year) flourished in the berry-filled trees, like the koromiko, kohia, hinau, pipiriri, mamaku, and rewarewa at the side of the eel- and koura-filled creeks. Fish, such as the piharau, kokopu, tunaheke, patiki, and shellfish, were abundant in the waters and on the reefs at the mouth of the river.

During the time of internal warfare, the valley through which the river runs was a trap for the unwary. The many re-entrants and secondary valleys provided natural hiding and attacking areas and, if necessary, places of refuge.

To the people of Ngati Ruanui, all the rivers and their respective valleys are of the utmost importance because of their physical, spiritual, and social significance in the past, present, and future.

Purposes of statutory acknowledgement

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to this statutory acknowledgement in relation to the Tangahoe River, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with the Tangahoe River as provided for in section 95; and
- (d) to provide a statement by Ngati Ruanui of the association of Ngati Ruanui with the Tangahoe River for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

- (1) Except as expressly provided in sections 89 to 92 and 95,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
 - (b) No person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with the Tangahoe River described in this statutory acknowledgement

than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Tangahoe River.

- (2) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (3) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, the Tangahoe River.
- (4) Clause (1)(b) does not limit clause (1)(a)

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui in respect of the Tangahoe River.

SCHEDULE 8

S 88

STATUTORY ACKNOWLEDGEMENT FOR WHENUAKURA RIVER

STATUTORY AREA

The area to which this statutory acknowledgement applies is the area known as the Whenuakura River, as shown on SO 14741.

Preamble

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Whenuakura River as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Whenuakura River

The name of this river originated during the time of Turi Arikiniui, Kaihautu of the Waka Tipua Aotea, and his wife Rongorongu Tapairu. They lived with their families between the 2 rivers, Patea nui a Turi and Whenuakura. Turi was the Ariki (Rangatira of highest rank) of the Aotea Waka.

the land belonging to the people of high rank

Whenuakura:

Like the Tangahoe River, this river provided the people of the Aotea Waka, and later the people of Ngati Hine and Ngati Tupito, with all the resources of life they required to survive.

The valley through which the river flowed provided multiple bird life, animals, clothing, building, gardening, and warfare implements, as well as places where social activities, fishing, and waka racing could take place. Sporting activities took place within and outside the surrounding forests. There were also places that Tohunga, Rangatira, and other whanau/hapu/iwi representatives used for burial,

washing, baptising, and special activities. It was a place where people would go to find peace within themselves.

This river, like the others within the rohe, will always be an integral part of the social, spiritual, and physical lifestyle of the Ngati Ruanui people.

Purposes of statutory acknowledgement

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to this statutory acknowledgement in relation to the Whenuakura River, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with the Whenuakura River as provided for in section 95; and
- (d) to provide a statement by Ngati Ruanui of the association of Ngati Ruanui with the Whenuakura River for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

- (1) Except as expressly provided in sections 89 to 92 and 95,—
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
 - (b) No person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with the Whenuakura River described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Whenuakura River.
- (2) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (3) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, the Whenuakura River.
- (4) Clause (1)(b) does not limit clause (1)(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui or the governance entity in respect of the Whenuakura River.

SCHEDULE 9

S 88

STATUTORY ACKNOWLEDGEMENT FOR PATEA RIVER

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Patea River (excluding Lake Rotorangi), as shown on SO 14742.

Preamble

Under section 88, the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Patea River as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Patea River

The full name of this river is Patea nui a Turi. It was named by Turi on his arrival overland after leaving the Aotea Waka at Kawhia. The name Patea was given by Turi Ariki when, upon seeing nga kaitiaki (the guardians) left by Kupe as guides for him and his family, he exclaimed "Ka Patea tatou" - we have arrived at Patea.

Since that arrival, the river has played an important part in the lifestyles of the Aotea people. The riverbanks have provided the soil for the gardens of Rongorongō Tapairu called Hekeheke I papa, the karaka grove called Papawhero, and the spring of life of Turi and Rongorongō called Parara-ki-te-Uru.

The source of the Patea River is on the mountain Rua Taranaki and is called Whakapou Karakia.

Whakapou Karakia can be found upon the mountain Rua Taranaki within the rohe of Ngati Ruanui.

Upon the arrival of the Aotea people to South Taranaki from Kawhia, Turi Ariki at Te Pou a Turi laid claim to the surrounding territory and the river, which until then has been known as "Te Awa o Taikehu", as belonging to him and his descendants. Upon completing the respective rituals to protect the newly gained lands from unwanted entities, he then proceeded to spiritually purify the rest of the area.

The newly claimed river, because of its spiritual and life-giving resources, was then traversed and spiritual Kaitiaki sown in every location that was to become significant to the people of the Aotea Waka along the total length of the river. These purifying rituals continued to the source of the river on the mountain. It was at this locality upon the mountain that the final Karakia of protection was performed to unite all the Kaitiaki as one in the protection of the waters and resources pertaining to the river, hence—

