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17.0 RESIDENTIAL ZONES

17.1 Introduction

Residential activities within both the Gisborne urban and township areas are a major land use. Thus effective management of the residential environment would significantly influence the sustainable management of the district's resources.

This chapter seeks firstly, to enable individuals to live and use their lands as they wish, whilst ensuring that the impacts of any activities shall avoid, remedy or mitigate any adverse effect on the environment including surrounding residents and land users.

The rules within the residential chapter endeavour to maximise the freedom of individuals to determine and provide for their physical and social needs whilst ensuring that the residential environment, which is potentially affected by each individual's decisions to meet his or her needs, is preserved and enhanced for the benefit of present and future generations.

Consideration has also been given to the impact of certain commercial activities locating in residential zones, on the sustainable management of the city centre of the District. Whilst it is perhaps attractive to have a range of non residential activities located in residential areas where the impact on the sensitive residential environment is not adversely effected, it is important to recognise that this trend can have an adverse effect on the commercial zones and compromise the ability of the activities within these zones to deliver their other social and community functions.

Within the residential environment there are a number of properties considered by the community to be of local, regional or national significance. These properties are to varying degrees, exposed to risks of damage or destruction from future development. In this chapter it is intended to provide a degree of additional protection to these properties, to encourage their protection for the benefit of future generations.

The residential environment is vulnerable to the adverse effects of activities occurring in adjacent non-residential areas, particularly the urban commercial areas. Conversely, rural areas surrounding the outer residential areas are vulnerable to the adverse effects of residential development spreading further into these areas. Activities which act as a buffer between these three distinct areas will be encouraged in appropriate locations, as a method to address these issues.

The infrastructure systems within the Gisborne urban area, and the absence of such systems elsewhere, act as constraints to the density of residential development in both instances. The existing infrastructure system, particularly stormwater facilities are in some areas at maximum capacity, the adverse effect of an overload of this system would be significant for the environment. Likewise the impact of inadequate wastewater treatment in non-reticulated areas is not sustainable. The Plan endeavours to ensure that future development will not adversely affect the environment.

17.2 Issues

- 17.2.1 Individuals and communities within the district have varied housing needs and aspirations, which may conflict with each other and the sustainable management of resources.
- 17.2.2 The location, density and type of buildings, signage, traffic and noise may have adverse environmental effects on the amenity values of residential areas.
- 17.2.3 Compromise of the use and enjoyment of individual properties as a consequence of on-site and neighbouring development which may adversely affect amenity values such as access to daylight, openness and peacefulness.

- 17.2.4 Buildings and sites of local, regional or national interest for architectural, historical, cultural or particular amenity reasons are at risk from subdivision and redevelopment.
- 17.2.5 Urban sprawl will reduce the potential productive values of high quality soils.
- 17.2.6 New development which increases the density of settlement within the Gisborne urban area could lead to an overload of the existing service infrastructure particularly stormwater collection, which presently operates at or near capacity in some areas which may lead to contamination of land and/or waterways.
- 17.2.7 Advances in wastewater treatment systems will enable denser settlement in non-reticulated areas and may lead to a loss of the environmental openness and pleasantness that presently characterises such settlements.
- 17.2.8 The pattern of development in residential areas may not promote resource efficiency, energy efficiency or a high level of amenity values.

Refer to Urban
planning maps

17.3 Objective (Residential Styles)

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| <p>1. Enable a diversity of residential styles based on the differing characteristics of areas within the district, and the varied housing needs of the community.</p> |
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Principal reason (1): Flexibility in the design and location of residential developments can lead to an interesting and attractive street scene, while also meeting the varied needs of the community.

17.4 Policy (Residential Styles)

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| <p>1. Provide for flexibility in site development and building design provided that the development:</p> <ul style="list-style-type: none"> • integrates the design of residential units and any subdivision of the site; • presents a high standard of on-site and off-site amenity; • avoids, remedies or mitigates any adverse effect on the amenity values of neighbouring sites; • is designed with regard to the character of the area; • the cumulative effects of such developments do not fundamentally change the character of the area; • does not compromise the effectiveness of urban infrastructure services. |
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Explanation (1): This policy recognises that different built forms and layouts may be appropriate, other than the traditional house and section. This can be the case particularly for higher density developments, where a scaled down suburban house may not be appropriate or attractive. The policy does not provide for the creation of sites which are below the minimum area specified in the Plan, unless such proposals are accompanied by a proposal for the residential development of the site. Departure from the rules in the Plan depends on consideration of the effects of a specific development proposal on a specific site. Principal reason (1): The policy signals that other approaches will be considered and that they will be judged on their individual merits, and the quality and standard of the environment they provide. The primary considerations will be the living environment provided and any impacts on the amenity of the area, including adjoining development.

17.5 Objective (Amenity Values)**2. Maintain or enhance residential amenity values.**

Principal reason (2): The Act defines "amenity values" as "those natural and physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes". Within the district there are townships, suburbs and neighbourhoods with differing physical characters. This character is affected by things such as the age, condition and style of housing, by the density of buildings, provision of services and the topography of each area. The objective seeks to protect the residential amenity values of the various residential communities within the district.

17.6 Policies (Amenity Values)

2. Manage the adverse effects of activities in residential areas by ensuring that:
 - Buildings and structures are located so as to avoid, remedy or mitigate any adverse effect on the adjoining properties;
 - the scale of the development is appropriate for the site and the location of the site in the street, and will not cause a loss of residential amenity values for surrounding residents;
 - the safety and amenity values of the neighbourhood are protected;
 - the character and amenity of the residential environment shall be maintained or enhanced and conflicts with adjoining land users avoided, remedied or mitigated.
3. Manage the effects of traffic generated by activities in residential areas by:
 - ensuring that adequate on-site vehicle parking and manoeuvring areas are provided for all developments;
 - ensuring that the level of traffic potentially generated by the proposal can be accommodated without compromising the safety of traffic and residents on the district's roads;
 - ensuring that the provision of on-site parking does not significantly detract from the visual appearance of the property or lessen the quality of outdoor living environments and in these situations, consider whether suitable alternative provision for parking can be made;
 - giving consideration to the nature of adjacent roads, to ensure that entry, exit and manoeuvring of vehicles onto a public road, can be conducted safely from all sites in a residential zone.
4. Limit activities in residential areas to those which will not significantly alter the existing background noise level of the surrounding residential area.
5. Manage the adverse effects of fumes, smell, dust, glare or light in residential areas.
6. Preserve access to daylight and privacy for existing dwelling-units on adjoining properties, and for future occupants of any new dwelling-unit by ensure that:
 - each dwelling-unit has a private outdoor area orientated to the sun;
 - new buildings or structures are designed and located so as not to cause significant loss of daylight or privacy to adjoining sites.
7. Manage the effects of non-residential activities by:
 - by restricting the location of non-residential activities to the Inner Residential zone and only those sites fronting a principal or arterial road;

Refer to Chapter 15 – roads, accessways and parking.

