

1 Coastal Protection Plan Change 1B

This plan change proposes to refine the operative objectives, policies and rules of the District Plan in relation to Subdivision and Natural Hazards, and to introduce two new zones the Coastal (Mahia) Zone and the Residential (Mahia) Zone.

1.1 Natural Hazards

Hawke's Bay Regional Council (HBRC) undertook a Coastal Hazard Assessment for the Region in February 2004. This assessment researched the effect and extent of Coastal Hazards in the District. Subsequently in August 2006 HBRC notified a Regional Coastal Environment Plan. Plan Change 1B proposes to use the earlier 2004 information to ensure coastal hazard management is properly coordinated through the introduction of the Coastal Hazard Erosion Protection Area (CHEPA) and rules appropriate to subdivision in that area.

1.2 Subdivision

The Subdivision portion of the Plan Change has been initiated partly in response to the Wairoa Coastal Strategy, Mahia Beach and Mahia Isthmus Communities Structure Plans.

The Wairoa District Plan was drafted to promote development and growth within the district. While this has been suitable for past uses increasing pressure has been placed on Wairoa's Coastal environment so that it is now time for subdivision rules in areas subject to growth pressure around the Mahia Peninsula and Isthmus to be reviewed.

2 Summary of Natural Hazards Amendments

The key elements of the Natural Hazards portion of the Plan Change are:

2.1 Planning Maps

Operative Plan	Proposed Plan Change
There are no erosion risk areas identified on the existing District Planning maps.	Introduce information from HBRC Coastal Hazard Assessment in the form of a Coastal Hazard Erosion Policy Area (CHEPA). Amend Maps 25, 28, 29, 58, 59, 60, 61, 62, 63 and 64 accordingly.

2.2 Chapter 8 Managing the Effects of Natural Hazards

Operative Plan	Proposed Plan Change
Objectives and Policies	
<p>Objective 8.4.1 The same intent as operative policy 8.4.1 "To minimise the vulnerability of the community to the effects of natural hazards on people, property, and community services and infrastructure"</p>	<p>Proposed Objective 8.4.1 This policy is reworded to focus on avoiding first the effects of natural hazards. <i>"To provide for, and protect, the life and well-being people, physical resources and significant environmental values by avoiding the effects of coastal hazards on the use, subdivision and development of land in the Current Hazard Erosion Policy Area (CHEPA) and by remedying or mitigating the effects of such use, subdivision and development on the coastal environment."</i></p>
8.5 Policies	<p>New Policies</p> <p>8.5.6 Foreshore & River Mouth Protection The Policy has been reworded to clarify why the foreshore is to be protected: <i>"Maintain or enhance, where possible, the capacity of the current active foredune and river mouth areas, to provide unimpeded natural protection against coastal erosion and inundation."</i></p> <p>8.5.7 Managing Erosion and Inundation Hazards The Policy distinguishes between the management of lawfully established existing uses (i.e. S.10 RMA) and new subdivision.</p> <p>8.5.8 Subdivision Provides direction in what can/cannot be subdivided. The Policy identifies that the CERZ is different to the 2060 year and 2100 year Erosion Risk Zones and that the management of subdivision for these areas is different.</p>

Operative Plan	Proposed Plan Change
8.6 Methods Available Using the Provisions of the District Plan	The main aspects changed in the Methods Section are: 1. The focus of CHEPA not just areas susceptible to natural hazards. 2. The establishment of zones.
8.7 Explanation and Reasons	The main aspects changed in the Explanation are: Recognition that the coastal erosion and inundation hazard risk within the Current Risk Zone is too great to allow subdivision to occur.
8.8 Anticipated Environmental Results	The main aspects changed in the Anticipated Environmental Results are: 1. Recognition of the aim to reduce physical risks. 2. Provision of a natural protective buffer

2.3 Chapter 27A Coastal Hazards

Operative Plan	Proposed Plan Change
The operative Plan does not contain any equivalent rules.	27A.1 Rules Introduction of Coastal Hazard Rules 27A.1.1 Definitions Terms relevant to this Coastal Hazard Section and the listed permitted activities are defined in Section 31 of the District Plan. 27A.1.2 Permitted Activities List of activities permitted in the Coastal Hazard Policy Areas. .
	27A.1.9 Discretionary Activities. Provides the activity classification for subdivision in the CHEPA
The operative Plan does not contain Natural Hazard Prohibited Activity list.	17.6 Prohibited Activities A description of prohibited activities is provided.

2.4 Chapter 31 Definitions

Operative Plan	Proposed Plan Change
There are no equivalent definitions provided	Introduce definitions

3 Summary of Land Use and Subdivision Amendments

3.1 Chapter 15A Coastal (Mahia) Zone

Operative Plan	Proposed Plan Change
<p>The operative Plan does not contain specific controls over subdivisions within the new Coastal (Mahia) area.</p>	<p>15A Coastal (Mahia) Zone Introduction of new Coastal zone.</p> <p>15A.1 Zone Description & Issues Introduction of issues relating to the coastal zone including: sensitive environment, high spiritual/cultural values, recreational use, affect of appropriate and inappropriate land uses.</p> <p>15A.2 Objectives Cross reference to Section 6.4 and 8.4.</p> <p>15A.3 Policies Cross reference to Section 6.5 and 8.4.</p> <p>15A.4 Methods to Sustainably Manage the Coastal Influenced Environment Cross reference to Section 6.6 and 8.6.</p> <p>15A.5 Explanation & Reasons Cross reference to Section 6.7 and 8.7.</p> <p>15A.6 Anticipated Environmental Results Cross reference to Section 6.8 and 8.8.</p> <p>15A.7 Rules Introduce new zone to focus on Coastal (Mahia) area. Introduces the following activity status for subdivisions:</p> <ul style="list-style-type: none"> ■ Permitted activity - Activities as listed; ■ Discretionary activity - Activities that are unable to comply with one or more of the standards and conditions for permitted activities. ■ Prohibited activity- any activity specified in Rule 27A.1.6. <p>15A.8 Performance Standards/Development Criteria for Permitted and Discretionary activities in Coastal (Mahia) Zone. Provides greater certainty and stronger direction for site coverage (not exceeding 10%), density (1 dwelling per 5,000m²), noise limits, odour, glare requirements. A maximum height (10m), with 15m yards with the possibility of reducing this to 5m with neighbours written approval. The introduction of sign, hazardous substances, earthworks and other district wide rules.</p>

3.2 Chapter 18 Residential Zone

Operative Plan	Proposed Plan Change
18.1 Zone Description & Issues	Amendment to remove reference to Mahia Beach.
18.3 Policies	Remove reference to Mahia Beach.
18.4 Methods	Remove reference to Mahia Beach.
18.5 Explanation & Reasons	Remove reference to Mahia Beach.