whaka: *to do*

pou: *pillar of strength*

karakia: *invocation*

Purposes of statutory acknowledgement

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

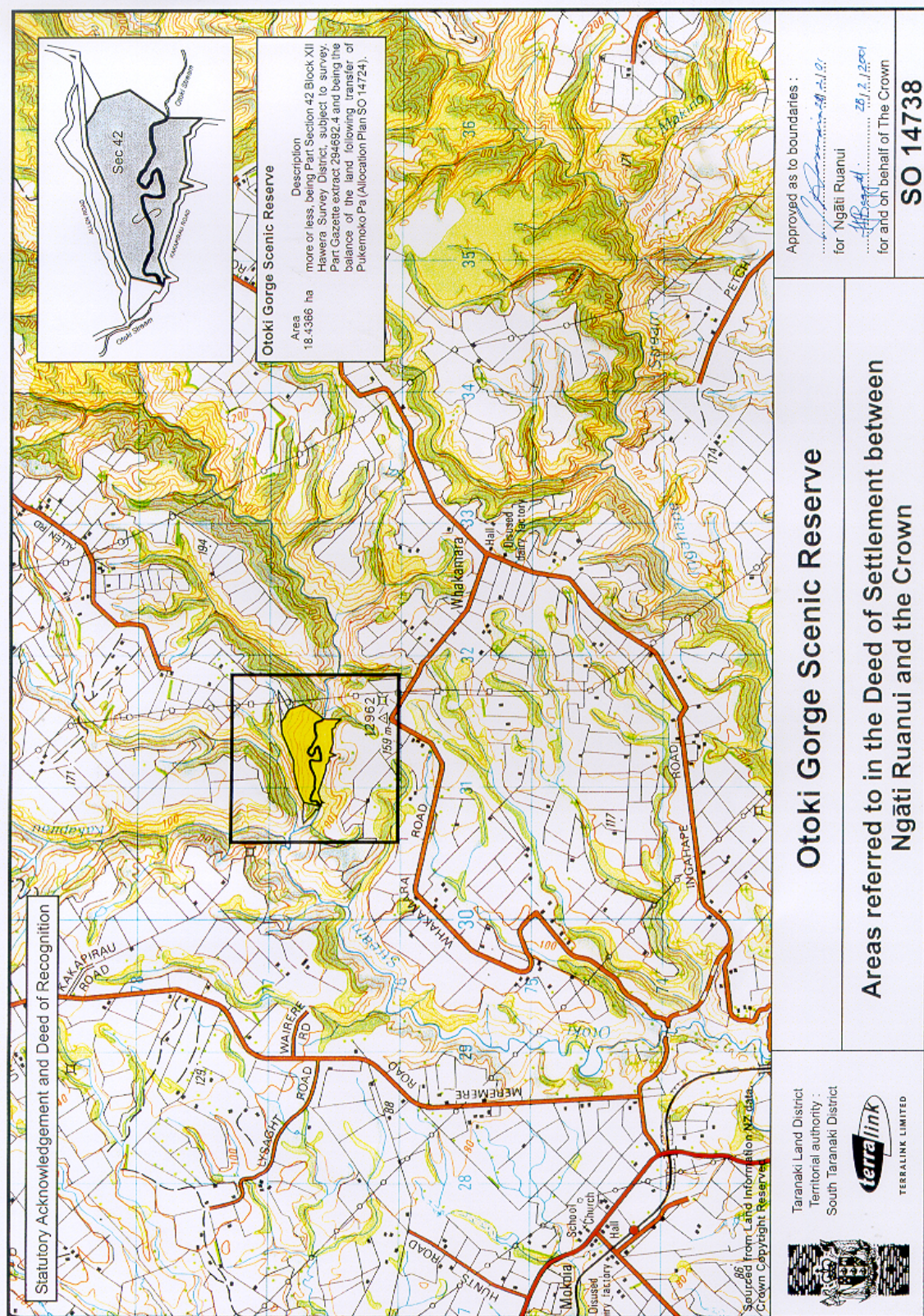
- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court, to have regard to this statutory acknowledgement in relation to the Patea River, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with the Patea River, as provided for in section 95; and
- (d) to provide a statement by Ngati Ruanui of the association of Ngati Ruanui with the Patea River for inclusion in a deed of recognition.

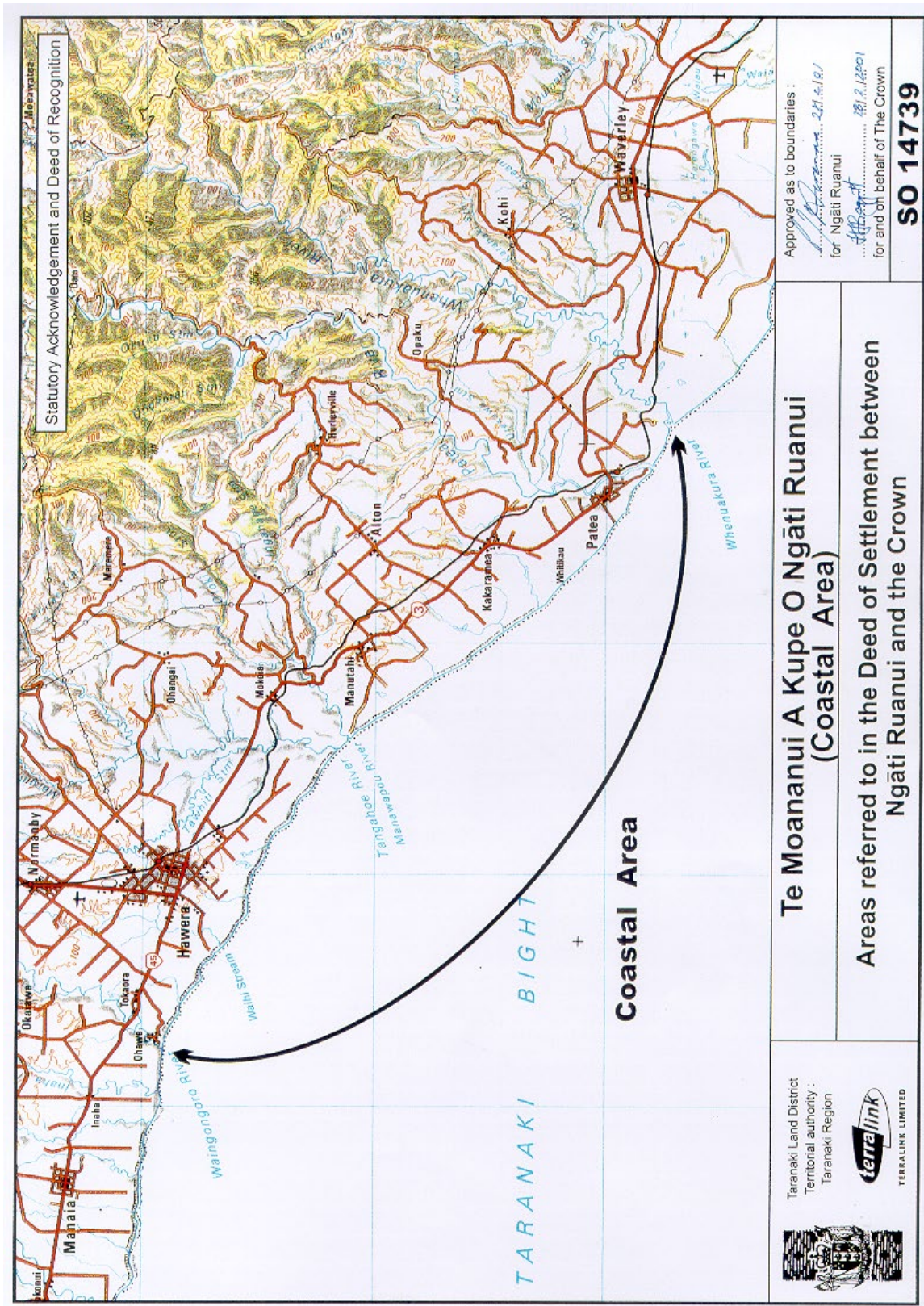
Limitations on effect of statutory acknowledgement

- (1) Except as expressly provided in sections 89 to 92 and 95,—
 - (a) This statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
 - (b) No person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with the Patea River described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Patea River.]
- (2) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (3) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, the Patea River.
- (4) Clause (1)(b) does not limit clause (1)(a)

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui in respect of the Patea River.





