



## **Plan Change 42 to the Taupō District Plan General Rural and Rural Lifestyle Environments**

**(As revised with Section 42A Reply Statement Revised Recommendations 16  
October 2023)**



Taupō District Plan  
Changes 2022

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## Introductory note

This boxed text is NOT part of the Plan Change but simply introductory text.

Plan Change 42 as notified shows new text inserted as **green** and text to be deleted is in **red** and has **strike through**. Note that the entire operative Rural Chapter was deleted and followed this proposed new text.

Further amendments in response to submissions received on Plan Change 42 (as recommended within the section 42A report on 28 July 2023) are shown in **blue** text (insertions underlined, deletions ~~struck-out~~)

Further revised recommendations as reflected in the Section 42A Reply Statement dated 16 October 2023 following the Plan Change 42 hearings are shown in **purple** text (insertions underlined, deletions ~~struck-out~~)

The complete Taupō District Plan is on the Council website at [www.Taupō.govt.nz](http://www.Taupō.govt.nz)

Please note that this plan change includes:

- Some new and modified definitions
- A new chapter 3b which includes objectives and policies for the General Rural and the Rural Lifestyle Environments.
- A new chapter 4b which includes new rules and performance standards for the General Rural and Rural Lifestyle Environments.
- Establishment of a new rural lifestyle zone. Maps of the new Rural Lifestyle Area can be found on the Council webpage (link below).
- Deletion of the current 3b and 4b chapters
- Deletion of Appendix 3 – Mapara Valley Structure Plan, can be found on the Council webpage (link below).
- Deletion of the Mapara Valley Zones – map can be found on the Council webpage (link below).
- Associated documents above can be found on the Council webpage: [www.taupo.govt.nz/districtplanreview](http://www.taupo.govt.nz/districtplanreview)

## Amendments to the Operative Taupō District Plan - Section 10 Definitions

**Bonus Lot** - allotments created within the [General Rural Environment](#) under rule 4b.53.78 which are associated with the formal protection of [no less than 4ha of part or all of](#) a [Nominated Significant Natural Area](#).

**Buildings for the management of farmed animals** - [for the purposes of rule 4b.2.6 only](#).<sup>1</sup> includes, but is not limited to, buildings used for accommodating livestock or farmed animals, either overnight or for a period during the day, and includes cow milking sheds, calf sheds, buildings used to house intensive farming activities, poultry farming buildings, feed pads, ~~animal-pet~~<sup>2</sup>boarding facilities and stables. Buildings housing animals do not include a residential unit accommodating household pets such as cats and dogs. [Buildings with floor area of 150m<sup>2</sup> or less are exempt from this definition.](#)<sup>3</sup>

**Greenhouses** - [means a structure enclosed by glass or other transparent impermeable material and used for the cultivation or protection of plants in a controlled environment but excludes artificial crop protection structures.](#)<sup>4</sup>

**Highly Productive Land** - [means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 \(but see clause 3.5\(7\) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5\(6\) for when land is rezoned and therefore ceased to be highly productive land\).](#)<sup>5</sup>

**Intensive indoor primary production** - [means primary production activities that principally occur within buildings and that involve growing fungi produce<sup>6</sup> or keeping or rearing livestock \(excluding calf-rearing for a specified time period\) or poultry.](#)

**Land Based Primary Production** - [means production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land.](#)<sup>7</sup>

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<sup>1</sup> OS79

<sup>2</sup> OS83.1

<sup>3</sup> OS47

<sup>4</sup> OS26

<sup>5</sup> OS26.10 and OS91.10

<sup>6</sup> OS79

<sup>7</sup> OS26.11

Minor residential unit (in relation to the Rural Environments) - means a self-contained residential unit that is ancillary to the principal residential unit, and is held in common ownership with the principal residential unit on the same site.<sup>8</sup>

National Grid Subdivision Corridor - means the area measured 37m either side of the centreline of above ground National Grid 220kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers) either side of the centreline of above ground National Grid transmission lines as follows (and illustrated in Appendix):

- 37 metres for 220kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers);
- 39 metres for 350kV transmission lines on towers (including tubular steel towers where these replace steel lattice towers).<sup>9</sup>

National Grid Support Structure – means a pole or tower that is part of the National Grid.<sup>10</sup>

National Grid Yard – The area located within: 12m in any direction from the visible outer edge of a National Grid tower; or 10m in any direction from a National Grid single pole or pi-pole; or the area located within 12m either side of the centre line of any overhead National Grid line on towers. The national grid yard does not apply to underground cables or any transmission lines (or sections of line) that are designated.<sup>11</sup>

**Nominated Significant Natural Area** - A contiguous area of Significant Natural Area which is no less than 4ha and is associated with the creation of a Bonus Lot.

**Papakāinga** = ~~for the purposes of the Taupō District Plan, Papakainga is defined as:~~

- ~~Any dwellings erected to exclusively house members of the same whanau, hapu or iwi on land which is owned by the whanau, hapu, or iwi, and;~~
- ~~is located on Maori land within the meaning of Section 129 (1) (a, b or c) of Te Ture Whenua Maori Land Act 1993, and~~
- ~~is consistent with any licence to occupy Maori land that has been issued by the Maori Land Court.~~

**Papakāinga** - Any dwelling or dwellings and associated social (including health), cultural and economic activities on Māori land which is owned by the whanau, hapū or

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<sup>8</sup> OS79

<sup>9</sup> OS110.9

<sup>10</sup> OS110.10

<sup>11</sup> OS110

iwi, that enables the occupation of that land by members of the same whanau, hapū or iwi.

- Māori land is within the meaning of Section 129 (1) (a, b or c) of the Te Ture Whenua Māori Land Act 1993, and
- Is consistent with any license to occupy Māori land that has been issued by the Māori Land Court

**Primary production** - means:

- any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and
- includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);
- includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but
- excludes further processing of those commodities into a different product.<sup>12</sup>

**Primary residential unit** - has the same meaning as 'dwelling'.<sup>13</sup>

**Renewable Electricity Generation** - means generation of electricity from solar, wind, hydro-electricity, geothermal, biomass, tidal, wave, or ocean current energy sources<sup>14</sup>.

**Renewable Electricity Generation Activities** - means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.<sup>15</sup>

**Reverse Sensitivity** - means the potential for the operation of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment of other activities which are sensitive to the adverse environmental effects being generated by the pre-existing activity.<sup>16</sup> is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.<sup>17</sup>

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<sup>12</sup> OS26

<sup>13</sup> OS79

<sup>14</sup> OS68.63, OS84.11, OS57.7 and OS84.49

<sup>15</sup> OS57, OS68, OS84, OS93 & OS110

<sup>16</sup> ~~OS84.48~~

<sup>17</sup> OS57, OS68, OS84, OS93 & OS110

**Rural Industry** - an activity that directly supports, services, or is dependent on primary production and has a locational need to be within the General Rural Environment (rather than an urban environment). These activities include, but are not limited to; forestry, agriculture, dairy farming and geothermal electricity generation. means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production<sup>18</sup>.

**Sensitive Activities** (in the National Grid Yard) means:

- a. residential activity.
- b. marae;
- c. hospital;
- d. healthcare activity;
- e. educational facility and preschools;
- f. retirement village;
- g. guest or visitor accommodation activity; or
- h. place of assembly.
- i. papakāinga<sup>19</sup>

**Stock Proof Fence** - A 9 or 10 wire fence as described in Schedule 2.7 of the Fencing Act 1978.

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<sup>18</sup> OS78.3, OS26.3, OS23.5, OS109.1 and OS110.8

<sup>19</sup> OS110

# Amendments to the Operative Taupō District Plan - Section 3 Objectives and Policies

## 3b RURAL ENVIRONMENT CHAPTER

### 3b.1 Introduction

The Rural Environment makes up most of the land within the District and has been categorised into two distinct areas, being the General Rural Environment and the Rural Lifestyle Environment. These separate areas highlight the increasing need to protect the open space characteristics of the Rural Environment and its production values, while also providing for the growth of the District and the demand for rural lifestyle living in specific locations.

The Rural Environment also contains sites that are of significance, some of these are identified as Outstanding Landscape Areas. The Rural Environment objectives and policies seek to manage subdivision and land use activities in a way that reflects the productive nature of the land, the rural level of infrastructural services and the amenity values 3b.2.3 of the landscape, as well as managing effects and enabling rural lifestyle living in appropriate areas. Other activities that are anticipated in the Rural Environment are [Rural Industry](#),<sup>20</sup> tourism activities, visitor accommodation and renewable electricity generation and transmission. It is important that all such activities do not affect the ability of the rural environment to function effectively, recognising that some activities have specific locational or operational needs that must be accommodated.<sup>21</sup> It is also important to acknowledge that existing, lawfully established activities in the Rural Environment are able to continue operating and that activities that choose to locate in close proximity to these activities are aware of the effects they can generate and that the Rural Environment is the best location for these activities, and do not limit or restrain those activities<sup>22</sup>. It is expected in the Rural Environment that all properties are self-servicing in terms of the provision of potable water and the disposal of stormwater and wastewater.

The papakāinga provisions recognise the intent of Part 2 of the RMA and provide for the occupation by whanau, hapū or iwi members on Māori land. The provisions recognise the importance of enabling Māori to settle on their ancestral lands. Papakāinga development will often be at higher densities than other residential land

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<sup>20</sup> OS35.1

<sup>21</sup> OS110.14

<sup>22</sup> OS112.4

uses in the rural environment. Papakāinga may also have associated social, cultural or commercial aspects to support the community who reside there.

In addition to papakāinga there is a wide range of cultural activities and activities of importance to Māori which are appropriate to occur within the rural environment.

## General Rural Environment

The General Rural Environment is predominantly characterised by large open space and vegetated areas including productive farmland and forest, ridgelines, native bush, lakes, rivers and their margins. Other prime characteristics of the General Rural Environment are the diverse range of land uses including farming, horticulture, energy [sources](#)<sup>23</sup> and plantation forestry activities, with dispersed buildings and rural roads. There is also a wide range of development associated with tourism activities, recreation, and the District is one of New Zealand's most significant for the generation, storage and transmission of renewable electricity.

The purpose of separating the General Rural Environment from the Rural Lifestyle Environment is to preserve the productive potential of the land [and other natural resources](#)<sup>24</sup> within the General Rural Environment by retaining large property sizes and limiting the extent of housing provided for. ~~It~~<sup>25</sup> yet allowing appropriate development to occur while preserving the ~~openness~~<sup>26</sup> [rural character](#)<sup>27</sup> of the General Rural Environment. The creation of the General Rural Environment aims to support primary productive uses, [renewable electricity generation activities](#),<sup>28</sup> and rural industry, ~~meaning an activity being activities~~<sup>29</sup> that directly supports<sup>30</sup>, services<sup>31</sup>, or ~~is are~~<sup>32</sup> dependent on primary production and/or<sup>33</sup> [has](#)<sup>34</sup> a locational [or functional](#)<sup>35</sup> need to be within the General Rural Environment (rather than an urban environment).

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<sup>23</sup> OS84.12, OS68.14 and OS93.26

<sup>24</sup> OS84.12, OS68.14 and OS93.26

<sup>25</sup> OS84.12, OS68.14 and OS93.26

<sup>26</sup> OS84.12, OS68.14 and OS93.26

<sup>27</sup> OS84.12, OS68.14 and OS93.26

<sup>28</sup> OS84.12, OS68.14 and OS93.26

<sup>29</sup> OS84.12, OS68.14 and OS93.26

<sup>30</sup> OS84.12, OS68.14 and OS93.26

<sup>31</sup> OS84.12, OS68.14 and OS93.26

<sup>32</sup> OS84.12, OS68.14 and OS93.26

<sup>33</sup> OS84.12, OS68.14 and OS93.26

<sup>34</sup> OS84.12, OS68.14 and OS93.26

<sup>35</sup> OS84.12, OS68.14 and OS93.26



~~Primary production a~~<sup>36</sup>~~Activities~~<sup>37</sup> in the General Rural Environment will produce effects that are different from urban areas, such as noise, odour, vibration, spray drift and dust. Allowing these activities to operate in a more suitable environment, along with compatible activities, aims to protect rural land uses from unnecessary restrictions.

The General Rural Environment provisions seek to limit the scale of commercial and industrial activities unless they are dependent on primary production and ~~/or~~<sup>38</sup> have a ~~locational~~ ~~functional or operational~~<sup>39</sup> need to be within the General Rural Environment. This is to avoid the uptake of General Rural Environment land by activities which are provided for in other Environments and may therefore impact on the land available for primary production activities within the General Rural Environment.

## **Rural Lifestyle Environment**

The Rural Lifestyle Environment has been created to address the increasing demand for rural lifestyle living within the Rural Environment. The Rural Lifestyle Environment aims to provide for rural residential development in specific locations for those who want the benefits of rural living without necessarily undertaking a productive rural activity.

By creating separate areas in appropriate locations within the Rural Environment, the Rural Lifestyle Environment creates areas for rural living on smaller property sizes, whilst retaining separation from the rural production ~~and other~~<sup>40</sup> activities ~~predominating~~<sup>41</sup> in the General Rural Environment. This separation of activities serves to minimise reverse sensitivity issues. By concentrating rural residential development within the Rural Lifestyle Environment this serves to preserve ~~the open space characteristics~~ ~~rural character~~<sup>42</sup> and ~~the~~<sup>43</sup> productive potential of the rest of the Rural Environment, and to reduce the potential for land use conflict.

The Rural Lifestyle Environment will be less populated than a Residential Environment, with standards in place for minimum lot sizes to preserve the rural residential aspect of the area. Limited provision is also made for home business and commercial activity to occur, but not of a scale or extent that changes the

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<sup>36</sup> OS84.12 cont, OS68.14 cont and OS93.26 cont

<sup>37</sup> OS84.12 cont, OS68.14 cont and OS93.26 cont

<sup>38</sup> OS84.12 cont, OS68.14 cont and OS93.26 cont

<sup>39</sup> OS84.12 cont, OS68.14 cont and OS93.26 cont

<sup>40</sup> OS84.12 cont and OS68.14 cont

<sup>41</sup> OS84.12 cont and OS68.14 cont

<sup>42</sup> OS84.12 cont and OS68.14 cont

<sup>43</sup> OS84.12 cont and OS68.14 cont

predominantly rural residential amenity and character intended. The Rural Lifestyle Environment areas are located closer in proximity<sup>44</sup> to urban areas to allow for access to community facilities within the district's townships.

## **3b.2 Objectives and Policies - General Rural Environment**

### **Objective 3b.2.1 Enable Primary Production and the Use of Natural Resources**<sup>45</sup>

Primary production and the use of natural resources<sup>46</sup> ~~are is~~<sup>47</sup> enabled by protecting the availability of ~~the~~<sup>48</sup> rural land and other<sup>49</sup> resources<sup>50</sup> and ~~its~~ their<sup>51</sup> productive capability.

### **Objective 3b.2.2 Maintaining ~~the established~~ General Rural character**

~~The established character of the General Rural Environment is maintained and the cumulative erosion of its character through incremental subdivision and development is avoided. Enable a range of activities in the General Rural Environment that are compatible with and cumulatively do not erode rural character.~~<sup>52</sup>

### **Objective 3b.2.3 Rural industry**

Rural industry is enabled whilst general commercial and industrial activities not having a locational need to be within the General Rural Environment, other than home-business, are avoided.

### **Objective 3b.2.4 Other activities**

Māori cultural activities, tourism activities, and visitor accommodation,<sup>53</sup> ~~and~~<sup>54</sup> renewable electricity generation and transmission (including sub transmission)<sup>55</sup>

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<sup>44</sup> OS84.12 cont and OS68.14 cont

<sup>45</sup> OS84.13 and OS93.27

<sup>46</sup> OS84.13 and OS93.27

<sup>47</sup> OS93.27 and OS57.8

<sup>48</sup> OS84.13, OS93.27 and OS57.8

<sup>49</sup> OS84.13, OS93.27 and OS57.8

<sup>50</sup> OS84.13, OS93.27 and OS57.8

<sup>51</sup> OS84.13, OS93.27 and OS57.8

<sup>52</sup> OS57, OS68, OS84, OS93 & OS110

<sup>53</sup> OS37.3

<sup>54</sup> OS37.3

<sup>55</sup> OS106.15

activities<sup>56</sup>, and other activities that have a locational need<sup>57</sup> are enabled in the General Rural Environment.

### **Objective 3b.2.5 Avoidance of reverse sensitivity**

Reverse sensitivity effects on permitted, and<sup>58</sup> legally established, and/or consented<sup>59</sup> activities within the General Rural Environment, including conflict with activities in neighbouring Environments, are avoided.

### **Objective 3b.2.6 Impacts on infrastructure**

The impacts on infrastructure<sup>60</sup> arising from subdivision and development are managed<sup>61</sup> do not compromise the safe and efficient function of infrastructure<sup>62</sup>.

### **Objective 3b.2.7 Papakāinga**

Whanau, hapū and iwi can use and develop ancestral land for Papakāinga

Papakāinga are of a form and scale that considers the functioning of the General Rural Environment.

### **Objective 3b.2.8 Tāngata Whenua**

The important relationship that tāngata whenua have with their ancestral lands and the wider Rural Environment is recognised and provided for.

### **Objective 3b.2.9 Renewable Electricity Generation and Transmission Activities**

Enable the development, operation, maintenance and upgrading of renewable electricity generation activities and transmission activities in the General Rural Environment.<sup>63</sup>

### **Policy 3b.2.10 Maintaining the established General Rural<sup>64</sup> character**

Maintain the established General Rural Environment character, as defined by:

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<sup>56</sup> OS57, OS68, OS84, OS93 & OS110

<sup>57</sup> OS37.3

<sup>58</sup> OS84.17

<sup>59</sup> OS84.17, OS57.12 and OS93.31

<sup>60</sup> OS84.18, OS57.13, OS93.32 and OS68.20

<sup>61</sup> OS84.18, OS57.13, OS93.32 and OS68.20

<sup>62</sup> OS84.18, OS93.32 and OS68.20

<sup>63</sup> OS57, OS68, OS84, OS93 & OS110

<sup>64</sup> OS57, OS68, OS84, OS93 & OS110

- a) A predominance of primary production activities<sup>65</sup>
- b) Renewable electricity generation activities and electricity transmission and distribution, including geothermal areas<sup>66</sup>
- c) ~~Large~~ Generally large<sup>67</sup> open spaces between built structures
- d) A mix of buildings related to primary production, residential<sup>68</sup>, visitor accommodation, tourism activity<sup>69</sup> and rural industry buildings
- ~~c) Noises related to production activities during the day but generally<sup>70</sup> low levels of noise at night~~
- ~~d) Low levels of light spill.~~
- e) Generally<sup>71</sup> infrequent vehicle movements to and from a site
- f) Effects generated from rural activities including noise, vibration, odour, dust and light spill<sup>72</sup>
- g) Limited signage that directly relates to the activity operating on the site.
- ~~h) Odour and dust associated with primary production activities.<sup>73 74</sup>~~

### **Policy 3b.2.11 Residential units**

Avoid the cumulative effects of rural lifestyle development by providing for these activities within the Rural Lifestyle Environment and otherwise<sup>75</sup> limiting residential units within the General Rural Environment<sup>76</sup> that:

- a) Increase the demand for community infrastructure and services
- b) Result in the inefficient use of land or loss of future flexibility for productive uses
- c) Erode the general rural character through its density, scale and location.

### **Policy 3b.2.12 Heavy vehicle movements**

Manage heavy vehicle movements to minimise damage to the transport network and adverse impacts on road safety.