3.3 Chapter 18A Residential (Mahia) Zone

Operative Plan	Proposed Plan Change
	<p>18A Residential (Mahia) Zone Introduction of new Residential zone.</p> <p>18A.1 Zone Description & Issues Introduction of issues relating to the new residential zone.</p> <p>18A.2 Objectives Introduce new objectives consistent with Section 18.2, with the addition of a cross reference to Section 6.4 and 8.4.</p> <p>18A.3 Policies Introduce new policies consistent with Section 18.3, with the addition of a cross reference to Sections 6.5 and 8.5 and the introduction of policies for site services, access and traffic.</p> <p>18A.4 Methods Introduce methods consistent with Section 18.4 and introducing a cross reference to Section 6.6 and 8.6.</p> <p>18A.5 Explanation & Reasons Introducing an explanation & reasons consistent with Section 18.5 and a cross reference to Section 6.7 and 8.7.</p> <p>18A.6 Anticipated Environmental Results Introducing anticipated environmental results consistent with 18.6 and a cross reference to Section 6.8 and 8.8.</p> <p>18A.7 Rules Introduce new zone to focus on Residential (Mahia) area. Introduces the following activity status:</p> <ul style="list-style-type: none"> ■ Permitted activity - Activities as listed; ■ Discretionary activity - Activities which are unable to comply with one or more of the standards and conditions for permitted ■ Prohibited – activities in Rule 27A.1.6.

Operative Plan	Proposed Plan Change
	<p>18A.8 Performance Standards/Development Criteria for Permitted and Controlled activities in Residential (Mahia) Zone. Provides greater certainty and stronger direction for site coverage (not exceeding 35%), density (1 dwelling per 800m² for serviced lots and 1 dwelling per 1000m² for unserviced lots), noise limits, odour, glare requirements. A maximum height (10m), with specified yards. The introduction of sign, hazardous substances, earthworks and other district wide rules.</p>

3.4 Chapter 27 Subdivision

Operative Plan	Proposed Plan Change
<p>The operative Plan does not contain specific controls over subdivisions within the new Residential (Mahia) and Coastal (Mahia) areas.</p>	<p>Text amendments to introduce new set of Rules for Residential (Mahia) and Coastal (Mahia) Zones</p> <p>27.9 Rules – Residential (Mahia) and Coastal (Mahia) Zones Introduces the following activity status for subdivisions:</p> <ul style="list-style-type: none"> ■ Residential (Mahia) - Controlled activities; ■ Coastal (Mahia) – Discretionary activities; ■ Subdivisions not listed as controlled, discretionary or prohibited or that do not meet Section 27.10 – Non-complying activities ■ Subdivisions listed in 27A.1.6 are prohibited. <p>27.10 General Performance Standards for Residential (Mahia) and Coastal (Mahia) Zone. Provides further guidance on minimum lot size, site suitability, site services, roads and other district wide rules.</p> <p>27.11 Anticipated Environmental Results Introduces additional results including focus on future generations, the efficient use of land for utilities,</p>



The following are proposed changes to the Wairoa District Plan. Text to be added to the District Plan is shown as double underlined, text to be deleted is shown as strike through text.

8 MANAGING THE EFFECTS OF NATURAL HAZARDS

8.3 RESOURCE MANAGEMENT ISSUES

8.3.1 An increase in the potential severity or damage to the environment, people and physical resources resulting from natural hazard events as a result of inappropriate land use, development and subdivision.

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8.4 OBJECTIVES

8.4.1 To minimise the vulnerability of the community to the effects of natural hazards on ~~people, property, and community services and infrastructure.~~ To provide for, and protect, the life and well-being of people, physical resources and significant environmental values by avoiding the effects of coastal hazards on the use, subdivision and development of land in the Current Hazard Erosion Policy Area (CHEPA) and by remedying or mitigating the effects of such use, subdivision and development on the coastal environment.

8.5 POLICIES

8.5.6 Policy: Foreshore & River Mouth Protection.

Maintain or enhance, where possible, the capacity of the active foredune areas and river mouths, to provide unimpeded natural protection against coastal erosion and inundation.

8.5.7 Policy: Managing erosion and inundation hazards.

a) New Subdivision or Use:

Avoidance or mitigation of coastal erosion and inundation hazards are the appropriate means of implementing coastal erosion and inundation hazard management for new subdivision.

8.5.8 Policy: Subdivision

a) CERZ:

(i) New lots shall not be created on land wholly located within the CERZ.

(ii) New lots may be created on land partially located within the CERZ provided a new building platform can be provided outside of the CERZ.

Note: Any use or development within the CHEPA, as defined within this Plan or the Hawke's Bay Regional Coastal Environment Plan (HBRCEP), may also be subject to the objectives, policies and rules of the HBRCEP and may require resource consent from the Hawke's Bay Regional Council.

8.6 METHODS AVAILABLE USING THE PROVISIONS OF THE DISTRICT PLAN

8.6.4 Identify a CHEPA along Mahia's open coast within which subdivision is restricted due to risks of erosion and inundation over short-term, 2060 year and 2100 year planning periods. Record these areas areas susceptible to natural hazards on planning maps in the District Plan. Provide known hazard related information on LIM's and PIM's (Land Information Memorandums, Project Information Memorandums).

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Coastal Hazard Erosion Policy Area CHEPA

8.6.11 Establish a Coastal (Mahia) Zone and Residential (Mahia) Zone.

8.6.12 Prohibit subdivision in the CERZ.

8.6.14 Policies 8.5.1 to 8.5.8 shall be implemented by the relevant Rules in the District Plan. These Rules are primarily located in Chapter 27A Coastal Hazards.

8.6.15 Require the provision of Esplanade Reserves upon subdivision and development of land abutting the foreshore, where such land would mitigate natural hazard and/or protect other ecological or resource values.

8.6.16 Support HBRC review, using all available information, the physical extent of the CHEPA.

8.6.17 Where necessary programme additional research and investigation of coastal erosion and inundation hazard risk along residential areas of the open coast through the Annual Plan.

8.6.18 Develop a funding policy which defines recovery and apportionment of costs for ongoing implementation and review of hazard provisions, and for beach replenishment/restoration works.

8.6.19 Support and work with HBRC to ensure the management of Natural Hazard risk is coordinated, consistent and that the development and review of hazard management tools occurs on a regional and cost-effective basis.