Approved as to boundaries:
 for Ngāti Ruanui
 for and on behalf of The Crown

21.5.18/1
 28.2.2020/1

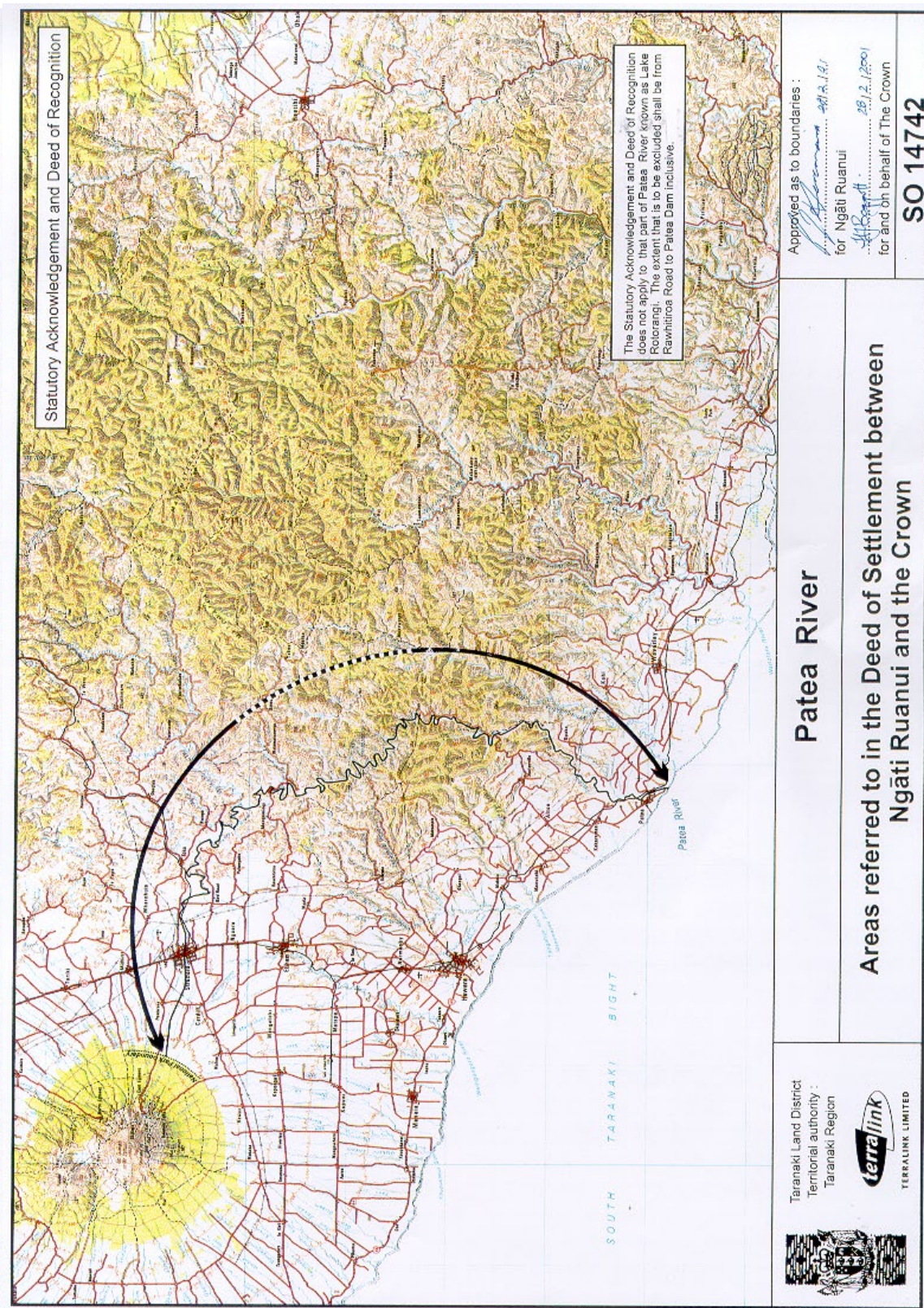
SO 14739

**Te Moananui A Kupe O Ngāti Ruanui
 (Coastal Area)**

Areas referred to in the Deed of Settlement between
 Ngāti Ruanui and the Crown

Taranaki Land District
 Territorial authority:
 Taranaki Region

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Statutory Acknowledgement and Deed of Recognition</p>	<p>Approved as to boundaries : for Ngāti Ruanui for and on behalf of The Crown</p> <p>SO 14740</p>
<p>Tangaohoe River</p> <p>Areas referred to in the Deed of Settlement between Ngāti Ruanui and the Crown</p>	<p>Taranaki Land District Territorial authority : Taranaki Region</p> <p>terralink TERRALINK LIMITED</p>



APPENDIX 3: NGA RAURU STATUTORY ACKNOWLEDGEMENT

STATUTORY AREAS

NGA RAURU KIITAHİ CLAIMS SETTLEMENT ACT 2005

40. Statutory acknowledgements by the Crown

The Crown acknowledges the statements made by Ngaa Rauru Kiitahi of the particular cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the statutory areas listed in Part 1 of Schedule 3, the texts of which are set out in Schedules 4 to 11.

41. Purposes of statutory acknowledgements

- (1) The only purposes of the statutory acknowledgements are—
 - (a) to require consent authorities, the Environment Court, and the Historic Places Trust to have regard to the statutory acknowledgements, as provided for in sections 42 to 44; and
 - (b) to require relevant consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 46; and
 - (c) to enable the governance entity and a member of Ngaa Rauru Kiitahi to cite the statutory acknowledgements as evidence of the association of Ngaa Rauru Kiitahi with the relevant statutory areas, as provided for in section 47.
- (2) This section does not limit the operation of sections 53 to 56.

42. Consent authorities to have regard to statutory acknowledgements

- (1) From the effective date, a consent authority must have regard to a statutory acknowledgement relating to a statutory area in forming an opinion in accordance with sections 93 to 94C of the Resource Management Act 1991 as to whether the governance entity is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on, the statutory area.
- (2) Subsection (1) does not limit the obligations of a consent authority under the Resource Management Act 1991.