- ensuring that all reasonable steps have been taken to avoid nuisance and that the amenity of the residential environment is protected;
 - providing for the employment of non-resident staff in association with home occupations, only where this will not lead to a loss of residential amenity values particularly with regard to traffic and noise generation;
 - the provision of fencing and landscaping, which safeguards the privacy and visual amenity of the surrounding area;
 - ensuring that any outdoor storage associated with a non-residential activity does not adversely affect the surrounding residential environment;
 - ensuring that the hours of operation of any activity will not adversely affect the amenity of the surrounding residents particularly with regard to noise and traffic generation;
 - ensuring that the expansion of any existing activity will not cause a significant loss of residential amenity especially privacy, safety and peacefulness.
8. Enable innovative design which reflects the character of the surrounding area by ensuring that:
- the scale and design of additions, alterations and new buildings are compatible with the character and amenity, particularly visual amenity, of the site and the surrounding area;
 - the location, form and scale of new buildings are compatible with that of buildings in the immediate vicinity of the site, and streetscape amenities can be maintained.
9. Enable non-residential activities in the Inner Residential zone on the northern side of Awapuni Road between Stanley Road and Grey Street Road (odd numbered residential sites between 73 and 133 excluding access points to outer commercial zoned sites) where:
- the activity is of a scale and intensity which is compatible with the surrounding land uses;
 - design and architecture of buildings is compatible with amenity values of the area;
 - construction materials and finishes are of a standard that ensures that adverse visual effects are avoided, remedied or mitigated;
 - adequate on site parking and safe and efficient access can be provided;
 - fencing, landscaping and signage which safeguards the visual amenity of the area is provided;
 - the adverse effects of fumes, smell, dust, glare or light can be avoided, remedied or mitigated;
 - the activity does not significantly alter the existing background noise level.

Explanation (2): The community has indicated a general acceptance of a wide range of residential and non-residential activities in residential areas, provided that there is no adverse effect upon the amenity of the surrounding area. Principal reason (2):

The community values highly, the amenity of the various residential environments within the district, whilst also wishing to ensure that the use and development of properties is not unduly restricted, the test being whether the activity will adversely effect the environment.

Explanation (3): Traffic on roads both moving and stationary can have a major impact on the amenity of residential areas. The Plan will ensure that traffic likely to be generated by an activity will not adversely effect the amenity of the surrounding area. Principal reason (3): The policy is intended to protect the amenity of residential areas from the potential adverse effects of traffic.

Explanation (4): The community has indicated in a recent questionnaire that it wishes to preserve the general peacefulness and absence of noise in residential areas. Activities which would reduce these amenity values are not considered appropriate. Principal reason (4): Noise is a particularly important residential amenity consideration. The policy will ensure that specific measures are implemented to minimise the potential effect of noise created by activities in residential areas.

Explanation (5): Activities shall be permitted to establish in residential areas, provided the existing amenity of the surrounding area is maintained or improved by the presence of the activity. Principal reason (5): Refer to Principal reason (2).

Explanation (6): Privacy and access to daylight have been identified by the community as important factors contributing to the amenity of residential areas. Controls which will limit the location and design of buildings will help preserve these amenities, whilst providing for new developments. Principal reason (6): The policy seeks to ensure that future development is not permitted at the expense of valued amenities such as privacy and access to daylight.

Explanation (7): Provision is made for individuals to work from home. Any other non residential activity would have to demonstrate that the activity located in the residential zone will not adversely affect the viability and vitality of the city centre. Principal reason (7): The community has indicated that the city centre should be consolidated and sustained as an important focus for the community, thus commercial activities should be located there, so as not to adversely affect the amenity of the residential area or the viability of the city centre.

Explanation (8): The policy will encourage designers of future development to take account of surrounding character and amenity, and to incorporate the significant features into the design and layout of new development. Principal reason (8): Multi-unit housing and infill-housing developments along with non-residential buildings and structures have the ability to alter the character of an area, in terms of density, siting and style of structures. It is the intention of the policy to ensure that new development enhances the residential amenity.

Explanation and Principal reason (9): The policy recognises the changing nature of this area of Awapuni Road. The rules attached to the Inner Residential zoning will protect the residential amenity values and this policy will ensure that appropriate non-residential activities will also be enabled to co-exist as appropriate.

17.7 Objective (Protection of Values)

3. Protection of buildings and sites identified as having architectural, historical or particular amenity value from destruction, diminution or subdivision.

Refer to Appendix 22 – list of residential protection zone sites.

Principal reason (3): Buildings and sites of architectural, historical or particular amenity value contribute to the amenity of the residential environment, and may require protection from activities that may diminish or destroy this value.

17.8 Policies (Protection of Values)

10. Manage activities on sites of architectural, historical, or particular amenity value, to ensure that any activities particularly construction, additions or alterations to buildings on sites in the Residential Protection Zone will maintain or enhance the significant features or values.

11. Encourage the re-use of identified buildings, to enable their protection and enhancement, provided the activity does not diminish the significance of the site nor adversely affect the residential environment.

Explanation (10): The policy will ensure that activities conducted on sites of residential significance will not diminish or destroy the acknowledged features or values.

Explanation (11): The policy seeks to enable existing buildings in the Residential Protection zone to be re-used, especially large homes which may no longer be in demand as a private residence.

Principal reason (10 and 11): Such residential sites are a scarce resource within the district. It is considered important that they be protected or enhanced for the benefit of future generations.

17.9 Objective (Location and Density)

4. To enable the community to be mobile, and locate anywhere that does not compromise the capacity of the infrastructure systems to function, the amenity of the residential environment or the highly productive and fertile soils within the region.

Refer to Chapters 14 and 8 for objectives and policies relating to infrastructure.

Principal reason (4): In order to sustain the natural and physical resources of the residential environment, it is important that the Plan enable the efficient use and preservation of these resources, so as not to impose unfair costs on future generations or needlessly deprive them of the use of the resources themselves.

Refer to 21.3.3 and 21.5 for objectives and policies relating to elite soils.

17.10 Policies (Location and Density)

- 12. New development to be encouraged to areas where the effects on the physical infrastructure and/or life supporting capacity of the district's soils can be avoided, remedied or mitigated.
- 13. Limit the density of development in urban residential areas according to the ability of the stormwater infrastructure system servicing the site to dispose of the potential runoff generated by the coverage of the site with buildings.
- 14. Protect fringe residential areas from the effects of activities in adjacent non-residential zones that are not compatible with a residential environment.

Explanation (12): Consideration has been given to the most sustainable use and expansion of the existing infrastructure system, the present boundaries of settlements and the signals indicated by the market in terms of preferred locations. It is necessary to ensure that any expansion of residential areas is coordinated and well located. Principal reason (12): The policy will ensure that the capacity of the infrastructure system as a whole to function is not compromised by the desires of individuals.

A coordinated approach will be adopted in determining the location of future residential development within the region. High quality soils, and the capacity of the service infrastructure are all limited resources affected by the location of such development.

Explanation (13): By limiting development according to the capacity of the stormwater system in particular areas, the functioning of the system as a whole is protected. This will avoid any adverse effect on the environment which would result from the failure of the stormwater system. Principal reason (13): The policy will ensure that the capacity of the infrastructure system as a whole to function is not compromised by the desires of individuals.