8.7 EXPLANATION AND REASONS

Coastal Hazard Erosion Policy Area

8.7.6 The coastal erosion and inundation hazard risk within the CERZ is too great to allow subdivision to occur.

8.7.7 The HBRCEP controls the modification, construction or removal of structures and earthworks/vegetation removal within hazard zones. Only subdivision within the CHEPA is managed by Wairoa District Council. Policies are established to avoid, remedy or mitigate the potential adverse effects of subdivision in the CHEPA by prohibiting the addition of new lots solely within the current erosion risk zone and requiring the provision of a building platform outside of the CERZ for any new lots that contain land within the CERZ. Use and development in the CHEPA is likely to be subject to the objectives, policies and rules of the HBRCEP and may require resource consent before proceeding.

8.7.8 Within the 2060 and 2100 Erosion Risk Zones, it is recognised that the potential for risk or damage to property and life is less immediate than that posed by the CERZ and therefore subdivision that conforms to set performance criteria, may occur. Subdivision should allow for reasonable property rights and use but development on parcels created may be required to obtain resource consent from HBRC.

8.8 ANTICIPATED ENVIRONMENTAL RESULTS

8.8.8 Reduction in the net physical risk from coastal erosion and inundation hazards over time.

8.8.9 Coastal Hazard Erosion Policy Area:

Maintenance of a natural protective buffer area between the open coastline and development so avoiding the need for hazard protection works.

15A Coastal (Mahia) Zone

15A.1 ZONE DESCRIPTION AND ISSUES

- 15A.1.1 The coastal environment is sensitive to change from activities, which involve earthworks, removal of vegetation and creation of structures that change the "natural" processes of the ocean.
- 15A.1.2 Parts of the coastal area have high cultural/spiritual values as well as providing important seafood resources for Maori.
- 15A.1.3 The coast also supports, and provides access to the sea, for a range of recreational activities such as swimming, surfing, fishing, game bird hunting and diving.
- 15A.1.4 Inappropriate land uses and development can adversely affect the natural character of the coastal environment. Along much of Wairoa's coastline there has been little demand or pressure for coastal settlement. In recent years there has been increased demand for subdivision in the coastal environment on Mahia Peninsula and this demand is likely to continue. Consistent with the RMA and NZCPS (New Zealand Coastal Policy Statement) Council, in consultation with the community, must identify areas where further subdivision may be appropriate and where it should be avoided, so that the natural character of the area is preserved. Land use practices adjacent to the coastline or within erosion prone catchments can cause changes in water quality, which in turn can affect coastal lagoons, estuaries and wetlands or accelerate the rate of erosion that occurs along unstable cliff faces and within dune areas. For the Mahia Peninsula this area is a specific Coastal (Mahia) Zone is provided.
- 15A.1.5 Not all land use practices have an adverse effect on the coastal environment. Sometimes land use activities can have positive benefits. For example, re-vegetation of erosion prone areas can reduce coastal erosion. In some cases this must be balanced against the potential loss of scenic values and views of neighbours.

15A.2 OBJECTIVES

- 15A.2.1 Refer to Objectives in Section 6.4 and 8.4.

15A.3 POLICIES

- 15A.3.1 Refer to Policies in Section 6.5 and 8.5.

15A.4 METHODS TO SUSTAINABLY MANAGE THE COASTAL INFLUENCED ENVIRONMENT

- 15A.4.1 Refer to Methods in Section 6.6 and 8.6)

15A.5 EXPLANATION & REASONS

- 15A.5.1 Refer to Explanation & Reasons in Section 6.7 and 8.7)

15A.6 ANTICIPATED ENVIRONMENTAL RESULTS

15A.6.1 Refer to Anticipated Environmental Results in Section 6.8 and 8.8.

15A.7 RULES

Note: The undertaking of some of the activities noted above may require resource consent, or written approval as an affected party, from Hawke's Bay Regional Council.

Permitted Activities

15A.7.1 The following a permitted activities in the Coastal (Mahia) Zone.

- Accessory buildings/activities
- Accommodation facilities (for a maximum of 4 persons)
- Activities on reserves as provided for in the Reserves Act 1977.
- Construction, addition to, or alteration of residential buildings
- Education facilities for a maximum of 10 persons (excluding staff)
- Home Business
- Installation or alteration of antennas
- Maintenance of existing public works and network utilities
- Meteorological activities
- Residential activity/dwelling
- Rural activity
- Soil conservation and water management works
- Temporary activities (other than network utility activities)
- Wetland and wildlife habitats conservation

Discretionary Activities

15A.7.2 Any activity unable to comply with one or more of the standards and conditions for permitted activities.

15A.7.3 Activities as specified in Rule 27A.1.4.

15A.8 PERFORMANCE STANDARDS/DEVELOPMENT CRITERIA FOR PERMITTED AND DISCRETIONARY ACTIVITIES IN COASTAL (MAHIA) ZONE

MAXIMUM BUILDING SITE COVERAGE

15A.8.1 Total building coverage of the site with impermeable surfaces shall not exceed 10% of the net site area.

DENSITY

15A.8.2 Household density shall not exceed one dwelling per 5,000m² of the net site area

OR

For areas of land of less than 5,000m² held in one certificate of title first registered before 19 December 2006, one dwelling unit is permitted.

NOISE

15A.8.3 All activities shall be designed and conducted to ensure that the following noise limits are not exceeded:

A. At or within the notional boundary of any dwelling or place of assembly:

<u>7am to 10 pm</u>	<u>50 dBA L10</u>
<u>10pm to 7am</u>	<u>40 dBA L10</u>
<u>On any day between 10pm – 7am</u>	<u>65 dBA Lmax</u>

B. At or within the boundary of any site in the Coastal (Mahia) Zone other than the site from which the noise is being emitted:

<u>At all times</u>	<u>50 dBA L10</u>
<u>At all times</u>	<u>65 dBA Lmax</u>

ODOUR

15A.8.4 Any new dwelling shall be set back 200 metres from any buildings associated with any existing intensive farming activity, oxidation pond, effluent holding pond or waste disposal area.

15A.8.5 Any building associated with a new intensive farming activity, oxidation pond, effluent holding pond or waste disposal area shall be set back in accordance with the following separation distances:

<u>Feature</u>	<u>Separation Distance (m)</u>
<u>From a Town Centre or Coastal (Mahia) Zone Boundary</u>	<u>500</u>

GLARE

15A.8.6 Light emissions measured from any site shall not exceed a measurement of 10 lux (lumens per square metre) measured at 1.5 metres above ground level at the site boundary.

15A.8.7 No building or structure shall be finished with materials that create a glare nuisance to neighbouring properties or road users.