43. Environment Court to have regard to statutory acknowledgements

- (1) From the effective date, the Environment Court must have regard to a statutory acknowledgement relating to a statutory area in determining under section 274 of the Resource Management Act 1991 whether the governance entity is a person having an interest in the proceedings greater than the public generally in respect of an application for a resource consent for activities within, adjacent to, or impacting directly on the statutory area.
- (2) Subsection (1) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

44. Historic Places Trust and Environment Court to have regard to statutory acknowledgements

From the effective date, the Historic Places Trust and the Environment Court must have regard to a statutory acknowledgement relating to a statutory area in forming an opinion under section 14(6)(a) or section 20(1) of the Historic Places Act 1993, as the case may be, as to whether the governance entity is (or, for the purposes of section 14(6)(a) of that Act, may be) a person directly affected in relation to an archaeological site within the statutory area.

45. Recording statutory acknowledgements on statutory plans

- (1) From the effective date, relevant consent authorities must attach information recording a statutory acknowledgement to all statutory plans that wholly or partly cover the statutory area.
- (2) The attachment of information under subsection (1) to a statutory plan—
 - (a) must include the relevant provisions of this subpart in full, the description of the statutory area, and the statement of association (as recorded in the statutory acknowledgement); and
 - (b) is for the purpose of public information only, and the information is not— part of the statutory plan (unless adopted by the relevant consent authority); or
 - (ii) subject to the provisions of Schedule 1 of the Resource Management Act 1991.
- (3) In this section, statutory plan—
 - (a) means a district plan, proposed plan, regional coastal plan, regional plan, or regional policy statement as defined in section 2(1) of the Resource Management Act 1991; and
 - (b) includes a proposed policy statement provided for in Schedule 1 of the Resource Management Act 1991.

46. Distribution of resource consent applications to governance entity

- (1) A relevant consent authority must, for a period of 20 years from the effective date, forward to the governance entity a summary of resource consent applications received by that consent authority for activities within, adjacent to, or impacting directly on a statutory area.

- (2) The information provided under subsection (1) must be—
 - (a) the same as would be given under section 93 of the Resource Management Act 1991 to persons likely to be adversely affected, or as may be agreed between the governance entity and the relevant consent authority; and
 - (b) provided as soon as reasonably practicable after the application is received, and before a determination is made in accordance with sections 93 to 94C of the Resource Management Act 1991.
- (3) The governance entity may, by notice in writing to a relevant consent authority—
 - (a) waive its rights to be notified under this section; and
 - (b) state the scope of that waiver and the period it applies for.
- (4) For the purposes of this section, a regional council dealing with an application to carry out a restricted coastal activity in a statutory area must be treated as if it were the relevant consent authority in relation to that application.
- (5) This section does not affect the obligation of a consent authority to—
 - (a) notify an application in accordance with sections 93 and 94C of the Resource Management Act 1991;
 - (b) form an opinion as to whether the governance entity is a person that is likely to be adversely affected under those sections.

47. Use of statutory acknowledgement

- (1) The governance entity and a member of Ngaa Rauru Kiiitahi may, as evidence of the association of Ngaa Rauru Kiiitahi with a statutory area, cite the relevant statutory acknowledgement in submissions to, and in proceedings before, a consent authority, the Environment Court, or the Historic Places Trust concerning activities within, adjacent to, or impacting directly on the statutory area.
- (2) The content of the statement of association, as recorded in the statutory acknowledgement, is not, by virtue of the statutory acknowledgement, binding as deemed fact on—
 - (a) consent authorities;
 - (b) the Environment Court;
 - (c) the Historic Places Trust;
 - (d) parties to proceedings before those bodies;
 - (e) any other person able to participate in those proceedings.

- (3) Despite subsection (2), the statutory acknowledgement may be taken into account by the bodies and persons specified in that subsection.
- (4) Neither the governance entity nor a member of Ngaa Rauru Kiihahi is precluded from stating that Ngaa Rauru Kiihahi have an association with a statutory area that is not described in the statutory acknowledgement.
- (5) The content and existence of the statutory acknowledgement do not limit a statement made under subsection (4).

SCHEDULE 3

STATUTORY AREAS FOR STATUTORY ACKNOWLEDGEMENTS

PART 1

STATUTORY AREAS FOR WHICH STATUTORY ACKNOWLEDGEMENT ONLY PROVIDED

Area	Location
Nukumaru Recreation Reserve	As shown on SO 314760

Area	Location
Nukumaru Recreation Reserve	As shown on SO 314760

PART 2

STATUTORY AREAS FOR WHICH BOTH DEED OF RECOGNITION AND STATUTORY ACKNOWLEDGEMENT PROVIDED

Area	Location
Hawkins Lagoon Conservation Area (to be renamed Tapuarau Conservation Area)	As shown on SO 314758
Lake Beds Conservation Area	As shown on SO 314762
Patea River	As shown on SO 314766
Whenuakura River	As shown on SO 314767
Waitotara River	As shown on SO 314768

SCHEDULE 4

STATUTORY ACKNOWLEDGEMENT FOR NUKUMARU RECREATION RESERVE

Statutory area

The area to which this statutory acknowledgement applies is the area known as Nukumaru Recreation Reserve, the general location of which is indicated on SO 314760.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Nukumaru Recreation Reserve as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with statutory area

Waikaramihi is the name given to the marae tawhito that is situated within the Nukumaru Recreation Reserve, on the coast between Waiinu and Tuaropaki. Ngaa Rauru Kiitahi traditionally camped at Waikaramihi from October to March each year. The main food gathering area was between the Waitotara river mouth and Tuaropaki. The sources of food include kakahi (fresh water mussels), sea mussels, kina, paua, papaka (crabs), karingo (seaweed), and very small octopus stranded in the small rock pools from the receding tides. While Ngaati Maika and Ngaati Ruaiti were the main hapuu that used Waikaramihi, all Ngaa Rauru Kiitahi hapuu traditionally gathered kai moana in accordance with the values of Ngaa Raurutanga.

The Karewaonui canoe (over 100 years old) was until 1987 housed at Waikaramihi and was used by Ngaa Rauru Kiitahi (mainly Ngaati Maika and Ngaati Ruaiti) to catch stingray, shark, snapper, and hapuka about 10 miles off the coast. Karakia were used when Karewaonui was “put to sea”, and an offering of the first fish caught on Karewaonui was always given to the Kaitiaki-o-te-moana.