### **Policy 3b.2.13 Minor residential unit**

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<sup>65</sup> OS26, OS91

<sup>66</sup> OS57, OS68, OS84, OS93 & OS110

<sup>67</sup> OS26, OS91

<sup>68</sup> OS26, OS91

<sup>69</sup> OS43.4

<sup>70</sup> OS35.7

<sup>71</sup> OS35.7 and OS83.4

<sup>72</sup> OS57, OS68, OS84, OS93 & OS110

<sup>73</sup> OS.22.9

<sup>74</sup> OS57, OS68, OS84, OS93 & OS110

<sup>75</sup> OS68.22, OS57.15, OS93.34 and OS84.20

<sup>76</sup> OS68.22, OS57.15, OS93.34 and OS84.20

Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, and to ensure that the future availability of the rural land resource will not be compromised.

### **Policy 3b.2.14 Avoiding reverse sensitivity**

Any ~~adverse effects generated by an new activity, including reverse sensitivity effects~~<sup>77</sup> must be managed ~~within the allotment so as to avoid adversely affecting reverse sensitivity effects on permitted, and lawfully established and/or consented~~<sup>78</sup> neighbouring activities.<sup>79</sup>

### **Policy 3b.2.15 Commercial and industrial activity**

Limit the scale of commercial and industrial activity (excluding rural industry<sup>80</sup> and renewable electricity generation activities) to avoid the uptake of general rural land by activities that are provided for in other Environments and may impact on the availability of land for primary production and other activities provided for within the General Rural Environment.<sup>81</sup>

### **Policy 3b.2.16 Allotment size**

Maintain allotments at a size of 10 hectares or larger to allow flexibility for a wide range of productive land uses in the future.

### **Policy 3b.2.17 Papakāinga**

- i. Provide for the development of Papakāinga on Māori land
- ii. Recognise the social and cultural benefits of the occupation and development of Papakāinga by whanau, hapū and iwi on Māori land
- iii. Allow for Papakāinga on General land owned by Māori where it can be demonstrated that there is an ancestral connection to the land and the land will remain in Māori ownership or be converted to Māori freehold title.

### **Policy 3b.2.18 Māori Cultural Activities**

- i. Support Māori cultural activities undertaken by or associated with whanau, hapū or iwi that are in accordance with their tikanga.

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<sup>77</sup> OS112.7

<sup>78</sup> OS68.24, OS84.22, OS93.36 and OS57.41

<sup>79</sup> OS57, OS68, OS84, OS93 & OS110

<sup>80</sup> OS109.4

<sup>81</sup> OS57, OS68, OS84, OS93 & OS110

- ii. Recognise the importance of mātauranga Māori, kaitiakitanga and tikanga Māori in land use and land management activities.

### **Policy 3b.2.19 Highly Productive Land**

Subdivision of highly productive land is avoided, except as provided in the National Policy Statement for Highly Productive Land 2022.<sup>82</sup>

### **Policy 3b.2.20 Primary production and ancillary activities**

To enable primary production and ancillary activities, recognising the primary productive purpose of the General Rural Environment.<sup>83</sup>

### **Policy 3b.2.21 Effects on the National Grid**

Ensure that subdivision, use and development does not compromise the safe and efficient operation, maintenance, repair, upgrading, removal and development of the National Grid, including by mapping the National Grid and identifying buffer corridors within which:

- i. the establishment or expansion of sensitive activities and intensive, large scale land uses will be avoided;
- ii. subdivision and other development is managed to ensure the National Grid is not compromised and reverse sensitivity effects are avoided.<sup>84</sup>

## **3b.3 Objectives and Policies - Rural Lifestyle Environment**

### **Objective 3b.3.1 ~~Maintain the c~~Character of the Rural Lifestyle Environment**

The character of the Rural Lifestyle Environment is ~~maintained and~~<sup>85</sup> protected from incremental ~~inappropriate~~<sup>86</sup> subdivision and development.

### **Objective 3b.3.2 Avoid reverse sensitivity**

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<sup>82</sup> OS26

<sup>83</sup> OS79

<sup>84</sup> OS110

<sup>85</sup> OS79

<sup>86</sup> OS57.18, OS84.25, OS93.39 and OS68.27

Adverse reverse sensitivity effects, including conflict with permitted, ~~and~~<sup>87</sup> legally established and/or consented<sup>88</sup> activities in neighbouring Environments, are avoided.

### **Objective 3b.3.3 Commercial and industrial activities**

The establishment of commercial and industrial activities that have no functional need to locate and are incompatible with the rural residential activities occurring within the Rural Lifestyle<sup>89</sup> Environment are avoided.

### **Objective 3b.3.4 Consolidate rural lifestyle activities**

Rural lifestyle activities within identified areas are consolidated to encourage more efficient use of the rural land resource and avoid the fragmentation of land in the General Rural Environment.

### **Objective 3b.3.5 Allotment sizes**

That allotments are maintained at sizes to:

- a) Enable small scale primary production to occur;
- b) Protect highly productive land for use in land-based primary production;<sup>90</sup> and
- c) Avoid the cumulative impacts on community infrastructure and services arising from an increase in demand or increases to level of service.

### **Objective 3b.3.6 Impacts on infrastructure**

The impacts arising from subdivision and development do not compromise the safe and efficient function of infrastructure within the Rural Lifestyle Environment.<sup>91</sup>

### **Objective 3b.3.7 Impacts on community infrastructure**

The impacts on community infrastructure arising from subdivision and development are managed.

### **Objective 3b.3.8 Papakāinga**

Whanau, hapū and iwi can use and develop ancestral land for Papakāinga. Papakāinga are of a form and scale that considers the functioning of the Rural Lifestyle Environment.

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<sup>87</sup> OS84.26, OS57.19 and OS93.40

<sup>88</sup> OS84.26, OS57.19 and OS93.40

<sup>89</sup> OS84.27, OS93.41 and OS68.29

<sup>90</sup> OS26.26 and 26.27

<sup>91</sup> OS110

### **Objective 3b.3.9 Tāngata Whenua**

The important relationship that mana whenua have with their ancestral lands and the wider Rural Environment is recognised and provided for.

### **Policy 3b.3.10 Character of the Rural Lifestyle Environment**

Manage the anticipated character of the Rural Lifestyle Environment as defined by:

- a) Buildings on different sites are separated from each other in a way that creates a sense of privacy.
- b) Accessory buildings to service rural lifestyle activities<sup>92</sup> that do not dominate the landscape.
- c) Dwellings may be large but are surrounded by open space and do not dominate the landscape.
- d) A general absence of urban infrastructure including community stormwater and wastewater services.
- e) An environment which includes residential activities, rural productive activities and home business activities.
- f) Noise related to production activities during the day but low levels of noise at night.
- g) Low levels of light spill.
- h) Limited signage that directly relates to the activity operating on the site.
- i) An environment that is surrounded by a working rural environment including primary rural<sup>93</sup> production, geothermal areas/steamfields<sup>94</sup> and renewable electricity generation activities.<sup>95</sup>

### **Policy 3b.3.11 Lot sizes and setbacks for allotments adjoining the General Rural Environment**

Require larger lot sizes and greater building setbacks for allotments adjoining the General Rural Environment to manage reverse sensitivity.

### **Policy 3b.3.12 On-site servicing**

Require properties to manage its services on-site in terms of the provision of potable water and the disposal of stormwater and wastewater.

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<sup>92</sup> OS26, OS91

<sup>93</sup> OS26, OS91

<sup>94</sup> OS84.30

<sup>95</sup> OS57.21, OS93.44 and OS68.32



### **Policy 3b.3.13 Minor residential unit**

Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, ~~and~~<sup>96</sup> to further protect the character of the ~~r~~Rural<sup>97</sup> Lifestyle Environment. ~~and to avoid reverse sensitivity effects.~~<sup>98</sup>

### **Policy 3b.3.14 Papakāinga**

- i. Provide for the development of Papakāinga on Māori land within the Rural Lifestyle Environment.
- ii. Recognise the social and cultural benefits of the development of papakāinga on Māori land within the Rural Lifestyle Environment.
- iii. Allow for Papakāinga on General Land owned by Māori where there is a historical ancestral connection to the land and it can be demonstrated that the land will remain in Māori ownership or be converted to Māori freehold title.

### **Policy 3b.3.15 Māori Cultural Activities**

- i. Support Māori cultural activities undertaken by or associated with whanau, hapū or iwi that are in accordance with their tikanga.
- ii. Recognise the importance of mātauranga Māori, kaitiakitanga and tikanga Māori in land use and management activities.

### **Policy 3b.3.16 Highly Productive Land**

Subdivision of highly productive land is avoided, except as provided in the National Policy Statement for Highly Productive Land 2022.<sup>99</sup>

### **Policy 3b.3.17 Centennial Drive Rural Lifestyle Environment**

Avoid subdivision and development within the Rural Lifestyle Environment at Centennial Drive to ensure avoidance of adverse reverse sensitivity effects, including conflict with permitted, legally established and/or consented activities in neighbouring Environments.<sup>100</sup>

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<sup>96</sup> OS84.32

<sup>97</sup> OS84.32

<sup>98</sup> OS84.32

<sup>99</sup> OS26.26 and 26.27

<sup>100</sup> OS93.23, OS93.76

### **Policy 3b.3.18 Effects on the National Grid**

Ensure that subdivision, use and development does not compromise the safe and efficient operation, maintenance, repair, upgrading, removal and development of the National Grid, including by mapping the National Grid and identifying buffer corridors within which:

- i. the establishment or expansion of sensitive activities and intensive, large scale land uses will be avoided;
- ii. subdivision and other development is managed to ensure the National Grid is not compromised and reverse sensitivity effects are avoided.<sup>101</sup>

## **Amendments to the Operative Taupō District Plan - Section 4 Rules and Standards**

### **4e District Wide Rules**

#### **4e.2 Foreshore Protection**

##### **Rule 4e.2.1**

Any building on or above ground within a Foreshore Protection Area is a **discretionary activity**.

- i. EXCEPTION: Electricity Generation Core Sites (as identified on the planning maps) – permitted activity where in accordance with Rule ~~4b.2.4~~ [4b.1.4](#)<sup>102</sup> and where located no more than 100 metres from any existing structure associated with power generation.

## **4b Rural Environment**

### **4b.1 General Rules - General Rural Environment**

#### **4b.1.1 Activities in the General Rural Environment**

- i. Any activity that:
  - a) Complies with all the Performance Standards for the General Rural Environment; and
  - b) Complies with all the District Wide Performance Standards; and

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<sup>101</sup> OS110

<sup>102</sup> OS68.58

- c) Is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the General Rural Environment; and
- d) Is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the District Wide Rules

is a **permitted activity**.

- ii. Any activity that is not a permitted, controlled, restricted discretionary or a non-complying activity is a **discretionary activity**.

#### **4b.1.2 Minor residential units**

- i. A minor residential unit which complies with the performance standards is a **permitted activity**.
- ii. A minor residential unit which does not comply with the performance standards is a **restricted discretionary activity**.

#### **When considering activities under Rule 4b.1.2 Council restricts the exercise of its discretion to the following matters:**

- a. The proximity between the primary residential unit and the minor residential unit.
- b. The extent to which the residential unit and vehicle access point design, siting and external appearance adversely affects rural character and amenity.
- c. Site topography and orientation and whether the residential unit(s) and vehicle access point can be more appropriately located to minimise adverse visual amenity effects.
- d. Effect on nearby sites, including outlook and privacy.
- e. Whether the residential unit and the vehicle access point can be more appropriately located to maintain, enhance or restore indigenous biodiversity values.
- f. The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.
- g. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful
- h. The likelihood of future subdivision which results in the minor residential unit being on a separate allotment to the primary residential unit.
- i. The potential to constrain access to and/or the utilisation of renewable energy sources.<sup>103</sup>

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<sup>103</sup> OS57.25, OS68.36 and OS93.48

- j. The ability to avoid reverse sensitivity effects through the use of screening, planting, landscaping, alternative design and/or other means including restrictive covenants.<sup>104</sup>

#### **4b.1.3 Temporary Activities**

- i. Any temporary activity, being an activity of up to a total of four operational days in any 6 month period, which exceeds any performance standard(s), is a **permitted activity**, provided that:
  - a. There are no new permanent structures constructed; and
  - b. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is retained or re-instated to its condition prior to activity commencing; and
  - c. An allowance of 14 non-operational days in any six month period associated with the activity is not exceeded.

#### **4b.1.4 Electricity Generation Core Sites, Renewable Energy Electricity<sup>105</sup> Generation Activities and Geothermal Areas Steamfields**

- i. Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal areas steamfields<sup>106</sup>, renewable energy electricity<sup>107</sup> generation activities and associated structures is a **permitted activity**.

NOTE: For the purpose of this rule “maintenance” means:

All activities associated with the protective care and monitoring of a hydro dam, a geothermal or hydroelectric power station, geothermal steamfields and associated structures, in order to monitor, test and/or arrest the processes of decay, structural fatigue, erosion or dilapidation of and includes maintenance of surrounds and water areas.

NOTE: For the purpose of this rule “minor upgrading” means:

Structural improvement, repair and replacement or upgrade<sup>108</sup> of components, or activities required for the continued safe and efficient operation including<sup>109</sup> worn or technically deficient parts of the powerhouse, hydro dams, separation plants,

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<sup>104</sup> OS57, OS68, OS84, OS93 & OS110

<sup>105</sup> OS68.38 and OS93.50

<sup>106</sup> OS57, OS68, OS84, OS93 & OS110

<sup>107</sup> OS68.38, OS93.50 and OS57.27

<sup>108</sup> OS68.38 cont, OS93.50 cont and OS57.27

<sup>109</sup> OS68.38 cont , OS93.50 cont and OS57.27

switchyards, intake, control and diversion structures, wells, pipes, tunnels, cables, other equipment and accessory buildings and structures of similar character and scale<sup>110</sup>, and includes associated drilling, vehicles, infrastructure, machinery,<sup>111</sup> testing, monitoring, earthworks and vegetation removal. Also the extension to existing Buildings and Structures, and the erection of new Buildings and Structures: up to 100m<sup>2</sup> in area and not exceeding the maximum height standard for the Rural Environment and the erection of any aerial, antennae or communication dish not exceeding 5m<sup>2</sup> in area located on top of a hydro or geothermal existing structure, subject to compliance with the Noise Performance Standard.<sup>112</sup>

#### **4b.1.5 Commercial and industrial activities, and home businesses,**

- i. A commercial, industrial activity (excluding rural industry),<sup>113</sup> or home business which complies with the performance standards is a **permitted activity**.
- ii. A commercial, industrial activity (excluding rural industry),<sup>114</sup> or home business which does not comply with the performance standards is a **restricted discretionary activity**.

**When considering activities under Rule 4b.1.5ii<sup>115</sup> Council restricts the exercise of its discretion to the following matters:**

- a. The daily vehicle movements expected to and from the allotment.
- b. The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.
- c. The effect of the activity on surrounding land uses (including reverse sensitivity effects)<sup>116</sup> and how these effects can be managed onsite and/or mitigated.
- d. The hours of operation for the activity.
- e. The proposed signage associated with the activity.

#### **4b.1.6 Papakāinga**

- i. Papakāinga on Māori customary land and Māori freehold land which complies with all of the performance standards in 4b.2 is a **permitted activity**
- ii. Papakāinga on Māori customary land and Māori freehold land which does not comply with one or more performance standard in 4b.2 is a **Restricted Discretionary activity**

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<sup>110</sup> OS68.38 cont, OS93.50 cont and OS57.27

<sup>111</sup> OS68.38 cont, OS93.50 cont and OS57.27

<sup>112</sup> OS68.38 cont, OS93.50 cont and OS57.27

<sup>113</sup> OS109.5

<sup>114</sup> OS109.5

<sup>115</sup> OS84.36, OS57.43, OS68.39 and OS93.51

<sup>116</sup> OS84.36, OS57.43, OS68.39 and OS93.51

- iii. Papakāinga on general land owned by Māori is a **Restricted Discretionary activity**
- iv. Applications under Rules 4b.1.6 ii or iii will not be notified.

**When considering activities under Rule 4b.1.6 ii and iii Council restricts the exercise of its discretion to the following matters:**

- a. Those performance standards in 4b.2 which the proposal does not comply with
- b. Any effects on the functioning of the rural environment including effects on rural infrastructure.
- c. For 4b.1.6 iii, in addition to a and b:
  - a. Historical associations of the land to mana whenua and reasons why the land was given general title
  - b. Whether the land can be converted to Māori title under Te Ture Whenua Act 1993
  - c. Any documents or mechanisms provided by the applicant to demonstrate that the land will be secured for permanent Māori administration and maintenance of the land title.

**4b.1.7 High voltage transmission lines Buildings, structures and activities in the National Grid Yard**<sup>117</sup>

- i. Any building (except network utilities) located within 0 – 12 metres of a high-voltage transmission or sub transmission<sup>118</sup> line is a **restricted discretionary activity**.
- I. Any building, structure and activity in the National Grid Yard which complies with the performance standards in 4b.2.16 is a **permitted activity**.
- II. Any permitted building, structure or activity which does not comply with the performance standards in 4b.2.16 or any building or structure that is not otherwise provided for, is a **non-complying activity**.

Notification:

Transpower will be considered to be an affected party where consent is required under the National Grid specific rules. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.<sup>119</sup>

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<sup>117</sup> OS110

<sup>118</sup> OS106.19

<sup>119</sup> OS110

NOTE: For the purpose of this rule “Building” means: as defined in the National Planning Standards 2019. <sup>120</sup>

**When considering activities under Rule 4b.1.7 Council restricts the exercise of its discretion to the following matters:**

- a. ~~The location of the structure in relation to high-voltage transmission or sub transmission<sup>121</sup> line.~~
- b. ~~Any effects on the safe and efficient functioning of the transmission or sub transmission<sup>122</sup> line.~~

**4b.1.8 Buildings within Outstanding Landscape Areas**

- i. Provided that the activity has not been identified as a discretionary or non-complying activity by another rule in the Plan, within an Outstanding Landscape Area, the erection of structures:
  - a. Between 5m and 10m in height; or
  - b. For Masts and Poles between 5m and 20m in height; or
  - c. Which are between 250m<sup>2</sup> and 1,000m<sup>2</sup> in ground floor area, and have an aggregate coverage less than 2.5% of the allotment,

is a **restricted discretionary activity**.

EXCEPTION: This rule will not apply to the erection of structures:

- a. Within Electricity Generation Core Sites.
- b. For the purpose of papakāinga.
- c. Within any Māori Reservation established under the Te Ture Whenua Māori Act 1993/ Māori Lands Act 1993 for the purposes of a village site, marae, scenic interest and/or wildlife protection.

**The Council restricts the exercise of its discretion to the following matters:**

- a. The location of the structure in relation to the Landscape Attributes as described in schedule 7.1, considering;
  - ridgelines and prominent landforms,
  - the need to locate the structure within an Outstanding Landscape Area, and
  - whether there are alternatives,

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<sup>120</sup> OS110

<sup>121</sup> OS106.19

<sup>122</sup> OS106.19

- whether the location within an Outstanding Landscape Area is shown to be justified, and
  - how the location and design mitigates any adverse effects on the Landscape Attributes of the Outstanding Landscape Area.
- b. The scale of the structure on the Outstanding Landscape Area, and the ability to reduce the visual dominance of increased bulk.
  - c. The use of materials and colours to respond to the natural hues of the Landscape Area, and minimisation of reflectivity levels, including the utilisation of colours from the A and B Groups of the British Standard BS 5252 colour chart with reflectivity level less than 35%.
  - d. Measures to reduce window reflectivity by use of overhanging eaves, or low-reflectivity glass.
  - e. Any proposed mitigation planting to assist in integrating structures with the site, and the effectiveness of such mitigation on protecting the Landscape Attributes of the Outstanding Landscape Area.
  - f. The minimisation of earthworks associated with the erection of structures that may adversely affect the Landscape Attributes and character of the Outstanding Landscape Area.
  - g. Consideration of cumulative visual effects of structures on the Outstanding Landscape Area.
  - h. Consideration of the potential for erosion and land instability (including on-going erosion and land instability) resulting from the proposed earthworks, which may result in an adverse effect on Landscape Attributes.