Explanation (14): This policy aims to protect existing residential lands adjacent to commercial and industrial zones where the effects of the types of activities permitted could lead to a loss of residential amenity. Principal reason (14): Fringe residential areas are at risk from the adverse effects of incompatible commercial and industrial activities located adjacent zones.

17.11 Objective (Urban Form – Taruheru Block)

A pattern of landuse which is integrated with utility networks and which promotes:

- Energy efficiency and efficiency in the use of natural and physical resources.
- A safe and healthy environment.
- A high level of amenity.
- Avoidance of adverse effects on the environment.

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 Notified 12/8/06

Explanation and Principle Reason (1): The pattern of landuse and supporting infrastructure is relevant to matters of efficiency, whether an urban area is safe and healthy and whether it maintains a high level of amenity. Each of these matters are critical to achieving the purpose of the Act.

17.12 Policies (Urban Form – Taruheru Block)

1. To ensure that pattern of landuse activities is consistent with the development of:
 - A roading network which promotes safety and has sufficient connectivity and linkages to allow for the efficient movement of traffic (including pedestrians and cyclists), opportunities for walking and cycling, and for the development of efficient utility networks;
 - A water supply network that has sufficient connectivity and capacity in order to achieve a high level of security of supply and meet fire safety standards, while minimising the costs of the infrastructure;
 - A co-ordinated wastewater network throughout the block which is resource and energy efficient; and
 - A stormwater network throughout the block which utilises gravity to provide an effective drainage service for all potential residential properties.
2. To promote a concept for the pattern of infrastructure associated with landuse (Appendix 20 – Taruheru Block Infrastructure Plan) in order to co-ordinate development to achieve objectives and to allow for the shared and co-ordinated funding of infrastructure where appropriate.

Explanation and Principle Reasons (1): Landuse should be integrated with the design of roads in order to achieve a roading pattern that will promote efficient network utilities, opportunities for walking and cycling and the efficient movement of traffic. Landuse should also be integrated with the provision of utilities in order to promote efficient services.

Explanation and Principle Reasons (2): A development concept is provided for the area so that the costs of development can be forecast and allocated in an equitable manner through methods such as development contributions or financial contributions. Promoting a concept for development will also help to promote objectives relating to infrastructure such as efficiency, safety and a high level of amenity because it provides a vision about how each development will fit into a larger integrated whole. The concept must have a level of certainty if it is to be of use in achieving objectives and allocating costs.

17.13 Objective (Non-reticulated Areas)

5. Development in non-reticulated areas that does not have an adverse effect on the environment.

Principal reason (5): To ensure that effluent and other wastewater is disposed of in a way that has no adverse effect on the environment.

17.14 Policies (Non-reticulated Areas)

15. Ensure that new and existing developments have a wastewater treatment system installed and suitably maintained to treat all wastewater on site.
16. Ensure that the amenity values, particularly spaciousness and lower density of development, attributed to non-reticulated areas, are not adversely affected by any activity.

Refer to Regional Discharges Plan and Gisborne District Council's Guidelines for On Site Wastewater Treatment and Disposal.

Explanation (15): The Plan will ensure that all new developments, have installed a wastewater treatment system appropriate to the physical conditions of the site. The system shall also be

appropriate for the maximum potential level of occupation/activity on the site. One of the primary considerations in assessing the suitability of sites to accommodate development in these areas will be their ability to deal with the likely maximum level of effluent from potential activities on the site. All effluent disposal must be shown to be self-contained within a site. Principal reason (15):

The policy will ensure that every development in non-reticulated areas will include an appropriate waste water treatment system which is installed and maintained to the highest standards, to avoid, remedy or mitigate any adverse effect on the environment.

Explanation (16): Regardless of the availability of new technology to treat effluent, the Plan will limit the density of development in non-reticulated areas of the district. Consultation has indicated that the absence of dense development and the openness and spaciousness of these areas are valued amenities, which are likely to be threatened in some areas. Principal reason (16): Section 7(c) of the Act.

17.15 METHODS OF IMPLEMENTATION

17.15.1 Advocacy

1. Advocate and inform the community of the values of the properties included in the Residential Protection Zone, and the benefits achieved for the whole community, through their preservation.
2. Encourage private property owners to propose their properties for protection if they consider the property meets the criteria.
3. Where a resource consent is required for residential care homes, encourage applicants to consult with affected residents in order to provide a forum to enable the community and residential care providers to discuss fears and concerns. Council may initiate a pre-hearing meeting between applicant(s) and affected residents as part of the consent process.
4. Encourage consultation and dialogue between residential care provider groups and surrounding residents, by encouraging provider groups to make early contact with adjoining property owners, when a new facility is established.

Principal reasons (1 and 2): Information included in the Plan will act to increase the community's knowledge and hopefully appreciation of the significance of sites in the Residential Protection Zone, where this is not already the case.

Principal reason (3 and 4): There is an absence of understanding of how disabled persons live within our community, and this translates itself into fear. It is hoped that by encouraging dialogue the community at large may become better informed on the real issues of health care in our community, and thereby more tolerant and accepting of all groups that make up our community. It is also an opportunity for healthcare providers to grow in understanding of the fears and concerns of the community. This approach is not intended to discriminate but rather to take an opportunity to educate all involved.

17.15.2 Economic Instruments

1. Waive resource consent fees where the consent is required specifically because the property is in the Residential Protection Zone.
2. Provide financial incentives to property owners included in the Residential Protection Zone, in recognition of the community benefit derived from the preservation of the these sites.
3. Provision of adequate funding, through the Annual Plan process, to meet the objectives.

Principal reasons (1 and 2): Financial incentives will encourage participation by private landowners, by acknowledging that there is a community benefit obtained by, in some cases, restricting the use and development of these sites.

Principal reason (3): The appropriate provision of funds will be allocated to the preservation of Residential Protection Zone properties.

17.15.3 Information/Research

1. Residential register sheets shall be completed for each property in the Residential Protection Zone. The sheets will identify the particular value of each site. This information will provide a basis for assessing the effect of any development on the site or adjacent sites.

Principal reason (1): Particular sites within residential areas are recognised as being of local, regional or national significance in terms of architecture, history or amenity value. Information regarding the significance of such sites will be collated and available for the community's use and education.

17.15.4 Works and Services

1. Manage the Council's role as provider of services, particularly, infrastructure systems that serve the district, in a manner which takes account of, and does not adversely affect, the amenity values of the residential environment.

Principal reason (1): Council as provider of services will recognise the potential impact provision of services may have on the amenity of a residential area. Further, it will act to ensure that maintenance and provision of such services will not adversely affect the amenity values of the residential environment.

17.15.5 Regulation

1. Rules:
 - a) Develop rules which identify and protect the amenity values of the residential environment.
 - b) Zoning of appropriate areas for residential purposes:
 - i) establish a Residential Protection Zone to identify and protect sites of architectural, historical, cultural or particular amenity value which are perceived to be at risk from destruction, diminution or subdivision;
 - ii) establish an Inner Residential Zone to identify residential sites close to the commercial core or Waikanae Beach where the environment would accept denser forms of residential development. The amenity values identified are similar but the pressures for non-residential development and the tolerance of such activities are greater;
 - iii) establish a General Residential Zone to include areas of predominantly residential development within the urban and township areas of the district where they have similar amenity values.