The area is still significant to Ngaa Rauru Kiitahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiitahi is sustained, and the spiritual well-being nourished.

SCHEDULE 6

STATUTORY ACKNOWLEDGEMENT FOR HAWKENS LAGOON CONSERVATION AREA

Statutory area

The area to which this statutory acknowledgement applies is the area known as Hawkens Lagoon Conservation Area, the general location of which is indicated on SO 314758.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiihahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiihahi with the Hawkens Lagoon Conservation Area as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiihahi with statutory area

Tapuarau is the name given to the area at the mouth of the Waitotara River within the Tapuarau Conservation Area. The main hapuu of Ngaa Rauru Kiihahi that used Tapuarau included Ngaati Hine Waiatarua, Ngaati Hou Tipua, Ngaa Ariki, and Ngaati Ruaiti. Ngaa Rauru Kiihahi has used Tapuarau as a seasonal campsite from where it has gathered mahinga kai in accordance with the values of Ngaa Raurutanga.

Tapuarau extends from the mouth of the Waitotara River to Pukeone and includes several small lagoons, including Tapuarau Lagoon, which are the source of tuna, flounder, mullet, whitebait, and inanga. During flooding, Ngaa Rauru Kiihahi was able to take tuna as it attempted to migrate from the nearby lagoons to the river mouth. The old marae named Hauriri was also situated in this area.

The area is still significant to Ngaa Rauru Kiihahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiihahi is sustained, and the spiritual well-being is nourished.

SCHEDULE 7

STATUTORY ACKNOWLEDGEMENT FOR LAKE BEDS CONSERVATION AREA

Statutory area

The area to which this statutory acknowledgement applies is the area known as Lake Beds Conservation Area, the general location of which is indicated on SO 314762.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Lake Beds Conservation Area as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with statutory area

The Lake Beds Conservation Area is located within the Moumahaki Lakes catchment area, and is situated inland above Kohi. These lakes and the surrounding area have great cultural significance for the Ngaa Rauru Kiitahi hapuu, predominantly Ngaa Ariki.

These lakes were the main food source for those hapuu. Temporary kaainga and tuna weir were dotted along some of the lakes. Other food gathered from the lakes included kakahi and koura.

Special varieties of flaxes from around the lakes were used to make tuna traps and clothing.

SCHEDULE 9

STATUTORY ACKNOWLEDGEMENT FOR PATEA RIVER

Statutory area

The area to which this statutory acknowledgement applies the area known as Patea River, the general location of which is indicated and described on SO 314766.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiitahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with the Patea River as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiitahi with statutory area

Ngaa Rauru Kiitahi knows the Patea River by the name of Te Awanui o Taikehu. Te Awanui o Taikehu is the life force that has sustained all whaanau and hapuu of Ngaa Rauru Kiitahi who have resided along the banks of the Patea River, and within this area. Ngaa hapuu o Ngaa Rauru Kiitahi who settled along Te Awanui o Taikehu include Rangitaawhi, Pukorokoro, Ngaati Hine, Kairakau, Ngaati Maika I, and Manaia.

There are many paa and kaainga situated along Te Awanui o Taikehu. The Mangaehu Paa is situated near, and nourished by, Te Awanui o Taikehu. Between Te Awanui o Taikehu and the Whenuakura River (Te Aarei o Rauru) are Maipu Paa and Hawaiki Paa. Along the Patea River are Owhio, Kaiwaka, Arakirikiri, Nga-papa-tara-iwi, Tutumahoe Paa and kaainga. Further along Te Awanui o Taikehu sits Parikarangeranga, Rangitaawhi, and Wai-o-Turi Marae at the mouth of Te Awanui o Taikehu.

Wai-o-Turi Marae, which is situated above the south bank towards the mouth of Te Awanui o Taikehu, is the landing site of Turi (commander of the Aotea Waka) who came ashore to drink from the puni wai, hence the name of the marae, Wai-o-Turi.

Ngaa Rauru Kiihahi used the entire length of Te Awanui o Taikehu for food gathering. Sources of food included kakahi (fresh water mussels), tuna, whitebait, smelt, flounder, and sole. Te Awanui o Taikehu remains significant to Ngaa Rauru Kiihahi as a mahinga kai source from which the physical well-being of Ngaa Rauru Kiihahi is sustained, and the spiritual well-being nourished.

SCHEDULE 10

STATUTORY ACKNOWLEDGEMENT FOR WHENUAKURA RIVER

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Whenuakura River, the general location of which is indicated and described on SO 314767.

Preamble

Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiihahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiihahi with the Whenuakura River as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiihahi with statutory area

The Whenuakura River is the life force that sustained all Ngaa Rauru Kiihahi whaanau and hapuu that resided along and within its area, and is known by Ngaa Rauru Kiihahi as Te Aarei o Rauru. The area along the Whenuakura River is known to Ngaa Rauru Kiihahi as Paamatangi. One of the oldest known Ngaa Rauru Kiihahi boundaries was recited as “Mai Paamatangi ki Piraunui, mai Piraunui ki Ngawaierua, mai Ngawaierua ki Paamatangi”. Ngaati Hine Waiata is the main Ngaa Rauru Kiihahi hapuu of Paamatangi.

The Maipu Paa is situated near the western bank of Te Aarei o Rauru. There are many urupaa sites and wahi tapu situated along Te Aarei o Rauru. Whenuakura Marae is also located on the banks of Te Aarei o Rauru.

Ngaa Rauru Kiihahi hapuu used the entire length of Te Aarei o Rauru for food gathering. Sources of food included tuna, whitebait, smelt, flounder and sole.

Te Aarei o Rauru remains significant to Ngaa Rauru Kiihahi not only as a source of kai that sustains its physical well-being, but also as a life force throughout the history of Paamatangi and for the people of Ngaati Hine Waiata over the generations.

SCHEDULE 11

STATUTORY ACKNOWLEDGEMENT FOR WAITOTARA RIVER

Statutory area

The area to which this statutory acknowledgement applies is the area known as the Waitotara River, the general location of which is indicated and described on SO 314768.