#### **4b.1.9 Earthworks within Outstanding Landscape Areas**

Earthworks within an Outstanding Landscape Area that creates a new cut face or fill that is in excess of 1.5 metres in height, or cumulative vertical ground alteration in excess of 3.0 metres over a 12 month period, is a **restricted discretionary activity**, provided that any exposed cut or fill face located in vegetation of a height 1.5 metres or less is revegetated not later than the next growing season. Revegetation should consist of indigenous species or the same or similar species (other than pest species) present on the site prior to earthworks).

EXCEPTION: This rule will not apply to Earthworks within Electricity Generation Core Sites.

#### **The Council restricts the exercise of its discretion to the following matters:**

- a. The extent to which the Earthworks will change the ground level.
- b. The effect of the Earthworks on the Landscape Attributes.



- c. The degree to which the finished ground levels reflect the contour of the surrounding landform.
- d. The degree to which Earthworks will enable building facades to be extended below natural ground level.
- e. The period that soil will be exposed.
- f. Proposed methods and timing for the remediation or mitigation of potential adverse effects and the degree to which such methods would be successful, including rehabilitation, re-contouring and re-vegetation or the retention of existing vegetation.
- g. Consideration of cumulative visual effects of Earthworks on the Outstanding Landscape Area.
- h. The location of the Earthworks in relation to the Landscape Attributes as described in schedule 7.1, considering;
  - i. Ridgelines and prominent landforms,
    - the location requirement of the activity
    - whether there are alternatives.
  - j. Consideration of the potential for erosion and land instability (including on-going erosion and land instability) resulting from the proposed earthworks

#### **4b.1.10 Intensive indoor primary production, greenhouses and rural industry**

- i. An intensive indoor primary production, greenhouses<sup>123</sup> or rural industry activity which complies with performance standards 4b.2.1, 4b.2.2, 4b.2.3,<sup>124</sup> and<sup>125</sup> 4b.2.5 and 4b.2.6<sup>126</sup> is a **permitted activity**.
- ii. An intensive indoor primary production, greenhouses<sup>127</sup> or rural industry activity which does not comply with these performance standards is a **restricted discretionary activity**.

#### **The Council restricts the exercise of its discretion to the following matters:**

- a. The daily vehicle movements expected to and from the allotment.
- b. The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.
- c. The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated.
- d. The hours of operation for the activity.

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<sup>123</sup> OS26

<sup>124</sup> OS79.34

<sup>125</sup> OS79.34

<sup>126</sup> OS79.34

<sup>127</sup> OS26

- e. The proposed signage associated with the activity.

**The Council restricts the exercise of its discretion to the following matters:**

- a.—The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.
- b.—The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated.
- c.—The hours of operation for the activity.
- d.—The proposed signage associated with the activity.<sup>128</sup>

**4b.1.11 Earthworks within the National Grid Corridor**<sup>129</sup>

Earthworks in and around high voltage transmission National Grid corridor that:

- i.—are at a greater depth than 300mm within 2.2m of a pole support structure, or
- ii.—are at a depth than 750mm within 2.2m and 5m of a pole support structure, or
- iii.—are at a greater depth than 300mm within 6m of the outer visible edge of a tower support structure, or
- iv.—are at a greater depth than 3m between 6m and 12m of the outer visible edge of a tower support structure, or;
- v.—create an unstable batter; or
- vi.—within 12m of the centreline of an high voltage transmission network, result in a reduction of the existing conductor clearance distances:  
**is a restricted discretionary activity.**

**EXCEPTIONS:**

- (i) and (ii) do not apply to vertical holes, not exceeding 500mm diameter, beyond 1.5m from a pole support structure
- These rules do not apply to earthworks undertaken by utilities.
- These rules do not apply to normal agricultural or domestic cultivation or repair, sealing, resealing of an existing road, footpath or driveway.

**The Council restricts the exercise of its discretion to the following matters:**<sup>130</sup>

- a.—Any effects on the integrity of the transmission line.
- b.—Volume, area and location of the works, including temporary activities such as stockpiles.
- c.—Time of the works.
- d.—Site remediation.

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<sup>128</sup> OS113.6

<sup>129</sup> OS110.22

<sup>130</sup> OS110.23 and OS110.23 cont

- e. ~~The use of mobile machinery near transmission line which may put the line at risk.~~
- f. Compliance with NZECP 34:2001

#### **4b.1.11 Earthworks or vertical holes in the National Grid Yard**

- i. Earthworks or vertical holes in the National Grid Yard which comply with the performance standards in 4b.2.17 are a **permitted activity**.
- ii. Earthworks or vertical holes which do not comply with the performance standards in 4b.2.17 are a **non-complying activity**.

#### **4b.1.12 Noise Corridor Boundary Overlay**<sup>131</sup>

- i. Within the Noise Corridor Boundary Overlay, where:
  - a) a new building that contains a noise sensitive activity (as identified in Table 1);
  - b) or an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or
  - c) a new noise sensitive activity is located in an existing building;is proposed which comply with the performance standards in 4b.2.18 are a **permitted activity**.
- ii. Any new or altered noise sensitive activity proposed which does not comply with 4b.2.18 are a **restricted discretionary activity**.

#### **The Council restricts the exercise of its discretion to the following matters:**

- a. Whether the location of the building minimises effects.
- b. Alternative mitigation which manages the effects of the non-compliance on the health and amenity of occupants.
- c. The outcome of any consultation with Waka Kotahi NZ Transport Agency.

## **4b.2 Performance Standards - General Rural Environment**

### **4b.2.1 Vehicle movements**

- i. 200 'equivalent vehicle movements' per day for the allotment ~~where access is to a local road.~~<sup>132</sup>

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<sup>131</sup> OS113.5, OS113.11

<sup>132</sup> OS113.6, OS25, OS207

- ii. Papakāinga - 100 'equivalent vehicle movements' per day for the allotment or 24 per dwelling, whichever is the greater.
- iii. 100 'equivalent vehicle movements' per day where access is to a State Highway.<sup>133</sup>

EXCEPTION: This performance standard shall not apply to traffic movements involved in forest harvesting operations where access is to a local road<sup>134</sup> or existing and/or consented renewable electricity generation activities.<sup>135</sup>

NOTE: Any accessway onto the State Highway should be developed as per the Waka Kotahi Planning Policy Manual Appendix 5B Standards and Guidelines or any future updates or replacements to this standard.<sup>136</sup>

#### **4b.2.2 Maximum building coverage**

- i. 10% of the total allotment area.

#### **4b.2.3 Maximum building size**

- i. 5,000m<sup>2</sup> gross floor area for a single building.

#### **4b.2.4 Maximum density of primary residential units**

- i. One primary residential unit per 10 hectares.

EXCEPTION: Papakāinga.

#### **4b.2.5 Maximum building height**

- i. 12 metres.
- ii. 5 metres in a height restricted area.
- iii. 5 metres in an Outstanding Landscape Area.
- iv. 15 metres for renewable<sup>137</sup> Electricity Generation<sup>138</sup> activities<sup>139</sup> on land identified as a Geothermal Area in Section O within an Electricity Generation Core Site.

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<sup>133</sup> OS113.6

<sup>134</sup> OS113.6, OS25, OS207

<sup>135</sup> OS57, OS68, OS84, OS93 & OS110

<sup>136</sup> OS113.6

<sup>137</sup> OS57.31, OS93.56 and OS68.44

<sup>138</sup> OS57.31, OS93.56 and OS68.44

<sup>139</sup> OS57.31, OS93.56 and OS68.44

<sup>140</sup> OS57.31, OS93.56 and OS68.44

## EXCEPTIONS:

- [Activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators including wind monitoring masts - no height limit.](#)<sup>141</sup>
- Cranes being used as part of any construction or maintenance works for the duration of the works - no height limit.
- Drilling Rigs for up to 60 days per well allotment<sup>142</sup> - no height limit.

### 4b.2.6 Minimum building setbacks

- 30 metre setback for dwellings, minor residential units [and other buildings](#)<sup>143</sup> from the front boundary.
- 15 metres [setback for dwellings, minor residential units and other buildings](#)<sup>144</sup> from all other boundaries.
- 25 metres in Outstanding Landscape Areas from all boundaries.
- 200 metres for buildings for the management of farmed animals from all boundaries. [NOTE: Buildings with a floor area of 150m<sup>2</sup>](#)<sup>145</sup> [or less are exempt from this definition](#)<sup>146</sup>
- There shall be no front boundary setback for buildings and activities associated with Electricity Generation and Renewable Energy Generation Activities on land identified as Geothermal Area in Section O within an Electricity Generation Core Site where the road extends over any power generation Building or Structure.
- There shall be no boundary setback for buildings and activities associated with Electricity Generation on land identified as Geothermal Area in Section O within an Electricity Generation Core Site.
- [All new buildings must be setback at least 30m from the legal boundary of an existing plantation forest.](#)<sup>147</sup>

EXCEPTION: For the purpose of this performance standard water tanks are not required to comply with the setback requirements in this standard.

### 4b.2.7 Minor residential units

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<sup>141</sup> OS57.31, OS93.56 and OS68.44

<sup>142</sup> OS57.31, OS93.56 and OS68.44

<sup>143</sup> OS79.38 and OS47.19

<sup>144</sup> OS79.38 and OS47.19

<sup>145</sup> OS26, OS79, OS91

<sup>146</sup> OS47.20 and OS79.39

<sup>147</sup> OS25.16

A maximum of one minor residential unit per primary residential unit ~~per allotment~~<sup>148</sup>.

- i. All minor residential units<sup>149</sup> or accommodation activity units shall:
  - a. Be no larger than 100m<sup>2</sup> in size (inclusive of garaging).<sup>150</sup>
  - b. Be located no greater than ~~20~~ 40<sup>151</sup> metres from the primary residential unit.
  - c. Share an accessway/driveway with the primary residential unit.

EXCEPTION: Papakāinga.

NOTE: Minor residential units also include accommodation activities, tiny homes/houses, caravans and other structures used for accommodation for more than two consecutive months in a calendar year on the allotment.

#### **4b.2.8 Commercial and industrial activities, and home businesses**

- i. Any indoor or outdoor space used for commercial, industrial (excluding rural industry)<sup>152</sup> or home business purposes, shall have a gross floor area less than 100m<sup>2</sup> for indoor activities, or 100m<sup>2</sup> of land area for outdoor activities.
- ii. For home businesses the principal operator of the home business must be a permanent resident on the site to which the home business relates.

EXCEPTION: Home business or commercial activities within a Papakāinga.

#### **4b.2.9 Maximum Noise - Limits**

- i. The noise level arising from any activity measured within the notional boundary of any General Rural Environment or Rural Lifestyle Environment site or within the boundary of any residential environment site, other than the site where the noise is generated, shall not exceed the following limits:
  - a) 7.00am - 10.00pm 55dBA L<sub>eq</sub>
  - b) 10.00pm - 7.00am 40dBA L<sub>eq</sub> and 70dBA L<sub>max</sub>

NOTE: For specific noise refer to following Performance Standards.

NOTE: The noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in

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<sup>148</sup> OS79.21

<sup>149</sup> OS93.58 and OS68.46

<sup>150</sup> OS79.40

<sup>151</sup> OS80.4, OS81.4, OS82.4, OS116.4, OS53.4, and OS54.4

<sup>152</sup> OS109.8

accordance with the requirements of NZS6802:2008 Assessment of Environmental Sound.

#### **4b.2.10 Maximum Noise - Construction Noise**

- i. All construction noise shall meet the requirements of New Zealand Standard NZS 6803: 1999 Acoustics Construction Noise.

#### **4b.2.11 Maximum Noise - Electricity Generation Core Sites**

- i. Noise from uses at Electricity Generation Core Sites established either prior to the notification of this Plan (July 2000) or approved by way of resource consent shall comply with the noise limits specified in 4b.2.9 above as measured:
  - a) Outside the noise control boundary relating to each Electricity Generation Core Site as shown on the Planning Maps; or
  - b) Within the Notional Boundary of any Dwelling within the General Rural Environment or Rural Lifestyle Environment where this is beyond the noise control boundary; or
  - c) At the boundary of the Residential Environment where this is beyond the noise control boundary.
  - d) Any new Buildings with habitable rooms (i.e. Dwellings, retirement homes, etc), built within the noise control boundaries shall be required to ensure they are appropriately designed to achieve suitable internal noise levels (35dBA  $L_{eq}$ ).
  - e) The noise control boundary will be either the Electricity Generation Core Site boundary or the existing 40dBA  $L_{eq}$  and 75dBA  $L_{max}$  contour where this is beyond the Core Electricity Generation Site boundary, as shown on the planning maps.

#### **4b.2.12 Maximum Noise - Well Drilling and Testing**

- i. Noise from well drilling and testing:
  - a) at the boundary of any site within the Residential Environment;
  - b) within the notional boundary of any dwelling or accommodation activity within the General Rural Environment or Rural Lifestyle Environment shall not exceed the noise levels set out below, measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics - Construction Noise, if the occupiers do not agree to vacate the premises at the noise generator's expense during the drilling period.
- ii. Time Period Monday to Sunday (inclusive):

$L_{eq}$      $L_{max}$

7.00am - 10.00pm 70 85

10.00pm - 7.00am 60 75

#### **4b.2.13 Maximum Noise - Other**

- i. Nothing in the foregoing Performance Standards shall apply to farm animals including working dogs, and to agricultural and forestry primary production<sup>153</sup> vehicles, agricultural aviation aircraft<sup>154</sup> and support vehicles,<sup>155</sup> including ancillary activities such as the use of frost fans and bird scaring devices,<sup>156</sup> agricultural and forestry primary production<sup>157</sup> machinery or equipment (including mobile plant at produce packing facilities but excluding sawmilling equipment), operated and maintained in accordance with the manufacturer's specifications in accordance with accepted management practices (e.g. for milking, spraying, harvesting, packing, forest harvesting and the like). Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991 and S98 of the National Environmental Standards for Plantation Forestry 2017.<sup>158</sup>
- ii. Nothing in the foregoing Performance Standards shall apply to sirens, circuit breakers, bursting discs, emergency or upset operating conditions<sup>159</sup> and hydro spills associated with the operation of Renewable<sup>160</sup> electricity generation activities within<sup>161</sup> Electricity Generation Core sites. Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991.

#### **4b.2.14 Parking, Loading and Access**

- i. In accordance with Section 6: Parking Loading and Access

#### **4b.2.15 Signage**

- i. Maximum of one sign per allotment.
- ii. Maximum total face area of sign - 2m<sup>2</sup>.
- iii. Signage must relate to the activity undertaken on the allotment.
- iv. No flashing, reflectorised or illuminated signage.

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<sup>153</sup> OS26, OS91

<sup>154</sup> OS26

<sup>155</sup> OS78.7

<sup>156</sup> OS26.47 and OS26.48

<sup>157</sup> OS26, OS91

<sup>158</sup> OS25.18

<sup>159</sup> OS93.64 and OS84.44

<sup>160</sup> OS93.64 and OS84.44

<sup>161</sup> OS57, OS68, OS84, OS93 & OS110



- v. One temporary sign per allotment for the sale of land or buildings of not more than 2m<sup>2</sup> total face area.
- vi. Where a sign faces a State highway:
  - a) A sign must not display more than 6 words, symbols, or graphics and no more than 40 characters.
  - b) Lettering and symbols used must be at least 160 millimetres in height.<sup>162</sup>

EXCEPTIONS: Official signs required by statute and warning signs related to aspects of public safety are not required to comply with the standards.

#### **4b.2.16 Buildings, structures and activities in the National Grid Yard**<sup>163</sup>

- i. The activity, building or structure is not used for or associated with a sensitive activity.
- ii. Accessory buildings or structures for sensitive activities located more than 12m from a National Grid support structure, that are no more than 2.5m in height and no more than 10m<sup>2</sup> in area.<sup>164</sup>
- iii. The building or structure meets the safe electrical clearance distances required by New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) under all transmission line operating conditions and is:
  - a) a fence or artificial screen not exceeding 2.5 metres in height measured from ground level.
  - b) an uninhabited farm or horticultural structure or building (but not intensive indoor primary production, commercial greenhouses, wintering barns, produce packing facilities, or milking/dairy sheds (excluding ancillary stockyards and platforms)).
  - c) irrigation equipment used for agricultural or horticultural purposes including the reticulation and storage of water where it does not permanently physically obstruct existing vehicular access to a National Grid support structure.
  - d) undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.
- iv. The building or structure does not permanently physically impede existing vehicular access to any National Grid support structure.
- v. The building or structure is not for the handling or storage of Class 1-4 hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020) with explosive or flammable intrinsic properties (except this does not

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<sup>162</sup> OS113.8

<sup>163</sup> OS110

<sup>164</sup> OS110

- apply to the accessory use and storage of hazardous substances in domestic scale quantities).
- vi. The building or structure is located at least 12 metres from the outer visible edge of a foundation of a National Grid transmission line support structure, except where it:
- a) is a fence or artificial screen not exceeding 2.5 metres in height that is located at least 6 metres from the outer visible edge of a foundation of a National Grid transmission line tower.
  - b) meets the requirements of clause 2.4.1 of New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001)
  - c) undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.

NOTE: For the purpose of this rule "Building" means: as defined in the National Planning Standards 2019.<sup>165</sup>

#### **4b.2.17 Earthworks or vertical holes in the National Grid Yard**<sup>166</sup>

- i. Earthworks or vertical hole/s must not:
- a) exceed 300mm in depth within 6m of the outer visible edge of a National Grid support structure;
  - b) exceed 3m depth where located between 6m and 12m of the outer edge of the visible foundation of any National grid support structure;
  - c) result in a reduction of the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001;
  - d) result in the permanent loss or obstruction of vehicular access to a National Grid support structure; and
  - e) compromise the stability of a National Grid support structure.
- ii. The following earthworks or vertical holes activities are exempt from i. a) and b) above:
- a) earthworks or vertical hole/s, excluding mining and quarrying, that are undertaken by a network utility operator as defined by the Resource Management Act 1991;
  - b) earthworks or vertical hole/s, excluding mining and quarrying, as part of agricultural or domestic cultivation, or for the repair, sealing or resealing of a road, footpath, driveway or farm track;

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<sup>165</sup> OS110

<sup>166</sup> OS110

- c) earthworks subject to a dispensation from Transpower under New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).

Notification:

Application for resource consent under this rule will be decided without public notification. Transpower is likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

**4b.2.18 Noise Control Boundary Overlay - Sensitive Activities**<sup>167</sup>

- i. Within the Noise Corridor Boundary Overlay, where:
- a) a new building that contains a noise sensitive activity (as identified in Table 1); or
  - b) an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or
  - c) a new noise sensitive activity is located in an existing building;
- is proposed, it shall be:
- I. Designed, constructed and maintained to achieve indoor design noise levels not exceeding the maximum values in Table 1; and
  - II. If windows must be closed to achieve the design noise levels in I. above, the building is designed, constructed and maintained with a mechanical ventilation system that:
    - a. For habitable rooms for a residential activity, achieves the following requirements:
      - Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
      - is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
      - provides relief for equivalent volumes of spill air; and
      - provides cooling and heating that is controllable by the occupant and can maintain the
      - inside temperature between 18C and 25C; and
      - Does not generate more than 35 dB LAeq (30s) when measured 1 metre away from any grille or diffuser.
    - b. For other spaces, is as determined by a suitably qualified and experienced person; and

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<sup>167</sup> OS113.5, 113.11

- III. A report is submitted by a suitably qualified and experienced person to the Council demonstrating compliance with I. and II. above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise.
- IV. Instead of I., II. and III. above, is within the Noise Corridor Boundary Overlay but is at least 50 metres from the carriageway of any state highway and is designed so that a noise barrier entirely blocks line-of-sight from all parts of doors and windows to the road surface.