PRIVACY, SHADING AND VISUAL AMENITY

15A.8.8 All buildings shall meet the following bulk and location requirements:

<u>Minimum Front yard</u>	<u>15.0m (refer to Note 1)</u>
<u>Minimum Side yards</u>	<u>15.0m (refer to Note 1)</u>
<u>Minimum Rear yard</u>	<u>15.0m (refer to Note 2)</u>
<u>Maximum Building height</u>	<u>8.0m (refer to Note 2)</u>

- (1) No part of a building shall exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary where this is to a residential property.
- (2) No part of a building shall exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary where this is to a residential property.

SIGNS

15A.8.9 One on-site advertising sign per property frontage (excluding temporary signs) not exceeding 1.5m² in area, or 3.0m² in area where the property fronts a State Highway with a designated speed limit in excess of 70kph. (refer to definition of advertising sign in Chapter 31).

15A.8.10 All signs required to be read from the road shall meet the following minimum lettering height size when related to road speed limits:

- (a) less than 70kph 120mm
- (b) greater than 70kph 160mm

15A.8.11 All signs visible from roads (excluding signs required to be erected by statute and warning signs related to aspects of public safety) shall be located at least 15m from any traffic control signs or signals: shall not obstruct driver visibility along the road and at intersections and accessways: and shall not contain any flashing, animated or illuminated components.

15A.8.12 Temporary signs relating to the disposal of property or local or central government election shall not exceed 1.0m² in area, for community activities 3.0m² and shall not remain on the property for more than 6 months and shall be removed within 7 days following the event.

15A.8.13 When attached to a building no part of the sign shall protrude above the eaves, or when free standing shall not exceed 4.0m in height.

HAZARDOUS SUBSTANCES

15A.8.14 The use, storage, disposal or transportation of hazardous substances shall not exceed the Low Threshold Hazard Factor (refer definitions and Appendix III for examples).

15A.8.15 Any activity involving the use, storage, disposal or transportation of hazardous substances on-site, shall ensure that any area or container used, is designed, constructed and managed to prevent any leakages or spills.

EARTHWORKS

15A.8.16 Earthworks activities shall meet the following standards:

<u>Max Vol (m³) over 12 months per site</u>	<u>50</u>
<u>Max face height (m)</u>	<u>1.5</u>
<u>Max area of work per site (m²)</u>	<u>300</u>
<u>Proximity to water body measured from the bank edge at bank full height.</u>	<u>No closer than 20m.</u>

Note: The volume of earthworks is to be measured prior to excavation.

OTHER DISTRICT WIDE RULES

15A.8.17 All activities must also comply with the rules contained in the following chapters of this Plan (where relevant):

- Cultural Heritage (Chapter 22)
- Indigenous Vegetation and Habitats of Indigenous Fauna (Chapter 23)
- Access and Parking (Chapter 24)
- Surface of Water (Chapter 25)
- Subdivision (Chapter 27)
- Natural Hazards (Chapter 27A)
- Information Requirements (Chapter 28)

Note: activities associated with the construction and maintenance of utilities are provided

18 RESIDENTIAL ZONE

18.1 ZONE DESCRIPTION AND ISSUES

18.1.1 The Residential Zone covers the residential areas within Wairoa Township ~~and Mahia Beach~~. These residential areas are primarily low-to-medium density housing of a variety of styles and types, with lower density housing on the rural/urban fringe. Demand for residential development in Wairoa is low, however, ~~it is relatively high at Mahia Beach~~. Council considers that these residential areas should be zoned mainly to provide for residential purposes...

18.1.3 Therefore the performance standards encourage a variety of housing styles and types while controlling the extent of non-residential activities and their impacts on residential amenity. Standards have also been set in terms of bulk and location to safeguard privacy, parking and access, traffic generation and hazardous substances. These standards have been set at levels that reflect and or enhance the existing amenity values of the residential areas of Wairoa ~~and Mahia Beach~~.

18.3 POLICIES

18.3.1 Enable a mixture of housing and lifestyles in urban Wairoa ~~and Mahia Beach~~.

18.4 METHODS

18.4.4 Rules and standards to protect and enhance the amenity values of the residential areas of Wairoa ~~and Mahia Beach~~.

18.5 EXPLANATION & REASONS

18.5.1 The Residential Zone generally relates to urban Wairoa ~~and Mahia Beach~~. The objectives and policies for the Residential (Mahia) Zone seek to provide flexibility in the types of activities whilst maintaining and enhancing the predominant residential amenity in these areas.

18A Residential (Mahia) Zone

18A.1 ZONE DESCRIPTION AND ISSUES

18A.1.1 The Residential (Mahia) Zone covers the residential areas within Mahia including Mahia Beach, Waikokopu, Opoutama, Mahanga, Te Mahia and Oraka. The residential areas are primarily low-to-medium density housing of a variety of styles and types, with lower density housing on the rural/urban fringe. Demand for residential development in Mahia is relatively high. Council considers that these residential areas should be zoned mainly to provide for residential purposes.

18A.1.2 Residential areas contain a range of complementary non-residential activities relating to the health, educational, spiritual, cultural, recreational, social and day-to-day economic needs of residents. Many of these require a residential location because of the local service they provide to residents. At the same time, residential areas exhibit the greatest sensitivity to adverse effects such as noise, traffic, parking and loss of privacy.

18A.1.3 Therefore the performance standards encourage a variety of housing styles and types while controlling the extent of non-residential activities and their impacts on residential amenity. Standards have also been set in terms of bulk and location to safeguard privacy, parking and access, traffic generation and hazardous substances. These standards have been set at levels that reflect and or enhance the existing amenity values of the residential areas of Mahia.

18A.1.4 Also of particular importance is the susceptibility of parts of the residential zone in Wairoa to large-scale flooding events. Methods to inform residents and to avoid or limit the effect of natural hazards have been developed within the plan.

18A.2 OBJECTIVES

18A.2.1 To maintain and enhance residential amenity values.

18A.2.2 To avoid, remedy or mitigate the adverse effects of non-residential activities in residential areas so as to maintain the amenity values of the area.

18A.2.3 To develop residential areas that avoid or limit the effects of natural hazards.

18A.2.4 To manage utility services and other natural and physical resources in a sustainable manner.

18A.2.5 Refer to objectives in Section 6.4 and 8.4.

18A.3 POLICIES

18A.3.1 Enable a mixture of housing and lifestyles in Mahia including Mahia Beach, Waikokopu, Opoutama, Mahanga, Te Mahia and Oraka.

18A.3.2 Ensure the design and siting of development maintains residential amenity values and will not reduce sunlight, daylight and privacy to neighbouring properties, and will not generate unacceptable levels of noise, glare, odour or dust.