Preamble

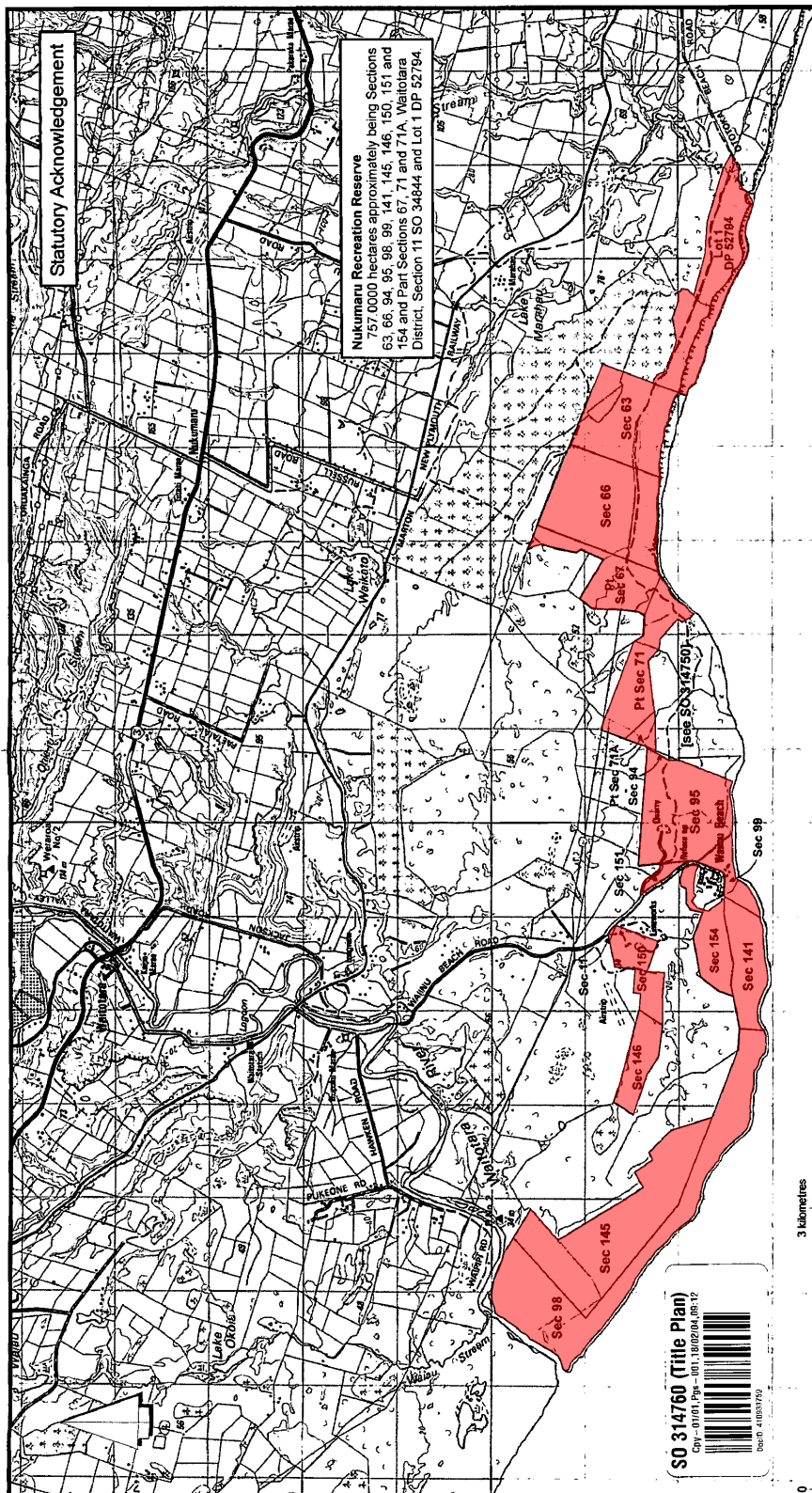
Under section 40, the Crown acknowledges the statement by Ngaa Rauru Kiihahi of the cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiihahi with the Waitotara River as set out below.

Cultural, spiritual, historical, and traditional association of Ngaa Rauru Kiihahi with statutory area

The Waitotara River is the life force that sustains Ngaa Rauru Kiihahi. Many Ngaa Rauru Kiihahi hapuu are located either along or near the Waitotara River. These include Ngaa Ariki (Waipapa Marae), Ngaati Pourua (Takirau Marae), Ngaati Hine Waiatarua (Parehungahunga Marae), Te Ihupuku Marae, and Ngaati Hou Tipua (Whare Tapapa, Kaipo Marae). Ngaati Hou Tipua (Whare Tapapa, Kaipo Marae) is known by Ngaa Rauru Kiihahi as Te Pu-o-te-Wheke (head of the octopus), or the Ngaa Rauru Kiihahi headquarters.

Ngaa Rauru Kiihahi used the entire length of the Waitotara River for food gathering. Sources of food included kakahi (fresh water mussels), tuna, whitebait, smelt, flounder, and sole. Historically, Ngaa Rauru Kiihahi also utilised the Waitotara River as a means of transport.

The Waitotara River remains significant to Ngaa Rauru Kiihahi as a symbol of a past mahinga kai source from which the physical well-being of Ngaa Rauru Kiihahi was sustained, and the spiritual well-being nourished.



Statutory Acknowledgement

Nukumaru Recreation Reserve
 757,000 hectares approximately being Sections 63, 66, 94, 95, 96, 99, 141, 145, 146, 150, 151 and 154 and Part Sections 67, 71 and 71A, Wairoa District, Section 11 SO 34844 and Lot 1 DP 52794.

SO 314760 (Title Plan)
 City - 01/01.Phr - 001.19/02/04.05-12



Scale 1:10000

3 kilometres

Approximate scale

Sourced from Land Information NZ data.
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Wellington Land District
 Territorial authorities :
 South Taranaki District
 and Wairoa District
 Boundaries are indicative only.