Table 1: Noise Sensitive Activities and their Maximum Permissible Road Noise Level

<b>Occupancy/activity</b>	<b>Maximum road noise level LAeq (24h) *Note 1</b>
<b>Building type: Residential</b>	
<u>Sleeping spaces</u>	<u>40 dB</u>
<u>All other habitable rooms</u>	<u>40 dB</u>
<b>Building type: Education</b>	
<u>Lecture rooms/theatres, music studios, assembly halls</u>	<u>35 dB</u>
<u>Teaching areas, conference rooms, drama studios, sleeping areas</u>	<u>40 dB</u>
<u>Libraries</u>	<u>45 dB</u>
<b>Building type: Health</b>	
<u>Overnight medical care, wards</u>	<u>40 dB</u>
<u>Clinics, consulting rooms, theatres, nurses' stations</u>	<u>45 dB</u>
<b>Building type: Cultural</b>	
<u>Places of worship, marae</u>	<u>35 dB</u>

Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.

## **4b.3 General Rules - Rural Lifestyle Environment**

### **4b.3.1 Activities in the Rural Lifestyle Environment**

- i. Any activity that:
  - a. complies with all of the Performance Standards for the Rural Lifestyle Environment; and
  - b. complies with all the District Wide Performance Standards; and

- c. is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the Rural Lifestyle Environment; and
- d. is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the District Wide Rules;

is a **permitted activity**.

- ii. Any activity that is not a permitted, controlled, restricted discretionary or a non-complying activity is a **discretionary activity**.

#### **4b.3.2 Minor residential units**

- i. A minor residential unit which complies with the performance standards is a **permitted activity**.
- ii. A minor residential unit which does not comply with the performance standards is a **restricted discretionary activity**.
- iii. A minor residential unit within the Rural Lifestyle Environment as it applies to Centennial Drive is a **non-complying activity**.<sup>168</sup>

#### **When considering activities under Rule 4b.3.2 Council restricts the exercise of its discretion to the following matters:**

- a. The proximity between the primary residential unit and the minor residential unit<sup>169</sup>.
- a: b. The extent to which the residential unit and vehicle access point design, siting and external appearance adversely affects rural character and amenity.
- b: c. Site topography and orientation and whether the residential unit(s) and vehicle access point can be more appropriately located to minimise adverse visual amenity effects.
- c: e. Effect on nearby sites, including outlook and privacy.
- d: Whether the residential unit and the vehicle access point can be more appropriately located to maintain, enhance or restore indigenous biodiversity values.
- e: f. The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.
- g. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful

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<sup>168</sup> OS93.23, OS93.76

<sup>169</sup> OS79.42 and OS79.41

- h. The likelihood of future subdivision which results in the minor residential unit being on a separate allotment to the primary residential unit.<sup>170</sup>

**In addition to the above, for the purposes of assessment under Rule 4b.3.2iii the matters over which the Council reserves control for the purpose of assessment include:**

- a. Any effects on the functioning of the General Rural Environment and other Environments including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources.<sup>171</sup>

**4b.3.3 Home business, commercial, and retail activities**

- i. A home business, commercial and retail activity which complies with performance standards is a **permitted activity**.
- ii. A home business, commercial and retail activity which does not comply with performance standards is a **restricted discretionary activity**.

**When considering activities under Rule 4b.3.3 Council restricts the exercise of its discretion to the following matters:**

- i. The effect of the activity on the Rural Lifestyle Environment character.
- ii. The effects of the activity's vehicle movements, parking, loading and access on the network.
- iii. Any nuisance effects such as odour, noise and glare are managed within the site.

**4b.3.4 Intensive indoor primary production**

- i. An intensive indoor primary production activity which complies with performance standards is a **permitted activity**.
- ii. An intensive indoor primary production activity which does not comply with performance standards is a **discretionary activity**.

**4b.3.5 Temporary Activities**

- i. Any temporary activity, being an activity of up to a total of four operational days in any 6 month period, which exceeds any performance standard(s), is a **permitted activity**, provided that:
  - a. There are no new permanent structures constructed; and

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<sup>170</sup> OS79.42 and OS79.41

<sup>171</sup> OS93.23, OS93.76

- b. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is re-instated to its condition prior to the activity commencing; and
- c. An allowance of 14 non-operational days in any six month period associated with the activity is not exceeded.

#### **4b.3.6 Papakāinga**

- i. Papakāinga on Māori customary land and Māori freehold land which complies with all of the performance standards in 4b.4 is a **permitted activity**
- ii. Papakāinga on Māori customary land and Māori freehold land which does not comply with one or more performance standard in 4b.4 is a **Restricted Discretionary activity**
- iii. Papakāinga on general land owned by Māori is a **Restricted Discretionary activity**
- iv. Applications under Rules 4b.3.6 ii or iii will not be notified.

#### **When considering activities under Rule 4b.3.6 ii and iii Council restricts the exercise of its discretion to the following matters:**

- a. Those performance standards in 4b.4 which the proposal did not comply with
- b. Any effects on the functioning of the rural environment including effects on rural infrastructure.
- c. For 4b.1.3 iii, in addition to a and b:
  - a. Historical reasons why the land was given general title
  - b. Whether the land can be converted to Māori title under Te Ture Whenua Act 1993
  - c. Any documents or mechanisms provided by the applicant to demonstrate that the land will be secured for permanent Māori administration and maintenance of the land title.

#### **4b.3.7 High-voltage transmission lines Buildings, structures and activities in the National Grid Yard<sup>172</sup>**

- ~~i. Any building (except network utilities) located within 0 – 12 metres of a high-voltage transmission or sub transmission<sup>173</sup> line is a **restricted discretionary activity**.~~
- i. Any building, structure and activity in the National Grid Yard which complies with the performance standards in 4b.4.16 is a **permitted activity**.

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<sup>172</sup> OS110

<sup>173</sup> OS106.19

- ii. Any permitted building, structure or activity which does not comply with the performance standards in 4b.4.16 or any building or structure that is not otherwise provided for, is a **non-complying activity**.

Notification:

Transpower will be considered to be an affected party where consent is required under the National Grid specific rules. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.<sup>174</sup>

NOTE: For the purpose of this rule "Building" means: as defined in the National Planning Standards 2019.<sup>175</sup>

**When considering activities under Rule 4b.3.7 Council restricts the exercise of its discretion to the following matters:**

- ~~a.—The location of the structure in relation to high-voltage transmission or sub transmission<sup>176</sup>-line.~~
- ~~b.—Any effects on the safe and efficient functioning of the transmission or sub transmission<sup>177</sup>-line.~~

**The Council restricts the exercise of its discretion to the following matters:**

- ~~a.—The effect of the activity on the rural character of the area, having regard to visual effects and lighting effects.~~
- ~~b.—The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated.~~
- ~~c.—The hours of operation for the activity.~~
- ~~d.—The proposed signage associated with the activity.~~<sup>178</sup>

**~~4b.3.X~~ Earthworks within the National Grid Corridor<sup>179</sup>**

Earthworks in and around high voltage transmission National Grid corridor that:

- ~~vii.—are at a greater depth than 300mm within 2.2m of a pole support structure, or~~
- ~~viii.—are at a depth than 750mm within 2.2m and 5m of a pole support structure, or~~

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<sup>174</sup> OS110

<sup>175</sup> OS110

<sup>176</sup> OS106.20

<sup>177</sup> OS106.20

<sup>178</sup> OS79.45

<sup>179</sup> OS110.22



- ix. ~~are at a greater depth than 300mm within 6m of the outer visible edge of a tower support structure, or~~
- x. ~~are at a greater depth than 3m between 6m and 12m of the outer visible edge of a tower support structure, or;~~
- xi. ~~create an unstable batter; or~~
- xii. ~~within 12m of the centreline of an high voltage transmission network, result in a reduction of the existing conductor clearance distances.~~

is a **restricted discretionary activity**.

#### EXCEPTIONS:

- ~~(i) and (ii) do not apply to vertical holes, not exceeding 500mm diameter, beyond 1.5m from a pole support structure~~
- ~~These rules do not apply to earthworks undertaken by utilities.~~
- ~~These rules do not apply to normal agricultural or domestic cultivation or repair, sealing, resealing of an existing road, footpath or driveway.~~

#### **The Council restricts the exercise of its discretion to the following matters:**<sup>180</sup>

- a. ~~Any effects on the integrity of the transmission line.~~
- b. ~~Volume, area and location of the works, including temporary activities such as stockpiles.~~
- c. ~~Time of the works.~~
- d. ~~Site remediation.~~
- e. ~~The use of mobile machinery near transmission line which may put the line at risk.~~
- f. Compliance with NZECP 34:2001

#### **4b.3.8 Earthworks or vertical holes in the National Grid Yard**<sup>181</sup>

- i. Earthworks or vertical holes in the National Grid Yard which comply with the performance standards in 4b.4.17 are a **permitted activity**.
- ii. Earthworks or vertical holes which do not comply with the performance standards in 4b.4.17 are a **non-complying activity**.

#### **4b.3.9 Noise Corridor Boundary Overlay**<sup>182</sup>

- i. Within the Noise Corridor Boundary Overlay, where:

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<sup>180</sup> OS110.23 and OS110.23 cont

<sup>181</sup> OS110.22

<sup>182</sup> OS113.5, OS113.11

- d) a new building that contains a noise sensitive activity (as identified in Table 1);
  - e) or an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or
  - f) a new noise sensitive activity is located in an existing building;
- is proposed which comply with the performance standards in 4b.4.18 are a **permitted activity**.
- ii. Any new or altered noise sensitive activity proposed which does not comply with 4b.4.18 are a **restricted discretionary activity**.

**The Council restricts the exercise of its discretion to the following matters:**

- a. Whether the location of the building minimises effects.
- b. Alternative mitigation which manages the effects of the non-compliance on the health and amenity of occupants.
- c. The outcome of any consultation with Waka Kotahi NZ Transport Agency.

## **4b.4 Performance Standards - Rural Lifestyle Environment**

### **4b.4.1 Vehicle movements**

- i. 50 equivalent vehicle movements per day for the allotment.
- ii. Papakāinga: 100 vehicle movements per day for the allotment or 24 per dwelling, whichever is the greater.

EXCEPTION: This performance standard shall not apply to traffic movements involved in forest harvesting operations.

### **4b.4.2 Maximum building coverage**

- i. 10% of the total allotment area.

### **4b.4.3 Maximum building size**

- i. 500m<sup>2</sup> gross floor area for a single building.

### **4b.4.4 Maximum density of primary residential units**

- i. One primary residential unit per two hectares.
- ii. One primary residential unit per four hectares for lots adjoining the General Rural Environment.

- iii. One primary residential unit per four hectares in Areas X and Y (shown on planning map D3 Geothermal Subdivision Rule).<sup>183</sup>

EXCEPTION: Papakāinga.

#### **4b.4.5 Minor residential units**

- i. No more than one minor residential unit per primary residential unit is permitted.
- ii. All minor residential units shall:
  - a. Be no larger than 100m<sup>2</sup> in size (inclusive of garaging).
  - b. Be located no greater than ~~20~~ 40<sup>184</sup> metres from the primary residential unit.
  - c. Share an accessway/driveway with the primary residential unit.

EXCEPTION: Papakāinga.

EXCEPTION: No further minor residential units are provided for within the Rural Lifestyle Environment as it applies to Centennial Drive, and any such application is a non-complying activity as per 4b.3.2.<sup>185</sup>

NOTE: Minor residential units also include accommodation activities, tiny homes/houses, caravans and other structures used for accommodation for more than two consecutive months in a calendar year on the allotment.

#### **4b.4.6 Maximum building height**

- i. The maximum height of a building shall not exceed 10 metres.

#### **4b.4.7 Minimum building setbacks**

- i. 30 metre setback for dwellings and minor residential units and other buildings<sup>186</sup> from the front boundary.
- ii. 15 metres for dwellings, and minor residential units and other buildings<sup>187</sup> from all other boundaries except as restricted by clause iii<sup>188</sup>.
- iii. Dwellings and minor residential units shall be setback a minimum of 50 metres from the General Rural Environment.

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<sup>183</sup> OS79

<sup>184</sup> OS80.4, OS81.4, OS82.4, OS116.4, OS53.4, and OS54.4

<sup>185</sup> OS93.23, OS93.76

<sup>186</sup> OS79.51

<sup>187</sup> OS79.51

<sup>188</sup> OS79.51

EXCEPTION: Water tanks are not required to comply with the setback requirements in this rule.

#### **4b.4.8 Intensive indoor primary production**

- i. Any intensive indoor primary production activity shall involve less than 100m<sup>2</sup> in gross floor area, or be within a building up to 100m<sup>2</sup> gross floor area per hectare within the allotment, up to a total of 250m<sup>2</sup> gross floor area.

#### **4b.4.9 Home business, commercial, and retail activities**

- i. Any indoor or outdoor space used for a home business, commercial or retail purposes, shall be less than 100m<sup>2</sup> in gross floor area for indoor activities, or 100m<sup>2</sup> of land area for outdoor activities.
- ii. For home businesses the principal operator of the home business must be a permanent resident on the site to which the home business relates.

EXCEPTION: Papakāinga.

#### **4b.4.10 Signage**

- i. Maximum one sign per allotment.
- ii. Maximum total face area - 1m<sup>2</sup>.
- iii. Signage must relate to the activity undertaken on the allotment.
- iv. No flashing, reflectorised or illuminated signs.
- v. One temporary sign per allotment, 2m<sup>2</sup> total face area, for the sale of land or buildings.
- vi. Where the sign faces a state highway:
  - a) The sign must not display more than 6 words, symbols, or graphics and no more than 40 characters.
  - b) Lettering and symbols used must be at least 160 millimetres in height.<sup>189</sup>

#### **4b.4.11 Parking Loading and Access**

- i. In accordance with Section 6: Parking, Loading and Access.

#### **4b.4.12 Maximum Artificial Light Level**

- i. 8 LUX (lumens per square metre) at the boundary.

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<sup>189</sup> OS113.36

#### **4b.4.13 Maximum Noise - Limits**

- i. The noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with the requirements of NZS 6802:2008 Assessment of Environmental Sound.

7.00am - 7.00pm 50dBA  $L_{eq}$

7.00pm - 10.00pm 45dBA  $L_{eq}$

10.00pm - 7.00am 40dBA  $L_{eq}$  and 70dBA  $L_{max}$

NOTE: The noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with the requirements of NZS 6802:2008 Assessment of Environmental Sound.

#### **4b.4.14 Maximum Noise - Construction Noise**

- i. All construction noise shall meet the requirements of New Zealand Standard NZS 6803:1999 Acoustics Construction Noise.

#### **4b.4.15 Maximum Noise - Telecommunication and electricity equipment**

- i. The noise rating level<sup>190</sup> Noise from telecommunication equipment and electricity substations and transformers located in the road reserve permitted by the plan shall comply with the noise limits specified in ~~4a.4.12~~ 4b.4.14 above as measured ~~and~~ at a point 1 metre from the closest façade of the nearest dwelling.

#### **4b.4.16 Buildings, structures and activities in the National Grid Yard**<sup>191</sup>

- i. The activity, building or structure is not used for or associated with a sensitive activity.
- ii. Accessory buildings or structures for sensitive activities located more than 12m from a National Grid support structure, that are no more than 2.5m in height and no more than 10m<sup>2</sup> in area.<sup>192</sup>

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<sup>190</sup> OS106.21

<sup>191</sup> OS110

<sup>192</sup> OS110

- iii. The building or structure meets the safe electrical clearance distances required by New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) under all transmission line operating conditions and is:
  - e) a fence or artificial screen not exceeding 2.5 metres in height measured from ground level.
  - f) an uninhabited farm or horticultural structure or building (but not intensive indoor primary production, commercial greenhouses, wintering barns, produce packing facilities, or milking/dairy sheds (excluding ancillary stockyards and platforms)).
  - g) irrigation equipment used for agricultural or horticultural purposes including the reticulation and storage of water where it does not permanently physically obstruct existing vehicular access to a National Grid support structure.
  - h) undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.
- iv. The building or structure does not permanently physically impede existing vehicular access to any National Grid support structure.
- v. The building or structure is not for the handling or storage of Class 1-4 hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020) with explosive or flammable intrinsic properties (except this does not apply to the accessory use and storage of hazardous substances in domestic scale quantities).
- vi. The building or structure is located at least 12 metres from the outer visible edge of a foundation of a National Grid transmission line support structure, except where it:
  - d) is a fence or artificial screen not exceeding 2.5 metres in height that is located at least 6 metres from the outer visible edge of a foundation of a National Grid transmission line tower.
  - e) meets the requirements of clause 2.4.1 of New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001)
  - f) undertaken by a network utility operator, infrastructure or any part of electricity infrastructure that connects to the National Grid.

NOTE: For the purpose of this rule "Building" means: as defined in the National Planning Standards 2019.<sup>193</sup>

#### **4b.4.17 Earthworks or vertical holes in the National Grid Yard**<sup>194</sup>

- i. Earthworks or vertical hole/s must not:

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<sup>193</sup> OS110

<sup>194</sup> OS110

- a) exceed 300mm in depth within 6m of the outer visible edge of a National Grid support structure;
  - b) exceed 3m depth where located between 6m and 12m of the outer edge of the visible foundation of any National grid support structure;
  - c) result in a reduction of the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001;
  - d) result in the permanent loss or obstruction of vehicular access to a National Grid support structure; and
  - e) compromise the stability of a National Grid support structure.
- ii. The following earthworks or vertical holes activities are exempt from i. a) and b) above:
- a) earthworks or vertical hole/s, excluding mining and quarrying, that are undertaken by a network utility operator as defined by the Resource Management Act 1991;
  - b) earthworks or vertical hole/s, excluding mining and quarrying, as part of agricultural or domestic cultivation, or for the repair, sealing or resealing of a road, footpath, driveway or farm track;
  - c) earthworks subject to a dispensation from Transpower under New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).

Notification:

Application for resource consent under this rule will be decided without public notification. Transpower is likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

**4b.4.18 Noise Control Boundary Overlay - Sensitive Activities**<sup>195</sup>

- i. Within the Noise Corridor Boundary Overlay, where:
    - a) a new building that contains a noise sensitive activity (as identified in Table 1); or
    - b) an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or
    - c) a new noise sensitive activity is located in an existing building;
- is proposed, it shall be:
- l. Designed, constructed and maintained to achieve indoor design noise levels not exceeding the maximum values in Table 1; and

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<sup>195</sup> OS113.5, 113.11

- II. If windows must be closed to achieve the design noise levels in I. above, the building is designed, constructed and maintained with a mechanical ventilation system that:
- a. For habitable rooms for a residential activity, achieves the following requirements:
- Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
  - is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
  - provides relief for equivalent volumes of spill air; and
  - provides cooling and heating that is controllable by the occupant and can maintain the
  - inside temperature between 18C and 25C; and
  - Does not generate more than 35 dB LAeq (30s) when measured 1 metre away from any grille or diffuser.
- b. For other spaces, is as determined by a suitably qualified and experienced person; and
- III. A report is submitted by a suitably qualified and experienced person to the Council demonstrating compliance with I. and II. above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise.
- IV. Instead of I., II. and III. above, is within the Noise Corridor Boundary Overlay but is at least 50 metres from the carriageway of any state highway and is designed so that a noise barrier entirely blocks line-of-sight from all parts of doors and windows to the road surface.