18A.3.3 Enable the establishment of non-residential activities where the activity is compatible in terms of potential effects with the amenity values of the residential area and the environment.

18A.3.4 Ensure that the design and construction of new activities that establish on land subject to known natural hazard events take into account the potential threat of the hazard event(s).

18A.3.5 Require the disposal of sewage, wastewater, solid waste and stormwater in a manner that avoids, remedies or mitigates any adverse effects on the environment.

18A.3.6 Refer to Policies in Section 6.5 and 8.5

18A.3.7 Ensure the site services (wastewater, stormwater, water, electricity, telephone) are provided either through connection to existing services or through the provision of new services.

18A.3.8 Ensure access to each site is provided in accordance with Council standards.

18A.3.9 Ensure traffic generated by any new activity is consistent with the existing environment and does not adversely affect the roading network.

18A.4 METHODS

18A.4.1 Identify land known to be susceptible to flood hazards and record on plan maps.

18A.4.2 Use of LIMs (Land Information Memorandums) and PIMs (Project Information Memorandums) to identify known hazards on a site-specific basis.

18A.4.3 Require building floor levels to be set in accord with the provisions of the Building Act 1991, to safeguard buildings locating in those areas that are known to be subject to flooding.

18A.4.4 Rules and standards to protect and enhance the amenity values of the residential areas of Mahia including Mahia Beach, Waikokopu, Opoutama, Mahanga, Te Mahia and Oraka.

18A.4.5 Refer to Methods in Section 6.6 and 8.6.

18A.5 EXPLANATION AND REASONS

18A.5.1 The Residential (Mahia) Zone generally relates to Mahia including Mahia Beach, Waikokopu, Opoutama, Mahanga, Te Mahia and Oraka. The objectives and policies for the Residential (Mahia) Zone seek to provide flexibility in the types of activities whilst maintaining and enhancing the predominant residential amenity in these areas.

18A.5.2 Refer to Explanation & Reasons in Section 6.7 and 8.7.

18A.6 ANTICIPATED ENVIRONMENTAL RESULTS

18A.6.1 A variety of residential accommodation is available in residential areas together with non-residential activities where adverse effects of the activity can be avoided, remedied or mitigated.

18A.6.2 Refer to Anticipated Environmental Results in Section 6.8 and 8.8

18A.7 RULES

Note: The undertaking of some of the activities noted below may require resource consent, or written approval as an affected party, from Hawke's Bay Regional Council.

Permitted

18A.7.1 The following are permitted activities in the Residential (Mahioa) Zone

- Accessory buildings/activities
- Accommodation facilities (for a maximum of 4 persons)
- Activities on reserves as provided for in the Reserves Act 1977
- Construction, addition to, or alteration of residential buildings
- Education facilities for a maximum of 10 persons (excluding staff)
- Home Business
- Installation or alteration of antennas (other than network utility activities)
- Maintenance of existing public works and network utilities
- Meteorological activities
- Residential activity/dwelling
- Temporary activities
- Wetland and wildlife habitats conservation

Discretionary Activities

18A.7.2 Any activity unable to comply with all the standards and conditions for permitted activities.

18A.7.3 Activities as specified in Rule 27A.1.4.

18A.8 PERFORMANCE STANDARDS/DEVELOPMENT CRITERIA FOR PERMITTED AND CONTROLLED ACTIVITIES IN RESIDENTIAL (MAHIA) ZONE

MAXIMUM SITE COVERAGE

18A.8.1 Total building coverage of the site within impermeable surfaces shall not exceed 40% of the net site area.

DENSITY

18A.8.2 Household density shall not exceed one dwelling per 800m² of the net site area for serviced lots or one dwelling per 1000m² for unserviced lots

OR

For areas of land of less than 800m² held in one certificate of title first registered before 19 December 2006, one dwelling unit is permitted.

NOISE

18A.8.3 All activities shall be designed and conducted to ensure that the following noise limits are not exceeded at or within the boundary of any site in the Residential Zone other than the site from which the noise is being emitted:

<u>7am to 10 pm</u>	<u>50 dBA L10</u>
<u>10pm to 7am</u>	<u>40 dBA L10</u>
<u>On any day between 10pm – 7am</u>	<u>65 dBA Lmax</u>

ODOUR

18A.8.4 Any new dwelling shall be set back 200 metres from any buildings associated with any existing intensive farming activity, oxidation pond, effluent holding pond or waste disposal area.

18A.8.5 Any building associated with a new intensive farming activity, oxidation pond, effluent holding pond or waste disposal area shall be set back in accordance with the following separation distances:

<u>Feature</u>	<u>Separation Distance (m)</u>
<u>From a Town Centre or Residential (Mahia) Zone Boundary</u>	<u>500</u>

GLARE

18A.8.6 Light emissions measured from any site shall not exceed a measurement of 10 lux (lumens per square metre) measured at 1.5 metres above ground level at the site boundary.

18A.8.7 No building or structure shall be finished with materials that create a glare nuisance to neighbouring properties or road users.

PRIVACY, SHADING AND VISUAL AMENITY

18A.8.8 All buildings shall meet the following bulk and location requirements:

<u>Minimum Front yard</u>	<u>3.0m</u>
<u>Minimum Side yards</u>	<u>2.0m</u>
<u>Minimum Rear yard</u>	<u>5.0m</u>
<u>Maximum Building height</u>	<u>8.0m (1)</u>

(1) No part of a building shall exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary where this is to a residential property.

18A.8.9 Where a non-residential activity is to locate within or adjacent to land zoned "Residential (Mahia)", or adjacent to a residential activity, screening shall be provided along the boundary to a height of 1.8 metres.

SIGNS

18A.8.10 One on-site advertising sign per property frontage (excluding temporary signs) not exceeding 1.5m² in area, or 3.0m² in area where the property fronts a State Highway with a designated speed limit in excess of 70kph, (refer to definition of advertising sign in Chapter 31).

18A.8.11 All signs required to be read from the road shall meet the following minimum lettering height size when related to road speed limits:

<u>(a) less than 70kph</u>	<u>120mm</u>
<u>(b) greater than 70kph</u>	<u>160mm</u>

18A.8.12 All signs visible from roads (excluding signs required to be erected by statute and warning signs related to aspects of public safety) shall be located at least 15m from any traffic control signs or signals: shall not obstruct driver visibility along the road and at intersections and accessways: and shall not contain any flashing, animated or illuminated components.

18A.8.13 Temporary signs relating to the disposal of property or local or central government election shall not exceed 1.0m² in area, for community activities 3.0m² and shall not remain on the property for more than 6 months and shall be removed within 7 days following the event.