Refer to urban and rural planning maps for location of zones.

2. Gisborne District keeping of Animals, Bees and Poultry Bylaw 2005

Principal reason (1): It is desired that residents be allowed maximum freedom and flexibility to use and develop their residential properties as they see fit. However it is recognised that settlement patterns impact on the surrounding environment in terms of amenity values.

Principal reason (1.a): It is considered that rules which protect the amenity values of the residential environment by limiting the potential adverse effects of activities, will best achieve an appropriate compromise between personal freedom and protection of amenity values of an area.

Principal reason (1.b.i): The Residential Protection Zone identifies properties of particular national, regional or local, architectural, historical or amenity value. The properties are generally considered to be at risk from subdivision or removal or demolition of buildings, to make way for future development. The zone does not generally include properties of value which are not considered to be at risk to any significant degree, unless they are historic places registered by the NZ Historic Places Trust, or properties proposed by landowners as being of local significance.

The purpose of the zone is to provide additional protection to ensure preservation of properties of local, regional or national interest for future generations.

Principal reason (1.b.ii): The Inner Residential Zone covers areas generally situated adjacent to the city area and in which more concentrated residential development has previously been permitted. These areas may be difficult to develop for standard residential purposes due to the proximity of commercial activities and busy roads. The zone includes sites fronting or close to, Waikanae Beach, and sites adjacent to or affected by activities on Awapuni Road. This area close to both beach and commercial centre is a focal point for visitor accommodation and local residents.

The purpose of the zone is to serve as a buffer between residential and commercial activities, and to provide for the continuation and establishment of higher density residential activities and compatible tourist facilities, in recognition of the proximity of the area to the commercial centre and Waikanae beach. The zone seeks to ensure the compatibility of activities with surrounding residential areas.

Principal reason (1.b.iii): The General Residential Zone covers areas of predominantly residential development within the urban and township areas of the district, excluding sites of particular value, the higher density areas situated close to the commercial centre and a small pocket of sites in the Awapuni area situated close to Waikanae Beach. The zone also includes many of the townships in the district. These settlements are an important focus for the social and economic life of the surrounding community. These areas not only provide for residential activities, but in some townships also comprise small recognisable areas of commercial development. Given the size of towns in the district, and scale of such activities, it is reasonable to provide for their establishment anywhere within the townships, provided there are no adverse effects on the environment.

The purpose of the zone is principally to enable the community to satisfy its residential needs. The zone seeks to retain and enhance the open character of the generally low density living environments, while providing opportunities for medium density concepts of housing and avoiding, remedying or mitigating any potential adverse effects of development.

Other activities are permitted in the zone provided they meet rules, which ensure that such activities are compatible with residential activities and amenity values.

Principle reason (2): Gisborne District Keeping of Animals, Bees and Poultry bylaw 2005 establishes a system of approvals for the keeping of farm-type animals, bees and poultry in residential zones.

17.16 RULES FOR RESIDENTIAL ZONES

Note:

Activities shall comply, where relevant, with the regional or district rules in Chapter 3-Cultural Heritage, Chapter 4-Natural Heritage, Chapter 5-Natural Hazards, and Chapter 6-Land, Chapter 8-Utilities, Chapter 9-Contaminated Sites, Chapter 9A-Hazardous Substances, Chapter 10-Signs, Chapter 12-Subdivision and Chapter 14-Financial Contributions

General Rules

The following General Rules shall apply to all permitted activities conducted in residential zones:

- 17.16.1 All activities shall comply with rules specified in Chapter 11-Noise and Vibration, and Chapter 15-Road, Accessways and Parking.

17.16.2 Nuisance

- a) A heavy vehicle, being a motor vehicle which has a gross laden weight exceeding 3,500kg may only arrive at or depart from a street adjacent to, or a site within any residential zone, between the hours of 0600-2200. No other activity associated with such vehicles shall be conducted outside 0600 -2200 hours unless the activity satisfies the rules in this Plan.

PROVIDED THAT this restriction shall not apply to motor caravans and recreational vehicles, delivery vehicles regularly servicing dairies and service stations located within any residential zone.

- b) No barricade or structure shall be placed on any property, so as to unreasonably prevent or inhibit entry by the police or any authorised officer of the Consent Authority.

Note:

Activities shall be in accordance with relevant rules contained in the Proposed Regional Air Quality Management Plan, 1996.

17.16.3 Lighting and Glare

- a) All exterior lighting shall be directed away from adjacent properties and roads so that the spill of light is contained within the boundaries of the property.
- b) Any welding activities (excluding construction activities) shall be screened so that they are not visible from residential or reserve zones and roads.
- c) Activities shall not emit artificial lighting greater than:
- i) 10 lux spill (horizontal and vertical) of light as measured at or within the boundary of any site zoned residential or the notional boundary of any rural dwelling;
 - ii) 20 lux spill (horizontal and vertical) of light as measured at or within the boundary of any property zoned commercial.
 - iii) 10 lux spill (horizontal and vertical) of light as measured within any road carriageway, other than from road lighting.

17.16.4 Height

- a) Buildings, parts of buildings, and structures (excluding chimneys, antennas and support structures,) shall be contained within recession planes commencing 2.75

*Refer to Appendix 21 –
Recession Plane
Indicator.*

metres above each site boundary. The angles of the recession plane at each site boundary shall be determined using the recession plane indicator.

PROVIDED THAT a building or structure may be erected where it exceeds the boundary of the recession plane by not more than one metre if the written consent of the adjoining neighbour is obtained and submitted to the Consent Authority.

17.16.5 Wastewater Treatment

- a) Every dwelling-unit shall be connected to a reticulated water and sewerage system where the system is no more than 30 metres from the boundary of the land and no more than 60 metres from the nearest part of the building containing the fixture; *otherwise*
- b) A wastewater treatment system in accordance with the Gisborne Regional Discharges to Land and Water, Waste Management and Hazardous Substances Plan shall be installed to adequately service the activities likely to occur on the site.

Refer to Gisborne District Council's Guidelines for On site Wastewater Treatment and Disposal.

17.16.6 Building Length

- a) No building, other than a single dwelling unit, where it adjoins a residential or reserve zone shall be more than 15 metres long without:
 - i) having a vertical or horizontal offset in plan of at least 2 metres; or
 - ii) being confined within the arms of a 150° angle formed by two lines intersecting at a common point on all site boundaries such that each line forms an angle of 15° with the boundary (see Figure (1)) or
 - iii) being offset from each other unit by not less than 25 per cent of the width of the unit nearest the road, with a minimum offset of 2m (see Figure (2)); or
 - iv) the written consent of the adjoining property owners, shall be obtained and submitted to the Consent Authority at the time a building consent is sought, or prior to the commencement of the activity.