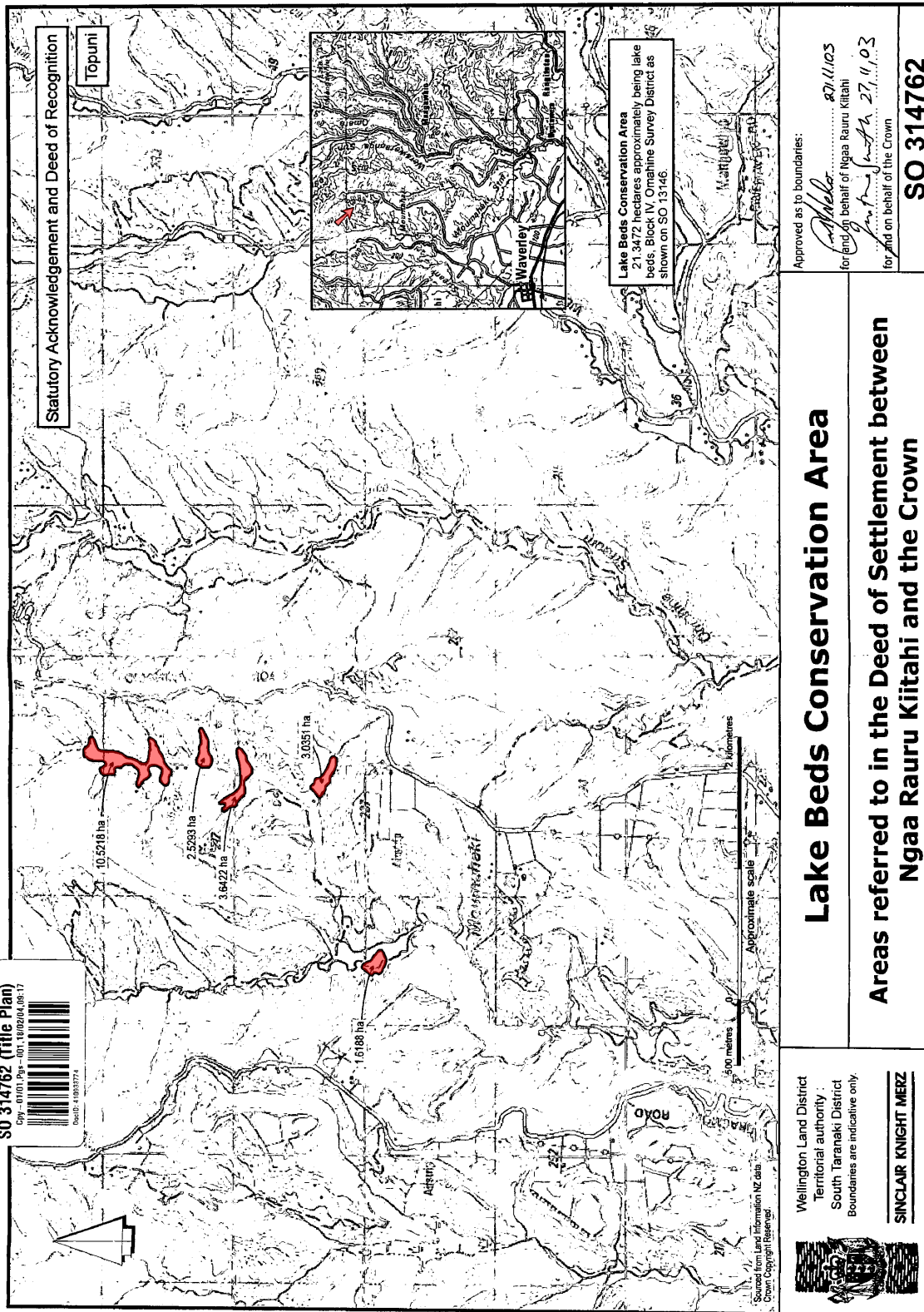
SINCLAIR KNIGHT MERZ
 WRC15/16

Nukumaru Recreation Reserve

Areas referred to in the Deed of Settlement between Nga Rau Kaitahi and the Crown

Approved as to boundaries:
[Signature] 27/11/23
 for and on behalf of Nga Rau Kaitahi
[Signature] 27/11/23
 for and on behalf of the Crown

SO 314760



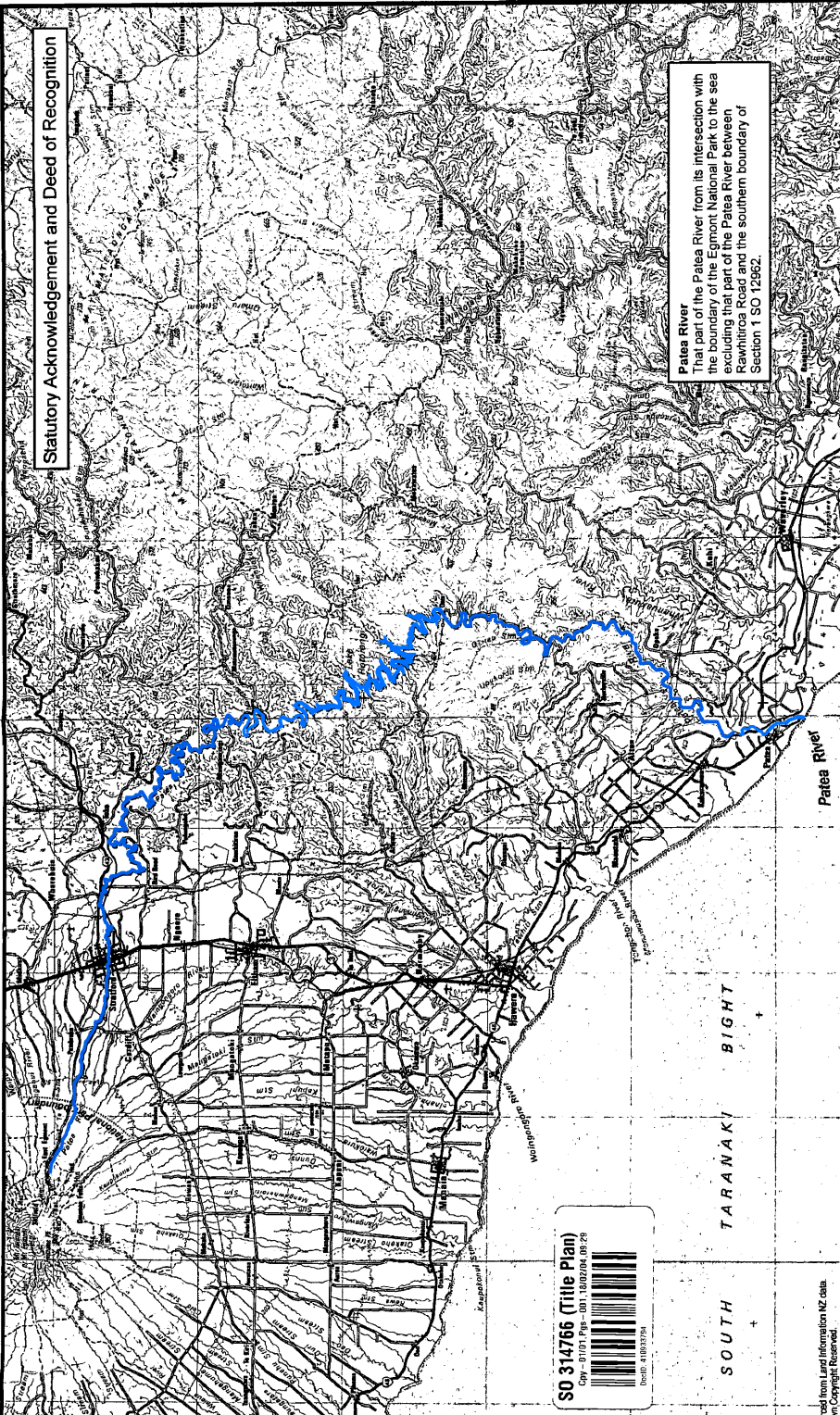
Approved as to boundaries:
[Signature] 27/11/25
 for and on behalf of Ngaā Rauru Kīitahi
 Approved as to boundaries:
[Signature] 27/11/25
 for and on behalf of the Crown