Table 1: Noise Sensitive Activities and their Maximum Permissible Road Noise Level

<u>Occupancy/activity</u>	<u>Maximum road noise level LAeq (24h) *Note 1</u>
<b><u>Building type: Residential</u></b>	
<u>Sleeping spaces</u>	<u>40 dB</u>
<u>All other habitable rooms</u>	<u>40 dB</u>
<b><u>Building type: Education</u></b>	
<u>Lecture rooms/theatres, music studios, assembly halls</u>	<u>35 dB</u>



<u>Teaching areas, conference rooms, drama studios, sleeping areas</u>	<u>40 dB</u>
<u>Libraries</u>	<u>45 dB</u>
<b><u>Building type: Health</u></b>	
<u>Overnight medical care, wards</u>	<u>40 dB</u>
<u>Clinics, consulting rooms, theatres, nurses' stations</u>	<u>45 dB</u>
<b><u>Building type: Cultural</u></b>	
<u>Places of worship, marae</u>	<u>35 dB</u>

Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.

## 4b.5 Subdivision Rules

### 4b.5.1 Subdivision - General Rural Environment

- i. Subdivision resulting in lots that are 10 hectares or larger is a **controlled activity**.
- ii. Subdivision resulting in lots that are smaller than 10 hectares is a **non-complying activity**.

### 4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment

- i. Subdivision resulting in lots that are 4 hectares or larger adjoining the General Rural Environment is a **controlled activity**.
- ii. Subdivision resulting in lots that are larger than 2 hectares but smaller than 4 hectares smaller than 4 hectares<sup>196</sup> adjoining the General Rural Environment is a **discretionary activity**.
- iii. Subdivision resulting in lots that are 2 hectares or less adjoining the General Rural Environment is a **non-complying activity**.<sup>197</sup>

### 4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment

- i. Subdivision resulting in lots that are 2 hectares or larger that do not adjoin the General Rural Environment is a **controlled activity**.

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<sup>196</sup> OS79.53 and OS79.54

<sup>197</sup> OS79.53 and OS79.54

- ii. Subdivision resulting in lots that are smaller than 2 hectares that do not adjoin the General Rural Environment is a **non-complying activity**.

#### **4b.5.4 Subdivision - Rural Lifestyle Environment on land containing Land Use Capability Class 3 Soils**

- i. Subdivision resulting in lots that are larger than 2 hectares but smaller than 10 hectares on land containing Land Use Capability Class 3 Soils is a **discretionary activity**.
- ii. Subdivision resulting in lots that are 2 hectares or less on land containing Land Use Capability Class 3 Soils is a **non-complying activity**.

NOTE: This rule pertains to the Land Use Capability Class 3 soils as defined under the National Policy Statement for Highly Productive Land 2022. <sup>198</sup>

**For the purposes of Rules 4b.5.1.i, 4b.5.2.i, and<sup>199</sup> 4b.5.3.i, 4b.5.4i and 4b.5.5i,<sup>200</sup> the matters over which the Council reserves control for the purpose of assessment are:**

- a) The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, multi-modal connectivity if appropriate, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.
- b) The identification of any natural hazards or contaminated sites and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.
- c) Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's and/or Industry<sup>201</sup> Development Guidelines and Structure Plans.
- d) The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.
- e) Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.
- f) The imposition of conditions in accordance with Sections 108 and 220 of the Resource Management Act 1991.

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<sup>198</sup> OS26.26 and OS26.27

<sup>199</sup> OS26.26 and OS26.27

<sup>200</sup> OS26.26 and OS26.27

<sup>201</sup> OS106.22

- g) Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the District's waterways and Lakes, and fault lines<sup>202</sup>.
- h) Any immediate adverse or potentially adverse effects, including cumulative effects, on the amenity and landscape values of the Rural Environment, and the methods by which such effects can be remedied or mitigated.
- i) Any effects on the functioning of the Rural Environment including adverse effects on infrastructure, renewable electricity generation activities and access to renewable energy resources.<sup>203</sup>
- ~~j) Subdivision within the National Grid Corridor is able to accommodate a building platform for any building which is located entirely outside of the National Grid Corridor.~~<sup>204</sup>

**In addition to the above, for the purposes of assessment under Rule 4b.5.2iii the matters over which the Council reserves control for the purpose of assessment are:**

- a. Any potential reverse sensitivity effects on surrounding land-based primary productive activities.
- b. Any potential effects on the functioning of adjacent properties and the location of existing dwellings and sensitive activities<sup>205</sup>

**In addition to the above, for the purposes of assessment under Rule 4b.5.4i the matters over which the Council reserves control for the purpose of assessment are:**

- a. Any potential adverse effects on the cumulative loss of the availability and productive capacity of highly productive land.
- b. Any potential reverse sensitivity effects on surrounding land-based primary productive activities.<sup>206</sup>

**4b.5.5 Subdivision - Default Activity Status**

- i. Any subdivision which is not identified as controlled, restricted discretionary, or non-complying activity, is a **discretionary activity**.

**4b.5.6 Subdivision resulting in a new public road, or extension of existing public road**

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<sup>202</sup> OS79.55

<sup>203</sup> OS84.45, OS57.39, OS68.51, OS57.40 and OS93.69

<sup>204</sup> OS110.24, OS110.25 & OS110.25 cont

<sup>205</sup> OS79.53 and OS79.54

<sup>206</sup> OS26.26, 26.27

- i. Any subdivision or activity which results in a new public road or extension of existing public roads, water, stormwater or wastewater utility services is a **restricted discretionary activity**.

**The Council restricts the exercise of its discretion to the following matters:**

- a. The impact of the resulting development on the ability of the wastewater, stormwater and drinking water infrastructure to service the existing service area as well as the new development;
- b. The impact of the resulting development on the ability of the roading networks to safely and sustainably operate and service the new development including the need for connectivity to adjoining land and other roads and the facilitation of multimodal transport; <sup>207</sup>
- c. The effect that the development will have on the stormwater catchment.

**4b.5.7 Subdivision - Other**

- i. Any subdivision of land for the sole purpose of providing for infrastructure, or access lots, or legal protection in perpetuity of Significant Natural Areas, is a **controlled activity**.

Provided that the activity has not been identified as a discretionary activity by another rule in the plan, any subdivision of land in the General Rural Environment and Rural Lifestyle Environment where:

- ii. the resulting allotments are 10ha or larger in the General Rural Environment, and 4ha or larger in the Rural Lifestyle Environment; and
- iii. for any subdivision of land in Area Y shown on Map D3, a covenant forms part of the documentation supporting the subdivision consent application (which shall be registered on the additional titles created) specifying that no complaints shall be made in relation to the effects of any geothermal power generation related activities and associated structures consented as at 15 September 2008, or lawfully occurring, including effects such as noise, vibration, odour or visual effects. Such covenant need not apply to:
  - a. the certificates of title that contain any dwelling that existed prior to any subdivision, or
  - b. in cases where there was no dwelling existing prior to subdivision, a single exempt title to be nominated by the subdivision applicantis a **controlled activity**.

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<sup>207</sup> OS79.56

- iv. Any subdivision of land in the ~~General Rural Environment or~~<sup>208</sup> Rural Lifestyle Environment that is located within Area X<sup>(209)</sup> on Planning Map D3 where the resulting lots are 4 hectares or larger, or is located in Area Y on Planning Map D3 where the resulting lots are between 4 hectares and 10 hectares, is a **discretionary activity**.
- v. Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment that is located with Area X or Area Y on Planning Map D3 where the resulting lots are less than 4 hectares is a **non-complying activity**.

NOTE: 4b.5.7 does not relate to the creation of Bonus Lots, but subdivision of all or part of a Significant Natural Area for reasons of covenanting or other form of legal protection of that Area.

**For the purposes of Rules 4b.5.7(i), (ii) and (iii)<sup>210</sup> the matters over which the Council reserves control for the purpose of assessment are:**

- a. Those matters of control identified in rules 4b.5.3 and 4b.5.6 above;
- b. The impact of the resulting development on the ability of the wastewater, storm water and drinking water infrastructure to service the new development;
- c. The impact of the resulting development on the ability of the roading networks to safely and sustainably operate and service the new development;
- d. Whether or not the lots will be adequately serviced for drinking water;
- e. The effect that the development will have on the storm water catchment.

#### **4b.5.8 Subdivision - Outstanding Landscape Areas**

- i. Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment that is located within an Outstanding Landscape Area where the resulting lots are less than 10 hectares, is a **non-complying activity**.

#### **4b.5.9 Subdivision - Bonus Lots**

- i. The creation of one or more Bonus Lots 4ha or greater within the General Rural Environment, or 2ha or greater in the Rural Lifestyle Environment where the lot

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<sup>208</sup> OS79.57

<sup>209</sup> Being the land within the resistivity boundary of the Wairakei-Tauhara Geothermal System

<sup>210</sup> OS79.57

adjoins the General Rural Environment,<sup>211</sup> is a **Restricted Discretionary activity** provided the subdivision complies with the following requirements:

- a. Each Bonus Lot must correspond to no less than 4ha of a Nominated Significant Natural Area that is:
  - i. physically protected from livestock by a Stock Proof Fence where it is within 50m of farmed livestock,
  - ii. legally protected in perpetuity or, if on Māori land, a Nga Whenua Rahui kawanata with a tenure of no less than 20 years, from any form of indigenous vegetation clearance and physical development.
  - iii. the legal protection identified in ii occurs after the date this rule becomes operative.
  - iv. not already associated with a Bonus Lot
  - v. not public land
- b. The Bonus lot(s) will be located in the General Rural and Rural Lifestyle<sup>212</sup> Environment
- c. The Bonus Lot(s) will not be located within any of the following:
  - i. Significant Natural Area,
  - ii. Foreshore Protection Area
  - iii. Outstanding Landscape Area
  - iv. Amenity Landscape Area
  - v. in Area X on Planning Map D3
  - vi. in Area Y on Planning Map D3
- d. A maximum of five Bonus Lots can be created on any one certificate of title;
- e. A consent notice shall be placed on the lot(s) that the Nominated Significant Natural Area is located that include the following:
  - i. A map clearly showing the area of that lot within the Nominated Significant Natural Area which has been protected under 4b.5.9.i.a,
  - ii. The corresponding Bonus Lot(s) and the address and title number(s) of those Lots;

**For the purposes of Rule 4b.5.9.i the Council restricts the exercise of its discretion to the following matters:**

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<sup>211</sup> OS4.4

<sup>212</sup> OS4.4

- a) The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.
  - b) The identification of any natural hazards or contaminated sites within the Bonus Lot and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.
  - c) Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's Development Guidelines and Structure Plans.
  - d) The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.
  - e) Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.
  - f) The imposition of conditions in accordance with Sections 108 and 220 of the Resource Management Act 1991.
  - g) Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the District's waterways and Lakes.
  - h) The potential for reverse sensitivity effects on lawfully established or permitted activities within the General Rural Environment.
  - i) Any immediate adverse or potentially adverse effects, including cumulative effects, on the amenity and landscape values of the Rural Environment, and the methods by which such effects can be remedied or mitigated.
  - j) Any effects on the functioning of the Rural Environment including effects on rural infrastructure
  - k) The development of other bonus lots in the similar area which may lead to urbanisation or more than minor adverse effects on the functioning of the Rural Environment.
  - l) Those matters raised in Policy 3i.2.2 iv
- ii. The creation of Bonus Lots less than 10ha in size which do not meet the requirements in 4b.5.9.i is a **Non-Complying Activity**

#### **4b.5.10 Subdivision - More than 12 allotments**

- i. Any subdivision of land where more than twelve (12) allotments share a single common access in the General Rural Environment or Rural Lifestyle Environment is a **discretionary activity**.

#### **4b.5.11 Subdivision - National Grid Subdivision Corridor**<sup>213</sup>

- i. Any subdivision of land in the National Grid Subdivision Corridor is a **restricted discretionary activity** provided the subdivision complies with the following standards:
  - a) All resulting allotments, except allotments for access or a public work, demonstrate that they are able to accommodate a building platform for the likely principal building(s) and any dwelling or sensitive activity located entirely outside of the National Grid Yard.
  - b) Existing vehicle access to National Grid assets is maintained.

For the purposes of Rule 4b.5.11 i. the Council restricts the exercise of its discretion to the following matters:

- a) The risk of electrical hazards affecting public or individual safety, and the risk of property damage, including the extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).
- b) The provision for the on-going efficient operation, maintenance, development and upgrade of the National Grid, including the ability for continued reasonable access to existing transmission lines for maintenance, inspections and upgrading.
- c) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid asset.
- d) The extent to which the design and construction of the subdivision allows for activities to be setback from the National Grid to ensure adverse effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines.
- e) The ability to provide a complying building platform outside of the National Grid Yard.
- f) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines, and how such landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid.
- g) The outcome of any consultation with Transpower.



- h) The risk to the structural integrity of the National Grid.
- ii. A subdivision that does not meet the standards within 4b.5.11 i. is a **non-complying activity**.

Notification:

Transpower will be considered to be an affected party where consent is required under the National Grid specific rules. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

**Refer also to Subsection E – DISTRICT WIDE RULES**

## Current Rural Chapters to be deleted

### 3b

## RURAL ENVIRONMENT

### 3b.1

#### Introduction

The Rural Environment comprises all the land outside of the Residential, Town Centre and Industrial Environments. Most land within the District falls within the Rural Environment which is predominantly characterised by open space, dispersed buildings, rural roads and non-urban infrastructure supporting farming, horticulture and forestry land use. There is also a wide range of significant development associated with tourist activity, recreation, and the generation and transmission of electricity. The Rural Environment is considered an important resource for the District as well as for the region due to its productive potential and the range of land uses and diverse activities it encompasses.

The interaction of human activities and the natural landforms and natural processes give the Rural Environment a diverse range of landscapes. This results in a range of activities with inherent 'rural' characteristics, reflecting the productive nature of the land and resources along with reserves protecting steep land and high amenity landscapes. The resulting character defines the expected rural scale of development and level of effects. Included are such features as large allotments with very low site coverage and limited areas of impervious surface, buildings that are predominantly a minor element within the environment, with a few large buildings that are generally industrial and utilitarian in character.

Other principal elements are open landscapes including ridgelines generally free of buildings; large areas of vegetation including pasture, crops, productive forest and native bush; lakes, rivers and their margins. The predominant production activities of the Rural Environment can potentially create high levels of noise, vibration, spray drift, odour and dust. Additionally, activity in the Rural Environment is generally self-sufficient with respect to water supply, wastewater disposal, and stormwater management, although some areas have limited communal water supplies.

Urban development can threaten the character, amenity and functioning of the Rural Environment, resulting in adverse effects on the rural landscape and creating reverse sensitivity issues. The principal activities in the Rural Environment may generate a certain level of effects. Performance standards have been developed to ensure that these are not unduly restricted. New activities with potential adverse effects seeking to locate in the Rural Environment will be required to demonstrate that these effects can be avoided, remedied or mitigated. Other activities that may be sensitive to existing activities will also be controlled through subdivision and residential density provisions.

Within the Rural Environment, there are also sensitive features such as sites of significance to Tangata Whenua, sites of important indigenous flora and fauna and significant landscapes. The Rural Environment objectives and policies seek to manage subdivision and land use activities in a way that reflects the amenity values of the landscape and sense of dispersed buildings and open space, the rural level of infrastructural services, and the busy productive nature of some parts of the District.

### 3b.2

## Objectives and Policies

### OBJECTIVE

#### 3b.2.1

The management of the Rural Environment to maintain and enhance rural amenity and character.

### POLICIES

- i. Maintain and enhance the amenity and character of the Rural Environment by providing land use performance standards and subdivision rules to manage the scale and density of development.
- ii. Avoid urban development in the Rural Environment unless through a TD2050 Structure Plan Process and associated plan change.
- iii. Maintain the open space and dispersed building character.
- iv. Provide for a range of productive land use activities within the Rural Environment while ensuring any adverse effects are avoided, remedied or mitigated.
- v. Protect the District's lakes and river margins from buildings that are visually obtrusive and/or result in a decline of the amenity of the margin area.
- vi. Avoid, remedy or mitigate adverse effects of subdivision, use and development of land on areas or features of cultural, historical, landscape or ecological value.
- vii. Recognise and provide for Infrastructure and Network Utilities in the Rural Environment, while ensuring any adverse effects on or arising from them are avoided, remedied or mitigated as far as practicable.
- viii. Recognise that the Rural Environment encompasses a range of landscape characteristics, amenity values and land use patterns and activities when considering the appropriateness of development within the zone.

### EXPLANATION

This objective and associated policies seek to protect the existing level of amenity provided by the Rural Environment. Protecting the amenity values of the Rural Environment is important because the rural landscape provides a clear aesthetic distinction between rural land and the urban environments. Although much of the Rural Environment has been modified over the years for productive land uses and contains many other diverse activities including large buildings, the spatial nature of this area with dispersed buildings and lack of urbanisation provides valuable amenity, productive potential and recreational opportunities for the District.

The increased desire for people to live in rural areas has brought changes to the land market with a dramatic increase in the demand for rural life style living in the Rural Environment. Because the Rural Environment is characterised by larger rural sized landholdings with predominantly low density development in the form of a dwelling with some associated farm buildings, this rural residential living has changed the rural amenity of some locations. The resulting smaller allotments often contain large residential buildings in close proximity to one another especially along transport corridors. Policy ii seeks to specifically discourage urban type development establishing outside the existing and planned urban environments, other than by way of the TD2050 Structure Plan Process and the associated plan change process.

Of particular concern is the grouping of a series of small lot subdivisions and the increased density of development this creates over a significant area. This is a form of urban development

because many of these subdivisions do not maintain an open space and disbursed building character and the land is only used for residential living rather than a dwelling in the rural area associated with a rural land use. Often subdivision in an area is the catalyst for other nearby land owners to subdivide. The resulting cumulative effect of several adjacent subdivisions is the change to the landscape and the eroding of the rural character and amenity of the particular locality, especially when some of the newly created lots are further subdivided over time. Policy iii seeks to ensure subdivision, use and development of land in the Rural Environment maintains the open space and disbursed building character.

Policy iv seeks to maintain productive land use activities that make up a significant portion of the overall Rural Environment and it acknowledges that there are many different forms of productive land use. While general farming and forestry activity covers most of the rural area not in conservation reserve or national park, other industrial type activities such as electricity generation facilities and quarrying provide a diverse range of established land use in the rural area. Recreation, tourism and commercial accommodation activities of varying scales and types are also activities that contribute to this diverse range of productive land uses and are able to appropriately locate in some parts of the Rural Environment. This policy recognises that the Rural Environment contains a wide range of resources that require the location of activities close to the resource. This means that there are many established activities that are not necessarily traditionally rural by nature, and rural amenity and character will vary in particular localities.

Given the District contains several large lakes and is intersected by rivers, a significant portion of rural properties are adjacent to lakes and waterways. Lakes and river margins are particularly susceptible to amenity and foreshore degradation. Policy v intends particular care be given to all buildings and structures located near the foreshore and has strong links to Part 2 and 3 matters set out in the Resource Management Act 1991.

The Rural Environment has many areas of high quality landscape and ecological value, as well as many significant sites containing cultural and historic values. Because the rural landscape has not undergone the rigours of urbanisation, many of these features remain and will be managed, and where appropriate, protected through various provisions contained throughout the District Plan.