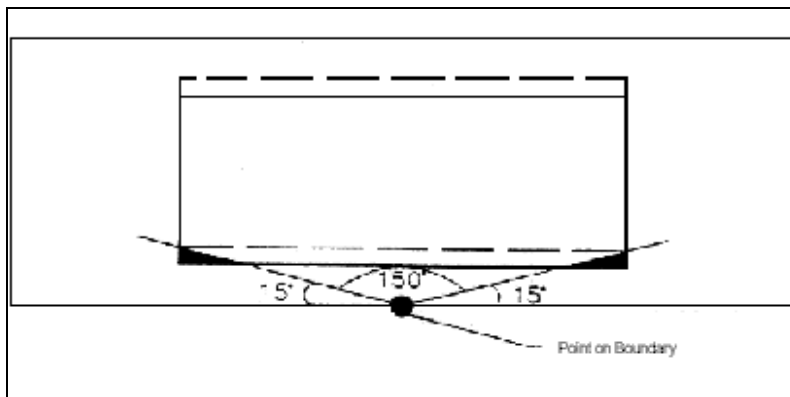


Figure 1 "Measurements of Building Length"

Note: In the example of Figure 1 the shaded areas denote where the buildings exceeds the requirement. The dotted line indicates a building outline that does satisfy the requirement.

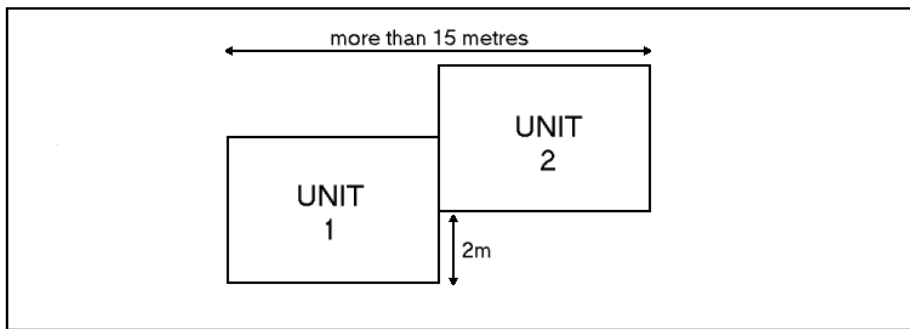


Figure 2 “Measurements of Building Length”

17.16.7 Residential Protection Zone

- a) No activity (including any building or construction of any building) shall reduce the vegetative cover visible from a public space by more than 20%, where that vegetation is identified as significant on the list of Residential Protection Zone sites.
- b) No dwelling-unit or other structure shall be erected in the front yard of any existing dwelling-unit detailed for protection on any site within the zone, where such a dwelling is identified on the list of Residential Protection Zone sites.
- c) No additional dwelling-unit may be erected in the side yard of any existing dwelling-unit.
- d) Except for routine maintenance, there shall be no addition to or alteration of the front or side facade of any dwelling-unit or other building detailed for protection in this zone, where such a dwelling is identified as significant on the list of Residential Protection Zone sites.
- e) No dwelling-unit or other building detailed for protection may be demolished, relocated on-site or removed from a site in this zone, where such a dwelling is identified as significant on the list of Residential Protection Zone sites.

*Refer to Appendix 22 –
List of Residential
Protection Zone Sites.*

17.16.8 Radio frequency Radiation

- a) All activities shall comply with the New Zealand Standard NZS2772.1 (1999) Radiofrequency Fields: Part 1 Maximum Exposure Levels – 3KHz – 300GHz and with NZS 6609.2:1990 – Radiofrequency radiation: Part 2: Principles and Methods of Measurements 300khz to 100ghz.
- b) All activities shall comply with the International Commission on Non-ionizing Radiation Protection (ICNIRP) Guidelines (1998).

17.16.9 Storage

- a) For sites zoned Inner Residential between Grey Street, Awapuni Road Customhouse Street and the Waikanae Stream, no goods or materials other than those for sale shall be stored on any uncovered portion of the site so that they are visible from a street, public place or residential or reserve zoned land.

17.16.10 Building Materials

- a) For sites zoned Inner Residential between Grey Street, Awapuni Road Customhouse Street and the Waikanae Stream The exterior of buildings shall not, after construction, be clad in unpainted corrugated iron or remain as unpainted concrete blocks.

17.16.11 Taruheru Block Infrastructure Plan

- a) No structure other than those associated with the relevant utility shall be constructed on land indicated for road or wastewater pump station in Appendix 20 – Taruheru Block Infrastructure Plan.

17.6.12 Sponge Bay Block

- a) No residential development or subdivision of the land legally described as Lot 2 DP 370338 (CT GS285086) and Kaiti 315 Block (CT GS2D/1362) shall be permitted at an intensity greater than 1 dwelling per hectare of land area, until the land is reticulated with water supply and wastewater services. The provision of these services to the subject land shall be at the full cost of the developer.

17.17 Permitted Activities

The following activities shall be permitted activities provided they comply with the General Rules, where applicable:

17.17.1 Residential activities

17.17.2 Construction, addition to, or alteration of residential buildings excluding minor dwelling units.

Provided that:

17.17.2.1 Minimum Site Area

Refer to Chapter 12.6.2 for minimum lot sizes for subdivision.

- a) Inner Residential Zone: 350m² per dwelling-unit
 - or 280m² per dwelling-unit attached on one side to another dwelling-unit
 - or 250m² per unit attached on two sides to other dwelling units (including vertically)
- b) General Residential & Residential Protection Zones (reticulated sites only):
 - 400m² per dwelling-unit
 - or 320m² per unit attached on one side to another dwelling-unit
 - or 250m² per unit attached on two sides to other dwelling units (including vertically)
- c) General Residential & Residential Protection Zones (non-reticulated sites only):
 - ~~1000m²~~ per dwelling-unit
- d) Taruheru Subdivision Block – All residential zones:
 - 800m² per dwelling-unit
- e) All residential zones covered by a Site Caution Layer:
 - 1000m² per dwelling-unit

Deleted: 800m²

Refer to Appendix 20
- Taruheru
Subdivision Block
Plan.

PROVIDED THAT a dwelling-unit may be erected on a site less than 800m² in extent if the site was created by means of subdivision after 1 October 1994.

Note:

Potential building sites in the Site Caution Layer may be required to have a geotechnical report to determine slope stability, pursuant to the Building Act 2004.

17.17.2.2 Site Coverage

- a) Maximum net area of any site which may be covered by buildings: 35%
- b) Where a site within a residential zone abuts an access strip or right of way to an adjoining rear site, when calculating the site coverage of that site, that portion of the area of that access strip or right-of-way derived by applying the following formula may be added to the area of that site for the purpose of assessing the site coverage:
- c) Formula: Length of the boundary of contact multiplied by half the average width of the access strip or right-of-way as it exists along that boundary of contact.