Lake Beds Conservation Area
Areas referred to in the Deed of Settlement between
Ngaā Rauru Kīitahi and the Crown

Wellington Land District
 Territorial authority :
 South Taranaki District
 Boundaries are indicative only.

SINCLAIR KNIGHT MERZ
 WARD 5/5

Statutory Acknowledgement and Deed of Recognition




Approved as to boundaries:
Carolee 27/11/03
 for and on behalf of Nga Rau Kaitahi
John Smith 27/11/03
 for and on behalf of the Crown

SO 314766

Patea River

Areas referred to in the Deed of Settlement between Nga Rau Kaitahi and the Crown

SO 314766 (Title Plan)
CGW - 01/01 P18 - 001 18/02/04 08 29



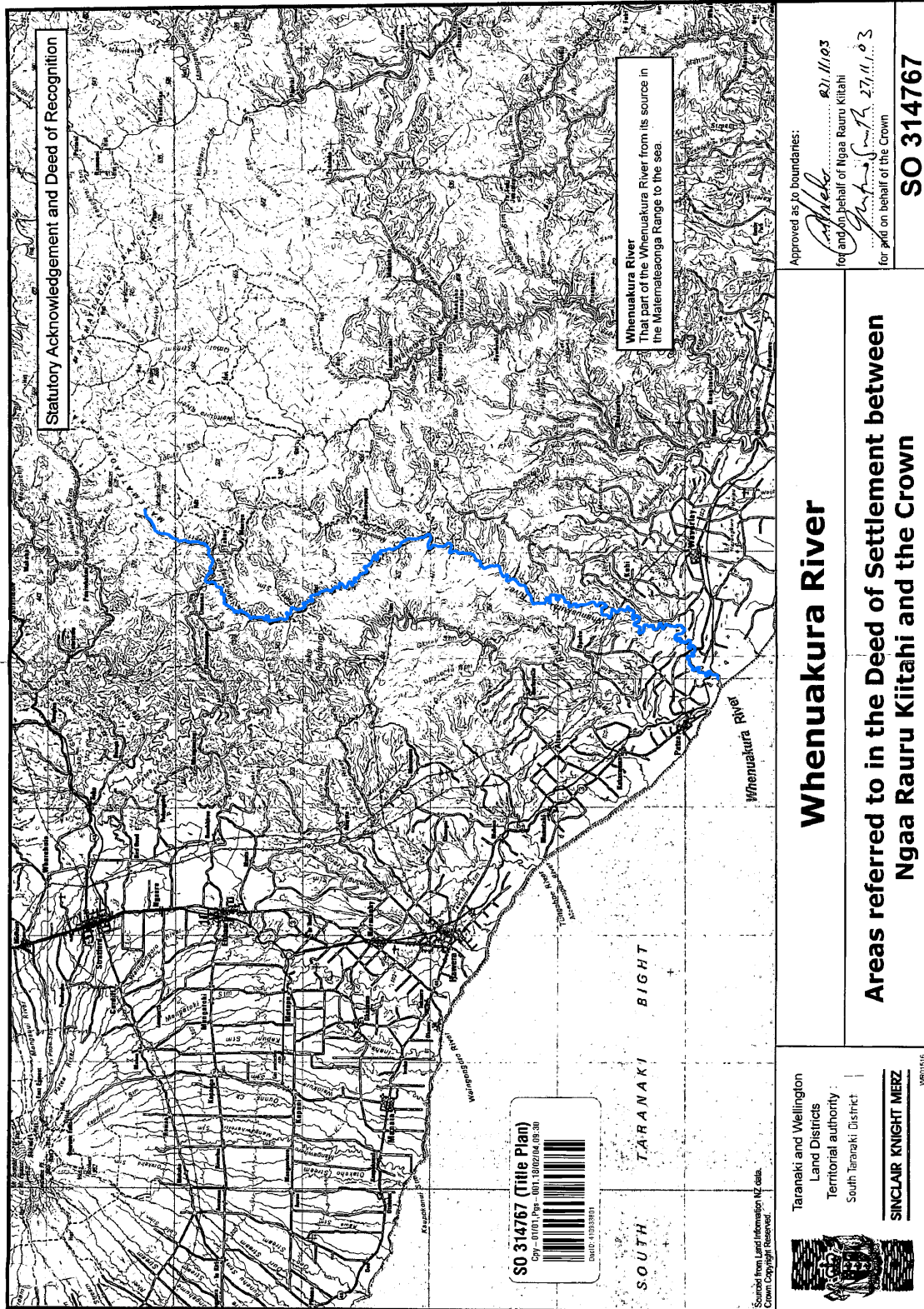
South Taranaki District Council

Taranaki Land District
 Territorial authority :
 South Taranaki District
 Stratford District

SINCLAIR KNIGHT MERZ
LAND SURVEYORS

SOUTH TARANAKI BIGHT

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Statutory Acknowledgement and Deed of Recognition

Waitotara River
That part of the Waitotara River from its source in the Matameatea Range to the sea.

SO 314768

TARANAKI BIGHT

SO 314768 (Title Plan)
Date: 27/11/03, Plan: 1001, 1802/04, 08/22

Sourced from Land Information NZ data.
Copyright Reserved.

Approved as to boundaries:
[Signature] 27/11/03
for and on behalf of Nga Rau Kaitahi
[Signature] South 27/11/03
for and on behalf of the Crown

SO 314768

Waitotara River

**Areas referred to in the Deed of Settlement between
Nga Rau Kaitahi and the Crown**

Taranaki and Wellington
Land Districts
Territorial authority:
South Taranaki District
Stratford District

SINCLAIR KNIGHT MERZ

WNTS16