## OBJECTIVE

### 3b.2.2

Manage the subdivision of rural land to reflect rural amenity values, rural land use and appropriate levels of infrastructure.

## POLICIES

- i. Enable the subdivision of rural land in a manner that encourages a diversity of lot sizes that reflects the rural amenity and character of the area, and the landform.
- ii. Allow subdivision of rural land only where there is adequate rural infrastructure.
- iii. Allow as a controlled activity, the creation of allotments and nominal allotments with an area of 10 hectares or more as a means of maintaining rural amenity and character, managing rural infrastructure and allowing for a diversification of rural land uses.
- iv. Prevent urbanisation of the rural environment except as provided through the TD2050 Structure Plan Process and associated plan change process to prevent a dispersed pattern of settlement and the resulting inefficiencies in the management of resources.

- v. ~~Avoid the subdivision of rural land where there are hazards, in particular, land affected by geothermal hazards and where land is unstable or prone to erosion or flooding.~~
- vi. ~~Manage the subdivision of rural land overlying Geothermal Areas to avoid conflict with the resource use and development associated with geothermal electricity generation on identified Development and Limited Development Geothermal Systems.~~
- vii. ~~Encourage the retirement of steep land where such land is not appropriate for more intensive farming or further development including buildings, earthworks or clearance of vegetation.~~
- viii. ~~Provide for the creation of Papakainga housing where any adverse effects on amenity and rural character are internalised within the parent allotment; and where any other adverse effects on the wider Rural Environment are avoided, remedied, or mitigated.~~
- ix. ~~Provide for the creation of smaller lots to provide for the development of infrastructure, or access lots.~~
- x. ~~Any relevant guidelines should be taken into account in the design of any subdivision in the Rural Environment. In particular sensitive rural design should seek to achieve the following principles:~~
  - a. ~~Maintain significant open space area and increase net environmental gain — Encourage sensitive rural design in subdivision, use or development where areas of continuous open space predominate. In particular protect and enhance topographical, water, and vegetation features that contribute to the character of the Rural Environment.~~
  - b. ~~Areas or features of cultural, historical, landscape or ecological value are protected and enhanced.~~
  - c. ~~Appropriate Overall Density based on the level of development anticipated for the Rural Environment — Maintain the expected level of built character in the Rural Environment, as anticipated by the District Plan.~~
  - d. ~~Site analysis — Undertake a design process and rationale that includes, but is not limited to identification of sensitive areas such as dominant ridgelines, water courses (constant and ephemeral), existing vegetation that contributes to the rural character, and any important cultural, historical, natural or landscape values.~~
  - e. ~~Appropriate Building Design and Location — Site and design buildings appropriately in a manner that is well integrated with the surrounding landform, maintains continuous areas of open space, and reduces any potentially adverse visual effects. Levels of infrastructure are minimised through appropriate siting of buildings and structures.~~
- xi. ~~Recognise that development of land in the Rural Environment at higher densities may be appropriate where associated with recreation, commercial accommodation and tourism activities provided that adverse effects are avoided, remedied or mitigated and that granting consent will not lead to patterns of urbanisation and reverse sensitivity issues.~~

#### EXPLANATION

The subdivision of land potentially generates an on-going process of creating smaller and smaller parcels of land. Over time this continued process can create a fragmented land

~~ownership pattern that ultimately reduces the range of rural activities that can be undertaken on the land, and leads to closer settlement and eventually a form of urban development. This objective and associated policy applies the amenity and character preservation objective of 3b.2.1 above as it relates to the effects of creating smaller lots in the rural area. Subdivisions that result in smaller allotments and overall reduced level of continuous open space have a greater chance of not being suitable for any rural activity and therefore the land is predominately used for some form of residential living. Sensitive rural design may further enhance the overall rural character by: specifically protecting and enhancing continuous areas of open space, particularly features that contribute to the character of the Rural Environment; by providing protection and enhancement of remnant indigenous ecosystems; and by improving overall water quality.~~

~~TD2050 resulted in a shift in the way Council addresses urban growth from a reactive to a more proactive strategic approach. This enables a clear distinction to occur between the different forms of urbanisation and rural uses. There are considerable costs to the community associated with uncontrolled urban growth. These costs include the inefficiencies of providing services and infrastructure to many small communities that can result from allowing people to live in the Rural Environment rather than within the urban environments where these services and infrastructure are already provided or can be extended efficiently. Environmental standards are placing more and more demands on rural/residential living to be provided with services and infrastructure. People moving to a rural location often wish for improved infrastructure such as water supplies and upgraded roads.~~

~~3b.2.2 is reflected in the subdivision and development density rules which provide for rural lots of 10ha or larger in area and notional dwelling sites of the same land area, to be controlled activities, and lots of between 10ha and 4ha to be discretionary activities. Lots below 4ha in area are discouraged by non-complying status. These rules are designed to prevent uncontrolled urban change in the Rural Environment. Areas of rural land will be made available for smaller lot subdivision through plan changes that reflect and are consistent with the Land Development and Growth Management Objectives of this Plan. Having identified areas in the existing Rural Environment for future urban growth through TD2050 and having determined a process for establishing urban development on this land, this objective seeks to protect the remaining Rural Environment from urban development.~~

~~The intention is to make land available for rural/residential living within the urban growth areas identified in TD2050 so that future demand for this type of land will be met under the District Plan's urban growth management objectives. As most small lot development will require some form of urban infrastructure in the future, the only efficient and environmentally sustainable way of providing for such serviced land is to ensure that it is located in close proximity to other serviced land in a TD2050 Urban Growth Area.~~

~~The Rural Environment contains a wide range of hazards that can place limitations on the extent to which the land can be further modified and developed. While the Natural Hazards and Unstable Ground (Section 31) deals with activity in general, Policy v ensures that more specifically, subdivision of land reflects any hazard limitations. Subdivision usually leads to some form of further land development, and the size of allotments can influence future use of the land, particularly where hazards are present.~~

~~Geothermal areas that have been identified in Regional Planning documents (and shown indicatively on Section O Map A) as development systems, provide for the utilisation of the geothermal resource for electricity generation. Electricity generation facilities and~~

~~associated infrastructure must be located in proximity to the resource. These facilities are industrial by nature and have associated industrial effects. The geothermal extraction activity also has characteristics such as exploratory well drilling and testing of the resource which is wide spread across the resource area. Other activities that are sensitive to the receiving of effects resulting from geothermal exploration and electricity generation should be managed in respect to these effects.~~

~~It is appropriate to provide for the subdivision of smaller lots for the purposes of soil conservation, such as for Land Improvement Agreements, on steep and unstable land.~~

~~The Papakainga housing provisions recognise the intent of Part 2 of the RMA and provide for housing exclusively for members of the same whanau, hapu or iwi on Maori land. Maori land is owned by whanau, hapu or iwi, not individuals and cannot be subdivided or sold out of the whanau, hapu or iwi ownership. A significant portion of land within the Taupō District is Maori owned, and the Transitional Plan has historically provided for this form of housing. Some of the Maori owned land is made up of large rural blocks, with other land close to existing urban settlement or Marae. Papakainga housing is exempt for the nominal lot provision, but must meet all other building location provisions for the Rural Environment.~~

~~There are a number of structures and facilities associated with the provision of infrastructure, located throughout the Rural Environment. Policy ix recognises that these facilities often require leases or land title over only a small portion of land surrounding the physical works. Given that these infrastructural facilities are either existing or have permitted activity status, or have been through a land use consent process, the resulting subdivision of the land will have little effect on the surrounding environment.~~

~~It is considered that recreation, tourism and commercial accommodation activities are generally appropriate in the Rural Environment. To ensure that any effects on the functioning and amenity of the Rural Environment are appropriately managed, any adverse effects must be avoided, remedied or mitigated and the activity must not result in urbanisation or lead to reverse sensitivity issues.~~

#### ~~OBJECTIVE~~

##### ~~3b.2.3~~

~~Provide for and manage the effects of urban growth in the Taupō District.~~

#### ~~POLICIES~~

- ~~i. — Avoid the creation of allotments below 10 ha in Urban Growth Areas identified in 3e.6 thereby preventing land fragmentation which will adversely affect the ability of the District to provide for future urban growth needs.~~

#### ~~EXPLANATION~~

~~{Link,5189,Section 3e.6} identifies a number of future urban growth areas around the District for the purposes of ensuring an adequate land supply for future planned urban growth. It is important that these identified urban growth areas are kept available for the valuable future resource they represent. Urban growth in the Rural Environment outside the identified urban growth areas will be treated as a non-complying activity.~~

#### ~~OBJECTIVE~~

##### ~~3b.2.4~~

~~The efficient and effective functioning of the Rural Environment by enabling the use and development of natural and physical resources, while ensuring appropriate environmental outcomes are achieved.~~

## POLICIES

- ~~i.—Control activities which may potentially restrict or compromise the operation of existing activities of the Rural Environment including the creation of new rural allotments that may lead to conflict between residential and rural activity.~~
- ~~ii.—Require potentially sensitive activities to provide mitigation methods to protect them from the effects of existing activities within the Rural Environment, in order to avoid the potential effects of reverse sensitivity.~~
- ~~iii.—Avoid subdivision and development of rural land that will put pressure on rural infrastructure and may require an increase in the level of service now or in the future.~~
- ~~iv.—Avoid creating a pattern of fragmented titles that reduces the potential for rural land use diversity.~~
- ~~v.—To recognise the important role of resource use and development in the Rural Environment, by providing for the continued operation and associated development of existing electricity generation facilities and network utilities by allowing their use, maintenance and minor upgrading where all additional significant adverse effects are avoided, remedied or mitigated.~~

## EXPLANATION

~~Any activity, which does not breach the specified standards, is provided for within the Rural Environment. However, some sensitive activities may not be suitable for such an environment. When an activity requires or expects a different level of amenity to that which exists in the environment, it may impact on the ability of existing activities in the environment to operate and result in conflicts with those existing activities. For example, if a residential unit establishes within the Rural Environment, the actual level of effects within the environment may be higher than expected. This can adversely affect the residential unit, and potentially place undue restrictions on other adjacent activities not requiring such a level of amenity.~~

~~The inclusion of the Rural Effects Area Radius endeavours to remove conflict between residential units and 'rural' activities within the Rural Environment, and minimise potential 'reverse sensitivity' issues. While the Rural Effects Area Radius is not targeted at specific effects, it determines a distance at which conflict or 'reverse sensitivity' will be minimal, by ensuring a proposed residential building will be located within the site property and a sufficient distance away from site property boundaries, reducing the potential for conflict between the residential activity and surrounding rural activities.~~

~~The existing facilities for the generation and transmission of electricity represent a significant investment that creates social and economic benefits both locally and nationally. Provision is made for the continued operation of existing electricity generation facilities and network utilities. The objective recognises that so long as appropriate environmental outcomes are achieved, resource use and development of the Rural Environment should be provided for. At the same time, where there are existing activities that by their nature are not of the same character or intensity as the generality of development in the environment, any new activity must recognise the existing physical resource.~~

## OBJECTIVE

### **3b.2.5**



The protection of adjoining Environments from the adverse effects of activities within the Rural Environment.

## **POLICIES**

- i. — Manage the potential for adverse effects of activities in the Rural Environment at the interface of this and other more sensitive Environments.

## **EXPLANATION**

Activities within the Rural Environment can create a level of effects which are unacceptable within the other Environments of the District (i.e. residential/industrial). These effects include noise, dust, and the visual appearance of buildings, with the levels reached being adverse in more sensitive environments such as the Residential Environment. Therefore, at the interface between Environments, effects will be controlled with the potential for conflict minimised. This can include: the design and construction of structures to be more compatible; the provision of effective screening; setbacks for buildings and planted tree vegetation; and the meeting of the lower noise requirement at a boundary with different Environments.

These provisions will ensure development and the level of environmental effects within the Rural Environment do not have excessive off-site effects, protecting the adjoining Environment as well as the amenity of the wider District.

### **3b.3**

#### **Methods**

- i. — Rules and performance standards for permitted activities, and rules and assessment criteria for subdivision, which protect the character, amenity and functioning of the Rural Environment.
- ii. — Environmental assessment of activities which do not comply with performance standards through the resource consent process.
- iii. — Conditions on resource consents such as consent notices and covenants on titles.
- iv. — Education and information on the existing environmental levels, values, amenity and functioning associated with the Rural Environment.
- v. — Allocation of funds through the LTCCP process.
- vi. — Rules and policies within any relevant Regional Plan or Policy Statement.
- vii. — Other legislation and Council Bylaws.
- viii. — The publication of Design Guidelines to promote appropriate built development in the Rural Environment.
- ix. — The implementation of any Joint Management Agreement between Council and Iwi.

### **3b.4**

#### **Principal Reasons For Adoption**

A typical scale and character of development and level of environmental effects has been established over time within the Rural Environment. This has resulted in a level of character and amenity identified within the Rural Environment, which is defined by the operation of rural activities.

Threats to the functioning, character and amenity of the Rural Environment have been identified in the District-wide issues, policies, rules and performance standards of this section and are further discussed within the explanations for the Environment.

~~This section of the Plan recognises the variety of landscapes and great mix of activities which are undertaken within the Rural Environment, while also retaining the Environment's valued character, amenity and functioning.~~

~~Accordingly, the approach within this section is to place emphasis on assessing the potential environmental impacts through a series of standards which must be met in order for any activity to be permitted, so the operational character of the Rural Environment can be protected. Failure to meet one or more of these standards requires that an activity obtain a resource consent, at which time a full and comprehensive assessment of environmental effects will be undertaken. In addition, future urban growth areas have been identified in the Rural Environment along with a process for developing these areas. The development of these areas is supported by more restrictive subdivision rules and assessment criteria in the Rural Environment to discourage smaller lot sizes.~~

~~This approach will protect the functioning, character and amenity of the Rural Environment, and ensure the protection of the environmental qualities which make it an Environment suitable for a variety of activities that generate a range and level of environmental effects.~~

### ~~3b.5~~

#### ~~Anticipated Environmental Outcomes~~

- ~~i. A range of activities compatible in scale, amenity and character with development within the Rural Environment.~~
- ~~ii. New activities and development does not create adverse impacts in terms of overshadowing, excessive building scale, and vehicle movements.~~
- ~~iii. Protection of the amenity of adjoining Environments from the adverse effects of activities within the Rural Environment such as noise.~~
- ~~iv. Protection of the wider environment and community from nuisances such as excessive dust, noise, glare, odour and stormwater.~~
- ~~v. The establishment, maintenance and enhancement of Papakainga housing in the District that enables tangata whenua to provide for their cultural, social and economic wellbeing.~~
- ~~vi. No urban development in the Rural Environment except as provided through the TD2050 Structure Plan Process and associated plan change.~~

## 4b

### RURAL ENVIRONMENT

Section Index:

4b.1 Performance Standards

4b.2 General Rules

4b.3 Subdivision Rules

4b.4 Assessment Criteria

#### 4b.1

#### Performance Standards

*Please note: The following are the Performance Standards for all areas within the Rural Environment with the exception of Specific Requirement Areas. The Performance Standards for Specific Requirement Areas are held outside the Plan.*

#### PERFORMANCE STANDARDS – For Each Rural Area

	i. Rural	ii. Outstanding Lands cape Areas	iii. Cluster Area <sup>2</sup>	iv. Electricity Generation Core Site
<b>4b.1.1</b> <b>Maximum Building Height</b>	10m or 5m within a height restricted area	5m Refer rule 4b.2.7	8m	and activities associated with Electricity Generation on land identified as Geothermal Area in Section O 15m

#### EXCEPTIONS:

- a. Cranes being used as part of any construction or maintenance works for the duration of the works—no height limit
- b. Drilling Rigs for up to 60 days per well site—no height limit

<b>4b.1.2</b> <b>Maximum Building Coverage</b>	2.5% aggregate total of all buildings	2.5% aggregate total of all buildings	250m <sup>2</sup> aggregate total of all buildings in	2.5% aggregate total of all buildings
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		i. Rural	ii. Outstanding Lands cape Areas	iii. Cluster Area*	iv. Electricity Generation Core Site
		or 1000m <sup>2</sup> ground floor area of a single building whichever is the more restrictive	or 250m <sup>2</sup> ground floor area of a single building whichever is the more restrictive. Refer rule 4b.2.7	an allotment within a cluster area	or 1000m <sup>2</sup> ground floor area of a single building whichever is the more restrictive
<b>4b.1.3</b>	<b>Minimum Building Setback—Front Boundary</b>	a.—25m b.—5m adjacent to Foreshore Protection Area bound ary	25m	Refer rules 4b.3.9 and 4b. 3.10	0m where the road extends over any power generation Building or Stru cture
<b>4b.1.4</b>	<b>Minimum Building Setback—All other Boundaries</b>	a.—15m b.—25m from Residential Environment Boundary c.—5m from the Foreshore Protection	25m	Refer rules 4b.3.9 and 4b. 3.10	0m

- i. ~~Rural~~
  - ii. ~~Outstanding Lands~~  
~~cape Areas~~
  - iii. ~~Cluster Area\*~~
  - iv. ~~Electricity Generation~~  
~~Core Site~~
- ~~Area Boun~~  
~~dary~~

\* As defined by rules 4b.3.9 and 4b.3.10

**PERFORMANCE STANDARDS – General For All Rural Areas**

- 4b.1.5**      **Rural “Effects Area” Radius**  
—does not apply in respect to boundaries of allotments in the Residential Environment.
- Any proposed building to be used as a residential unit or for an Accommodation Activity shall have an “effects area” within the allotment of:
- i. — 100m from any Industrial Environment boundary.
  - ii. — 50m all other allotment boundaries.
  - iii. — EXCEPTION: One Dwelling per allotment, for allotments created where subdivision consent was granted prior to the notification of the Proposed District Plan (18<sup>th</sup> July 2000).
  - iv. — EXCEPTION: Any Dwelling within a cluster area created under Rules 4b.3.9, and 4b.3.10.
- 
- 4b.1.6**      **Planted Tree Vegetation Shading of Road Carriage Way**
- Planted Tree Vegetation shall not be planted or allowed to grow in a position which will shade any road carriageway, between the hours of 10am and 2pm on the shortest day of the year.
- Rule 4b.1.6 shall be deemed to be complied with where:
- i. — Topography is already preventing the direct access of sunlight onto the road;
  - ii. — The road is a private road, an unsealed road (which is not programmed to be sealed within the lifetime of this Plan) or the vegetation existed at the time of notification of the Proposed Plan;

- iii. — ~~The written consent of the relevant road controlling authority is obtained, and submitted to the Taupō District Council, prior to the commencement of planting, which clearly shows the location of the vegetation, and confirms that the road controlling authority is satisfied that the vegetation does not pose a safety risk having had regard to:
  - a. — ~~The physical characteristics of the road;~~
  - b. — ~~The degree of potential shading of the road;~~
  - c. — ~~The nature and extent of the vegetation;~~
  - d. — ~~The surrounding topography;~~
  - e. — ~~Potential weather effects on the road.~~~~

**4b.1.7**      **Planted Tree  
Vegetation  
Planting Setback**

- i. — ~~10m setback from adjoining allotments under different ownership (except where the adjacent land use is directly compatible with the planted tree vegetation i.e. plantation forestry in pinus radiata versus plantation forestry in pinus radiata, or it is revegetation carried out as a requirement under sections 3q and 4f Mapara Valley Structure Plan Area, of this plan).~~
- ii. — ~~25m setback from an existing house on an adjoining allotment~~
- iii. — ~~10m setback from any Residential Environment boundary~~