17.17.2.3 Yard Distances

- a) Front sites: Front yard: 4.5 metres
Other yards: 2.0 metres
- b) Rear sites: All yards: 3.0 metres
- c) Front yard on Awapuni Road between Grey Street and Customhouse Street
4.5 metres

PROVIDED THAT a building may be erected closer to or on any "Other yard" boundary or any yard boundary on a rear site if the written consent of the adjoining property owner is obtained and submitted to the Consent Authority at the time a building consent is sought, or prior to the commencement of the activity.

- d) Eaves, porches, bay or box windows, steps and chimneys may be located 0.6 metres within any yard area.
- e) Yard distances shall not be applied between a minor dwelling and the principal dwelling erected on the site.
- f) All yards adjacent to the Waikanae Stream 20m from MHWM

17.17.2.4 Parking

- a) Residential Protection Zone:
Parking spaces shall not be located in the front yard, other than on a vehicular accessway.

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Re: Numbering
additional rules relating
to parking.

17.17.2.5 Service Area

- a) Each dwelling-unit, on sites comprising more than one dwelling-unit, shall be provided with 15m² of exclusive outdoor service area, which shall be screened from adjoining sites and outdoor living spaces and exclude any area set aside for outdoor living space.

17.17.3 Minor dwelling unit

Provided that:

17.17.3.1 Site Coverage

- a) 35 percent of the site

17.17.3.2 Yard Distances

- a) Front sites: Front yard 4.5 metres
Other yards 2.0 metres
- b) Rear sites: All yards 3.0 metres

PROVIDED THAT:

- i) Yard requirements shall not apply between the minor dwelling unit and the principal dwelling unit.
- ii) A building may be erected closer to or on any "Other yard" boundary or any yard boundary on a rear site if the written consent of the adjoining property owner is

obtained and submitted to the Consent Authority at the time a building consent is sought, or prior to the commencement of the activity.

- iii) Eaves, porches, bay or box windows, steps and chimneys may be located 0.6 metres within any yard area.

- c) All yards adjacent to the Waikanae Stream 20m from MHWM

17.17.3.3 General

- a) Minor dwelling units are to remain on the same certificate of title as the principal dwelling on the site.

17.17.4 Residential accessory buildings and accessory structures

Provided that:

17.17.4.1 General

- a) Residential accessory buildings and structures may be used for any permitted activity and shall include a building of no more than 25m² gross floor area used for, or in association with, the storage only of plant and materials used in connection with the business of a contractor or tradesperson, but shall not include a tradesperson's depot.
- b) Fences and walls may be erected on any boundary to a maximum height of 2 metres provided that a fence of greater height may be erected if the written consent of the adjoining property owner is obtained and submitted to the Consent Authority at the time a building consent is sought.

17.17.4.2 Yard Distances

- a) General Residential & Inner Residential zones:
Front yards: 1.5 metres
- b) All zones: Other yards: 1.0 metre
- c) Eaves may be located 0.6 metres within any yard area.

PROVIDED THAT an accessory building or structure may be erected closer to or on any "Other yard" boundary if the written consent of the adjoining property owner is obtained and submitted to the Consent Authority at the time a building consent is sought.

- d) All yards adjacent to the Waikanae Stream 20m from MHWM

Note:

Fire rating requirements pursuant to the Building Act may be required.

17.17.5 Home occupation activities

Provided that:

17.17.5.1 Parking

- a) Home-occupation activities shall not attract significantly more traffic than other residential activities in the vicinity.
- b) No home-occupation activity is permitted which would require the parking of heavy vehicles on the site or in nearby streets.

Refer to 15.4 for additional parking requirements.

17.17.5.2 Outdoor Storage

- a) Any outdoor storage associated with the home occupation is not to be visible from adjacent residential sites or a public place.

17.17.5.3 Principal Use

- a) The site shall contain a dwelling-unit and the principal use of the site shall be residential activities.
- b) The residential character and appearance of the site shall be maintained.
- c) A maximum of two full-time person equivalents, not resident on the site may be employed.

17.17.6 Visitor accommodation, associated buildings and activities (excluding activities in Noise Impact Overlay, licensed facilities for the general public, camping grounds and motor camps)

Refer to Appendix 19 - Airport Noise Boundaries.

Provided that:

17.17.6.1 Location

- a) Visitor accommodation may only be established on the following sites:
 - i) Inner Residential Zone: On any site
 - ii) All other zones: Any front site adjacent to an arterial or principal road
 - iii) Visitor accommodation may include facilities such as shops, restaurants, and liquor sales for the exclusive use of people being accommodated on the property.

Refer to Appendix 12 - Roadway Hierarchy Maps and Definitions in Chapter 24.

17.17.6.2 Minimum Site Area

- a) Inner Residential Zone: 1000m²
- b) All other zones: 2000m²

17.17.6.3 Site Coverage

- a) Maximum net area of any site which may be covered by buildings: 40%

17.17.6.4 Yard Distances

- a) All zones: All yards: 4.5 metres

PROVIDED THAT buildings may be erected a minimum of 2 metres from any boundary, excluding front boundaries, if the written consent of the adjoining property owners is obtained and submitted to the Consent Authority at the stage a building consent is sought.

- b) Eaves, porches, bay or box windows, steps and chimneys may be located up to 0.6m within any yard areas.
- c) All yards adjacent to the Waikanae Stream 20m from MHWMM

17.17.6.5 Parking

- a) Public areas of a property shall be assessed separately in accordance with the activity.

Refer to Chapter 15.4 for parking requirements.

17.17.6.6 Landscaping

- a) At least 30% of the site shall be grassed and planted with trees and shrubs or other vegetative cover.
- b) A plan shall be submitted to the Consent Authority prior to the commencement of the activity to show garden location(s), size, species to be used, grade, planting densities and numbers.
- c) Landscape maintenance including mulching, watering and weed control shall ensure the survival or replacement of all trees and at least 80% of shrubs and vegetative cover during a two year maintenance period after completion of planting, and shall be maintained at that level thereafter.

17.17.6.7 Fencing

- a) A fence not less than 1.8 metres in height and solidly clad shall be provided and maintained along all boundaries excluding road frontages adjoining residentially zoned land, unless the written consent of adjoining property owners is obtained, to an alternative proposal, and submitted to the Consent Authority prior to the commencement of the activity.

17.17.7 Educational institutions (including early-learning and child-care facilities) (excluding activities in the Noise Impact Overlay)

Refer to Appendix 19 – Airport Noise Boundaries.

Provided that:

17.17.7.1 Location

- a) Educational institutions may only be established on the following sites:
 - i) For up to 10 pupils:
 - Inner Residential Zone: On any site
 - All other zones: Front sites only
 - ii) From 11 to 20 pupils:
 - Inner Residential: On any site
 - All other zones: Any front site adjacent to an arterial or principal road.

Refer to Appendix 12 – Roadway Hierarchy maps and definitions in Chapter 24.

17.17.7.2 Minimum site area

- a) All zones: 1000m²

17.17.7.3 Site Coverage

- a) Maximum net area of any site which may be covered by buildings: 40%

17.17.7.4 Yard Distances

- a) All yards: 4.5 metres

PROVIDED THAT: buildings may be erected a minimum of 2 metres from any boundary, excluding front boundaries, if the written consent of the adjoining property owners is obtained and submitted to the Consent Authority at the stage a building consent is sought.