18A.8.14 When attached to a building no part of the sign shall protrude above the eaves, or, when free standing, shall not exceed 4.0m in height.

HAZARDOUS SUBSTANCES

18A.8.15 The use, storage, disposal or transportation of hazardous substances shall not exceed the Low Threshold Hazard Factor (refer definitions and Appendix III for examples).

18A.8.16 Any activity involving the use, storage, disposal or transportation of hazardous substances on-site, shall ensure that any area or container used, is designed, constructed and managed to prevent any leakages or spills.

EARTHWORKS

18A.8.17 Earthworks activities shall meet the following standards:

<u>Max Vol (m³) over 12 months per site</u>	<u>150</u>
<u>Max face height (m)</u>	<u>3.0</u>
<u>Max area of work per site (m²)</u>	<u>150</u>
<u>Proximity to water body measured from the bank edge at bank full height.</u>	<u>No closer than 20m.</u>

Note: The volume of earthworks is to be measured prior to excavation.

OTHER DISTRICT WIDE RULES

18A.8.18 All activities must also comply with the rules contained in the following chapters of this Plan (where relevant):

- Cultural Heritage (Chapter 22)
- Indigenous Vegetation and Habitats of Indigenous Fauna (Chapter 23)
- Access and Parking (Chapter 24)
- Surface of Water (Chapter 25)
- Subdivision (Chapter 27)
- Natural Hazards (Chapter 27A)
- Information Requirements (Chapter 28)

Note: Activities associated with the construction and maintenance of utilities are provided for in Chapter 26.

27 Subdivision

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27.6 RULES OTHER THAN RESIDENTIAL (MAHIA) AND COASTAL (MAHIA) ZONES

...

27.7 PERFORMANCE STANDARDS/CONDITIONS FOR CONTROLLED ACTIVITIES OTHER THAN RESIDENTIAL (MAHIA) AND COASTAL (MAHIA) ZONES

...

27.9 RULES – RESIDENTIAL (MAHIA) AND COASTAL (MAHIA)

Controlled Activities

27.9.1 All subdivision within the Residential (Mahia) Zone provided it complies with 18A.8 and 27.10 General Performance Standards for Residential (Mahia) & Coastal (Mahia) Zones

27.9.2 Subdivision around activities subject to resource consent.

27.9.3 Subdivision for boundary adjustment purposes.

Discretionary Activities

27.9.4 All subdivision within the Coastal (Mahia) Zone provided it complies with 15A.8 and 27.10 General Performance Standards for Residential (Mahia) & Coastal (Mahia) Zones.

27.9.5 Subdivisions listed in 27A.1.4.

Non-Complying

27.9.6 Subdivisions not listed as Controlled, Discretionary or Prohibited or that do not meet
27.10 General Performance Standards for Residential (Mahia) & Coastal (Mahia)
Zones.

Prohibited

27.9.7 Subdivisions listed in Section 27A.1.6.

27.10 SPECIFIC PERFORMANCE STANDARDS FOR RESIDENTIAL (MAHIA) & COASTAL (MAHIA) ZONES

The following performance standards are applied to the Residential (Mahia) and Coastal (Mahia) Zones in addition to Performance Standards 27.7.

Minimum Lot Size

27.10.1 Coastal (Mahia) Zone Minimum lot size of 5,000m².

Residential (Mahia) Zone Minimum lot size of 800m² (where reticulated wastewater services are available), 1,000m² (where reticulated wastewater services are not available)¹.

Site Suitability

27.10.2 Council may require a report, including certification from an appropriately qualified person(s), stating that the land is suitable for the development proposed or the activities anticipated in the zone, and may include the conditions under which development will be appropriate.

Conditions or information required may include (but is not necessarily limited to):

- (a) Certification that each building area is free from flooding or inundation, erosion, subsidence and thermal ground.
- (b) Matters related to slope stability, foundations of structures, major earthworks including access tracks and roads.
- (c) Ground water table levels.
- (d) Earthquake fault lines or other seismic hazard.
- (e) For contaminated sites, a report on the extent and likely effect of the contamination on the proposed activity, including any off-site effects that may occur as a result of disturbance or development of the site.
The report shall set out the facts relating to the investigation together with test results and other data on which recommendations are based.
- (f) Council may refuse to approve a subdivision or resource consent or in approving the proposal, impose appropriate conditions to avoid high probabilities of accelerated erosion, land slip, flooding or subsidence, or increased adverse effects resulting from contaminants on the site.

See also Section 27A Natural Hazards.

Explanation:

¹ Note: The maximum dwelling density is one dwelling per 800m² of the net site area for serviced lots or one dwelling per 1000m² for unserviced lots

Each new lot created shall be capable of containing a building and shall be suitable and appropriate for the activities provided for in the District Plan.

Note:

In the case of developments within the CHEPA the report produced will be made available to Hawkes Bay Regional Council.

Site Services

27.10.3 General

All lots shall be provided with adequate supply of potable water and water for fire fighting purposes, power and telephone, provision for the disposal of sewage effluent and solid waste, and provision for the disposal and control of stormwater in accordance with NZS 4404:2004 (and any subsequent version) to ensure that:

- Potential future uses in the catchment are able to be served.
- The level of service provided by existing utility services is not compromised.
- Adverse effects on existing infrastructure are minor.

Council requires that all lots that cannot connect to Council's reticulated services be independently served until a supply becomes available. Once services are made available properties are required to connect.

Explanation:

Site services should be able to be provided to a lot to enable a range of land uses to be carried out.

Council would expect to receive written confirmation that power and telephone services can be supplied from the relevant agencies.

27.10.4 Water Supply

- (a) An adequate reliable safe and efficient supply of potable water including adequate fire protection shall be provided to all new lots or proposed developments.
- (b) In land being subdivided or developed that lies within an area served by a Council water supply, the water reticulation and water supply for fire fighting purposes shall be provided by the developer to the subdivision in such a manner as to enable each lot to be connected to the Council supply system.
- (c) Land being subdivided or developed that lies outside of an area serviced by Council water supply an alternative source shall be utilised until Council supply system is developed. When a council system is developed the subdivision or development are required to connect.
- (d) Alternative sources of water supply for fire fighting are in accordance with the NZFS Fire Fighting Water Supplies Code of Practice.

27.10.5 Sewage Disposal

- (a) Land being subdivided or developed that lies within an area served by a Council sewerage scheme the property shall be reticulated and connected to that scheme by the developer.
- (b) Land being subdivided or developed that is not able to be serviced by a Council Sewerage Scheme shall comply with the requirements of the Hawke's Bay Regional Council (HBRC), or requirements of the Council that meet the HBRC standard concerning septic effluent and water disposal, or be connected to a Council approved reticulation, treatment and disposal system.
- (c) Any disposal or treatment areas located off-site, other than to Councils owned systems, shall be protected by easements.