**4b.1.8**      **Maximum  
Noise Measurement**

~~The noise levels shall be measured in accordance with the requirements of NZS 6801:1999 Acoustics — Measurement of Environmental Sound and assessed in accordance with the requirements of NZS6802:1999 Assessment of Environmental Sound.~~

**4b.1.9**      **Maximum Noise  
Limits**

~~The noise level arising from any activity measured within the notional boundary of any rural environment site or within the boundary of any residential environment site, other than the site where the noise is generated, shall not exceed the following limits:~~

- i. — ~~7.00am — 10.00pm 55dBA  $L_{\text{req}}$~~
- ii. — ~~10.00pm — 7.00am 40dBA  $L_{\text{req}}$  and 70dBA  $L_{\text{max}}$~~

~~EXCEPTIONS: for specific noise refer to following Performance Standards:~~

<del>4b.1.10</del>	<del>Maximum Noise Construction Noise</del>	<del>All construction noise shall meet the requirements of New Zealand Standard NZS 6803: 1999 Acoustics Construction Noise.</del>
<del>4b.1.11</del>	<del>Maximum Noise Airport Noise</del>	<del>Refer to section 4h.</del>
<del>4b.1.12</del>	<del>Maximum Noise Electricity Generation Core Sites</del>	<del>Noise from uses at Electricity Generation Core Sites established either prior to the notification of this Plan (July 2000) or approved by way of resource consent shall comply with the noise limits specified in 4b.1.9 above as measured:  i. — outside the noise control boundary relating to each Electricity Generation Core Site as shown on the Planning Maps; or ii. — within the Notional Boundary of any Dwelling within the Rural Environment where this is beyond the noise control boundary; or iii. — within the boundary of any site within the Residential Environment where this is beyond the noise control boundary. iv. — Any new Buildings with habitable rooms (i.e. Dwellings, retirement homes, etc), built within the noise control boundaries shall be required to ensure they are appropriately designed to achieve suitable internal noise levels (35dBA <math>L_{eq}</math>). v. — The noise control boundary will be either the Electricity Generation Core Site boundary or the existing 40dBA <math>L_{eq}</math> and 75dBA <math>L_{max}</math> contour where this is beyond the Core Electricity Generation Site boundary, as shown on the planning maps.</del>
<del>4b.1.13</del>	<del>Maximum Noise Well Drilling and Testing within Electricity Generation Core Sites</del>	<del>Noise from well drilling and testing within any Electricity Generation Core Site boundary as measured:  i. — within the boundary of any site within the Residential Environment;</del>

ii. ~~within the notional boundary of any dwelling or accommodation activity within the Rural Environment~~

~~shall not exceed the noise levels set out in the following table measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics—Construction Noise, if the occupiers do not agree to vacate the premises at the noise generator’s expense during the drilling period.~~

~~Time Period Monday to Sunday~~

~~$L_{eq}$   $L_{max}$~~

~~a. 7.00am—10.00pm 70 85~~

~~b. 10.00pm—7.00am 60 75~~

**4b.1.14**      **Maximum Noise**  
**Other Noise**

- ~~i. Nothing in the foregoing Performance Standards shall apply to farm animals including working dogs, and to agricultural and forestry vehicles, agricultural and forestry machinery or equipment (including mobile plant at produce packing facilities but excluding sawmilling equipment), operated and maintained in accordance with the manufacturer’s specifications in accordance with accepted management practices (e.g. for milking, spraying, harvesting, packing, forest harvesting and the like). Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991.~~
- ~~ii. Nothing in the foregoing Performance Standards shall apply to sirens, circuit breakers and hydro spills associated with the operation of Electricity Generation Core sites. Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991.~~

**4b.1.15**      **Parking, Loading and**  
**Access**

~~In accordance with Section 6: Parking Loading and Access~~



**4b.1.16**      **Maximum Signage**      Official signs required by statutes and warning signs related to aspects of public safety  
**Official Signs**      are not required to comply with the standards.

**4b.1.17**      **Maximum Signage**      2m<sup>2</sup> total face area in one sign per allotment  
**Total Face Area**

**4b.1.18**      **Maximum Signage**      i. — Signage must relate to the activity undertaken on the allotment.  
**Style**      ii. — No flashing, reflectorised or illuminated signage  
      iii. — One temporary sign per allotment, 2m<sup>2</sup> total face area, for the sale of land or  
      buildings

**4b.1.19**      **Maximum Earthworks**      i. — No dust or silt nuisance beyond the boundaries of the allotment (except  
      internal allotment boundaries).  
      ii. — Outstanding Landscape Areas — refer to rule 4b.2.8.

Please note: Where activities such as earthworks and on-site sewage treatment involve discharges to land, air and water, a resource consent may be required from the relevant Regional Council.

**4b.1.20**      **Maximum Odour**      i. — There shall be no discharge of offensive or objectionable odour at or beyond the  
      boundary of a site.  
      ii. — In determining whether an odour is offensive or objectionable, the Council shall  
      have regard to the assessment guide contained in section 7.7.

Please note: The Regional Council may also require that resource consent be obtained for discharges to air (including odour discharges).

**4b.1.21**      **Stormwater**      All stormwater to be disposed of so as to avoid inundation or erosion of any other land  
      (excluding water bodies).

**4b.1.22**      **Nominal Allotments**      The second and subsequent Dwelling / Accommodation Unit on an allotment shall be  
      sited within its own 10 hectare “Nominal Allotment”. Dwellings / Accommodation Units

~~within the Nominal Allotment shall comply with the Minimum Building Setback and Rural Effects area Radius Performance Standards of the Plan as if the nominal boundaries are legal boundaries.~~

~~EXEMPTION: Papakainga Housing~~

## **4b.2**

### **General Rules**

#### **4b.2.1**

Any activity that:

- ~~i. complies with all of the Performance Standards for the Rural Environment; and~~
- ~~ii. complies with all the District Wide Performance Standards; and~~
- ~~iii. is not identified as a restricted discretionary or discretionary activity within the Rural Environment; and~~
- ~~iv. is not identified as a controlled, restricted discretionary or discretionary activity within the District Wide Rules;~~

~~is a **permitted activity**.~~

#### **4b.2.2**

~~Any temporary activity, being an activity of up to a total of three operational days in any one calendar year, which exceeds any performance standard(s), is a **permitted activity**, provided that:~~

- ~~i. There are no new permanent structures constructed; and~~
- ~~ii. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is retained or re-instated to its condition prior to activity commencing; and~~
- ~~iii. An allowance of five non-operational days associated with the activity is not exceeded, during which time any breach of any performance standard(s) shall only be to the extent reasonably necessary to undertake any relevant aspect of the activity.~~

#### **4b.2.3**

~~Any activity undertaken as part of the Taupō Airport or associated activities, refer to section 4h.~~

#### **4b.2.4**

~~Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal steamfields and associated structures is a **permitted activity**.~~

~~For the purpose of this rule “*maintenance*” means:~~

~~All activities associated with the protective care and monitoring of a hydro dam, a geothermal or hydro electric power station, geothermal steamfield and associated structures, in order to arrest the processes of decay, structural fatigue, erosion or dilapidation and includes maintenance of surrounds and water areas.~~

For the purpose of this rule “*minor upgrading*” means

~~Structure improvement, repair and replacement of worn or technically deficient parts of the powerhouse, hydro dams, separation plants, switchyards, intake, control and diversion structures, wells, pipes, tunnels, cables, other equipment and accessory buildings and structures of similar character and scale, and includes associated drilling, earthworks and vegetation removal. Also the extension to existing Buildings and Structures, and the erection of new Buildings and Structures up to 100m<sup>2</sup> in area and not exceeding the maximum height standard for the Rural Environment and the erection of any aerial, antennae or communication dish not exceeding 5m<sup>2</sup> in area located on top of a hydro or geothermal existing structure, subject to compliance with the Noise Performance Standard.~~

#### **4b.2.5**

~~Any activity that does not meet the Rural “Effects Area” Radius Performance Standard is a **restricted discretionary activity**.~~

~~The Council restricts the exercise of its discretion to the following matters:~~

- ~~a.—The adverse effects of the reduced radius on:
  - i.—the functioning of existing or consented activities on adjoining allotments.
  - ii.—any areas or features of cultural, historical, landscape or ecological value.
  - iii.—the extent to which the reduction in radius is necessary due to the shape or nature of the physical features of the allotment.~~
- ~~b.—The extent to which the existing topography or vegetation will mitigate effects of the reduced radius such as through increased separation.~~
- ~~c.—The ability for the proposed activity to mitigate adverse effects of the reduced setback; including the use of screening, planting, and alternative building location and design.~~

#### **4b.2.6**

~~Any activity involving a Building within 20m from the centre line of a high voltage transmission line (as shown on the planning maps) that is not associated with electricity generation is a **restricted discretionary activity**.~~

~~The Council restricts the exercise of its discretion to the following matters:~~

- ~~a.—The degree to which the design or building development and location of building platforms enables the existing line to be efficiently used, operated and accessed;~~
- ~~b.—Building orientation and the location and the visual impacts of the transmission lines;~~
- ~~c.—Measures necessary to ensure the security of the transmission line;~~

- ~~d. The degree of compliance with New Zealand Electrical Code of Practice for Electrical Safety Distances: NZECP:34;~~
- ~~e. The outcome of any consultation with the owners of the transmission lines;~~
- ~~f. The degree to which adverse effects associated with the concept of reverse sensitivity are avoided, remedied or mitigated.~~

#### **4b.2.7**

~~Provided that the activity has not been identified as a discretionary activity by another rule in the Plan, within an Outstanding Landscape Area, the erection of Structures~~

- ~~i. between 5m and 10m in height; or~~
- ~~ii. for Masts and Poles between 5m and 20m in height; or~~
- ~~iii. which are between 250m<sup>2</sup> and 1000m<sup>2</sup> in ground floor area, and have an aggregate coverage less than 2.5% of the allotment,~~

~~is a restricted discretionary activity.~~

~~The Council restricts the exercise of its discretion to the following matters:~~

- ~~a. The location of the structure in relation to the Landscape Attributes as described in schedule 7.1, considering;
  - ~~i. ridgelines and prominent landforms,~~
  - ~~ii. the need to locate the structure within an Outstanding Landscape Area, and~~
  - ~~iii. whether there are alternatives,~~
  - ~~iv. whether the location within an Outstanding Landscape Area is shown to be justified, and~~
  - ~~v. how the location and design mitigates any adverse effects on the Landscape Attributes of the Outstanding Landscape Area.~~~~
- ~~b. The scale of the structure on the Outstanding Landscape Area, and the ability to reduce the visual dominance of increased bulk.~~
- ~~c. The use of materials and colours to respond to the natural hues of the Landscape Area, and minimisation of reflectivity levels, including the utilisation of colours from the A and B Groups of the British Standard BS 5252 colour chart with reflectivity level less than 35%.~~
- ~~d. Measures to reduce window reflectivity by use of overhanging eaves, or low-reflectivity glass.~~
- ~~e. Any proposed mitigation planting to assist in integrating structures with the site, and the effectiveness of such mitigation on protecting the Landscape Attributes of the Outstanding Landscape Area.~~
- ~~f. The minimisation of earthworks associated with the erection of structures that may adversely affect the Landscape Attributes and character of the Outstanding Landscape Area.~~
- ~~g. Consideration of cumulative visual effects of structures on the Outstanding Landscape Area.~~
- ~~h. Consideration of the potential for erosion and land instability (including on-going erosion and land instability) resulting from the proposed earthworks, which may result in an adverse effect on Landscape Attributes.~~

~~EXCEPTION:~~

~~Rule 4b.2.7 will not apply to the erection of Structures:~~

- ~~i. Within Electricity Generation Core Sites.~~
- ~~ii. For the purpose of Papakainga.~~
- ~~iii. Within any Maori Reservation established under the Te Ture Whenua Maori Act 1993/Maori Lands Act 1993 for the purposes of a village site, marae, scenic interest and/or wildlife protection.~~

#### **4b.2.8**

~~Earthworks within an Outstanding Landscape Area that creates a new cut face or fill that is in excess of 1.5 metres in height, or cumulative vertical ground alteration in excess of 3.0 metres over a 12-month period, is a **restricted discretionary activity**, provided that any exposed cut or fill face located in vegetation of a height 1.5 metres or less is revegetated not later than the next growing season. Revegetation should consist of the same or similar species (other than pest species) present on the site prior to earthworks).~~

~~The Council restricts the exercise of its discretion to the following matters:~~

- ~~a. The extent to which the Earthworks will change the ground level and the effect on the Landscape Attributes.~~
- ~~b. The degree to which the finished ground levels reflect the contour of the surrounding landform.~~
- ~~c. The degree to which Earthworks will enable building facades to be extended below natural ground level.~~
- ~~d. The period that soil will be exposed.~~
- ~~e. Proposed methods and timing for the remedying or mitigation of potential adverse effects and the degree to which such methods would be successful, including rehabilitation, re-contouring and re-vegetation or the retention of existing vegetation.~~
- ~~f. Consideration of cumulative visual effects of Earthworks on the Outstanding Landscape Area.~~
- ~~g. The location of the Earthworks in relation to the Landscape Attributes as described in schedule 7.1, considering;
  - ~~i. ridgelines and prominent landforms,~~
  - ~~ii. the location requirement of the activity~~
  - ~~iii. whether there are alternatives.~~~~
- ~~h. Consideration of the potential for erosion and land instability (including on-going erosion and land instability) resulting from the proposed earthworks, which may result in an adverse effect on Landscape Attributes.~~

~~EXCEPTION:~~

~~Rule 4b.2.8 will not apply to Earthworks within Electricity Generation Core Sites.~~

#### **4b.2.9**

~~Any activity that is not a permitted, controlled, or restricted discretionary activity is a **discretionary activity**.~~

#### **4b.3**

##### **Subdivision Rules**

#### **4b.3.1**

~~Provided that the activity has not been identified as a discretionary activity by another rule in the plan, any subdivision of land in the Rural Environment where:~~

- ~~i. the resulting allotments are 10ha or larger; and~~
- ~~ii. for any subdivision of land in Area Y shown on Map D3, a covenant forms part of the documentation supporting the subdivision consent application (which shall be registered on the additional titles created) specifying that no complaints shall be made in relation to the effects of any geothermal power generation related activities and associated structures consented as at 15 September 2008, or lawfully occurring, including effects such as noise, vibration, odour or visual effects. Such covenant need not apply to:
  - ~~a. the certificates of title that contain any dwelling that existed prior to any subdivision, or~~
  - ~~b. in cases where there was no dwelling existing prior to subdivision, a single exempt title to be nominated by the subdivision applicant~~~~

~~is a controlled activity.~~

#### ~~4b.3.2~~

~~Any subdivision of land for the sole purpose of providing for infrastructure, or access lots, or legal protection in perpetuity of Significant Natural Areas, is a **controlled activity**.~~

~~NOTE: 4b.3.2 does not relate to the creation of Bonus Lots, but subdivision of all or part of a Significant Natural Area for reasons of covenanting etc., that Area. For the purposes of Rules 4b.3.1 and 4b.3.2 the matters over which the Council reserves control for the purpose of assessment are:~~

- ~~a. The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.~~
- ~~b. The identification of any natural hazards or contaminated sites and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.~~
- ~~c. Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's Development Guidelines and Structure Plans.~~
- ~~d. The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.~~
- ~~e. Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.~~
- ~~f. The imposition of conditions in accordance with Sections 108 and 220 of the Resource Management Act 1991.~~
- ~~g. Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the District's waterways and Lakes.~~
- ~~h. To ensure that the covenant relating to subdivisions in Area Y shown on Planning Map D3 is appropriately worded to prohibit complaints in relation to the matters described in Rule 4b.3.1.ii~~
- ~~i. Any immediate adverse or potentially adverse effects, including cumulative effects, on the amenity and landscape values of the Rural Environment, and the methods by which such effects can be remedied or mitigated.~~

#### **4b3.3**

~~Any subdivision of rural land that is located within an Outstanding Landscape Area or in Area X<sup>(1)</sup> on Planning Map D3 where the resulting lots are 4 hectares or larger, or is located in Area Y on Planning Map D3 where the resulting lots are between 4 hectares and 10 hectares, is a **discretionary activity**.~~

#### **4b.3.4**

~~Any activity which results in a new public road or extension of existing public roads, water, stormwater or wastewater utility services is a **restricted discretionary activity**.~~

~~The matters over which the Council reserves discretion for the purposes of assessment are:~~

- ~~a. Those matters of control identified in rules 4b.3.1 and 4b.3.2 above;~~
- ~~b. The impact of the resulting development on the ability of the wastewater, storm water and drinking water infrastructure to service the new development;~~
- ~~c. The impact of the resulting development on the ability of the roading networks to safely and sustainably operate and service the new development;~~
- ~~d. Whether or not the lots will be adequately serviced for drinking water;~~
- ~~e. The effect that the development will have on the storm water catchment.~~

#### **4b.3.5**

~~Any subdivision which is not identified as controlled, restricted discretionary, or non complying activity, is a **discretionary activity**.~~

#### **4b.3.6**

~~Unless specifically provided for by another rule in this plan any subdivision of land in the Rural Environment where the resulting allotments are smaller than 4 hectares is a **non-complying activity**.~~

#### **4b.3.7**

~~Any subdivision of land in the Rural Environment which results in the creation of Bonus Lots below 4ha is a **discretionary activity** provided the subdivision complies with the following requirements:~~

- ~~i. Each Bonus lot must correspond to no less than 10ha of a nominated Significant Natural Area that is physically (fenced with a stock proof fence where appropriate and kept free of livestock) and legally protected in perpetuity.~~
- ~~ii. The Bonus lot(s) will be located in the Rural Environment;~~
- ~~iii. The Bonus lot(s) will not be located within a Significant Natural Area, the Mapara Valley Structure Plan Area, Foreshore Protection Area, an identified Outstanding or Amenity Landscape Area or Geothermal Area;~~
- ~~iv. A maximum of 10 Bonus Lots can be created from any one certificate of title;~~
- ~~v. A consent notice shall be placed on the lot(s) which includes that part of the nominated Significant Natural Area that has been protected as per 4b.3.7.i above, identifying the area of that lot (within the SNA) which has been protected and the number of associated bonus lots created;~~
- ~~vi. The minimum allotment size of any Bonus Lot created will be 1500m<sup>2</sup>.~~

*NOTE: Further guidance for this rule is provided through (but not limited to) Policy 3i.2.2 iii and associated explanatory text.*

#### **4b.3.8**

Any subdivision of land in Area Y shown on Planning Map D3 which complies with Rule 4b.3.1.i but does not comply with Rule 4b.3.1.ii is a **restricted discretionary activity**.

The matters over which Council reserves discretion for the purposes of assessment area:

- a. The extent to which the proposed subdivision may affect already consented or permitted geothermal power generation related activities on and near the site of the subdivision; and
- b. The extent to which such actual or potential reverse sensitivity effects will be avoided, remedied, or mitigated.
- c. For the purposes of Rule 4b.3.8 notification under Section 95B and 95E of the Act may be avoided should the applicant obtain the written approval of the applicable geothermal power generators with production rights over the area.