- b) All yards adjacent to the Waikanae Stream 20m from MHW

17.17.7.5 Landscaping

- a) A plan shall be submitted to the Consent Authority prior to the commencement of the activity to show garden location(s), size, species to be used, grade, planting densities and numbers.
- b) At least 30% of the site shall be planted with trees and shrubs or other vegetative cover, prior to the commencement of the activity.
- c) Landscape maintenance including mulching, watering and weed control shall ensure the survival or replacement of all trees and at least 80% of shrubs and vegetative cover during a two year maintenance period after completion of planting, and shall be maintained at that level thereafter.

17.17.7.6 Fencing

- a) A fence not less than 1.8 metres in height and solidly clad with noise reducing materials shall be provided and maintained along all boundaries excluding road frontages adjoining a property located within the General Residential, Inner Residential or Residential Protection Zones, unless the written consent of adjoining property owners is obtained, to an alternative proposal, and submitted to the Consent Authority prior to the commencement of the activity.

17.17.8 Installation or alteration of, antennas and supporting structures (other than network utility activities)

Provided that

Refer to Chapter 24 – definition of network utility and utility structure. Refer to the rules for network utilities in Chapter 8.

17.17.8.1 Height

- a) Aerials shall not extend more than 3.5m above the highest point of any building they are attached to.
- b) Maximum height of support structures (including fixtures): 20 metres
- c) Above 3.4m vertical height from ground level, any supporting structures shall be a single pole not exceeding 115mm in diameter in the case of a round section structure, or 102mm across the widest face in the case of a triangular, square or rectangular structure.
- d) Only one support structure may be erected per site.
- e) Dish antenna shall not exceed 1.2 metres in diameter.

17.17.9 Spiritual facilities*Provided that:***17.17.9.1 Location**

- a) Spiritual facilities may only be established on the following sites:
- i) Inner Residential Zone: Front sites only
 - ii) All other zones: Any front site adjacent to an arterial or principal road

*Refer to Appendix 12 –
Roading Hierarchy Maps
and definitions in Chapter
24.*

17.17.9.2 Minimum Site Area

- a) All zones: 600m²

17.17.9.3 Site Coverage

- a) Maximum net area of any site which may be covered by buildings: 35%

17.17.9.4 Yard Distances

- a) Canopies and verandahs may intrude into the street when determining compliance with yard requirements
- b) All yards: 4.5 metres
- PROVIDED THAT:** buildings may be erected a minimum of 2 metres from any boundary, excluding front boundaries, if the written consent of the adjoining property owners is obtained and submitted to the Consent Authority at the stage a building consent is sought.
- c) All yards adjacent to the Waikanae Stream 20m from MHW

17.17.9.5 Outdoor Storage

- a) Any materials associated with the activity which are to be stored outside, shall not be visible from the street, public places or from any residentially zoned property

17.17.9.6 Landscaping

- a) A plan shall be submitted prior to the commencement of the activity to show garden location(s), size, species to be used, grade, planting densities and numbers.
- b) A percentage of every site, shall be grassed and planted with trees or shrubs or given some form of substantial vegetative cover in accordance with the table below:

Zone	Percentage of Net Site Area
General Residential & Residential Protection Zones	30%
Inner Residential Zone	15%

Table 1 Rules of Percentage of Sites to be Landscaped

- c) Landscape maintenance including mulching, watering and weed control shall ensure the survival or replacement of all trees and at least 80% of shrubs during a two year maintenance period after completion of planting, and shall be maintained at that level thereafter.

17.17.9.7 Fencing

- a) A fence not less than 1.8 metres in height and solidly clad shall be provided and maintained along all boundaries excluding road frontages adjoining a property zoned General Residential, Residential Protection or Inner Residential, unless the written consent of adjoining property owners is obtained, to an alternative proposal, and submitted to the Consent Authority prior to the commencement of the activity.

17.17.10 Meteorological activities

Provided that:

- a) Associated structures shall have a ground coverage of 50m² or less; and have a height not exceeding 15 metres;
- b) Site area shall be 500m² or less.

17.17.11 Temporary activities

Provided that:

- a) The activity shall be exempt from all the General Rules except noise.
- b) The activity shall comply with rules for noise specified in Rule 11.13.3 (Table 8).
- c) The duration of the activity (excluding military training) shall be a maximum of four days including set-up and dismantling time.
- d) An individual or business may not undertake the same temporary activity more than once in 60 days, on the same site.
- e) Activities shall only be conducted between 0700 - 2200 hours, where the site is located in or adjacent to a residential zone.

Note:

Attention is drawn to the requirements of the Building Act 2004. The necessary consents in terms of health and safety, can be obtained from the Environmental Health and Building Inspectorates of Council.

17.17.12 Re-erection of second-hand dwelling units (where the Code Compliance Certificate for completion was issued not more than 10 years prior to the date of re-erection)

Provided that:

1. The activity must comply with the rules specified for the construction of residential buildings excluding minor dwelling units in 17.15.2.

17.17.13 Rail activities

Provided that:

1. This rule shall be limited to sites legally described as Pt Waiohiorore 2, ML 1324, Sec 402 SO 6654 and Pt 1D Waiohiorore ML 1286.

17.18 Controlled Activities

The following activity shall be a controlled activity:

17.18.1 Re-erection of second-hand dwelling units (excluding dwellings where the Code Compliance Certificate for completion was issued not more than 10 years prior to the date of re-erection)

Provided that:

1. The activity must comply with the general rules specified for a permitted activity.
2. The activity must comply with the rules specified for the construction of residential buildings excluding minor dwelling units in 17.15.2.

Council shall limit its control to the matters a)- d) specified below:

- a) State of repair of the dwelling exterior
- b) Reinstatement/construction of any fences, footpaths and vehicular crossings
- c) Residential amenity
- d) Financial contributions, works and services

Applications for the re-erection of a second-hand dwelling unit do not require the written approval of affected persons and the application need not be notified unless the consent authority considers there are special circumstances as provided for in Section 94C of the Act.

Particular attention to the following criteria will guide but not limit the assessment of special circumstances:

- Age and style of the dwelling unit in comparison to neighbouring sites
- State of repair of the dwelling unit and timeframe for reinstatement
- Character and amenity of the residential environment

17.18.2 Erection of new buildings

Provided that:

1. This rule shall only apply to sites legally described as Pt Waiohiorore 2, ML 1324, Sec 402 SO 6654 and Pt 1D Waiohiorore ML 1286
2. The building is visible from any street, public place or land zoned residential or reserve

Council shall limit its control to the matters a) and b) specified below:

- a) External design and appearance
- b) Amenity values

17.18.3 Erection of buildings and structures associated with permitted educational institutions, spiritual facilities and meteorological activities

Provided that:

The building or structure complies with the general rules for a permitted activity and the rules specified for the associated permitted activity.