27.10.6 Stormwater

- (a) Domestic stormwater soakage systems must be able to be located landward of the CERZ.
- (b) Over land flow paths shown on the stormwater plan shall be protected by easement from building encroachment.

Note: Earthworks and the placement of domestic stormwater soakage systems within the CHEPA are matters for which HBRC is the consent authority and may require resource consent from that authority.

27.10.7 Works & Network Utilities

Utility services shall be provided in accordance with Council's standards.

Services located within a State highway require the written permission of Transit New Zealand.

Explanation:

Site services should be able to be provided to a lot to enable a range of land uses. An adequate supply of water is necessary for domestic use and fire fighting purposes. This may be provided through a reticulated system or evidence shall be provided that each lot is capable of being provided with such a supply.

Roads

27.10.8 The design and formation of new roads created by subdivision or development shall be to a standard not less than that specified by Council's Engineering Code of Practice. Roads to vest in Council shall be certified as being to this standard or of a higher standard before Council accepts ownership.

OTHER DISTRICT WIDE RULES

27.10.9 All activities must also comply with the rules contained in the following chapters of this Plan (where relevant):

- Cultural Heritage (Chapter 22)
- Indigenous Vegetation and Habitats of Indigenous Fauna (Chapter 23)

- Access and Parking (Chapter 24)
- Surface of Water (Chapter 25)
- Subdivision (Chapter 27)
- Natural Hazards (Chapter 27A)
- Information Requirements (Chapter 28)

Note: Activities associated with the construction and maintenance of utilities are provided for in Chapter 26.

27A Coastal Hazards

27A.1 RULES

These rules apply to the Coastal Hazard Erosion Policy Area (CHEPA) which is defined as land that comprises the Current Erosion Risk Zone (CERZ), the 2060 year Erosion Risk Zone (2060 year ERZ) and the 2100 year Erosion Risk Zone (2100 year ERZ), being that area of land located between mean high water springs (MHWS) and the landward extent of the 2100 year Erosion Risk Zone boundary.

This is applied as an overlay to the underlying Coastal (Mahia) and Residential (Mahia) Zones.

27A.1.1 Section 31 also contains definitions for the following terms:

- Building Site Coverage
- Chartered Professional Engineer
- Coastal Hazard Erosion Policy Area (CHEPA)
- Areas subject to flood hazard
- Site
- Serviced lots

Permitted Activities

27A.1.2 Activities are permitted by the Wairoa District in accordance with the rules for the underlying land-use zone.

Permitted Activity Conditions

27A.1.3 Permitted activities in the CHEPA shall comply with the standards and conditions for permitted activities in the underlying land-use zone.

Construction, modification and demolition of building, earthworks and vegetation removal within the CHEPA are managed by HBRC in accordance with provisions of the HBRCEP. Activities within the CHEPA are subject to the objectives policies and rules of the HBRCEP and may require resource consent from the HBRC.

Discretionary Activities

27A.1.4 The following are discretionary activities:

- (a) Activities that are determined discretionary in accordance with the rules for the underlying land-use zone.
- (b) Subdivision of land or the erection of any building on land (either natural ground level or any artificially created ground level) in areas potentially subject to flood hazard.
- (c) In the CERZ:
 - (i) Subdivision where:
 - land is partly located in the CERZ: and

- the land located within the CERZ is to be held in the certificate of title of the proposed seaward lot; and
 - no buildings or structures are proposed on that part of the land located in the CERZ.
 - (ii) Subdivision of land wholly within the CERZ that is to vest in the ownership of the local or regional authority.
 - (iii) Boundary adjustments that comply with the boundary adjustment criteria provided for in Rule 27A.1.10(b)(ii).
- (c) In the 2060 year and 2100 year Erosion Risk Zones:
- (i) Subdivision of land provided that:
 - no averaging of lot sizes shall be permitted.
 - (ii) Minor boundary adjustments of 2 or more adjacent allotments provided that no additional allotments will be created and the net site area of any proposed allotment created by the boundary adjustment is the same as, or does not differ by more than 5% of, the net site area of that allotment as it existed prior to the boundary adjustment.

NOTE: Other District Plan provisions may require consent from affected parties or require notification. The undertaking of some activities may require resource consent, or written approval as an affected party, from Hawke's Bay Regional Council.

Discretionary Activities - Standards and Terms

27A.1.5 Within the CHEPA

- (a) Information Requirements
 - (i) The activity shall, where practicable, comply with the permitted activity criteria of the Activity Zone in which it is located. Where there is a conflict with the rules contained in this Chapter, the rules contained in this Chapter shall prevail.
- (b) Special Standards and Terms for Discretionary Activities in the 2060 year and 2100 year Erosion Risk Zones:
 - (i) On a subdivision, any new lot created which contains land within the CERZ shall be provided with a building platform outside of the CERZ.
- (c) Matters of Discretion

The Council limits the exercise of its discretion to:

 - (i) Whether the proposal is consistent with the objectives and policies for Natural Hazards (Chapter 8).
 - (ii) The extent to which proposed activities, buildings and structures will be able to be built with minimal disturbance to the foredune.
 - (iii) The degree to which the proposed subdivision is likely to:
 - Accelerate, worsen or result in further damage to that land, other land, or structures or buildings caused either directly or indirectly by coastal erosion or inundation.
 - Be subject to damage from erosion and inundation.
 - Compromise the natural buffering ability of the foredune system.
 - Reduce the net risk of coastal erosion and inundation hazards.

- (iv) The general requirements for development or subdivision of land (see Chapter 27).
- (v) The on-going provision of access to the site
- (vi) Any other matter to which Council has limited its discretion in the zone in which the activity occurs.
- (vii) The location of the 2060 year and 2100 year Erosion Risk Zone boundary.

(d) Conditions:

Conditions may be imposed in respect of any of the matters over which discretion is reserved, and may include the following matters:

- (i) Land use consent may require a review of conditions under s128 of the Resource Management Act 1991. This review would be initiated where defined hazard risk circumstances occur on the site particularly:
 - When the crest of the foredune or the top of any dune scarp recedes to a point within 10 metres or less from the nearest part of the building. The review will enable the actual risk to be considered at that time, and appropriate mitigation measures implemented through changed consent conditions, should this be deemed necessary, including but not limited to conditions requiring the relocation of any building, structure or other works to the Alternative Building Site and/or further monitoring.
- (ii) Subdivision consent shall include conditions that existing and new lots be provided with practical building platforms. Such requirements and other on-going conditions such as those requiring periodic review shall be registered on the certificate of title for the lot/lots created by way of a consent notice.
- (iii) The general requirements for development or subdivision of land (see Chapter 27).
- (iv) Any other matter to which Council has limited its discretion in the Zone in which the activity occurs.