#### **4b.3.9**

Any subdivision of land in the Rural Environment which complies with all the following requirements is a **restricted discretionary activity**:

- i. The parent allotment is no less than 20ha in area and the subdivision results in an average density of no more than 1 allotment (excluding access lots) per 10ha;
- ii. Within the parent allotment, no more than one cluster area will be created per 100ha; At the time of subdivision consent application the following will be identified within the parent allotment:
- iii. Each cluster area shall contain a group of no more than 10 allotments (excluding access lots) with each allotment to contain no more than 1 dwelling house or accommodation unit;
- iv. Each cluster area will make up no more than 3% of the parent allotment or be no larger than 3ha whichever is the smaller;
- v. Each cluster area will be no less than 100 metres from the external boundary of the parent allotment;
- vi. Each cluster area will be no less than 1000m from the Wairakei Tauhara Geothermal Area;
- vii. Each cluster area will be no less than 1000m from the Residential Environment and any other cluster area created under this rule;
- viii. All allotments created pursuant to this rule shall have a consent notice registered preventing any further subdivision, or the creation of no more than one Dwelling House or Accommodation Unit on that allotment;
- ix. All land within 20m of a water body or a river<sup>21</sup> will be planted in indigenous vegetation;
- x. No cluster area will be located within a Significant Natural Area, the Mapara Valley Structure Plan Area, Foreshore Protection Area, any identified Landscape Area or the Wairakei-Tauhara Geothermal Area;
- xi. No cluster area will be located within any identified Geothermal Area not covered by x above.



The matters over which the Council reserves discretion for the purposes of assessment are:

- a. The size and shape of the cluster area and the distribution of the allotments, so that the allotments are concentrated in a non-linear fashion.
- b. The impact of the resulting development on the ability of the roading networks, including the State Highway network, to safely and sustainably operate and service the new development;
- c. The location of the cluster areas in respect to ridgelines, and to ensure the maintenance of open space character of the wider Rural Environment, and the protection of water courses and existing vegetation.
- d. The level and characteristics of the required revegetation of the parent allotment, including consideration of guidance contained in Appendix Three, section 2.11 relating to Revegetation Corridors.
- e. The location of the cluster area in respect to identified natural hazards or contaminated sites,
- f. The location and quantity of earthworks, including its movement to, from, and on the site.
- g. Any clearance of vegetation, including its location and species.
- h. Any reverse sensitivity effects on existing and potential rural landuses including any effect on renewable energy resources, electricity generation and transmission.
- i. The location of any structures to be built, and any mitigation proposed (including colour schemes, reduced reflectivity or planting).
- j. The provision, design and location of network utility services, secure water supply, waste water treatment systems, access ways and vehicle crossings, and new existing roads.

#### **4b.3.10**

Subdivision of land under rule 4b.3.9 which does not comply with one or more of iv, v, vii, ix, x as to “any Identified Landscape Area”, or xi of that rule will be a **Discretionary Activity** except where the subdivision does not comply with both iv and xi.

#### **ASSESSMENT CRITERIA**

Please Note: These criteria together with the relevant Objectives and Policies should be considered in the assessment of rule 4b.3.10.

- a. The reasons that the cluster area is larger than that specified in the rules, and its design to reduce the impact of a larger than anticipated cluster on the amenity of the wider Rural Environment;
- b. The effects of a cluster area located within the setback to an external boundary, in relation to actual and potential reverse sensitivity effects that may arise from surrounding landuses;
- c. Whether the cluster area can be seen from a public road and any steps taken to mitigate the visual effects of the cluster area;
- d. The reasons that the cluster area is not located at least 1000m from the Residential Environment, and/or other cluster areas and/or the Wairakei Tauhara Geothermal Area, and the effect that its proximity may have on:
  - i. the effective functioning of the Residential Environment and Geothermal Area; and/or

- ~~ii. the cumulative and precedent effects of cluster areas in relation to issues of urbanisation of the Rural environment and wider rural amenity;~~
- ~~e. Any alternative design and cluster area locations that could be considered so that the development could be more consistent with the requirements of rule 4b.3.9.~~
- ~~f. The reasons why land within 20 metres of a waterbody or river is not planted in indigenous vegetation and any alternative methods used to achieve a Net Environmental Gain from the subdivision and resulting development.~~
- ~~g. The consideration of the location of cluster areas, in respect to ridgelines and for the maintenance of open space character, water courses and existing vegetation.~~
- ~~h. The level and characteristics of revegetation of the balance lot which is planned, including consideration of guidance contained in Appendix Three, Section 2.11 relating to Revegetation Corridors.~~
- ~~i. The proximity of the lots to any existing urban area or identified Urban Growth Areas and the effects that the lots may have on those areas.~~
- ~~j. Any immediate adverse or potentially adverse cumulative effects of the subdivision or subsequent land use on the quality of Taupō District's lakes, waterways and aquifers, and the methods by which such effects can be avoided, remedied or mitigated.~~
- ~~k. Any immediate adverse or potentially adverse cumulative effects on the amenity values and the existing level of infrastructure or the Rural Environment, and the methods by which such effects can be avoided, remedied, or mitigated.~~
- ~~l. The level to which the amenity and landscape of the Rural Environment has already been compromised by subdivision and development, and the extent to which the immediate environment can absorb further change without creating cumulative adverse effects.~~
- ~~m. Whether the design and layout of the subdivision avoids, remedies or mitigates any adverse effects resulting from identified natural hazards or land contamination, including an assessment of any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.~~
- ~~n. The location and quantity of earthworks, including its movement to, from, and on the site.~~
- ~~o. Any clearance of vegetation, including its location and species.~~
- ~~p. Any reverse sensitivity effects on existing and potential rural landuses including any effect on renewable energy resources, electricity generation and transmission.~~
- ~~q. The location of any structures to be built, and any mitigation proposed (including colour schemes, reduced reflectivity or planting).~~
- ~~r. The provision, design and location of network utility services, secure water supply, waste water treatment systems, access ways and vehicle crossings, and new and existing roads.~~
- ~~s. Any effects on the wider roading network, including the State Highway~~

#### **4b.3.11**

Subdivision of land under rule 4b.3.9 which does not comply with:

- i.—one or more of i, ii, iii, vi, viii, or x (except for any identified Landscape Area);
- ii.—both iv and xi

is a **non-complying activity**.

#### **4b.3.12**

Any subdivision of land where more than twelve (12) allotments share a single common access in the Rural Environment is a **discretionary activity**.

#### **4b.4**

#### **Assessment Criteria**

*Please note: These criteria are not exclusive with other criteria able to be considered in the assessment of a discretionary activity.*

##### 4b.4.1

##### GENERAL CRITERIA

- a. Impact of the development or subdivision on the functioning of the Rural Environment, surrounding allotments and other Environments.
- b. Potential for conflict between the development or subdivision and other existing activities within the Rural Environment.
- c. Any cumulative effects of the development or subdivision, (including precedent effects).
- d. The design, density and layout of the development or subdivision (including any response to natural hazards).
- e. Any immediate or potential cumulative effects of the land use on the quality of the District's lakes, waterways and aquifers, and the methods by which these adverse effects can be avoided, remedied or mitigated.
- f. Any actual or potential effects, including cumulative effects, of the development or subdivision on the amenity and landscape character of the Rural Environment in the vicinity of the subject site, and the methods by which such effects can be avoided, remedied or mitigated. Attributes that may contribute to a higher level of amenity and rural character include, (but are not limited to):
  - i.—A sense of place;
  - ii.—Aesthetic coherence;
  - iii.—Feelings of remoteness;
  - iv.—Open space, including existing recreational opportunities;
  - v.—A relatively high standard of privacy;
  - vi.—A lower incidence of household noise;
  - vii.—A lower incidence of traffic on local roads and access ways;
  - viii.—A lower incidence of litter and pollution;
  - ix.—Open vistas of vegetation and prominent topographical features;
  - x.—A lower incidence of buildings and structural clutter.
- g. Any actual and potential effects of the development or subdivision on areas or features of cultural, historical, landscape or ecological value as identified in the plan.
- h. The provision, design and location of network utility services, secure water supply, waste water treatment systems, access ways and vehicle crossings, new and existing roads.
- i. The location general assessment criteria and scope of earthworks, including its movement to, from and on the site.
- j. The clearance or planting of vegetation, including its location, species and maintenance.
- k. The imposition of conditions in accordance with Section 108 of the Resource Management Act 1991.

- ~~l. Consideration of any relevant Management Plan or Strategy as guidance during the resource consent process.~~
- ~~m. Any effects or potential effects on land stability.~~
- ~~n. Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the District's waterways and lakes.~~
- ~~o. Impact on any proposed activity applied for at 202 Spa Road, Taupō (PT SEC 318 SO 44899 BLK II, Tauhara SD, SEC 1 SO 58334 and SEC 2 SO 58334), pursuant to any resource consent application, on the amenity values of the adjacent Residential Environment.~~

#### 4b.4.2

##### BUILDING HEIGHT

- ~~a. The extent to which the extra height will:
  - ~~i. adversely affect the character and visual amenity of the area and the surrounding Rural Environment, particularly in terms of the dominance of open space over built form;~~
  - ~~ii. reduce the privacy or outlook of adjoining allotments;~~
  - ~~iii. adversely affect Outstanding Landscape Management Areas and Landscape Amenity Management Areas.~~~~
- ~~b. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful including:
  - ~~i. the extent to which topography, alternative design, planting or setbacks can mitigate the adverse effects of the extra height.~~~~

#### 4b.4.3

##### COVERAGE

- ~~a. The extent to which the increased coverage will:
  - ~~i. adversely affect the character and visual amenity of the area with regard to the visual dominance of open space verses built form;~~
  - ~~ii. reduce the privacy and outlook of adjoining allotments; and~~
  - ~~iii. adversely affect Outstanding Landscape Management Areas and Landscape Amenity Management Areas.~~~~
- ~~b. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful including:
  - ~~i. the ability to mitigate adverse effects such as through the imposition of conditions such as landscaping; and~~
  - ~~ii. provision for the protection or enhancement of significant vegetation.~~~~

#### 4b.4.4

##### BUILDING SETBACK

- ~~a. The extent to which the reduced setback will:
  - ~~i. adversely affect the visual amenity of the Rural Environment;~~
  - ~~ii. adversely affect the streetscape of the area;~~
  - ~~iii. reduce the privacy and outlook of adjoining allotments;~~
  - ~~iv. limit the safe and visible access of vehicles using the allotment.~~~~
- ~~b. The extent to which the reduction in the setback is necessary due to the shape or nature and physical feature of the allotment.~~

- ~~c. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful including:
  - ~~i.—the ability of existing topography or vegetation to mitigate any adverse visual effects on the streetscape;~~
  - ~~ii.—the ability to mitigate adverse effects of the reduced setback through screening, planting and alternative design;~~
  - ~~iii.—provision for the protection or enhancement of significant vegetation;~~
  - ~~iv.—planted tree vegetation (including plantation forestry).~~~~
- ~~d. Whether there are adverse effects on the surrounding environment, surrounding allotments, or the adjoining road including shading, weed growth, or effects at the time of harvest.~~
- ~~e. Factors in the surrounding environment and whether any change in topography gives increased separation.~~
- ~~f. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful.~~

#### 4b.4.5 NOISE

- ~~a. Ambient sound levels and the impact of any cumulative increase.~~
- ~~b. The degree to which the sound contrasts with the characteristics of the existing sound environment in terms of level, character, duration and timing.~~
- ~~c. The length of time, and the level by which the noise limits will be exceeded, particularly at night.~~
- ~~d. The nature and location of nearby activities and the effects they may experience resulting from the increase in sound levels.~~
- ~~e. Whether the sound levels are likely to detract from the amenity or general environmental quality of the surrounding Residential Environment. [399/03]~~
- ~~f. The topography of the allotment and any influence this may have on sound propagation.~~
- ~~g. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects and the degree to which they would be successful including:
  - ~~i.—insulation and barriers and the isolation of the source of the noise.~~~~

#### 4b.4.6 PARKING, LOADING AND ACCESS

- ~~a. Extent to which the safety and efficiency of the roading network, road hierarchy or users of the road would be adversely affected.~~
- ~~b. Whether there will be any adverse effects on the safety of pedestrians using the allotment, road, footpath or vehicle crossing.~~
- ~~c. The type of vehicles using the site, their intensity, the time of day the site is frequented and the likely anticipated vehicle generation.~~
- ~~d. Any adverse visual or nuisance effects on the functioning, amenity and character of the surrounding area and the Rural Environment.~~
- ~~e. Effect of factors in the surrounding roading network including the position and function of the road within the road hierarchy, the actual speed environment of the road, volume of traffic using the road and any other factors that will prevent congestion and confusion between vehicles.~~
- ~~f. Proposed methods for avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful including:~~

- i. ~~measures to improve visibility to and from the vehicle crossing point and alternative construction, location or design~~

#### 4b.4.7

#### SIGNAGE

- a. ~~Location (off or on the allotment), design and appearance of the sign.~~
- b. ~~Adverse effects on the scale and character of the allotment and of the rural landscape and environment, including the nature and proximity of other signage within the surrounding area.~~
- c. ~~Visibility from roads or public open spaces in the vicinity including the effect on views from other allotments in the surrounding area.~~
- d. ~~Effect on the openness and attractiveness of the streetscape.~~
- e. ~~Effect on the amenity of adjoining allotment in terms of such matters as noise, artificial light and glare occurring as a result of the sign.~~
- f. ~~Necessity of sign to direct people to the activity.~~
- g. ~~Effect on the safe and efficient operation of the roading network within the area including the possible distraction or confusion of motorists.~~

#### 4b.4.8

#### EARTHWORKS

- a. ~~Detraction from the amenity of adjoining allotments in terms of such matters as noise and dust occurring as a result of the earthworks, and the resulting impact on the use of these allotments.~~
- b. ~~Potential for the creation of a nuisance effect for residents within the area.~~
- c. ~~Time period for which soil will be exposed.~~
- d. ~~Proposed methods for the avoidance, remedying or mitigation of potential adverse effects and the degree to which they would be successful including:~~
  - i. ~~planned rehabilitation, recontouring and revegetation or the retention of existing vegetation (other than pest species).~~
  - ii. ~~identification of alteration to catchment drainage including diversions and stormwater management during earthworks construction.~~
- e. ~~Whether there are any Archaeological sites, and the potential effect of the earthworks on these sites.~~

#### 4b.4.9

#### ODOUR

- a. ~~Detraction from the amenity of other allotments, including the potential for the creation of nuisance effects for residents within the area, and the resulting impact on the use of these allotments.~~
- b. ~~Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful.~~
- c. ~~Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful.~~

#### 4b.4.10

#### WATER SUPPLY

- a. ~~Proposed methods for the avoidance, remedying or mitigation of potential adverse effects, and the degree to which they would be successful.~~

#### 4b.4.11

#### GEOHERMAL ACTIVITY

- a. ~~The extent to which the activity will impact on the functioning of the existing geothermal based industries, e.g. reverse sensitivity issues.~~
- b. ~~The potential for the activity to be adversely affected in the future by the known effects of geothermal based industries such as subsidence, noise or visual amenity.~~

#### 4b.4.12

#### SUBDIVISION

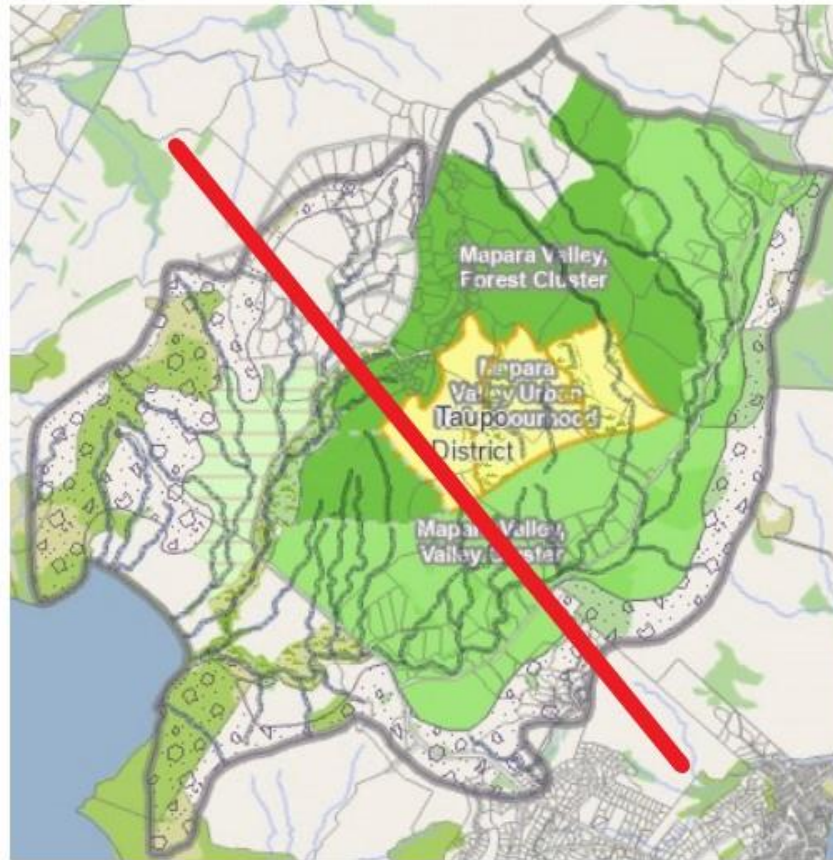
- a. ~~Any immediate adverse or potentially adverse cumulative effects of the subdivision or subsequent land use on the quality of Taupō District's lakes, waterways and aquifers, and the methods by which such effects can be avoided, remedied or mitigated.~~
- b. ~~Any immediate adverse or potentially adverse effects, including cumulative effects, on the amenity and landscape values and the existing level of infrastructure of the Rural Environment, and the methods by which such effects can be avoided, remedied or mitigated.~~
- c. ~~The level to which the amenity and landscape of the Rural Environment has already been compromised by subdivision and development and the extent to which the locality can absorb further change without creating cumulative adverse effects.~~
- d. ~~Whether the design and layout of the subdivision avoids, remedies or~~
- e. ~~mitigates any adverse effects resulting from identified natural hazards or land contamination, including an assessment of any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.~~
- f. ~~The location and scope of earthworks, including its movement to, from and on the site.~~
- g. ~~The clearance or planting of vegetation, including its location, species and maintenance.~~
- h. ~~The potential for financial contributions to avoid, remedy or mitigate any adverse effects on the environment.~~
- i. ~~The imposition of conditions in accordance with Sections 108 and 220 of the Resource Management Act 1991.~~
- j. ~~Any actual or potential effects on areas or features of cultural, historical, landscape or ecological value as identified in the plan.~~
- k. ~~Whether infrastructure can sustainably service the actual or cumulative increase in the density of dwellings above that which is anticipated through the Permitted and Controlled activity status in the District Plan.~~
- l. ~~The effect of the proposed subdivision on the utilisation of geothermal energy resources of Development and Limited Development Geothermal Systems.~~
- m. ~~Whether there is suitable and appropriate physical and legal access to allotments based on the number of new allotments created and any necessary title security of ownership and maintenance.~~

*Note: Where activities such as earthworks and on-site sewage treatment involve discharges to land, air and water, a resource consent may be required from the relevant Regional Council.*

**Refer also to Subsection E – DISTRICT WIDE RULES**

## Plan Change 42 Deletion of the Mapara Valley Environments

NB: Mapara environments revert to General Rural or Rural Lifestyle Environment. Check [www.taupo.govt.nz/districtplareview](http://www.taupo.govt.nz/districtplareview) to view proposed rural lifestyle environment. If not rural lifestyle properties default to General Rural.



The following Overlays and Environments are proposed to be deleted from the Taupo District Plan:

### ePlan Overlays

- Mapara Escarpment Area
- Mapara Forest Cluster Neighbourhood A
- Mapara Revegetation Area
- Mapara Riparian Area
- Mapara Urban Neighbourhoods
- Mapara Valley Structure Plan Area

### ePlan Environments

- Mapara Valley Modified Rural Environment
- Mapara Valley Urban Neighbourhood
- Mapara Valley, Forest Cluster
- Mapara Valley, Valley Cluster