Council shall limit its control to the matters a)-b) specified below:

- a) Residential amenity
- b) External design and appearance

17.19 Restricted Discretionary Activities

The following activities shall be restricted discretionary activities:

17.19.1 Construction, addition to or alteration of minor dwelling units, residential dwelling-units and residential accessory buildings which do not comply with the rules for Permitted activities in respect of:

- a) **Vibration**
- b) **Nuisance**
- c) **Lighting and glare**
- d) **Building length**
- e) **Minimum site area**
- f) **Height**
- g) **Site coverage**
- h) **Yard distances**
- i) **Roads, accessways and parking**
- j) **Outdoor living areas and service areas**
- k) **Gross floor area for accessory buildings**
- l) **Financial contributions, works and services**

Provided that:

1. The activity must comply with all rules (except those listed above) specified for a Permitted activity.
2. Discretion with regard to the minimum site area per unit on non-reticulated or partially reticulated sites shall be limited to a minimum site area of 500m².
3. Discretion with regard to the minimum site area per dwelling unit in the Taruheru Subdivision Block shall be limited to a minimum site area of 400m².
4. Discretion with regard to the gross floor area of any building to be used for the storage of tradesperson's goods shall be limited to a maximum gross floor area of 30m².
5. Where an item is registered by the New Zealand Historic Places Trust, Council shall in exercising its discretion with regard to the minimum site area consider the following:
 - a) The reason for the inclusion of the property in the Residential Protection Zone and the Historic Places Trust Register;

*Refer to Appendix 20 -
Taruheru Subdivision
Block Plan.*

- b) The importance (if any) of land surrounding the dwelling;
- c) The impact the proposal has on the integrity or value of the dwellings.

Council shall restrict its discretion to the matters 17.17.1(a)– 17.17.1(l) specified above.

17.19.2 Residential care homes

Council shall restrict its discretion to the matters a) – i) specified below:

- a) Scale of the activity
- b) Noise
- c) Height
- d) Outdoor storage
- e) Landscaping and fencing
- f) Parking, access and manoeuvring
- g) Location of site and buildings
- h) Site area
- i) Financial contributions, works and services
- j) Safety and security of the neighbourhood

17.19.3 Home-occupation activities which do not comply with the rules for Permitted activities in respect of:

- a) Vibration**
- b) Nuisance**
- c) Lighting and glare**
- d) Building length**
- e) Height**
- f) Roads, accessways and parking**
- g) Traffic generation**
- h) Outdoor storage**
- i) Financial contributions, works and services**

Provided that:

1. The activity must comply with all rules (except 17.19.3(a) – 17.19.3(i) listed above) specified for a Permitted activity.

Council shall restrict its discretion to the matters a) – i) specified above.

17.19.4 Visitor accommodation, associated buildings and activities (excluding licensed facilities for the general public, camping grounds and motor camps) which do not comply with the rules for Permitted activities in respect of:

- a) Vibration
- b) Nuisance
- c) Lighting and glare
- d) Height
- e) Building length
- f) Minimum site area
- g) Site coverage
- h) Yard distances
- i) Roads, accessways and parking
- j) Landscaping and fencing
- k) Financial contributions, works and services

Provided that:

1. The activity must comply with all rules (except those listed above) specified for a Permitted activity.
2. The maximum percent of the net area of a site in the Gisborne urban area which may be covered by buildings shall be 40%, to ensure the effective operation and maintenance of the infrastructure service system.

Refer to Urban planning maps – Gisborne Urban Area Boundary.

Council shall restrict its discretion to the matters a) – k) specified above.

17.19.5 Educational institutions (including early-learning and day-care facilities) for up to 20 pupils and the erection of associated buildings and structures which do not comply with the rules for Permitted or Controlled activities in respect of:

- a) Vibration
- b) Nuisance
- c) Lighting and glare
- d) Height
- e) Building length
- f) Minimum site area
- g) Yard distances
- h) Roads, accessways and parking
- i) Landscaping
- j) Fencing and outdoor play areas
- k) Financial contributions, works and services
- l) Residential amenity
- m) External design and appearance

Provided that:

1. The activity must comply with all rules (except 17.19.5(a) – 17.19.5 (m) listed above) specified for a Permitted activity.

Council shall restrict its discretion to the matters a) – m) specified above.

17.19.6 Installation or alteration of, antennas, or their support structures (other than network utility activities) that do not comply with rules for Permitted activities with respect to:

Refer to Chapter 24 – Definitions of Utility Structure and Network Utility. Refer to Chapter 8 for rules relating to network utilities.

- a) Amenity values
- b) Height
- c) Location
- d) Screening

Council shall restrict its discretion to the matters a) – d) specified above.

17.19.7 Temporary activities which do not comply with the rules for Permitted activities in respect of:

- a) Noise
- b) Duration of the activity
- c) Frequency of the activity
- d) Hours of operation

Council shall restrict its discretion to the matters 17.19.7(a) - 17.19.7(d) specified above.

17.19.8 Retail activities and associated buildings

Provided that:

1. The site is zoned Inner Residential.
2. The site is a front site located adjacent to a principal or arterial road, but excluding sites adjacent to Awapuni Road.
3. The gross floor area shall not exceed 500m².

Council shall restrict its discretion to the matters a) – e) specified below:

- a) Amenity values
- b) Design
- c) Parking and traffic flow
- d) Heritage values
- e) Financial contributions

17.19.9 Offices and associated buildings

Provided that:

1. The site is zoned Inner Residential.
2. The site is a front site located adjacent to a principal or arterial road, but excluding sites adjacent to Awapuni Road.

Council shall restrict its discretion to the matters a) – e) specified below:

- a) Amenity values
- b) Design

- c) Parking and traffic flow
- d) Heritage values

17.20 Discretionary Activities

The following activities shall be discretionary activities:

17.20.1 Activities listed as Permitted or Controlled which do not comply with the Rules, and are not provided for as Restricted Discretionary activities

17.20.2 Educational institutions (including early-learning and day-care facilities) for 21 pupils or more

17.20.3 Facilities for the sale of liquor, including alterations or additions to existing licensed buildings or the expansion in operation of existing licensed activities

17.20.4 Camping grounds and motor camps

Provided that:

1. The activity shall only be conducted on front sites on arterial or principal roads.
2. The site shall comprise at least 2000m².

*Refer to Appendix 12 –
Roading Hierarchy Maps
and definitions in Chapter
24.*

17.20.5 Recycling depots

17.21 Non-Complying Activities

The following activities shall be non-complying activities:

17.21.1 Activities which are not provided for as Permitted, Controlled, Restricted Discretionary or Discretionary activities

17.22 ANTICIPATED ENVIRONMENTAL RESULTS

- a) Ongoing development in non-reticulated areas using waste disposal systems appropriate to each site with out adverse effects on the environment.
- b) Maintenance or enhancement of the amenity values which contribute to the residential environment.
- c) Ongoing development in residential areas which will maintain the historical, cultural, architectural and/or amenity values of identified sites.
- d) Objectives, Policies and Rules in the Plan which enable sustainable management of the residential environment.
- e) A consolidation of residential development within existing settlement areas, and efficient use of the service infrastructure.
- f) A high degree of compliance with the requirements of the Plan and resource consent conditions.