Prohibited

27A.1.6 (a) In the CERZ:

Subdivision of land that is not provided for as a discretionary activity listed in Rule 27A.1.4(c)(i).

28.8 ADDITIONAL INFORMATION REQUIREMENTS IN RELATION TO SUBDIVISION/DEVELOPMENT APPLICATIONS IN THE RESIDENTIAL (MAHIA) & COASTAL (MAHIA) ZONES

An application for subdivision consent shall be accompanied by information contained in Section 28.3 and the following information (where relevant).

- A visual assessment including the impacts of the subdivision/development on the surrounding environment.
- Details of potential and existing coastal hazards on site and a description of how the proposed subdivision /development may effect these.
- All subdivisions shall consider the necessity of providing storage facilities to reduce the demand on Council infrastructure and public waterways during short duration, high intensity rainfalls. Provisions to mitigate, avoid or remedy any results adverse environmental effects shall be included in the assessment of environmental effects submitted with the application for subdivision consent.
- Council may require a detailed stormwater plan to ensure that there are no adverse stormwater effects off-site. The plan shall include the location of overland flow paths, where applicable. The applicant shall liaise with the HBRC with regard to discharge consents and shall advise Council of any additional consents required.
- Consideration will be given to the layout of existing reticulation, distribution and transmission lines or pipes.
- An ecological and landscape assessment to be undertaken by trained professional in the relevant field e.g. ecologist.

31 Definitions

Accessory building/activity

means:

(a) A building, structure or activity that is detached from, and the use/operation of which is incidental to that of, any other principal building(s)/ activity (ies) on the same site, and in relation to a site on which no principal building has been erected, is incidental to the use which may be permitted on the site

(b) A fence or free-standing wall of a height greater than 2m

(c) Accessory activities shall not include home business activities.

Accommodation facility

means any form of residential accommodation that does not comply with the definition of Residential Activities/dwellings and includes: bed and breakfast facilities, farmstays, boardinghouses, hotels, hostels, motels, camping grounds, retirement villages and resthomes for the rehabilitation and care of any group. Occupancy of any accommodation facility shall be assessed on a person per bed basis (i.e. one single bed equals one person, one double/queen/king size bed equals two persons).

Antenna

means that part of a radio communication facility or telecommunication facility used for transmission or reception including dish antennas and antenna mountings but not any supporting mast or similar structure.

Area subject to flood hazards

means areas identified as part of a subdivision or land use application that may be subject to inundation

Building Site Coverage

means that portion of the site area which may be covered by buildings and structures but does not include:

1. Eaves 1m or less in width
2. Uncovered terraces or uncovered decks less than 1m above ground level
3. Driveways
4. Footpaths

Chartered Professional Engineer

means a person who meets the requirements listed in the Chartered Professional Engineers of New Zealand Act, 2002, or any superseding legislation. The Chartered Professional Engineer (CPE) shall be experienced in the analysis and design of structure and shall have experience in designing modular type structures. The role of CPE for Chapter 27A of the plan is to confirm the suitability of the proposed structures design, consistent with the requirements of the District Plan relating to easily relocatable structures from within the CHEPA if erosion occurs.

Coastal Hazard Erosion Policy Area (CHEPA)

means land that comprises the Current Erosion Risk Zone (CERZ), the 2060 year Erosion Risk Zone (2060 year ERZ) and the 2100 year Erosion Risk Zone (2100 year ERZ), being that area of land located between mean high water springs (MHWS) and the landward extent of the 2100 year Erosion Risk Zone boundary.

Education Facility

means land and/or buildings used to provide regular instruction or training and includes pre-schools, schools, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments.

Home Business

means a craft, business, trade or profession which is carried out in conjunction with and ancillary to a residential activity, that has a gross occupied area (inside and/or outside, excluding carparking and access) of 50m² or less and employ no more than one Full Time Equivalent (FTE) staff member not resident in the associated dwelling. Provided that the traffic generated by the Home Business Activity does not increase the total traffic movements to/from the site beyond that anticipated for a permitted residential activity.

Meteorological activities

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

Residential activities/dwellings

means the use of premises for any domestic or related purpose by persons living alone or in family or non-family groups (whether any person is subject to care or supervision), and shall include emergency and refuge accommodation. Residential activity shall not include home business, accommodation facilities or caravans or mobile forms of accommodation unless they are used for residential activities for periods totalling more

than six months in any one calendar year. Dwelling means a building or part of a building designed to accommodate one residential activity.

Rural activities

means agriculture, vegetable growing, organic farming, production forestry, conservation forestry, horticulture, floriculture, beekeeping, viticulture, and the keeping and/or breeding of horses, poultry, pigs and other animals, and ancillary activities.

For the purposes of this definition:

(a) Production forestry is the management of land for commercial wood production including the preparation of land for planting, but does not include the harvesting, milling or processing of timber.

(b) Rural activities do not include intensive farming meaning mushroom farming, intensive livestock farming including poultry farms, pig farming of more than 10 pigs, animal feed lots and other activities (whether free range or indoors) which have or require:

(i) no dependency on the qualities of the soils naturally occurring on the site; or

(ii) buildings for the housing and growth of livestock or fungi.

Note: This excludes greenhouses and other buildings used for the growth of vegetative matter.

(c) Ancillary activities includes the fencing of land, constructing accessory buildings or structures, planting shelterbelts, and may include (but is not limited to) the operation of a topdressing strip and helipads, and the application of additives to enhance the life supporting capacity of the soil. This may include (but is not limited to) dairy factory wastewater, whey and dairy factory by-products.

Site

means any area of land comprised wholly in one certificate of title or any allotments as defined by the Act, or any allotments linked pursuant to the provisions of section 37 of the Building Act 1991.

Serviced lots

means allotment(s) that have available at their boundary reticulated services for wastewater disposal and water supply or for which a commitment exists for the provision of these things prior to the construction of dwellings on the allotment(s).

Soil conservation and water management works

means the management of land to maintain the quantity, quality, and availability of the soil resources, including works for the purpose of mitigating the impacts of land related hazards including flooding, subsidence and erosion.

Temporary activities

means any activity that is of a non-repetitive transient nature and includes entertainment, cultural and sporting events that are a maximum of four days' duration and that do not involve permanent structures. Also military training activity, carried out under the Defence Act, that is of a non-repetitive transient nature and maximum duration of 21 days and which does not involve the building of permanent structures.